

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78550

RECEIVED

NOV 06 2013

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

MAY 03 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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) RELAR FARMS LLC AND ADT FARMS LLC

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

NOV 06 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 03 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant RELAR FARMS LLC Phone 208-678-4820
 Mailing Address 246 E 300 S, BURLEY ID 83318 Email _____
 Name of Applicant ADT FARMS LLC Phone (208)678-4820
 Mailing Address 246 E 300 S, BURLEY ID 83318 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.

[Signature]
 Signature of Applicant or Authorized Representative

Larry Gerratt
 Print Name and Title if applicable

4/26/13
 Date

[Signature]
 Signature of Applicant or Authorized Representative

Todd Gerratt
 Print Name and Title if applicable

4-26-13
 Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	43-13715	No	No	Yes	No	No	No
	43-13716	No	No	Yes	No	No	No
	43-13718	No	No	Yes	No	No	No
	43-13719	No	No	Yes	No	No	No

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**

Application is being filed to reflect actual current irrigation practices and locations of use that have been in place for several years. Ownership of the rights involved with this transfer will not change as a result of this transfer (see attached authorization and acknowledgement statements).

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
43-13715	1.380 cfs	408.8 af	102.2	1306.0		N/A	N/A	N/A	N/A
43-13716	14.570 cfs	4317.2 af	1079.3	1306.0		N/A	N/A	N/A	N/A
43-13718	0.130 cfs	N/A	10.8	1306.0		N/A	N/A	N/A	N/A
43-13719	1.390 cfs	N/A	113.7	1306.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	15.950 cfs	4,726.0 af	1,306.0	1,306.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 15.95 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 RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-13715

Current Water Right Owner
 ADT FARMS LLC
 246 E 300 S
 BURLEY, ID 83318

Priority Date: 10/24/1961

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	03/15	11/15	1.380 CFS	408.8 AFA	
Total Diversion			1.380 CFS	408.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNENE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESWSE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENENW	Sec. 30 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NWSWSE	Sec. 30 Twp 10S Rge 28E	CASSIA 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	
10S	27E	25													30.0	33.0	27.0	25.0	115
10S	27E	36	0.2			0.2													0.4
10S	28E	18															34.0	34.0	68
10S	28E	19	34.0	38.0	37.0	37.0	12.0			39.0	29.0			39.0	33.0	38.0	39.0	34.0	409
10S	28E	30	32.0	38.0	33.0	32.0	32.0	38.0	37.0	25.0	34.0	38.0	37.0	33.0	32.0	33.0	33.0	32.0	539
								L 1	L 2			L 3	L 4						
10S	28E	31					26.0	39.0	41.0	30.0	28.6	10.0							174.6
								L 1	L 2			L 3							

Right Acre Limit: 102.2
 POU Total Acres: 1,306.0

**IDaho DEPARTMENT OF WATER RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 43-13716

Current Water Right Owner

RELAR FARMS LLC
246 E 300 S
BURLEY, ID 83318

And

ADT FARMS LLC
246 E 300 S
BURLEY, ID 83318

Priority Date: 10/24/1961

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	03/15	11/15	14.570 CFS	4317.2 AFA	
Total Diversion			14.570 CFS	4317.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNENE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESWSE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENENW	Sec. 30 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NWSWSE	Sec. 30 Twp 10S Rge 28E	CASSIA 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	
10S	27E	25													30.0	33.0	27.0	25.0	115
10S	27E	36	0.2			0.2													0.4
10S	28E	18															34.0	34.0	68
10S	28E	19	34.0	38.0	37.0	37.0	12.0			39.0	29.0			39.0	33.0	38.0	39.0	34.0	409
10S	28E	30	32.0	38.0	33.0	32.0	32.0	38.0	37.0	25.0	34.0	38.0	37.0	33.0	32.0	33.0	33.0	32.0	539
								L 1	L 2			L 3	L 4						
10S	28E	31					26.0	39.0	41.0	30.0	28.6	10.0							174.6
								L 1	L 2			L 3							

Right Acre Limit: 1,079.3
POU Total Acres: 1,306.0

IDaho DEPARTMENT OF WATER RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-13718

Current Water Right Owner ADT FARMS LLC
 246 E 300 S
 BURLEY, ID 83318

Priority Date: 6/30/1985

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>Subuse Code</u>
IRRIGATION	03/15	11/15	0.130 CFS	
Total Diversion			0.130 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NESWSE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENENW	Sec. 30 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SWNENE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NWSWSE	Sec. 30 Twp 10S Rge 28E	CASSIA 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	
10S	27E	25													30.0	33.0	27.0	25.0	115
10S	27E	36	0.2			0.2													0.4
10S	28E	18															34.0	34.0	68
10S	28E	19	34.0	38.0	37.0	37.0	12.0			39.0	29.0			39.0	33.0	38.0	39.0	34.0	409
10S	28E	30	32.0	38.0	33.0	32.0	32.0	38.0	37.0	25.0	34.0	38.0	37.0	33.0	32.0	33.0	33.0	32.0	539
								L 1	L 2			L 3	L 4						
10S	28E	31					26.0	39.0	41.0	30.0	28.6	10.0							174.6
								L 1	L 2			L 3							

Right Acre Limit: 10.8
 POU Total Acres: 1,306.0

IDaho DEPARTMENT OF WATER RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-13719

Current Water Right Owner

ADT FARMS LLC
 246 E 300 S
 BURLEY, ID 83318

RELAR FARMS LLC
 246 E 300 S
 BURLEY, ID 83318

Priority Date: 6/30/1985

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>Subuse Code</u>
IRRIGATION	03/15	11/15	1.390 CFS	
Total Diversion			1.390 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NESWSE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENENW	Sec. 30 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SWNENE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NWSWSE	Sec. 30 Twp 10S Rge 28E	CASSIA 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	
10S	27E	25													30.0	33.0	27.0	25.0	115
10S	27E	36	0.2			0.2													0.4
10S	28E	18															34.0	34.0	68
10S	28E	19	34.0	38.0	37.0	37.0	12.0			39.0	29.0			39.0	33.0	38.0	39.0	34.0	409
10S	28E	30	32.0	38.0	33.0	32.0	32.0	38.0	37.0	25.0	34.0	38.0	37.0	33.0	32.0	33.0	33.0	32.0	539
								L 1	L 2			L 3	L 4						
10S	28E	31					26.0	39.0	41.0	30.0	28.6	10.0							174.6
								L 1	L 2			L 3							

Right Acre Limit: 113.7

POU Total Acres: 1,306.0

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
Four interconnected wells providing water to sprinkler systems. Lockable works and measuring devices
can be installed in the system when needed.

b. Who owns the property at the point(s) of diversion
applicants
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A

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: Metropolitan Life Insurance Company
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:
No actual change. Application is being filed to reflect actual current irrigation practices and loc
ations of use that have been in place for several years.

