

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79337

MINIMUM REQUIREMENTS CHECKLIST TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) DESERT RIDGE FAMILY LTD PARTNERSHIP

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

- Yes** ~~N/A~~ *Means the item is always required and must be included with the application.
- ☒ * Completed Application for Transfer of Water Right form, Part 1.
 - ☐ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
 - ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
 - ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
 - ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
 - ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

RECEIVED

JUN 02 2014

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant DESERT RIDGE FAMILY LTD PARTNERSHIP Phone (208)663-4859
C/O HOWARD JOHNSON
Mailing Address 1486 E 1200 N, TERRETON ID 83450 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.
☐ No Representative

Name of Representative _____ Phone _____
Mailing Address _____ Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.

OR ☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Howard C Johnson Howard C Johnson 5-30-14
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	31-2433	Yes	Yes	Yes	No	No	No
	31-7029A	No	No	Yes	No	No	No
	31-7035	No	No	Yes	No	No	No
	31-7053	No	No	Yes	No	No	No
	31-7159	Yes	Yes	Yes	No	No	No

Associated Right(s): 31-11353 , 31-11354

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

This transfer proposes to split water rights 31-2433 & 31-7159. The split portions from these rights will be combined with water rights 31-7053, 31-7035 & 31-7029A into a 409 acres POU. Through this transfer acres that are currently being irrigated without a water right will be covered with water rights and a potential NOV will be resolved.

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
31-12336	0.140 cfs	28.0 af	8.0	409.0	31-2433	4.310 cfs	882.0 af	252.0	271.0
31-7029A	1.600 cfs	280.0 af	80.0	409.0		N/A	N/A	N/A	N/A
31-7035	1.600 cfs	280.0 af	80.0	409.0		N/A	N/A	N/A	N/A
31-7053	4.760 cfs	833.0 af	238.0	409.0		N/A	N/A	N/A	N/A
31-12337	0.060 cfs	10.5 af	3.0	409.0	31-7159	3.940 cfs	728.0 af	208.0	226.0
COMBINED TOTALS	6.890 cfs	1,431.5 af	409.0	409.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 6.89 cubic feet per second and/or _____ acre-feet per annum
3. Points(s) of Diversion:
☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☒ As shown in Part 1.
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**
4. Place of Use:
☐ No changes to place of use are proposed. (Proceed to #5.)
☒ As shown in Part 1.
☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Unchanged Portion After Requested Changes

Original Water Right No. 31-2433

Current Water Right Owner

DESERT RIDGE FAMILY
LTD PARTNERSHIP
C/O HOWARD JOHNSON
1486 E 1200 N
TERRETON, ID 83450

Priority Date: 3/6/1967

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/01	10/01	4.310 CFS	882.0 AFA	
Total Diversion			4.310 CFS	882.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER

SENESEW

Sec. 1 Twp 05N Rge 34E JEFFERSON County

Describe the proposed diversion system

WELL 400' DP/ 200 HP PUMP- TWO CENTER PIVOTS.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	34E	1			36.0					35.0	33.0			33.0		33.5	32.7		203.2
					L 2					L 3									
05N	34E	12		33.4			34.4												67.8

Right Acre Limit: 252.0

POU Total Acres: 271.0

**THE IOWA DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes**

Proposed Water Right No. 31-12336

(Original Water Right No. 31-2433)

Current Water Right Owner

DESERT RIDGE FAMILY
LTD PARTNERSHIP
C/O HOWARD JOHNSON
1486 E 1200 N
TERRETON, ID 83450

Priority Date: 3/6/1967

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/01	10/01	0.140 CFS	28.0 AFA	
Total Diversion			0.140 CFS	28.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNESE

Sec. 2 Twp 05N Rge 34E JEFFERSON County

Describe the proposed diversion system

WELL-350HP -PUMP WITH HANDLINES AND CENTER PIVOTS.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	34E	1							35.0		4.5	39.0	35.0	2.5					116.0
									L 4										
05N	34E	2			39.0	33.5				37.5	37.0			1.5	38.0	37.0	34.0	35.5	293.0
					L 2	L 1				L 3									

