

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79290

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 www.idwr.idaho.gov.

Name of Applicant(s) Lake Family Ranches Inc

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 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). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #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 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.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☐ #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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Lake Family Ranches Inc. Phone (208) 684-4967

Mailing address 330 Taber Rd, Blackfoot, ID 83221 Email lake ranch@bmi.net

- ☐ 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.

Dennis M Lake
Signature of Applicant or Authorized Representative

DENNIS M LAKE, PRES
Print Name and Title if applicable

4-24-14
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
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 change the ^uPO~~int~~ of WR 25-12415 to be ^{located in} 03~~4~~RS instead of 034. An error was made at some point in describing this PO~~int~~ applicant would like to correct it.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ ☐	25-12415	0.030 cfs	Stockwater	1/01 to 12/31	Spring trib. to Greys Lake
☐ ☐				to	Outlet
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.030 cfs and/or N/A acre-feet.

2. Total amount of water proposed to be transferred or changed 0.030 cubic feet per second and/or N/A acre-feet per annum.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	42E	15	X																
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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:

Line from Spring to trough, valve on line.

- 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?
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: NO

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:

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

None

- 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
Proof Report

4/30/2014

Water Right 25-12415

Owner Type **Name and Address**
Current Owner LAKE FAMILY RANCHES INC
830 TABER RD
BLACKFOOT, ID 83221
(208)684-4967

Priority Date: 4/1/1947

Basis: Decreed

Status: Active

Source **Tributary**
SPRING GRAYS LAKE OUTLET

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.030 CFS	
	<u>Total Diversion</u>		0.030 CFS	

Source and Point(s) of Diversion

SPRING SWNENE Sec. 15, Twp 03S, Rge 42E, BONNEVILLE County

Place Of Use

STOCKWATER within BONNEVILLE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	42E	15	X																

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP03S42E150001 STOCKWATER, 60 BEEF CATTLE

Dates and Other Information

Decreed Date: 4/16/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☐ 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.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(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**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

FOR DEPARTMENT USE ONLY

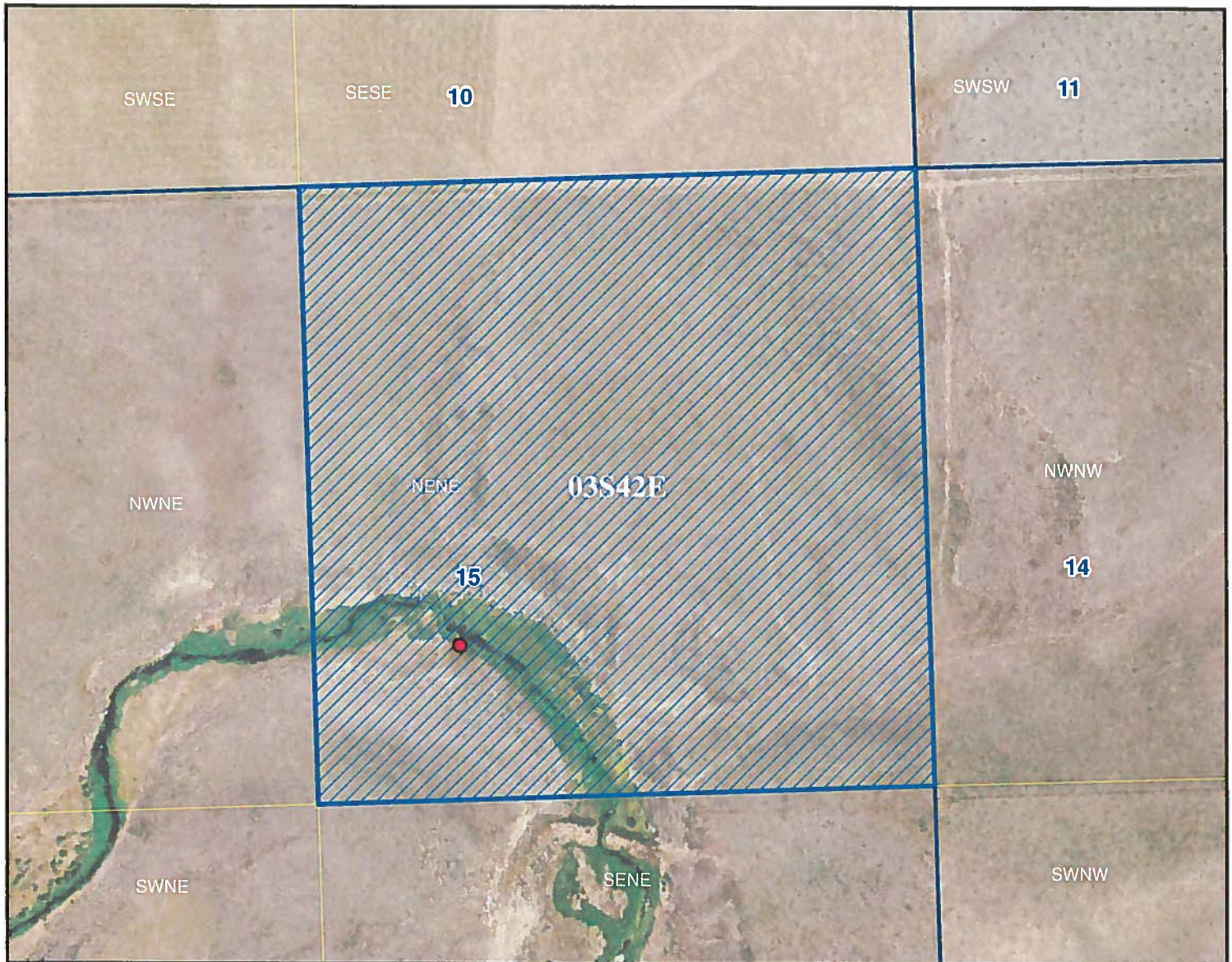
Transfer contains 10 pages and 5 attachments.