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:
Other than the rights involved with this transfer, irrigation right 43-13317 owned by John and Cathy
Spratling is diverted from these same four wells and used on 40 additional acres of the southern most
pivot described in this application. Additional water has been rented from the water supply bank and
been diverted from these same four wells and used on additional acres of the southern most pivot described
in this application.

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: Application is being filed to reflect actual current irrigation practices and locations of
use that have been in place for several years.

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

Current Water Right No. 43-13715

Current Water Right Owner
ADT FARMS LLC
246 E 300 S
BURLEY, ID 83318

Priority Date: 10/24/1961

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	03/15	11/15	1.380 CFS	408.8 AFA	
Total Diversion			1.380 CFS	408.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNENE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESWSE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENENW	Sec. 30 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NWSWSE	Sec. 30 Twp 10S Rge 28E	CASSIA 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	
10S	27E	25													28.0	29.0	29.0	27.0	113.0

Right Acre Limit: 102.2

POU Total Acres: 113.0

Conditions/Remarks:

1. 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.
2. USE OF THIS RIGHT WITH RIGHT NO. 43-13718 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.38 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 408.8 AF.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 102.2 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. USE OF THIS RIGHT WITH RIGHT NO. 43-13718 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 113.0 ACRES IN A SINGLE IRRIGATION SEASON.
5. RIGHT NO. 43-13718 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.

**II. IDAHO DEPARTMENT OF WATER RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 43-13716

Current Water Right Owner

RELAR FARMS LLC
246 E 300 S
BURLEY, ID 83318

And

ADT FARMS LLC
246 E 300 S
BURLEY, ID 83318

Priority Date: 10/24/1961

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	03/15	11/15	14.570 CFS	4317.2 AFA	
Total Diversion			14.570 CFS	4317.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 19 Twp 10S Rge 28E CASSIA County
GROUND WATER	NESWSE	Sec. 19 Twp 10S Rge 28E CASSIA County
GROUND WATER	SENENW	Sec. 30 Twp 10S Rge 28E CASSIA County
GROUND WATER	NWSWSE	Sec. 30 Twp 10S Rge 28E CASSIA 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	
10S	28E	18															40.0	40.0	80.0
10S	28E	19	40.0	40.0	40.0	40.0	40.0			40.0	40.0			40.0	40.0	40.0	40.0	40.0	480.0
10S	28E	30	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	47.0	33.0	33.0	40.0	40.0	40.0	40.0	633.0
								L 1	L 2			L 3	L 4						

Right Acre Limit: 1,079.3

POU Total Acres: 1,193.0

Conditions/Remarks:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1079.3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THIS RIGHT WITH RIGHT NO. 43-13719 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 14.57 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4317.2 AF.
3. RIGHT NO. 43-13719 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.
4. 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.
5. USE OF THIS RIGHT WITH RIGHT NO. 43-13719 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1193.0 ACRES IN A SINGLE IRRIGATION SEASON.

**II O DEPARTMENT OF WATER RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 43-13718

Current Water Right Owner
ADT FARMS LLC
246 E 300 S
BURLEY, ID 83318

Priority Date: 6/30/1985

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>Subuse Code</u>
IRRIGATION	03/15	11/15	0.130 CFS	
Total Diversion			0.130 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NESWSE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENENW	Sec. 30 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SWNENE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NWSWSE	Sec. 30 Twp 10S Rge 28E	CASSIA 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	
10S	27E	25													28.0	29.0	29.0	27.0	113.0

Right Acre Limit: 10.8

POU Total Acres: 113.0

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 43-13715 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.38 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 408.8 AF.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10.8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-13715 PURSUANT TO SECTION 42-1416B, IDAHO CODE.
4. 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.
5. USE OF THIS RIGHT WITH RIGHT NO. 43-13715 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 113.0 ACRES IN A SINGLE IRRIGATION SEASON.

IDaho DEPARTMENT OF WATER RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 43-13719

Current Water Right Owner

ADT FARMS LLC
 246 E 300 S
 BURLEY, ID 83318

And

RELAR FARMS LLC
 246 E 300 S
 BURLEY, ID 83318

Priority Date: 6/30/1985

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>Subuse Code</u>
IRRIGATION	03/15	11/15	1.390 CFS	
Total Diversion			1.390 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NESWSE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENENW	Sec. 30 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SWNENE	Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NWSWSE	Sec. 30 Twp 10S Rge 28E	CASSIA 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	
10S	28E	18															40.0	40.0	80.0
10S	28E	19	40.0	40.0	40.0	40.0	40.0			40.0	40.0			40.0	40.0	40.0	40.0	40.0	480.0
10S	28E	30	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	47.0	33.0	33.0	40.0	40.0	40.0	40.0	633.0
								L 1	L 2			L 3	L 4						

Right Acre Limit: 113.7

POU Total Acres: 1,193.0

Conditions/Remarks:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 113.7 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-13716 PURSUANT TO SECTION 42-1416B, IDAHO CODE.
3. 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.
4. USE OF THIS RIGHT WITH RIGHT NO. 43-13716 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1193.0 ACRES IN A SINGLE IRRIGATION SEASON.
5. USE OF THIS RIGHT WITH RIGHT NO. 43-13716 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 14.57 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4317.2 AF.