Right Acre Limit: 8.0

POU Total Acres: 409.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 31-7029A

Current Water Right Owner

DESERT RIDGE FAMILY
LTD PARTNERSHIP
C/O HOWARD JOHNSON
1486 E 1200 N
TERRETON, ID 83450

Priority Date: 1/23/1970

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/01	10/15	1.600 CFS	280.0 AFA	
Total Diversion			1.600 CFS	280.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER

SWNESE

Sec. 2 Twp 05N Rge 34E JEFFERSON County

Describe the proposed diversion system

WELL-335'DP/350HP -PUMP WITH HANDLINES AND CENTER PIVOTS.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	34E	1							35.0		4.5	39.0	35.0	2.5					116.0
									L 4										
05N	34E	2			39.0	33.5				37.5	37.0			1.5	38.0	37.0	34.0	35.5	293.0
					L 2	L 1				L 3									

Right Acre Limit: 80.0

POU Total Acres: 409.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 31-7035

Current Water Right Owner

DESERT RIDGE FAMILY
LTD PARTNERSHIP
C/O HOWARD JOHNSON
1486 E 1200 N
TERRETON, ID 83450

Priority Date: 5/12/1970

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/01	10/15	1.600 CFS	280.0 AFA	
Total Diversion			1.600 CFS	280.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNESE

Sec. 2 Twp 05N Rge 34E JEFFERSON County

Describe the proposed diversion system

WELL-335'DP/350HP -PUMP WITH HANDLINES AND CENTER PIVOTS.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	34E	1							35.0		4.5	39.0	35.0	2.5					116.0
									L 4										
05N	34E	2			39.0	33.5				37.5	37.0			1.5	38.0	37.0	34.0	35.5	293.0
					L 2	L 1				L 3									

Right Acre Limit: 80.0

POU Total Acres: 409.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 31-7053

Current Water Right Owner

DESERT RIDGE FAMILY
 LTD PARTNERSHIP
 C/O HOWARD JOHNSON
 1486 E 1200 N
 TERRETON, ID 83450

Priority Date: 8/18/1971

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/01	10/15	4.760 CFS	833.0 AFA	
Total Diversion			4.760 CFS	833.0 AFA	

Source and Point(s) of Diversion:
 GROUND WATER

SWNESE

Sec. 2 Twp 05N Rge 34E JEFFERSON County

Describe the proposed diversion system

WELL-335'DP/350HP -PUMP WITH HANDLINES AND CENTER PIVOTS.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	34E	1							35.0		4.5	39.0	35.0	2.5					116.0
									L 4										
05N	34E	2			39.0	33.5				37.5	37.0			1.5	38.0	37.0	34.0	35.5	293.0
					L 2	L 1				L 3									

Right Acre Limit: 238.0

POU Total Acres: 409.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Unchanged Portion After Requested Changes

Original Water Right No. 31-7159

Current Water Right Owner

DESERT RIDGE FAMILY
LTD PARTNERSHIP
C/O HOWARD JOHNSON
1486 E 1200 N
TERRETON, ID 83450

Priority Date: 3/18/1975

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	3.940 CFS	728.0 AFA	
Total Diversion			3.940 CFS	728.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER

SENESE

Sec. 1 Twp 05N Rge 34E JEFFERSON County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	34E	1				36.5									31.0			38.0	105.5
						L 1													
05N	34E	12	23.0																23.0
05N	35E	6							28.5				23.0	30.0					81.5
									L 4				L 5	L 6					
05N	35E	7							16.0										16.0
									L 1										

Right Acre Limit: 208.0

POU Total Acres: 226.0

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future
Diversion systems will remain the same.

- b. Who owns the property at the point(s) of diversion

The applicant.

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ If Yes, ☐

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
It will be dry.

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Associated water rights 31-11354 (an enlargement of 31-7159) and 31-11353 (an enlargement of 31-2433)
) will be limited to new places of use, combined volumes and combined diversion rates.

