

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

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) MORGAN ENTERPRISES, 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 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

RECEIVED

OCT 23 2013

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) MORGAN ENTERPRISES, LLC Phone 208-684-3988 / 208-221-9700

Mailing address 762 W Hwy 39, Blackfoot, Idaho 83221 Email nmorgan1941@q.com

- ☒ 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 Jared M. Harris Phone 208-785-2310

Mailing address 266 W Bridge, Blackfoot, Idaho 83221 Email jharris@bakerharrislaw.com

- ☒ 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

MORGAN ENTERPRISES, LLC

Print Name and Title if applicable
MANAGING MEMBER

9/20/2013

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**.

Change in Point of Diversion - To change the current POD for Water Right Numbers 35-13994 and 35-13996 from
NENWSE & SWNWNE to NENENE. Change in Point of Use - To change the POU for 23 acres of Water Right Number
35-13997 from NENE to E1/2 of the NE1/4, and 6 acres of Water Right Number 35-13999 from the SESE to the E1/2
the NE1/4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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
All or Part ☐ ☒	35-13997	0.32	Irrigation	04/01 to 10/31	Ground Water
☐ ☒	35-13999	0.09	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	35-13994	0.43	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	35-13996	0.95	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	35-13998	0.46	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	35-14000	0.12	Irrigation	04/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.01 cfs and/or acre-feet.

2. Total amount of water proposed to be transferred or changed 2.01 cubic feet per second and/or 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 #
2		NE	NE	NE	4	2S	34E	Bingham	Ground Water	

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	
2S	34E	4	34	39.5	34	35									.3	.7			143.5
Total Acres (for irrigation use)																			143.5

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:

Pump and motorized irrigation system, with lockable electrical panel.

- b. Who owns the property at the point(s) of diversion? MORGAN ENTERPRISES, LLC

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?

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: The Bank of Commerce.

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:

The current place of use for the portion of Water Rights Numbers 35-13997 and 13-13999 being transferred will dry up.

- 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:

Irrigation - Ground Water

- 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:

Water Right Number 35-13997 Currently leased to the Water Bank

Water Right Number 35-13999 Currently leased to the Water Bank

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/16/2013

WATER RIGHT NO. 35-13994

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MORGAN ENTERPRISES LLC 762 W HWY 39 BLACKFOOT, ID 83221 (208)684-3060
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT FLCA 10980 W SOUTH JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850

Priority Date: 07/13/1954

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.43 CFS	
Total Diversion			0.43 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENWSE	Sec. 04	Township 02S	Range 34E	BINGHAM County
GROUND WATER	SWNWNE	Sec. 09	Township 02S	Range 34E	BINGHAM County

78901

IRRIGATION Use:

Acre Limit: 40.3

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02S	34E	4		NWNE	39		SWNE	33.9						
				NWSE	0.6									

Total Acres: 73.5

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 35-13996 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.23 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 294 AF.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-13996 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 73.5 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40.3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. C18 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.
6. RIGHT NO. 35-13993, 35-13995 & 35-13996 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 02/15/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

78901

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/16/2013

WATER RIGHT NO. 35-13996

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MORGAN ENTERPRISES LLC 762 W HWY 39 BLACKFOOT, ID 83221 (208)684-3060
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT FLCA 10980 W SOUTH JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850

Priority Date: 11/12/1975

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.95 CFS	
Total Diversion			0.95 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENWSE	Sec. 04	Township 02S	Range 34E	BINGHAM County
GROUND WATER	SWNWNE	Sec. 09	Township 02S	Range 34E	BINGHAM County

78901

IRRIGATION Use:

Acre Limit: 72.8

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02S	34E	4		NWNE	39		SWNE	33.9						
				NWSE	0.6									

Total Acres: 73.5

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 35-13994 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 73.5 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 72.8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. RIGHT NO. 35-13993, 35-13994 & 35-13995 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
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. 35-13994 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.23 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 294 AF.

Dates:

Licensed Date:

Decreed Date: 02/15/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

78901

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

78901

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/16/2013

WATER RIGHT NO. 35-13997

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN M RITCHIE
Current Owner	KAYE RITCHIE PO BOX 1068 BLACKFOOT, ID 83221 (208)785-5982

Priority Date: 05/11/1949
Basis: Decreed
Status: Active
Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.94 CFS	
Total Diversion			0.94 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENENE|Sec. 04|Township 02S|Range 34E|BINGHAM County

IRRIGATION Use:
Acre Limit: 60.5

78901

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02S	34E	4		NENE	3.6		SENE	5.7						
				NESE	38.7		SESE	36						

Total Acres: 84

Conditions of Approval:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 35-13999 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 84 ACRES IN A SINGLE IRRIGATION SEASON.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-13999 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .94 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 336 AF.
4. RIGHT NO. 35-13998, 35-13999 & 35-14000 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. RIGHT NO. 35-13999 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
5. C18 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.

Dates:

Licensed Date:

Decreed Date: 02/15/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

78901

State or Federal: S
Owner Name Connector: And
Water District Number: 120
Generic Max Rate per Acre: 0.02
Generic Max Volume per Acre: 3.5
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Water Supply Bank:

Lessor Name(s): JOHN M RITCHIE
KAYE RITCHIE

Lease Status: Active

Lease Amount: Part

Rental Availability: All

Date Received: 11/28/2011

Lease Begin Date: 6/22/2009

Expiration Date: 12/31/2013

Close

78901

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/16/2013

WATER RIGHT NO. 35-13999

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN M RITCHIE
Current Owner	KAYE RITCHIE
	PO BOX 1068
	BLACKFOOT, ID 83221
	(208)785-5982

Priority Date: 04/01/1966

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.26 CFS	
Total Diversion			0.26 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENENE|Sec. 04|Township 02S|Range 34E|BINGHAM County

IRRIGATION Use:

Acre Limit: 23.5

78901

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02S	34E	4		NENE	3.6		SENE	5.7						
				NESE	38.7		SESE	36						