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**

I. 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.: _____

N/A

FOR DEPARTMENT USE ONLY

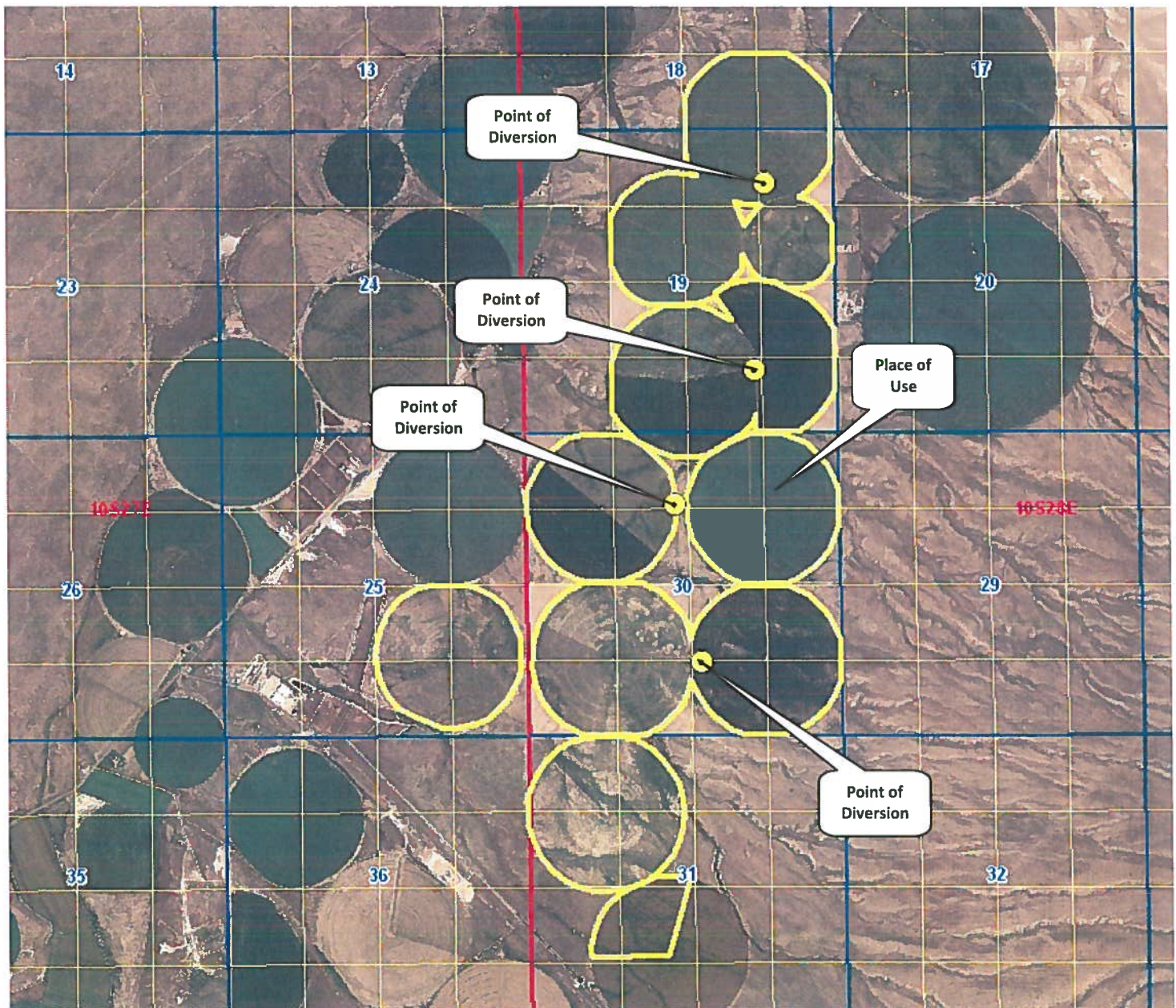
Transfer Contains 13 pages and _____ attachments.

Received By A. SKINNER Date 11/6/2013 Prelim. Check By _____ Date _____

Fee Paid \$1700.00 Date 11/6/2013 Received By A. SKINNER Receipt # 5033619

Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

Transfer # 78550 Map



294989

WARRANTY DEED

THIS INDENTURE, made this 27 day of March, 2004, between IDA GOLD FARMS, an Idaho Limited Partnership, ("Grantor"), and ADT FARMS, LLC, whose address is 250 East 300 South, Burley, Idaho 83318, ("Grantee").

WITNESSETH:

The Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Cassia, State of Idaho, described on Exhibit A attached hereto and incorporated by reference herein.

SUBJECT TO: Accruing taxes, levies and assessments, easements and encumbrances of record.

TRANSFERRING AND CONVEYING to the Grantee and the successors and assigns of the Grantee all irrigation equipment including but not limited to: pumps, motors, panels, pivots, hand lines, wheel lines, underground lines and related apparatus as well as all improvements on the property described on Exhibit A attached hereto as of the date of this Deed notwithstanding that the same are not particularly described.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and

1 reversions, remainder and remainders, water rights, rents, issues and profits thereof, and
2 all estate, right, title and interest in and to said property as well in law as in equity of the
3 Grantor.

4 **TO HAVE AND TO HOLD**, all and singular the above-mentioned and
5 described premises, together with appurtenances unto the Grantee and to the heirs and
6 assigns of Grantee forever.
7

8 The Grantor shall and will warrant and by these presents will forever defend
9 the said premises in the quiet and peaceable possession of the Grantee, and the heirs
10 and assigns of Grantee against all and every person and persons whomsoever lawfully
11 claiming the same, except as aforesaid.
12

13 **IN WITNESS WHEREOF**, the Grantor has executed this Deed the day and
14 year first above written.
15

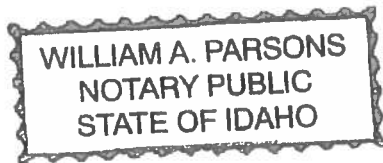
16 **GRANTOR**

17 **IDA GOLD FARMS,**
18 a limited Partnership

19 by 
20 **LARRY GERRATT,**
21 General Partner
22
23
24
25
26

1 STATE OF IDAHO)
2 County of Cassia) ss

3 On this 27 day of March, in the year 2004, before me, the undersigned,
4 a Notary Public in and for said State, personally appeared **LARRY GERRATT**, known
5 or identified to me to be the partner or partners of the limited partnership of **IDA GOLD**
6 **FARMS** and the partner or one of the partners who subscribed said partnership name
to the foregoing instrument, and acknowledged to me that said limited partnership
executed the same in said partnership name.