Received by HJB Date 4/23/14 Preliminary check by HJB Date 4/28/14

Fee paid \$200 - Date 4/29/14 Received by HB Receipt # E09744

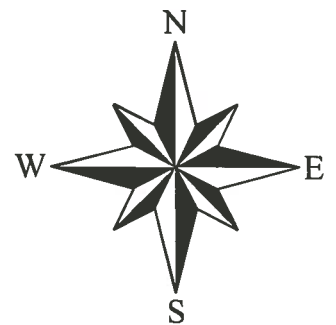
Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Lake Family Ranches Inc. Proposed Water Use



Legend

- 25-12415 Proposed POD
-  25-12415 Proposed POU
-  Township/Range
-  Sections
-  QQ



Imagery: 2013 NAIP



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

March 27, 2014

C.L. "BUTCH" OTTER
Governor

Lake Family Ranches Inc
830 W Tobar Rd
Blackfoot ID 83221

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 25-12415

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

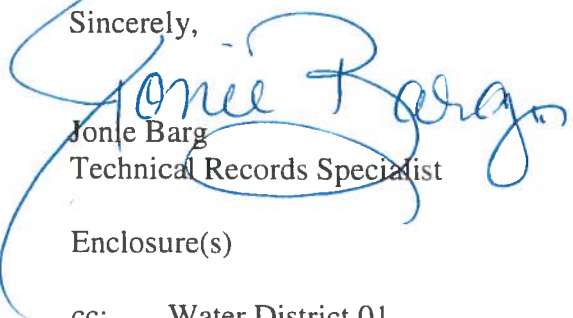
Please note there is an error in the place of use of the water right. The water right lists the place of use as being in Township 3 North Range 42 East Section 15; it appears the place of use should be located in Township 3 South Range 42 East Section 15. In order for the department to correct this error an Application for Transfer will be required.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 01

79290

No. C 29010	Due no later than Dec 31, 2013 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed.		DENNIS M. LAKE 830 TABER ROAD BLACKFOOT ID 83221			
	LAKE FAMILY RANCHES, INC. DENNIS M. LAKE 830 TABER ROAD BLACKFOOT ID 83221		3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
PRESIDENT	DENNIS M. LAKE	830 TABER RD	BLACKFOOT	ID	USA	83221
SECRETARY	LUANN LAKE	830 TABER RD	BLACKFOOT	ID	USA	83221
DIRECTOR	STEPHEN T LAKE	792 W. 200 N.	BLACKFOOT	ID	USA	83221
DIRECTOR	BRUCE LAKE	797 W. 100 N.	BLACKFOOT	ID	USA	83221
5. Organized Under the Laws of: ID C 29010		6. Annual Report must be signed.* Signature: Dennis M. Lake Name (type or print): Dennis M. Lake Date: 11/13/2013 Title: President				
Processed 11/13/2013		* Electronically provided signatures are accepted as original signatures.				

79290

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
670 South Woodruff
Idaho Falls, ID 83401

Recorded Electronically	
ID	<u>1468604</u>
County	<u>Bonneville</u>
Date	<u>3/13/2014</u> Time <u>11:17</u>
Simplifile.com 800.460.5657	

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **494996-IF (mh)**

Date: **March 05, 2014**

For Value Received, **Visalia Trust and Jonathan Parker and Vivian Parker, husband and wife and Paul Lawrence, an unmarried man**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Lake Family Ranches, Inc.**, hereinafter called the Grantee, whose current address is **830 West Taber Road, Blackfoot, ID 83221**, the following described premises, situated in **Bonneville County, Idaho**, to-wit:

PARCEL 1:

THE N1/2 OF THE N1/2 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 42 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO.

PARCEL 2:

THE NW1/4 OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 42 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO.

PARCEL 2E:

A PERPETUAL EASEMENT 24 FEET IN WIDTH TO BURY UTILITIES AND CONSTRUCT AND MAINTAIN A ROADWAY FOR GENERAL INGRESS AND EGRESS PURPOSES FROM THE BROCKMAN ROAD, RUNNING ALONG THE NORTH BOUNDARY OF SECTION 14 AND THE NORTH BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 15, ALL IN TOWNSHIP 3 SOUTH, RANGE 42 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO.

PARCEL 3:

THE NE1/4 OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 42 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO.

PARCEL 3E:

A PERPETUAL EASEMENT 24 FEET IN WIDTH TO BURY UTILITIES AND CONSTRUCT AND MAINTAIN A ROADWAY FOR GENERAL INGRESS AND EGRESS PURPOSES FROM THE BROCKMAN ROAD, RUNNING ALONG THE NORTH BOUNDARY OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 42 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

494996-15
First American Title Co.
670 S. Woodruff
Idaho Falls, ID 83401

Date: 03/05/2014

Warranty Deed
- continued

File No.: 494996-1F (mh)

Visalia Trust

Jonathan Parker

Reed L Harman, Trustee

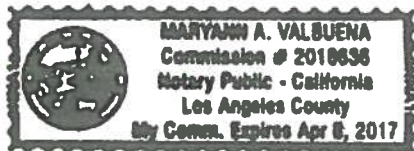
Paul Lawrence

Nan M. Harman, Trustee

Vivian Parker

STATE OF California)
COUNTY OF Los Angeles)
SS.

On this 6th day of **March, 2014**, before me, a Notary Public in and for said State, personally appeared Reed Harman, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of the **Visalia Trust** Trust, and acknowledged to me that he executed the same as such Trustee.



Maryann A. Valbuena
Notary Public of CA
Residing at: Redondo Beach
Commission Expires: Apr 8, 2017