Total Acres: 84

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 35-13997 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 84 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 23.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-13997 PURSUANT TO SECTION 42-1426, IDAHO CODE.
3. C18 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. RIGHT NO. 35-13997, 35-13998 & 35-14000 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
5. USE OF THIS RIGHT WITH RIGHT NO. 35-13997 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .94 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 336 AF.
6. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

Dates:

Licensed Date:

Decreed Date: 02/15/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

78901

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Supply Bank:

Lessor Name(s): JOHN M RITCHIE
KAYE RITCHIE

Lease Status: Active

Lease Amount: All

Rental Availability: All

Date Received: 11/28/2011

Lease Begin Date: 6/22/2009

Expiration Date: 12/31/2013

Close

78901

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/5/2013

WATER RIGHT NO. 35-13998

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MORGAN ENTERPRISES LLC 762 W HWY 39 BLACKFOOT, ID 83221 (208)684-3060
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT FLCA 10980 W SOUTH JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850

Priority Date: 05/11/1949

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.46 CFS	
Total Diversion			0.46 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENENE	Sec. 04	Township 02S	Range 34E	BINGHAM County
--------------	--------	---------	--------------	-----------	----------------

78901

IRRIGATION Use:
Acre Limit: 29.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02S	34E	4		NENE	10.4		SENE	30.3						
				NESE	0.3									

Total Acres: 41

Conditions of Approval:

1.		RIGHT NO. 35-13997, 35-13999 & 35-14000 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. RIGHT NO. 35-14000 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
2.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3.	C18	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.		THIS RIGHT IS LIMITED TO THE IRRIGATION OF 29.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 35-14000 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 41 ACRES IN A SINGLE IRRIGATION SEASON.
5.		USE OF THIS RIGHT WITH RIGHT NO. 35-14000 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .46 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 164 AF.

Dates:

Licensed Date:

Decreed Date: 02/15/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

78901

Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal: S
Owner Name Connector: And
Water District Number: 120
Generic Max Rate per Acre: 0.02
Generic Max Volume per Acre: 3.5
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/5/2013

WATER RIGHT NO. 35-14000

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MORGAN ENTERPRISES LLC 762 W HWY 39 BLACKFOOT, ID 83221 (208)684-3060
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT FLCA 10980 W SOUTH JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850

Priority Date: 04/01/1966

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.12 CFS	
Total Diversion			0.12 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENENE	Sec. 04	Township 02S	Range 34E	BINGHAM County
--------------	--------	---------	--------------	-----------	----------------

78901

IRRIGATION Use:
Acre Limit: 11.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02S	34E	4		NENE	10.4		SENE	30.3						
				NESE	0.3									

Total Acres: 41

Conditions of Approval:

1.		USE OF THIS RIGHT WITH RIGHT NO. 35-13998 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .46 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 164 AF.
2.		USE OF THIS RIGHT WITH RIGHT NO. 35-13998 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 41 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 11.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3.		RIGHT NO. 35-13997, 35-13998 & 35-13999 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
4.		THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-13998 PURSUANT TO SECTION 42-1426, IDAHO CODE.
5.	C18	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.
6.	C11	THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

Dates:

Licensed Date:

Decreed Date: 02/15/2002

Enlargement Use Priority Date:

78901

Enlargement Statute Priority Date: 4/12/1994
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal: S
Owner Name Connector: And
Water District Number: 120
Generic Max Rate per Acre: 0.02
Generic Max Volume per Acre: 3.5
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

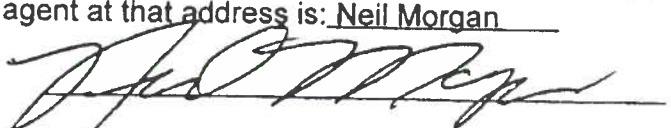
78901

**ARTICLES OF ORGANIZATION
LIMITED LIABILITY COMPANY**

To the Secretary of State of Idaho
Corporations Division
700 West Jefferson Room 203
P.O. Box 83720 * Boise, ID 83720-0080

NO OCT 16 AM 11:09
STATE OF IDAHO

FILED/EFFECTIVE

1. The name of the limited liability company is: Morgan Enterprises, LLC
2. The address of the initial registered office is: 762 W. Hwy 39, Blackfoot, Idaho 83221
and the name of the initial registered agent at that address is: Neil Morgan
Signature of registered agent: 
3. The latest date certain on which the limited liability company will dissolve: 1-10-2049
4. Is management of the limited liability company vested in a manager or managers?
☒ Yes (managers) ☐ No (Check appropriate box)
5. If management is vested in one or more manager(s), list the name (s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.

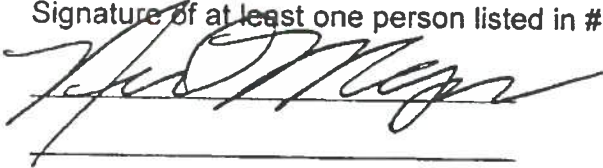
Name

Address

Neil Morgan

762 W. Hwy 39, Blackfoot, Idaho 83221

6. Signature of at least one person listed in #5 above:



Secretary of State use only

IDAHO SECRETARY OF STATE

10/17/2008 09:00
CK: 1612 CT: 3117 BH: 354950

1 @ 100.00 = 100.00 ORGAN LLC # 2

W13202

File two Copies

Fee: \$100 if typed with no attachments

\$120 if not typed or if attachments are included

RECORDING REQUESTED BY:
Baker & Harris
266 W Bridge
Blackfoot, ID 83221

Instrument # 653782

BINGHAM COUNTY, IDAHO
2013-10-22 11:25:50 AM No. of Pages: 2
Recorded for: BAKER & HARRIS
SARA J. STAUB Fee: \$13.00
Ex-Officio Recorder Deputy KCunningham
Index To: WATER RIGHTS (MISC)
Electronically Recorded by Simplifile

space above this line for Recording use only

WATER RIGHT DEED

For VALUABLE consideration, the receipt and sufficiency whereof is hereby acknowledged, JOHN RITCHIE and KAYE RITCHIE, husband and wife, Grantors, do hereby grant, sell and convey unto MORGAN ENTERPRISES, LLC, an Idaho Limited Liability Company, Grantee, all of those certain irrigation water rights, but excluding all culinary water rights, appurtenant to or affiliated with certain land situate, lying and being in the County of Bingham, State of Idaho, as more particularly described on Exhibit "A" attached hereto, and by this reference made a part hereof.