William A. Parsons
Notary Public for Idaho
Residing at Burley
My Commission Expires: 7/24/04

(IdaGold\WD2.wpd)

PARCEL No. 1: (an undivided one-third interest)

TOWNSHIP 10 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 18: S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 19: E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$
Section 30: All

EXCEPTING THEREFROM all that portion deeded to the Burley Highway
District.

RECORDED AT THE REQUEST
2004 APR 6 PM 4 35
LARRY A. MICKELSEN
RECORDER

FREE 19.000 LPUTY
CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER

294989

PARCEL No. 2: (100% interest)

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 25: All that part of the South half of said Section 25 that lies South and East of the Raft
River Road and North of the Heglar Road.

EXCEPTING THEREFROM the following described tract:

Beginning at the South $\frac{1}{4}$ section corner of said Section 25, said corner marked by
a U.S. GLO iron pipe with brass cap; thence South 89°58'55" West along
the South line of Section 25 for a distance of 994.70 feet to a $\frac{1}{2}$ inch rebar
on the centerline of the Heglar Canyon road; thence North 53°05'49" West
along the centerline of the Heglar Canyon road for a distance of 612.23 feet
to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;
Thence North 53°05'49" West along the centerline of the Heglar Canyon road for
a distance of 698.08 feet to a $\frac{1}{2}$ inch rebar;
Thence North 47°27'53" West for a distance of 100.58 feet to a $\frac{1}{2}$ inch rebar;
Thence North 36°54'11" East for a distance of 452.13 feet to a $\frac{1}{2}$ inch rebar;
Thence South 53°05'49" East for a distance of 798.17 feet to a $\frac{1}{2}$ inch rebar;
Thence South 36°54'11" West for a distance of 462.00 feet to the Point of Beginning.

PARCEL No. 3 (an undivided one-third interest)

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 26: All that part of the SE $\frac{1}{4}$ that lies South and East of the Raft River Road and North of the
Heglar Road, EXCEPTING THEREFROM that part of the SE $\frac{1}{4}$ described as follows:

Beginning at a point on the Northeasterly right-of-way of Heglar Canyon Road which
lies 1313.9 feet North 29°10' West of the Southeast corner of said Section 26;
Thence North 47°56' West along said Heglar Canyon Road right-of-way for 100 feet to a
point where Heglar Canyon Road right-of-way intersects Yale Road
right-of-way.
Thence North 42°30' East along said Yale Road right-of-way for 100 feet;
Thence South 47°54' East for 100 feet;
Thence South 42°23' West for 100 feet to the Point of Beginning.

EXHIBIT A
to Warranty Deed - Ida Gold - ADT

294988

WARRANTY DEED

THIS INDENTURE, made this 27 day of March, 2004, between **IDA GOLD FARMS**, an Idaho Limited Partnership, ("**Grantor**"), and **RELAR FARMS, LLC**, whose address is 250 East 300 South, Burley, Idaho 83318, ("**Grantee**").

WITNESSETH:

The Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Cassia, State of Idaho, described on Exhibit A attached hereto and incorporated by reference herein.

SUBJECT TO: Accruing taxes, levies and assessments, easements and encumbrances of record.

TRANSFERRING AND CONVEYING to the Grantee and the successors and assigns of the Grantee all irrigation equipment including but not limited to: pumps, motors, panels, pivots, hand lines, wheel lines, underground lines and related apparatus as well as all improvements on the property described on Exhibit A attached hereto as of the date of this Deed notwithstanding that the same are not particularly described.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and

1 reversions, remainder and remainders, water rights rents, issues and profits thereof, and
2 all estate, right, title and interest in and to said property as well in law as in equity of the
3 Grantor.

4 **TO HAVE AND TO HOLD**, all and singular the above-mentioned and
5 described premises, together with appurtenances unto the Grantee and to the heirs and
6 assigns of Grantee forever.

7
8 The Grantor shall and will warrant and by these presents will forever defend
9 the said premises in the quiet and peaceable possession of the Grantee, and the heirs
10 and assigns of Grantee against all and every person and persons whomsoever lawfully
11 claiming the same, except as aforesaid.

12
13 **IN WITNESS WHEREOF**, the Grantor has executed this Deed the day and
14 year first above written.

15 **GRANTOR**

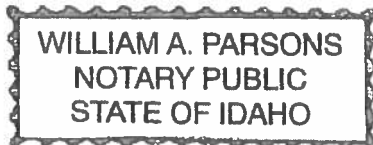
16 **IDA GOLD FARMS,**
17 a limited Partnership

18 by 

19 **LARRY GERRATT,**
20 General Partner

1 STATE OF IDAHO)
2) ss
3 County of Cassia)

4 On this 22 day of March, in the year 2004, before me, the undersigned,
5 a Notary Public in and for said State, personally appeared **LARRY GERRATT**, known
6 or identified to me to be the partner or partners of the limited partnership of **IDA GOLD
FARMS** and the partner or one of the partners who subscribed said partnership name
7 to the foregoing instrument, and acknowledged to me that said limited partnership
8 executed the same in said partnership name.



26
(IdaGold\WD3.wpd)

Warranty Deed - 3

William A. Parsons
Notary Public for Idaho
Residing at Burley
My Commission Expires: 7/22/04

PARCEL NO. 1: (An undivided two-thirds interest)

TOWNSHIP 10 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 18: S½SE¼ *1/2 40'*
Section 19: E½ and E½W½ *Per 40'*
Section 30: All

EXCEPTING THEREFROM all that portion deeded to the Burley Highway District.