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes

No

☐
☐
☐
☐

☒
☒
☒
☒

undergone a period of five or more consecutive years of non-use,
currently leased to the Water Supply Bank,
currently used in a mitigation plan limiting the use of water under the right, or
currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
LOCATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 31-2433

Current Water Right Owner

DESERT RIDGE FAMILY
LTD PARTNERSHIP
C/O HOWARD JOHNSON
1486 E 1200 N
TERRETON, ID 83450

Priority Date: 3/6/1967

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/01	10/01	4.450 CFS	910.0 AFA	
Total Diversion			4.450 CFS	910.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER

SENESEW

Sec. 1 Twp 05N Rge 34E JEFFERSON County

Describe the proposed diversion system

WELL 400' DP/ 200 HP PUMP- TWO CENTER PIVOTS.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	34E	1			36.0					36.0	34.0			33.0		34.0	34.0		207.0
					L 2					L 3									
05N	34E	12		35.0			35.0												70.0
06N	34E	36											1.0	1.0					2.0

Right Acre Limit: 260.0

POU Total Acres: 279.0

Conditions/Remarks:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHT NO. 31-11353 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.45 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 976.5 AF.
4. USE OF THIS RIGHT WITH RIGHT NO. 31-11353 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 279 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 260 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. RIGHT NO. 31-02433 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
RIGHT NO. 31-11353 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [MAY 1] AND AFTER [OCTOBER 1] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES
LOCATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 31-7029A

Current Water Right Owner

DESERT RIDGE FAMILY
 LTD PARTNERSHIP
 C/O HOWARD JOHNSON
 1486 E 1200 N
 TERRETON, ID 83450

Priority Date: 1/23/1970

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/01	10/15	1.600 CFS	280.0 AFA	
Total Diversion			1.600 CFS	280.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNESE

Sec. 2 Twp 05N Rge 34E JEFFERSON County

Describe the proposed diversion system

WELL-335'DP/350HP -PUMP WITH HANDLINES AND CENTER PIVOTS.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	34E	1							38.0		5.0	40.0	36.0	6.0					125.0
									L 4										
05N	34E	2			38.0	38.0				38.0	37.0				40.0	40.0	7.0	35.0	273.0
					L 2	L 1				L 3									

Right Acre Limit: 80.0

POU Total Acres: 398.0

Conditions/Remarks:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 398 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-07035, 31-07053.
4. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [MAY 1] AND AFTER [OCTOBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

5. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.69 CFS AND IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1393 AF.
COMBINED RIGHT NOS.: 31-07035, 31-07053.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.69 CFS. COMBINED RIGHT NOS.: 31-07035, 31-07053, 31-07029B
6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-07035, 31-07053.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 31-7035

Current Water Right Owner

DESERT RIDGE FAMILY
LTD PARTNERSHIP
C/O HOWARD JOHNSON
1486 E 1200 N
TERRETON, ID 83450

Priority Date: 5/12/1970

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/01	10/15	1.600 CFS	280.0 AFA	
Total Diversion			1.600 CFS	280.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER

SWNESE

Sec. 2 Twp 05N Rge 34E JEFFERSON County

Describe the proposed diversion system

WELL, 335' DEEP, 350 H.P. PUMP TWO SMALL CENTER PIVOT AND LINES.

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	34E	1							38.0		5.0	40.0	36.0	6.0					125.0
									L 4										
05N	34E	2			38.0	38.0				38.0	37.0				40.0	40.0	7.0	35.0	273.0
					L 2	L 1				L 3									

Right Acre Limit: 80.0

POU Total Acres: 398.0

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.69 CFS AND IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1393 AF.
COMBINED RIGHT NOS.: 31-07029A, 31-07053.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.69 CFS. COMBINED RIGHT NOS.: 31-07029A, 31-07053, 31-07029B
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 398 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-07029A, 31-07053.
- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-07029A, 31-07053.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

5. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [MAY 1] AND AFTER [OCTOBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
6. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 31-7053

Current Water Right Owner

DESERT RIDGE FAMILY
 LTD PARTNERSHIP
 C/O HOWARD JOHNSON
 1486 E 1200 N
 TERRETON, ID 83450

Priority Date: 8/18/1971

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/01	10/15	4.760 CFS	833.0 AFA	
Total Diversion			4.760 CFS	833.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNESE

Sec. 2 Twp 05N Rge 34E JEFFERSON County

Describe the proposed diversion system

WELL-335'DP/350HP PUMP --TWO CENTER PIVOTS-SPRINKLERS

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	34E	1							38.0		5.0	40.0	36.0	6.0					125.0
									L 4										
05N	34E	2			38.0	38.0				38.0	37.0				40.0	40.0	7.0	35.0	273.0
					L 2	L 1				L 3									

Right Acre Limit: 238.0

POU Total Acres: 398.0

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.69 CFS AND IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1393 AF.
 COMBINED RIGHT NOS.: 31-07035, 31-07029A USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.69 CFS. COMBINED RIGHT NOS.: 31-07035, 31-07029A, 31-07029B
- THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [MAY 1] AND AFTER [OCTOBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 238 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 398 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-07029A, 31-07035.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-07029A, 31-07035.

10

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

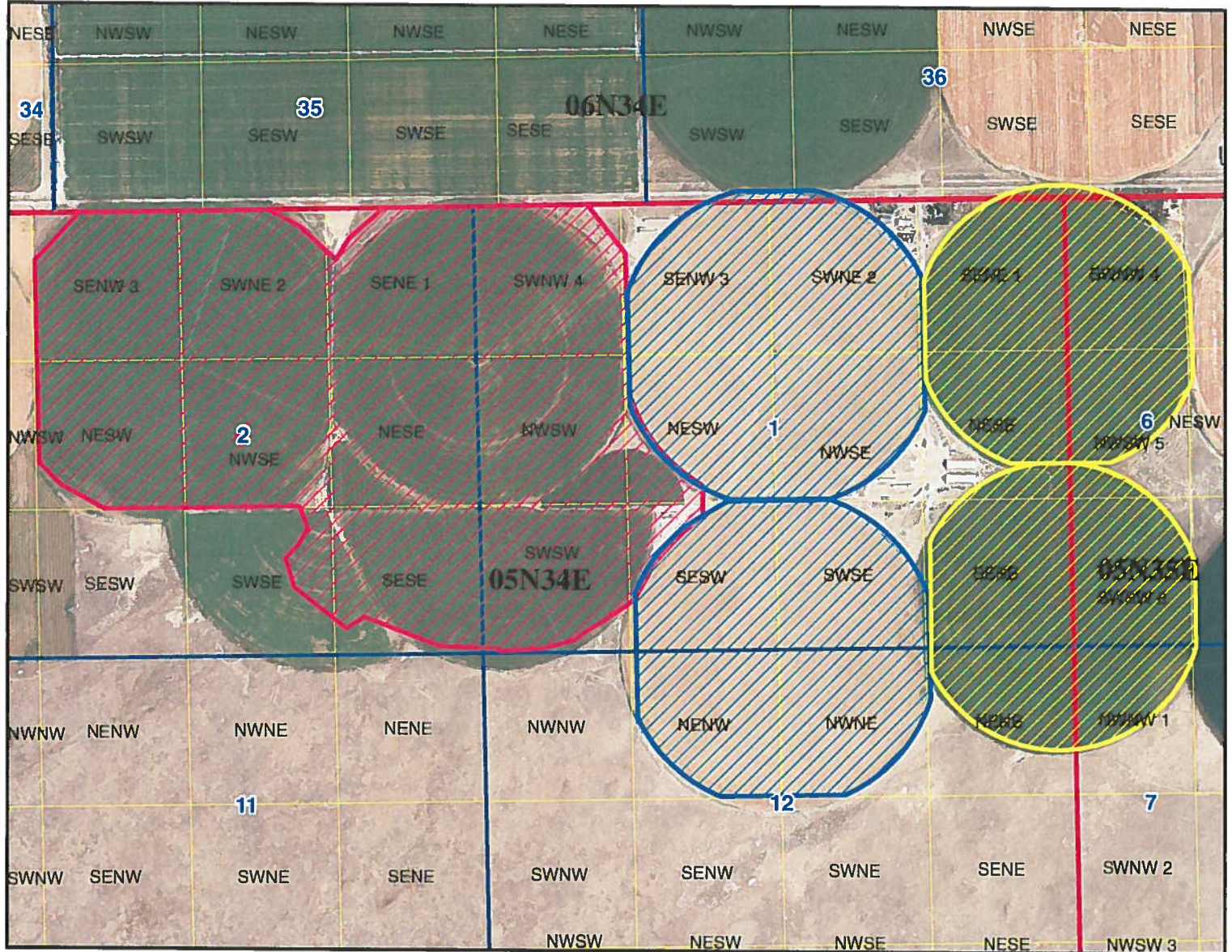
☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