TO HAVE AND TO HOLD all and singular the herein described property, together with all appurtenances unto the said Grantee and his heirs and assigns forever.

DATED this 19th day of September, 2013.


John Ritchie


Kaye Ritchie

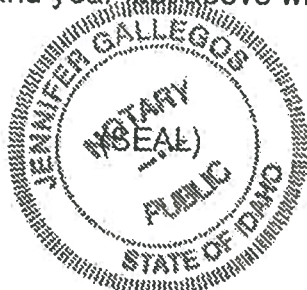
STATE OF IDAHO)

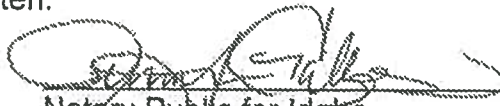
: ss.

County of Bingham)

On this 19th day of September, 2013, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared JOHN RITCHIE and KAY RITCHIE, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.




Notary Public for Idaho

Residing at: Blackfoot

My Commission Expires: 12-3-13

78901

EXHIBIT A

Part of Section 4 T. 2 S.R. 34 E.B.M., Bingham County, Idaho described as:

Beginning at a point that is N 00° 23' 16" E 1482.15 feet along the East line of said section 4, and N 89° 24' 15" W 30.00 feet all from the Southeast corner of said Section 4 to the True Point of Beginning; and running thence N 00° 23' 16" E 750.00 feet along the East line of a County road; thence West 1299.90 feet; thence S 00° 23' 16" W 750.00 feet; thence East 1299.90; more or less to the Point of Beginning.

Parcel contains 22.38 acres more or less.

ALSO INCLUDING:

Part of Section 4, T.2 S. R 34 E.B. M., Bingham County, Idaho described as:

Beginning at a point that is N 00° 23' 16 " E 2572.15 feet along the East line of said Section 4, and West 877.02 feet all from the Southeast corner of said Section 4 to the True Point of Beginning, and running thence West 452.90 feet; thence N 00° 23' 16" E 50.28 feet; thence East 452.90 feet; thence S 00° 23' 16" W 50.28 feet to the Point of Beginning.

Parcel contains 0.52 acre more or less.

ALSO INCLUDING:

Part of Section 4 T. 2 S.R. 34 E.B.M., Bingham County, Idaho described as:

Beginning at a point that is N 00° 23' 16" E 380.00 feet along the East line of said Section 4, and N 89° 24' 15" W 657.92 feet, and N 00° 23' 16" E 345.62 feet all from the Southeast corner of said section 4 to the True Point of Beginning; and running thence N 00° 23' 15" E 400.00 feet; thence West 671.97 feet; thence S 00° 23' 16:" W 400.00 feet; thence East 671.93 feet more or less to the point of Beginning.

Parcel contains 6.17 acres more or less.

RECORDING REQUESTED BY:
Baker & Harris
266 W Bridge
Blackfoot, ID 83221

Instrument # 652081

BINGHAM COUNTY

8-16-2013 04:28:38 No. of Pages: 2

Recorded for: BAKER & HARRIS

SARA J. STAUB Fee: 13.00

Ex-Officio Recorder Deputy

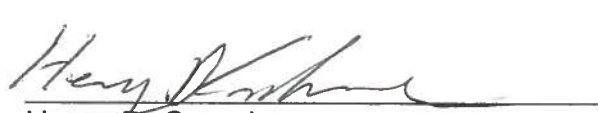
space above this line for Recording use only

WATER RIGHT DEED

For VALUABLE consideration, the receipt and sufficiency whereof is hereby acknowledged, HENRY D. CAMPHOUSE and LAURI A. CAMPHOUSE, husband and wife, Grantors, do hereby grant, sell and convey unto JOHN RITCHIE, a married man dealing with his sole and separate property, Grantee, all of those certain irrigation water rights, but excluding all culinary water rights, appurtenant to or affiliated with certain land situate, lying and being in the County of Bingham, State of Idaho, as more particularly described on Exhibit "A" attached hereto, and by this reference made a part hereof.

TO HAVE AND TO HOLD all and singular the herein described property, together with all appurtenances unto the said Grantee and his heirs and assigns forever.

DATED this 16 day of August, 2013


Henry D. Camphouse


Lauri A. Camphouse

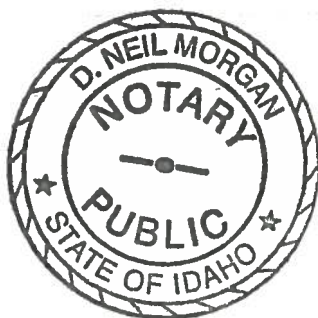
STATE OF IDAHO)

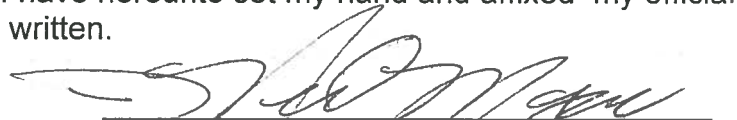
: ss.

County of Bingham)

On this 16 day of August, 2013, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared HENRY D. CAMPHOUSE and LAURI A. CAMPHOUSE, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.