PARCEL NO. 2: (An undivided two-thirds interest)

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 26: All that part of the SE¼ that lies South and East of the Raft River Road and North of the Heglar Road, EXCEPTING THEREFROM that part of the SE¼ described as follows:

Beginning at a point on the Northeasterly right-of-way of Heglar Canyon Road which lies 1313.9 feet North 29°10' West of the Southeast corner of said Section 26;
Thence North 47°56' West along said Heglar Canyon Road right-of-way for 100 feet to a point where Heglar Canyon Road right-of-way intersects Yale Road right-of-way.
Thence North 42°30' East along said Yale Road right-of-way for 100 feet;
Thence South 47°54' East for 100 feet;
Thence South 42°23' West for 100 feet to the Point of Beginning.

294988

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER

FEE \$100 DEPUTY *du*

2007 APR 6 PM 4 35

RECORDED AT THE REQUEST OF
Liberty School

EXHIBIT A
to Warranty Deed - Ida Gold - Relar

GIFT

WARRANTY DEED

For Value Received

JOHN SPRATLING and JANICE SPRATLING, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

JOHN B. SPRATLING and CATHY SPRATLING, husband and wife

Address: Route #1 Box 180, Terrace Drive, Burley, Idaho 83318

Hereinafter called the Grantee, the following described premises situated in CASSIA County, Idaho,
to-wit: as to 42% of the Grantors one-half interest.

See attached Exhibit "A" for legal description

SUBJECT TO: accruing taxes, levies, and assessments; easements
and right of ways of record, if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 24, 1988

John Spratling
Janice Spratling

STATE OF UTAH, COUNTY OF

Salt Lake County AS-
June

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 24, 1988

John Spratling
Janice Spratling

STATE OF UTAH, COUNTY OF Salt Lake County ^{U.S.}

On this 7 day of June, 1988
before me, a notary public in and for said State, personally appeared

John Spratling and
Janice Spratling

known to me to be the person s whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Dorothy Torrey
Notary Public
Residing at South Jordan U.S., Utah

East of the Boise Meridian, Cassia County. State of Idaho,
more particularly described as follows:

Beginning at the Northeast corner of Section 31,
Township 10 South, Range 28 East of the Boise
Meridian, said corner marked by a 5/8 inch rebar which
shall be the Point of Beginning;
Thence South 0°12'09" East along the section line for
16.83 feet to a U.S. General Land Office pipe with
brass cap, said corner being a Witness corner to the
section corner;
Thence South 0°12'09" East along the section line for
2617.93 feet to a U.S. General Land Office pipe at the
East quarter section corner of Section 31;
Thence South 0°06'27" East along section line for
2643.52 feet to a U.S. General Land Office pipe at the
Southeast corner of Section 31;
Thence South 0°15'50" West along section line for
2681.07 feet to a 5/8 inch rebar at the East quarter
section corner of Section 6;
Thence North 89°11'00" West along the quarter section
line for 912.02 feet to a 1/2 inch rebar in the
approximate centerline of the Heglar Canyon Road;
Thence North 37°43'26" West along said road centerline
for 1998.25 feet to a 1/2 inch rebar;
Thence North 56°46'58" West along said road centerline
for 1791.49 feet to a point;
Thence North 34°01'12" East for 27.86 feet to a 1/2 inch
rebar;
Thence North 34°01'12" East for 232.98 feet to a 1/2
inch rebar;
Thence North 58°07'09" West for 496.96 feet to a 1/2
inch rebar;
Thence South 32°00'42" West for 223.81 feet to a 1/2
inch rebar;
Thence South 32°00'42" West for 25.47 feet to a point in
the approximate centerline of the Heglar Canyon Road;
Thence North 56°46'58" West along said road centerline
for 16.00 feet to a 1/2 inch rebar;
Thence North 49°51'17" West along said road centerline
for 128.41 feet to a 1/2 inch rebar;
Thence North 43°55'17" West along said road centerline
for 6355.24 feet to a 1/2 inch rebar;
Thence North 47°36'00" West along said road centerline
for 316.76 feet to a 1/2 inch rebar;
Thence North 51°58'34" West along said road centerline
for 461.75 feet to a 1/2 inch rebar on section line;
Thence North 89°58'00" East along section line for
994.66 feet to a U.S. General Land Office pipe at the
North quarter section corner of Section 36;
Thence North 89°58'00" East along section line for
2645.14 feet to a 5/8 inch rebar at the Northeast
corner of Section 36;
Thence South 89°27'26" East along section line for
5517.69 feet to the Point of Beginning.

Recorded to and filed by
14 day of July 1988
Cassia County, Idaho
Frank B. Kearns
Recorder

RECORDED AT 10:03
CASSIA COUNTY, IDA
FRANK B. KEARNS
RECORDER
JUL 5 12 24 PM '88
FILM 199
Cathy Spratt
190432
Bentley, 833