[illegible]

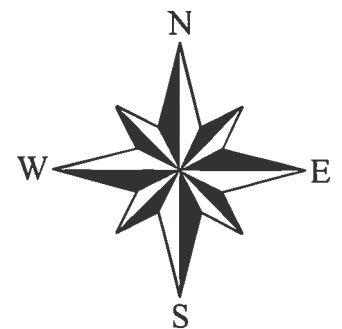
Transfer Contains 24 pages and 3 attachments.
 Received By HB Date 5/23/14 Prelim. Check By _____ Date 5/23/14
 Fee Paid \$500.00 Date 5/23/14 Received By HB Receipt # E0398602
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

Current Water Use



Legend

-  31-7159 & 31-11354
-  31-2433 & 31-11353
-  31-7053, 31-7035 & 31-7029A
-  Township/Range
-  Sections
-  QQ

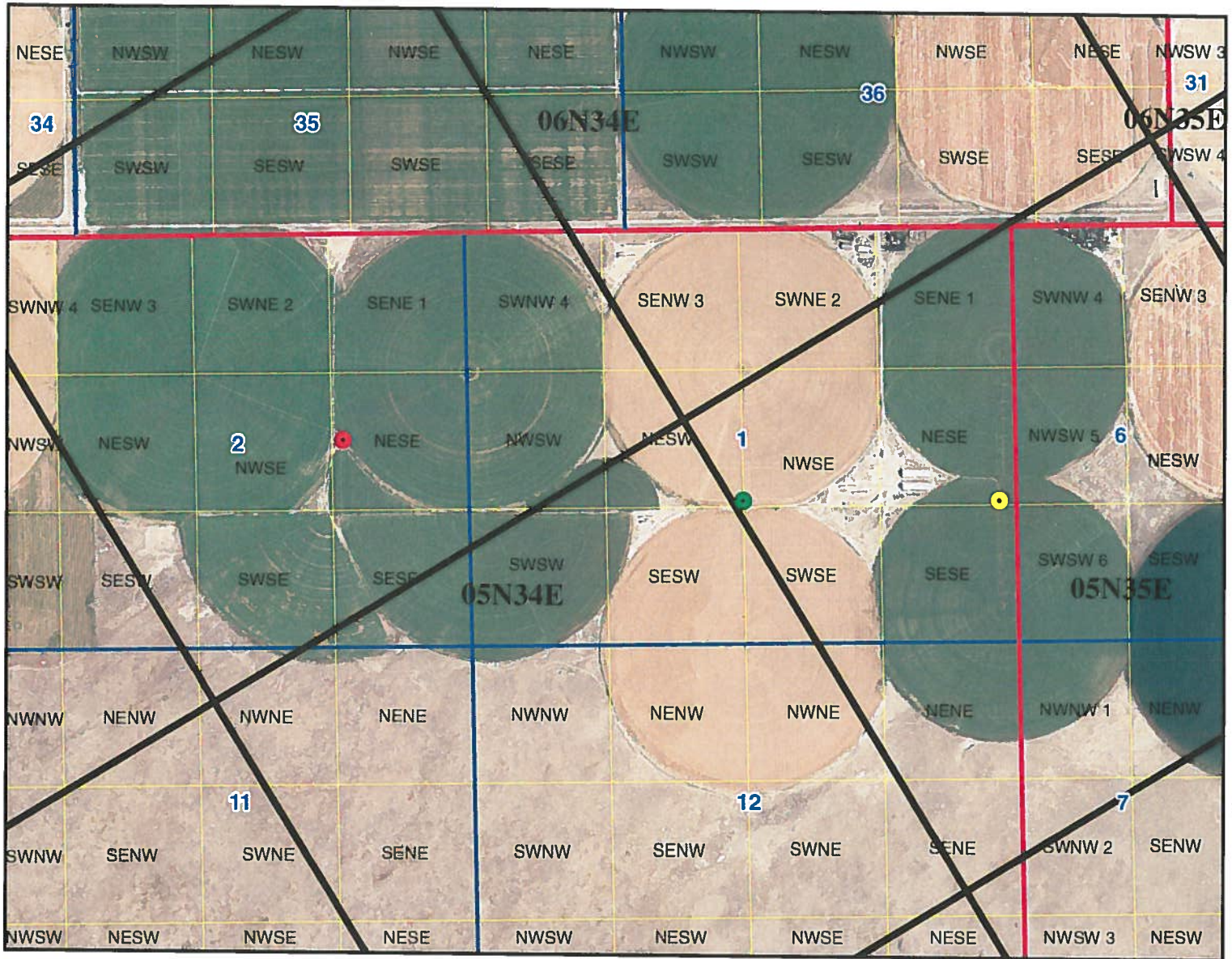


0 0.225 0.45 0.9 Miles

Imagery: 2013 NAIP
Idaho Department of Water Resources
Map Prepared by Heather Bohac, May 22, 2014

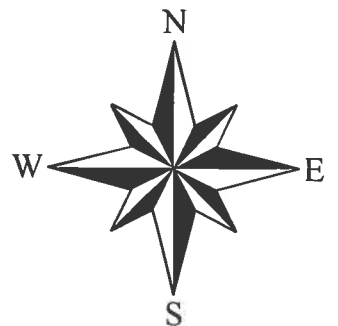
79 337

Existing Points of Diversion



Legend

- 31-7159 & 31-11354 Point of Diversion
- 31-2433 & 31-11353 Point of Diversion
- 31-7053, 31-7035 & 31-7029A Point of Diversion
- ESPA Model Grid
- Township/Range
- Sections
- QQ