Notary Public for Idaho
Residing at: Blackfoot, Idaho
My Commission Expires: 4-08-2015

652081

78901

EXHIBIT A

Part of Section 4, Township 2 South Range 34 East, B.M., described as: Beginning at a point that is N. $00^{\circ}23'16''$ E. 1482.15 feet along the Section line and N. $89^{\circ}24'15''$ W. 30.00 feet and West 627.93 feet from the SE corner of said Section 4, and running thence N. $00^{\circ}23'16''$ E. 350.00 feet; thence W. 50.00 feet; thence N. $00^{\circ}23'16''$ E. 25.00 feet; thence W. 621.97 feet; thence S. $00^{\circ}23'16''$ W. 375.00 feet; thence E. 671.97 feet to the point of beginning. Together with an ingress-egress easement described as: Part of Section 4, Township 2 South, Range 34 East, B.M., described as: Beginning at a point that is N. $00^{\circ}23'16''$ E. 1882.15 feet along the Section line and W. 30.00 feet from the SE corner of said Section 4, and running thence W. 677.93 feet; thence S. $00^{\circ}23'16''$ W. 50.00 feet; thence E. 677.93 feet; thence N. $00^{\circ}23'16''$ E. 50.00 feet to the point of beginning (96021 Parcel 9).

RECORDING REQUESTED BY:

Baker & Harris
266 W Bridge
Blackfoot, ID 83221

Instrument # 652302

BINGHAM COUNTY

8-26-2013 04:27:21 No. of Pages: 2

Recorded for : JOHN RITCHIE

SARA J. STAUB

Fee: 13.00

Ex-Officio Recorder Deputy

space above this line for Recording use only

WATER RIGHT DEED

For VALUABLE consideration, the receipt and sufficiency whereof is hereby KIRT BULLOCK, a married man dealing with his sole and separate property, Grantor, does hereby grant, sell and convey JOHN RITCHIE, a married man dealing with his sole and separate property, Grantee, all of those certain irrigation water rights, but excluding all culinary water rights, appurtenant to or affiliated with certain land situate, lying and being in the County of Bingham, State of Idaho, as more particularly described on Exhibit "A" attached hereto, and by this reference made a part hereof.

TO HAVE AND TO HOLD all and singular the herein described property, together with all appurtenances unto the said Grantee and his heirs and assigns forever.

DATED this 23 day of August, 2013.



Kirt Bullock

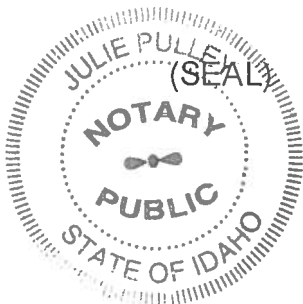
STATE OF IDAHO)

: ss.

County of Bingham)

On this 23 day of August, 2013, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared KIRT BULLOCK, a married man dealing with his sole and separate property, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.



Notary Public for Idaho

Residing at:

Blackfoot

My Commission Expires:

3/17/2015

78901

EXHIBIT A

That portion of the NE1/4 SE1/4 of Section 4, Township 2 South, Range 34 East, Boise Meridian, Bingham County, Idaho, described as follows: Beginning at point that is North 00°23'16" East 1482.15 feet along the Section line and North 89°24'15" West 30.00 feet from the SE corner of said Section 4; running thence North 00°23'16" East 350.00 feet; thence West 627.93 feet; thence South 00°23'16" West 350.00 feet; thence East 627.93 feet to the Point of Beginning.

RECORDING REQUESTED BY:
Baker & Harris
266 W Bridge
Blackfoot, ID 83221

Instrument # 652082

BINGHAM COUNTY
8-16-2013 04:33:49 No. of Pages: 2
Recorded for : BAKER & HARRIS
SARA J. STAUB Fee: 13.00
Ex-Officio Recorder Deputy *Sacaway*

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WATER RIGHT DEED

For VALUABLE consideration, the receipt and sufficiency whereof is hereby acknowledged, MARTHA L. LAKE, a widow, Grantor, does hereby grant, sell and convey unto JOHN RITCHIE, a married man dealing with his sole and separate property, Grantee, all of those certain irrigation water rights, but excluding all culinary water rights, appurtenant to or affiliated with certain land situate, lying and being in the County of Bingham, State of Idaho, as more particularly described on Exhibit "A" attached hereto, and by this reference made a part hereof.

TO HAVE AND TO HOLD all and singular the herein described property, together with all appurtenances unto the said Grantee and his heirs and assigns forever.

DATED this 16 day of August, 2013.

Martha L. Lake
Martha L. Lake

STATE OF IDAHO)

: ss.

County of Bingham)

On this 16 day of August, 2013, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared MARTHA L. LAKE, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.



[Signature]
Notary Public for Idaho

Residing at: Blackfoot, ID.

My Commission Expires: 4/08/2015

78901

652082

EXHIBIT A

Part of Section 4, Township 2 South, Range 34 E.B.M., Bingham County, Idaho, described as: Beginning at a point that is N. $00^{\circ}23'16''$ E. 1882.15 feet along the section line and N. $89^{\circ}24'15''$ W. 30.00 feet from the SE corner of said Section 4; and running thence N. $00^{\circ}23'16''$ E. 350.00 feet; thence W. 627.93 feet; thence S. $00^{\circ}23'16''$ W. 350.00 feet; thence E. 627.93 feet to the point of beginning.