16.83 feet to a U.S. General Land Office pipe at the
 brass ca said corner being a Witness corner to the
 section corner;
 Thence South 0°12'09" East along the section line for
 2617.93 feet to a U.S. General Land Office pipe at the
 East quarter section corner of Section 31;
 Thence South 0°06'27" East along section line for
 2643.52 feet to a U.S. General Land Office pipe at the
 Southeast corner of Section 31;
 Thence South 0°15'50" West along section line for
 2681.07 feet to a 5/8 inch rebar at the East quarter
 section corner of Section 6;
 Thence North 89°11'00" West along the quarter section
 line for 912.02 feet to a 1/2 inch rebar in the
 approximate centerline of the Heglar Canyon Road;
 Thence North 37°43'26" West along said road centerline
 for 1998.25 feet to a 1/2 inch rebar;
 Thence North 56°46'58" West along said road centerline
 for 1791.49 feet to a point;
 Thence North 34°01'12" East for 27.86 feet to a 1/2 inch
 rebar;
 Thence North 34°01'12" East for 232.98 feet to a 1/2
 inch rebar;
 Thence North 58°07'09" West for 496.96 feet to a 1/2
 inch rebar;
 Thence South 32°00'42" West for 223.81 feet to a 1/2
 inch rebar;
 Thence South 32°00'42" West for 25.47 feet to a point in
 the approximate centerline of the Heglar Canyon Road;
 Thence North 56°46'58" West along said road centerline
 for 16.00 feet to a 1/2 inch rebar;
 Thence North 49°51'17" West along said road centerline
 for 128.41 feet to a 1/2 inch rebar;
 Thence North 43°55'17" West along said road centerline
 for 6355.24 feet to a 1/2 inch rebar;
 Thence North 47°36'00" West along said road centerline
 for 316.76 feet to a 1/2 inch rebar;
 Thence North 51°58'34" West along said road centerline
 for 461.75 feet to a 1/2 inch rebar on section line;
 Thence North 89°58'00" East along section line for
 994.66 feet to a U.S. General Land Office pipe at the
 North quarter section corner of Section 36;
 Thence North 89°58'00" East along section line for
 2645.14 feet to a 5/8 inch rebar at the Northeast
 corner of Section 36;
 Thence South 89°27'26" East along section line for
 5517.69 feet to the Point of Beginning.

Recorded to and plotted by
 10/4 day of July 1988
 R. H. H. H. H.
 Assessor Cassia County
 By Rm
 Deputy

FILED
 JUL 5 12 24 PM '88
 CASSIA COUNTY, IDAHO
 FRANK B. KEARNS
 RECORDER
 18
 1841 1304180
 Burley, Idaho
 83318

RECORDED BY REQUEST OF
 JUL 5 1999
 Kelly Spaulding

JOHN B. SPRATLING and CATHY SPRATLING, husband and wife
Address: Rt. 1 Box 180 Terrace Drive, Burley, Idaho 83318

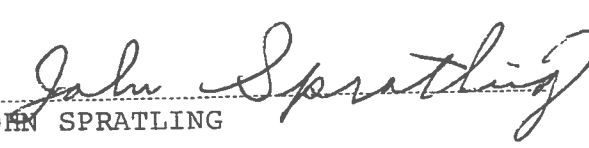
Hereinafter called the Grantee, the following described premises situated in CASSIA County, Idaho,
to-wit: as to a 58% of the Grantors one-half interest.

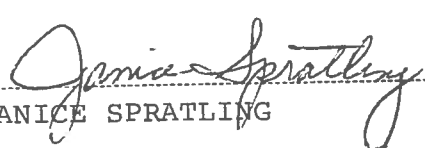
See attached Exhibit "A" for legal description

SUBJECT TO accruing taxes, levies, and assessments; easements
and right of ways of record, if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and
to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said
Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incum-
brances except as above described and that Grantor will warrant and defend the same from all lawful
claims whatsoever.

Dated: June 4, 1987


JOHN SPRATLING


JANICE SPRATLING

Instrument No.

STATE OF UTAH, COUNTY OF Salt Lake
On this day of June, 1987,
before me, a notary public in and for said State, per-
sonally appeared

JOHN SPRATLING and
JANICE SPRATLING

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

EXHIBIT "A"

Part of Section 36 of Township 10 South, Range 27 East and part of Section 31 of Township 10 South, Range 28 East and Part of the N $\frac{1}{2}$ of Section 6 of Township 11 South, Range 28 East of the Boise Meridian, Cassia County, State of Idaho, more particularly described as follows:

Beginning at the Northeast corner of Section 31, Township 10 South, Range 28 East of the Boise Meridian, said corner marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence South 0°12'09" East along the section line for 16.83 feet to a U.S. General Land Office pipe with brass cap, said corner being a Witness corner to the section corner;
Thence South 0°12'09" East along the section line for 2617.93 feet to a U.S. General Land Office pipe at the East quarter section corner of Section 31;
Thence South 0°06'27" East along section line for 2643.52 feet to a U.S. General Land Office pipe at the Southeast corner of Section 31;
Thence South 0°15'50" West along section line for 2681.07 feet to a 5/8 inch rebar at the East quarter section corner of Section 6;
Thence North 89°11'00" West along the quarter section line for 912.02 feet to a 1/2 inch rebar in the approximate centerline of the Heglar Canyon Road;
Thence North 37°43'26" West along said road centerline for 1998.25 feet to a 1/2 inch rebar;
Thence North 56°46'58" West along said road centerline for 1791.49 feet to a point;
Thence North 34°01'12" East for 27.86 feet to a 1/2 inch rebar;
Thence North 34°01'12" East for 232.98 feet to a 1/2 inch rebar;
Thence North 58°07'09" West for 496.96 feet to a 1/2 inch rebar;
Thence South 32°00'42" West for 223.81 feet to a 1/2 inch rebar;
Thence South 32°00'42" West for 25.47 feet to a point in the approximate centerline of the Heglar Canyon Road;
Thence North 56°46'58" West along said road centerline for 16.00 feet to a 1/2 inch rebar;
Thence North 49°51'17" West along said road centerline for 128.41 feet to a 1/2 inch rebar;
Thence North 43°55'17" West along said road centerline for 6355.24 feet to a 1/2 inch rebar;
Thence North 47°36'00" West along said road centerline for 316.76 feet to a 1/2 inch rebar;
Thence North 51°58'34" West along said road centerline for 461.75 feet to a 1/2 inch rebar on section line;
Thence North 89°58'00" East along section line for 994.66 feet to a U.S. General Land Office pipe at the

part of section 31 of Township 10 South, Range 28 East and Part of the N $\frac{1}{2}$ of Section 6 of Township 11 South, Range 28 East of the Boise Meridian, Cassia County, State of Idaho, more particularly described as follows:

Beginning at the Northeast corner of Section 31, Township 10 South, Range 28 East of the Boise Meridian, said corner marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence South 0°12'09" East along the section line for 16.83 feet to a U.S. General Land Office pipe with brass cap, said corner being a Witness corner to the section corner;
Thence South 0°12'09" East along the section line for 2617.93 feet to a U.S. General Land Office pipe at the East quarter section corner of Section 31;
Thence South 0°06'27" East along section line for 2643.52 feet to a U.S. General Land Office pipe at the Southeast corner of Section 31;
Thence South 0°15'50" West along section line for 2681.07 feet to a 5/8 inch rebar at the East quarter section corner of Section 6;
Thence North 89°11'00" West along the quarter section line for 912.02 feet to a 1/2 inch rebar in the approximate centerline of the Heglar Canyon Road;
Thence North 37°43'26" West along said road centerline for 1998.25 feet to a 1/2 inch rebar;
Thence North 56°46'58" West along said road centerline for 1791.49 feet to a point;
Thence North 34°01'12" East for 27.86 feet to a 1/2 inch rebar;
Thence North 34°01'12" East for 232.98 feet to a 1/2 inch rebar;
Thence North 58°07'09" West for 496.96 feet to a 1/2 inch rebar;
Thence South 32°00'42" West for 223.81 feet to a 1/2 inch rebar;
Thence South 32°00'42" West for 25.47 feet to a point in the approximate centerline of the Heglar Canyon Road;
Thence North 56°46'58" West along said road centerline for 16.00 feet to a 1/2 inch rebar;
Thence North 49°51'17" West along said road centerline for 128.41 feet to a 1/2 inch rebar;
Thence North 43°55'17" West along said road centerline for 6355.24 feet to a 1/2 inch rebar;
Thence North 47°36'00" West along said road centerline for 316.76 feet to a 1/2 inch rebar;
Thence North 51°58'34" West along said road centerline for 461.75 feet to a 1/2 inch rebar on section line;
Thence North 89°58'00" East along section line for 994.66 feet to a U.S. General Land Office pipe at the North quarter section corner of Section 36;
Thence North 89°58'00" East along section line for 2645.14 feet to a 5/8 inch rebar at the Northeast corner of Section 36;
Thence South 89°27'26" East along section line for 5517.69 feet to the Point of Beginning.

14 Oct 1987

RECORDED AT THE
FILM
OCT 9 11
CASSIA COUNTY
FRANK B.
RECORD
FEE \$100
13:41
JUN
JUN

1911

RECEIVED
MAY 03 2013
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Transfer Authorization and Acknowledgment Statement

We, ADT Farms LLC and RELAR Farms LLC, hereby acknowledge that we are the joint owners of the lands located in Sections 18, 19, and 30, Township 10 South, Range 28 East described on water right transfer application # 78550 filed in the name of ADT Farms LLC and RELAR Farms LLC. We authorize ADT Farms LLC to transfer their solely owned water rights 43-13715 and 43-13718 to the lands located in Sections 18, 19, and 30, Township 10 South, Range 28 East as described on water right transfer application # 78550. We also hereby acknowledge that the water rights 43-13715, and 43-13718 described on water right transfer application # 78550 will continue to be solely owned by ADT Farms LLC and the transfer will not result in any change in ownership of the water rights involved in the transfer.

On behalf of ADT Farms LLC



On behalf of RELAR Farms



LLC

Transfer Authorization and Acknowledgment Statement

RECEIVED

MAY 03 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

We, John B Spratling and Cathy Spratling, hereby acknowledge that we are the owners of the lands located in Section 36, Township 10 South, Range 27 East and Section 31, Township 10 South, Range 28 East described on water right transfer application # 78550 filed in the name of ADT Farms LLC and RELAR Farms LLC. We authorize ADT Farms LLC and/or RELAR Farms LLC to transfer their water rights 43-13716, 43-13719, 43-13715, and 43-13718 to the land located in Section 36, Township 10 South, Range 27 East and Section 31, Township 10 South, Range 28 as described on water right transfer application # 78550. We also hereby acknowledge that the water rights 43-13716, 43-13719, 43-13715, and 43-13718 described on water right transfer application # 78550 will continue to be owned by ADT Farms LLC and/or RELAR Farms LLC and the transfer will not result in any change in ownership of the water rights involved in the transfer.


John B Spratling


Cathy Spratling

Transfer Authorization and Acknowledgment Statement

RECEIVED

MAY 03 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

ADT Farms LLC, hereby acknowledges that we are the sole owners of the land located in Section 25, Township 10 South, Range 27 East described on water right transfer application # 78550 filed in the name of ADT Farms LLC and RELAR Farms LLC. We authorize ADT Farms LLC and RELAR Farms LLC to transfer their jointly owned water rights 43-13716 and 43-13719 to the land located in Section 25, Township 10 South, Range 27 East as described on water right transfer application # 78550. We also hereby acknowledge that water rights 43-13716 and 43-13719 described on water right transfer application # 78550 that are jointly owned by ADT Farms LLC and RELAR Farms LLC will continue to be jointly owned by ADT Farms LLC and RELAR Farms LLC and the transfer will not result in any change in ownership of the water rights involved in the transfer.

—
On Behalf of ADT Farms LLC



Agricultural Investments
10801 Mastin Blvd., Suite 930
Overland Park, KS 66210

RECEIVED

NOV 04 2013

DEPARTMENT OF
WATER RESOURCES

MetLife

RECEIVED

NOV 08 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Kevin J. Harshberger
Director
Central Regional Office

(913) 661-2249
(913) 787-0618 CELL
(913) 661-2267 FAX
kharshberger@metlife.com
www.metlife.com/ag

Corey Skinner
Idaho Department of Water Resources
State of Idaho Water Resource Board
P.O. Box 83720
Boise, ID 83720-0098

Re Metropolitan Life Insurance Company ("MetLife") Loan No. 195045 – Ida Gold Farms, Limited Partnership; ADT Farms, LLC, an Idaho limited liability company; ADTD Farms, LLC, an Idaho limited liability company; Midway Dairy, LLC, an Idaho limited liability company; Relar Farms, LLC, an Idaho limited liability company (collectively, the "Borrower")

Dear Mr. Skinner:

MetLife holds a security interest in water rights 43-13715; 43-13716; 43-13718; and 43-13719 (collectively, the "Water Rights") and has been asked to consent to the transfer of these Water Rights for use as described in State of Idaho Department of Water Resources Transfer #78550.