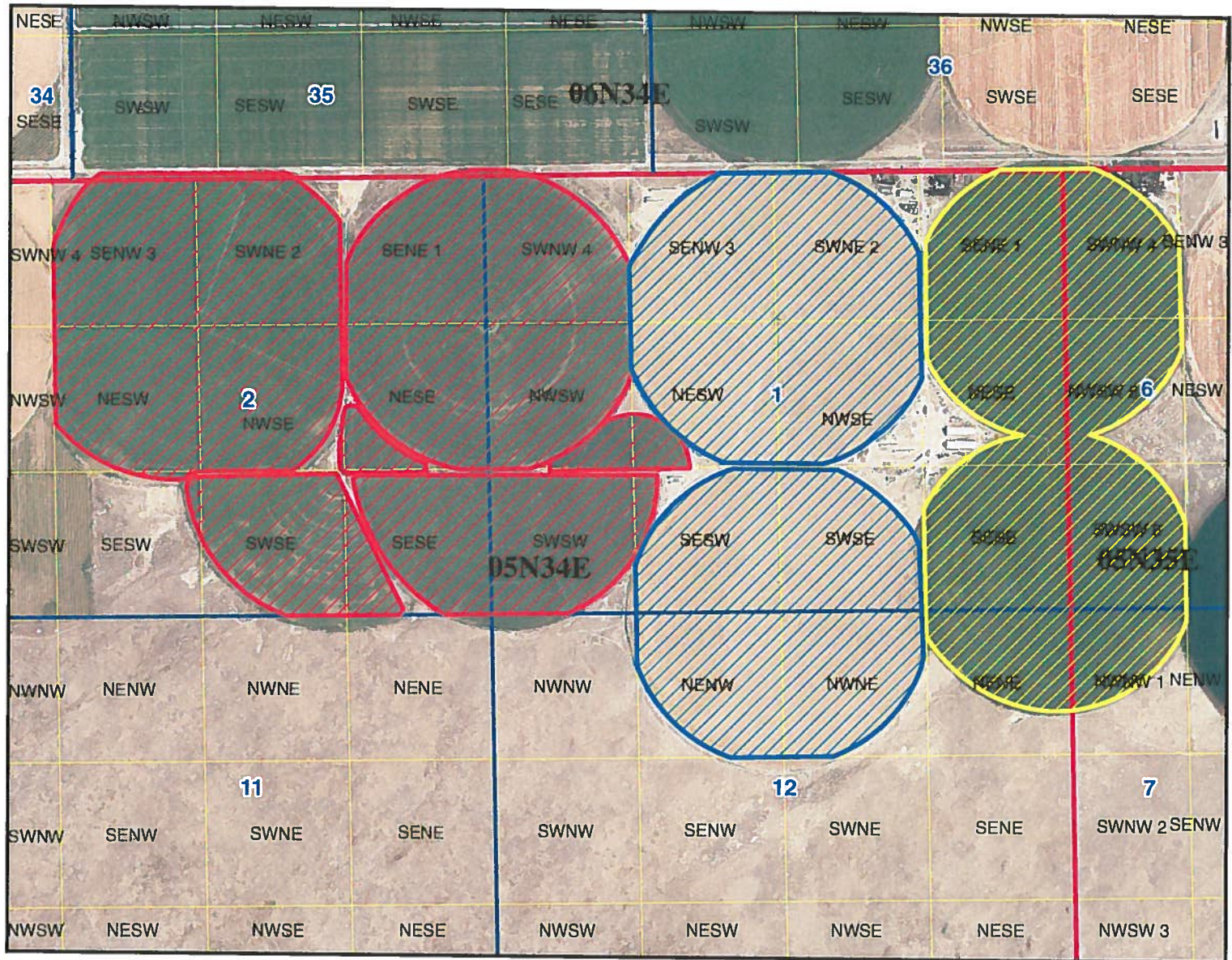


0 0.25 0.5 Miles

79337

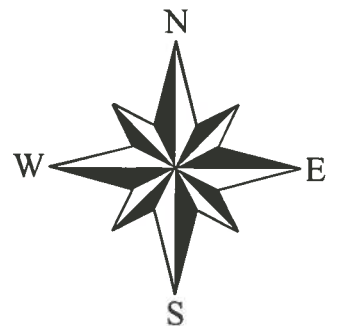
Imagery: 2013 NAIP
Idaho Department of Water Resources
Map Prepared by Heather Bohac, May 22, 2014

Proposed Water Use



Legend

-  31-2433 & 31-11353
-  31-7159 & 31-11354
-  31-7053, 31-7035, 31-7029A, 31-12336 & 31-12337
-  Township/Range
-  Sections
-  QQ



0 0.225 0.45 Miles
0.9

Imagery: 2013 NAIP
Idaho Department of Water Resources
Map Prepared by Heather Bohac, May 22, 2014

CERTIFICATE OF LIMITED PARTNERSHIP

To the: STATE OF IDAHO SECRETARY OF STATE
CORPORATIONS DIVISION

PHONE: (208) 334-5355 FAX: (208) 334-2282
700 WEST JEFFERSON, ROOM 203 • P.O. BOX 83720 • BOISE, ID 83720-0080

RECEIVED
OF STATE
23 PM 2 40



1. The name of the limited partnership is: DESERT RIDGE FAMILY LIMITED
PARTNERSHIP
(Must include, without abbreviation, the words "Limited Partnership.")

2. The name and business address of the registered agent are:
Howard Johnson 1486 E. 1200 N. Terreton, Idaho 83450
(not a P.O. Box)

3. The name and business address of each general partner are:

Name	Address
<u>H.J. Farms, Inc.</u>	<u>1486 East 1200 North, Terreton, Idaho 83450</u>

(If more space is needed, continue in item 5.)

4. The latest date on which the partnership will dissolve is: February 9, 2070

5. Other matters (optional):

6. Signatures of all general partners:

H.J. Farms, Inc.

By: Howard Johnson
HOWARD JOHNSON

President

IDAHO SECRETARY OF STATE
19950323 0900 74522 2
Secretary State only CUST# 45428
CORP
10 100.00= 100.00
#: C