RECORDING REQUESTED BY:

Baker & Harris
266 W Bridge
Blackfoot, ID 83221

Instrument # 653851

BINGHAM COUNTY, IDAHO
2013-10-23 04:10:25 PM No. of Pages: 2
Recorded for: BAKER & HARRIS
SARA J. STAUB Fee: \$13.00
Ex-Officio Recorder Deputy KCunningham
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

space above this line for Recording use only

WARRANTY DEED

For Value Received, JOHN M. RITCHIE and KAYE RITCHIE, husband and wife, the Grantors, do hereby grant, bargain, sell, and convey unto MARTHA DUKE, a married woman as her sole and separate property, of 540 N 900 W, Blackfoot, Idaho 83221, the Grantee, the following-described premises, to-wit:

Part of Section 4 Township 2 South Range 34 East, B.M., described as: Beginning at a point that is N. 00°23'16" E. 1882.15 feet along the Section line and N. 89°24'15" W. 30.00 feet and West 627.93 feet from the SE corner of said Section 4, and running thence N. 00°23'16"E.350.00 feet; thence W. 671.97 feet; thence S. 00°23'16" W. 375.00 feet; thence E. 621.97feet; thence N. 00°23'16" E. 25.00 feet; thence E. 50.00 feet to the point of beginning. Together with an ingress-egress easement described as: Part of Section 4, Township 2 South, Range 34 East, B.M., described as: Beginning at a point that is N. 00°23'16" E.1882.15 feet along the Section line and W. 30.00 feet from the SE corner of said Section 4, and running thence W.677.93 feet; thence S. 00°23'16" W. 50.00 feet; thence E. 677.93feet; thence N. 00°23'16" E. 50.00 feet to the point of beginning. (96021 Parcel 6)

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

No water rights are being transferred with this property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said

GRANTEE, her heirs and assigns forever. The said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 16th day of October, 2013.



John M. Ritchie

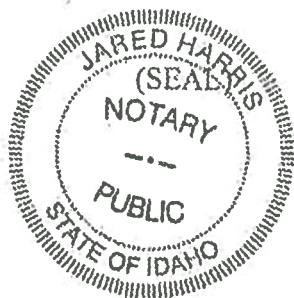


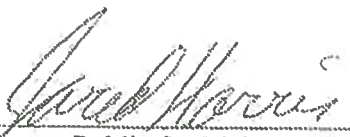
Kaye Ritchie

STATE OF IDAHO)
 : ss.
County of Bingham)

On this 16th day of October, 2013, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared JOHN M. RITCHIE and KAYE RITCHIE, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.





Notary Public for Idaho
Residing at Blackfoot
My Commission Expires: 2/23/17

Idaho Department of Water Rights
900 N Skyline Dr. Suite A
Idaho Falls ID 83402-1718



Re: Water Right Transfer for Point of Diversion and Point of Use
Morgan Enterprises, LLC

To Whom It May Concern:

This letter is to inform you that the Bank of Commerce is aware of and consents to the proposed transfer of a portion of Water Right Numbers 35-13997 and 35-13999 to Morgan Enterprises, LLC, and consents to the change in the Point of Use and Point of Diversion both referred to below.

1. Transfer of Water Right - Point of Use:

Water Right No.	Legal Description
35-13997	Township 2 South, Range 34 E, Section 4 - Tract NENE & NESE
35-13999	Township 2 South, Range 34 E, Section 4 - Tract NENE & NESE

2. Transfer of Water Right - Point of Diversion:

Water Right No.	Legal Description
35-13994	Township 2 South, Range 34 E, Section 4 - Tract NWNE & NWSE
35-13996	Township 2 South, Range 34 E, Section 4 - Tract NWNE & NWSE

Sincerely,

BANK OF COMMERCE

By: Gary Miller
Gary Miller
It's: Vice President

Date: October 15, 2008

File No.: 272427-B (ld)

EXHIBIT 'A'

LEGAL DESCRIPTION:

PARCEL 1:

PART OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:

COMMENCING AT THE NE CORNER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 34 EAST, BOISE MERIDIAN AND RUNNING THENCE S. $00^{\circ}23'16''$ W. 106.14 FEET ALONG THE EAST LINE OF SECTION 4 TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING S. $00^{\circ}23'16''$ W. 1724.27 FEET ALONG SAID EAST LINE; THENCE S. $90^{\circ}00'00''$ W. 73.59 FEET ALONG THE NORTH LINE OF A PARCEL AS DESCRIBED IN BINGHAM COUNTY INSTRUMENT NUMBER 478479; THENCE ALONG SAID PARCEL THE FOLLOWING SIX (6) COURSES: (1) S. $25^{\circ}00'00''$ W. 235.89 FEET, (2) S. $35^{\circ}00'00''$ W. 235.89 FEET, (3) S. $45^{\circ}00'00''$ W. 235.89 FEET, (4) S. $55^{\circ}00'00''$ W. 235.89 FEET, (5) S. $65^{\circ}00'00''$ W. 235.89 FEET, (6) S. $00^{\circ}00'00''$ E. 35.42 FEET; THENCE N. $90^{\circ}00'00''$ W. 558.56 FEET; THENCE S. $00^{\circ}00'00''$ E. 50.28 FEET; THENCE S. $90^{\circ}00'00''$ W. 165.82 FEET; THENCE N. $73^{\circ}40'52''$ W. 241.74 FEET; THENCE N. $64^{\circ}31'19''$ W. 200.00 FEET; THENCE N. $56^{\circ}13'48''$ W. 200.00 FEET; THENCE N. $47^{\circ}56'17''$ W. 200.00 FEET; THENCE N. $39^{\circ}38'45''$ W. 200.00 FEET; THENCE N. $31^{\circ}21'14''$ W. 200.00 FEET; THENCE N. $22^{\circ}10'08''$ W. 242.96 FEET MORE OF LESS TO THE MERIDIONAL CENTERLINE OF SAID SECTION 4; THENCE N. $00^{\circ}26'13''$ E. 1794.39 FEET ALONG SAID MERIDIONAL CENTERLINE TO THE NORTH QUARTER CORNER OF SAID SECTION 4; THENCE S. $89^{\circ}36'14''$ E. 1451.24 FEET ALONG THE NORTH LINE OF SAID SECTION 4 TO THE NW CORNER OF A PARCEL AS DESCRIBED IN BINGHAM COUNTY INSTRUMENT NUMBER 500967; THENCE ALONG SAID PARCEL THE FOLLOWING THREE (3) COURSES; (1) THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT 1170.96 FEET (CURVE DATA: RADIUS = 1383.25 FEET, DELTA = $48^{\circ}30'09''$, CHORD = S. $59^{\circ}48'47''$ E. 1136.31 FEET), (2) THENCE N. $11^{\circ}42'28''$ E. 467.48 FEET; (3) THENCE S. $89^{\circ}36'43''$ E. 127.13 FEET TO THE EAST LINE OF SECTION 4, SAID POINT BEING THE POINT OF BEGINNING.
EXCEPT: COUNTY ROAD