This letter shall serve as written MetLife's acknowledgment and consent to Transfer #78550 to be filed by the Borrower for each of the Water Rights listed therein.

**METROPOLITAN LIFE INSURANCE
COMPANY**

By: 
Name: Kevin J. Harshberger
Its: Director

October 28, 2013

Encl.
KJH/njm

STATE OF Kansas)
) ss.
COUNTY OF Johnson

Before me, a Notary Public in and for said County and State, personally appeared Kevin J. Harshberger, the Director of Metropolitan Life Insurance Company, and acknowledged the execution of the foregoing instrument on behalf of said holders, and who, has been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 28th day of October, 2013.

Robert L. Black
(Notary Public)

My Commission Expires: 8/26/2017



Copies to: Todd Gerratt
Chad Brown

No. W 15454	Due no later than May 31, 2012 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. ADT FARMS, LLC BRENDA GERRATT 246 E 300 S BURLEY ID 83318	TODD GERRATT 250 E 300 S BURLEY ID 83318																													
		3. <u>New</u> Registered Agent Signature:*																													
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager. <table border="1"> <thead> <tr> <th>Office Held</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>MEMBER</td> <td>TODD GERRATT</td> <td>250 E 300 S</td> <td>BURLEY</td> <td>ID</td> <td>USA</td> <td>83318</td> </tr> <tr> <td>MEMBER</td> <td>ALAN GERRATT</td> <td>250 E 300 S</td> <td>BURLEY</td> <td>ID</td> <td>USA</td> <td>83318</td> </tr> <tr> <td>MEMBER</td> <td>DAN H GERRATT</td> <td>250 E 300 S</td> <td>BURLEY</td> <td>ID</td> <td>USA</td> <td>83318</td> </tr> </tbody> </table>				Office Held	Name	Street or PO Address	City	State	Country	Postal Code	MEMBER	TODD GERRATT	250 E 300 S	BURLEY	ID	USA	83318	MEMBER	ALAN GERRATT	250 E 300 S	BURLEY	ID	USA	83318	MEMBER	DAN H GERRATT	250 E 300 S	BURLEY	ID	USA	83318
Office Held	Name	Street or PO Address	City	State	Country	Postal Code																									
MEMBER	TODD GERRATT	250 E 300 S	BURLEY	ID	USA	83318																									
MEMBER	ALAN GERRATT	250 E 300 S	BURLEY	ID	USA	83318																									
MEMBER	DAN H GERRATT	250 E 300 S	BURLEY	ID	USA	83318																									
5. Organized Under the Laws of: ID W 15454	6. Annual Report must be signed.* Signature: Brenda Gerratt Name (type or print): Brenda Gerratt			Date: 04/19/2012 Title: Book keeper																											
Processed 04/19/2012	* Electronically provided signatures are accepted as original signatures.																														

No. W 15453	Due no later than May 31, 2012 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. RELAR FARMS, LLC BRENDA GERRATT 246 E 300 S BURLEY ID 83318		LARRY GERRATT 246 E 300 S BURLEY ID 83318			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	LARRY GERRATT	221 W 200 S	BURLEY	ID	USA	83318
MEMBER	REX GERRATT	937 OAKWOOD STREET	BURLEY	ID	USA	83318
5. Organized Under the Laws of: ID W 15453		6. Annual Report must be signed.* Signature: Brenda Gerratt Name (type or print): Brenda Gerratt Date: 04/19/2012 Title: Book keeper				
Processed 04/19/2012		* Electronically provided signatures are accepted as original signatures.				

MEMORANDUM

Date: November 15, 2013
To: Transfer 78550 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the place of use of four groundwater rights (43-13715, 43-13716, 43-13718, and 43-13719) by creating a 1306.0 acre permissible place of use (total acre limit = 1306.0 acres) approximately 17 miles northeast of Malta. The transfer also proposes moving acres off of pivot corners to existing pivots without water rights on adjacent property. Note that the pivots have been in place for several years and the parties involved with the application were under the impression that the transfer had been accomplished several years ago. Since the transfer only involves shifting water right acres to adjacent ground, with no change in points of diversion or anticipated hydrologic impact, it is recommended that the transfer be processed without any public notice advertising.

- **Authority to File:**

ADT Farms is the sole owner of water rights 43-13715 and 43-13718 and the land that they are currently appurtenant to. ADT Farms and Relar Farms are joint owners of water rights 43-13716 and 43-13719 and the land that they are currently appurtenant to. The transfer proposes creating a permissible place of use for these four rights on the land they are currently appurtenant to. In addition, the permissible place of use will also include land in Section 31 & 36 that is owned by John and Cathy Spratling. The intent of the transfer is to **not** change the ownership of the rights involved with the transfer. Authorization statements have been included (signed by ADT Farms, Relar Farms, and the Spratlings) granting permission for the various entities to use their rights on the lands and acknowledging that the current right owners will retain ownership of the rights. Metropolitan Life Insurance Company is listed as a Security Interest for all four rights involved with the transfer, but has provided a letter of consent agreeing to the proposed transfer. In addition, as a listed Security Interest, Metropolitan Life Insurance Company will receive a copy of the transfer approval.

- **Water Right Validity:**

The rights involved with the transfer were decreed in June of 2002. The proposed PPU system has been in place for several years based on review of aerial photography. Possible forfeiture of the rights involved with the transfer does not appear to be an issue.

- **Injury to Other Water Rights:**

None anticipated. No hydrologic impacts anticipated.

- **Enlargement of Use:**

None anticipated. Total proposed PPU (1306.0 acres) is equal to total acre limit (1306.0 acres).

- **Local Public Interest:**

No negative impact anticipated.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water and sprinklers are used for irrigation.

- **Effect on Economy of the Local Area:**

None anticipated. Transfer records recent actual use.

- **Effect of the Agricultural Base of the Local Area:**

None anticipated. Transfer records recent actual use.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.