PARCEL 2:

TOGETHER WITH A 50 FOOT INGRESS/EGRESS EASEMENT:

First American Title Company

File No.: 272427-B (Id)
Date: October 15, 2008

COMMENCING AT THE NE CORNER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO AND RUNNING THENCE S. 00°23'16" W. 2724.94 FEET ALONG THE EAST LINE OF SECTION 4; THENCE N. 90°00'00" W. 30.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING N. 90°00'00" W. 1404.91 FEET ALONG THE NORTH LINE OF TWO (2) PARCELS AS DESCRIBED IN BINGHAM COUNTY INSTRUMENT NUMBERS 581645 AND 494494; THENCE N. 00°00'00" W. 50.28 FEET; THENCE S. 90°00'00" E. 1405.25 FEET MORE OR LESS ALONG THE SOUTH LINE OF A PARCEL AS DESCRIBED IN BINGHAM COUNTY INSTRUMENT NUMBER 478479 TO THE WESTERLY RIGHT-OF-WAY OF A COUNTY ROAD; THENCE S. 00°23'16" W. 50.28 FEET ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING.

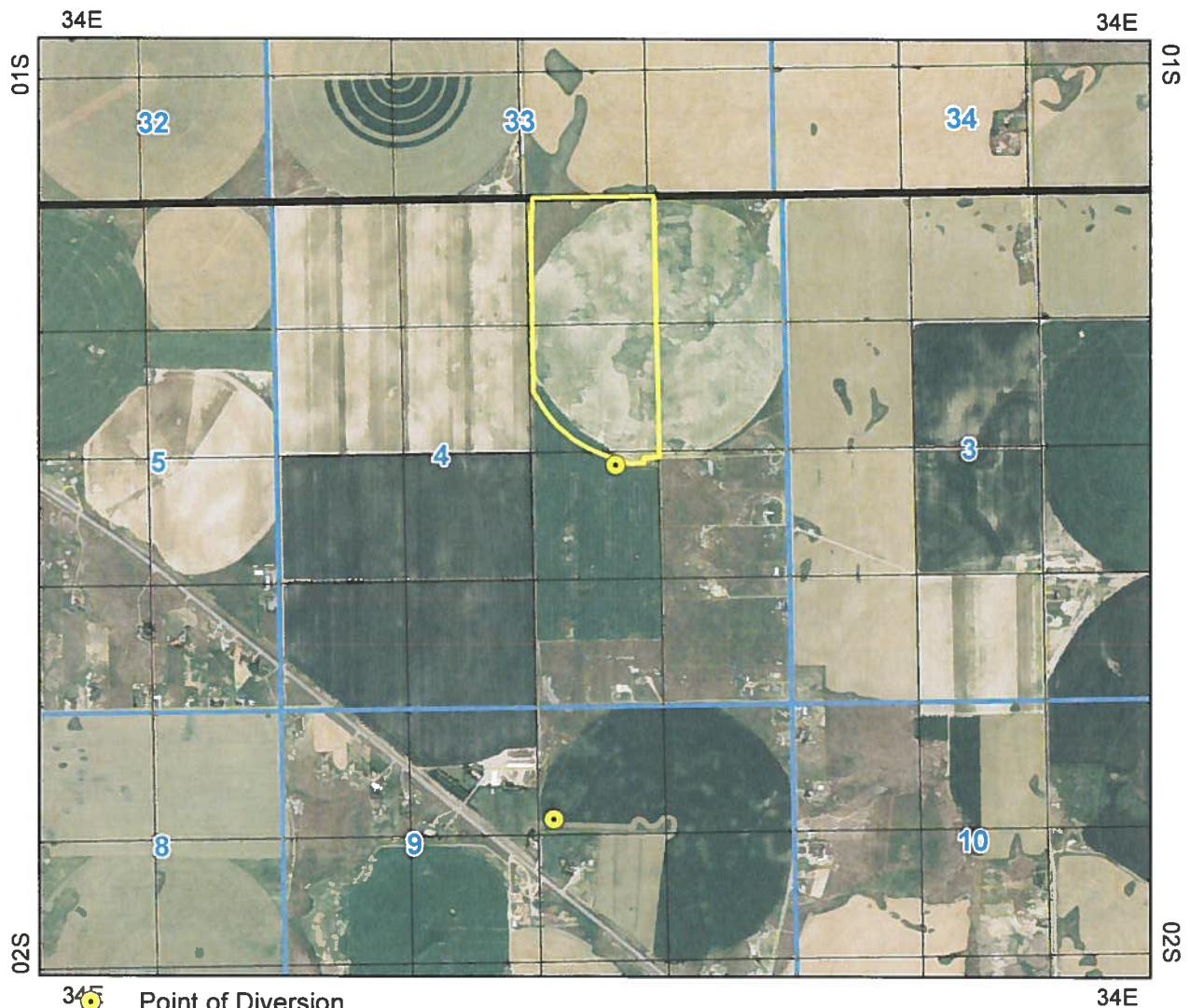
State of Idaho
Department of Water Resources

Water Right

35-13994

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.225 0.45 0.9 Miles



Map produced on September 16, 2013

78901

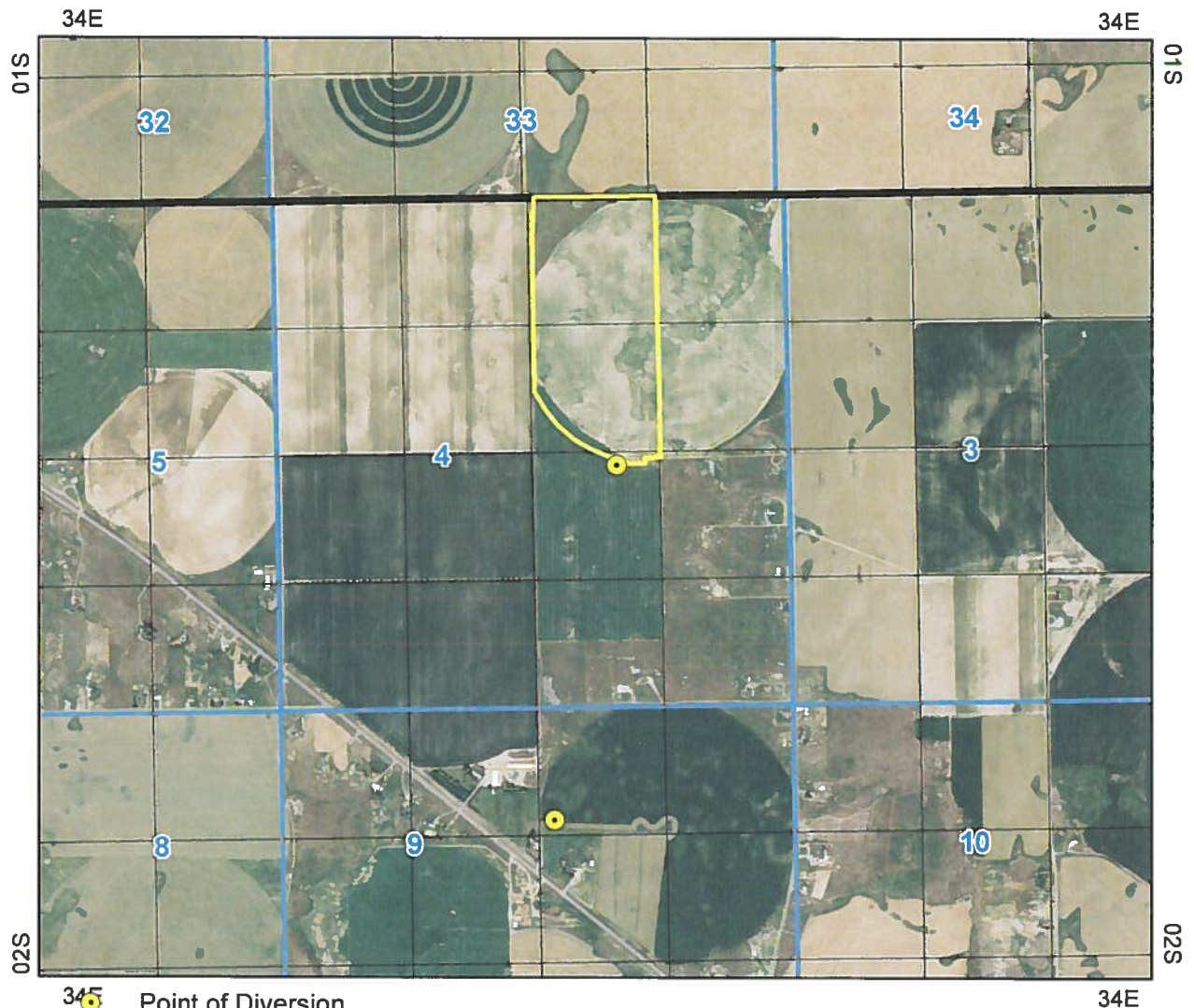
State of Idaho
Department of Water Resources

Water Right

35-13996

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.225 0.45 0.9 Miles

State of Idaho
Department of Water Resources

Water Right 35-13997

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.175 0.35 0.7 Miles



Map produced on September 16, 2013

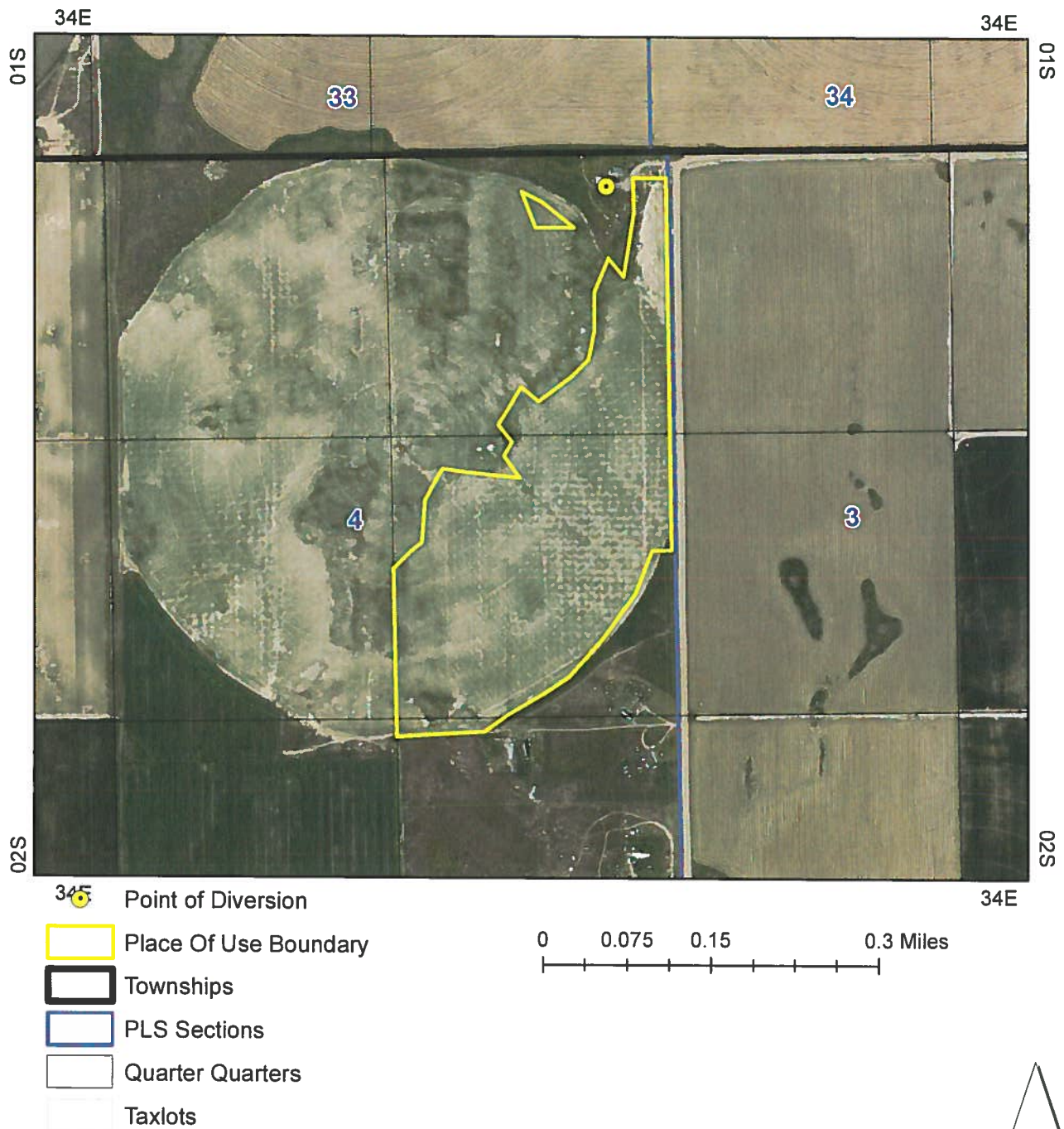
78901

State of Idaho
Department of Water Resources

Water Right 35-14000

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Map produced on November 19, 2013

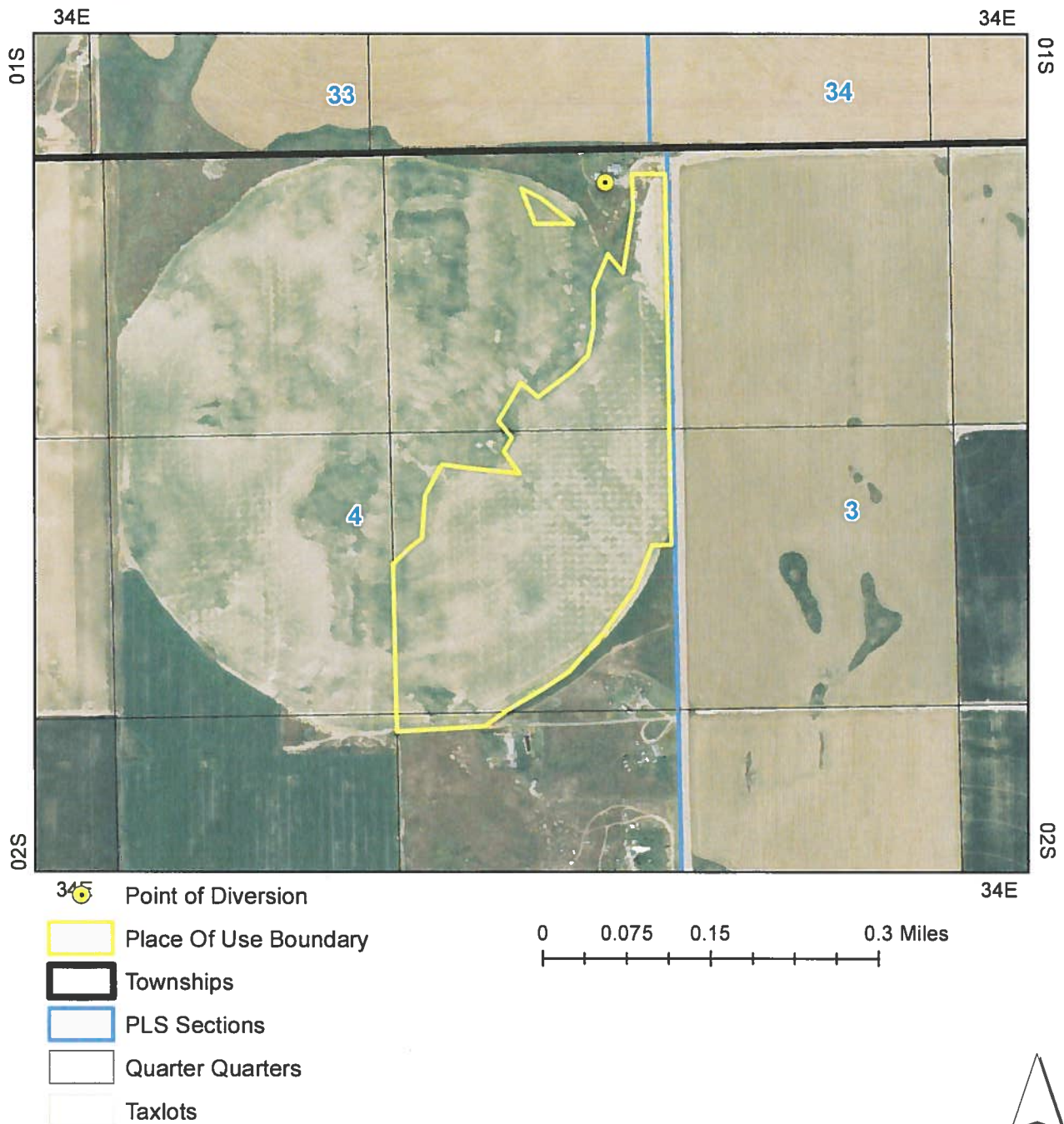
78901

State of Idaho
Department of Water Resources

Water Right 35-13998

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Map produced on September 16, 2013

78901

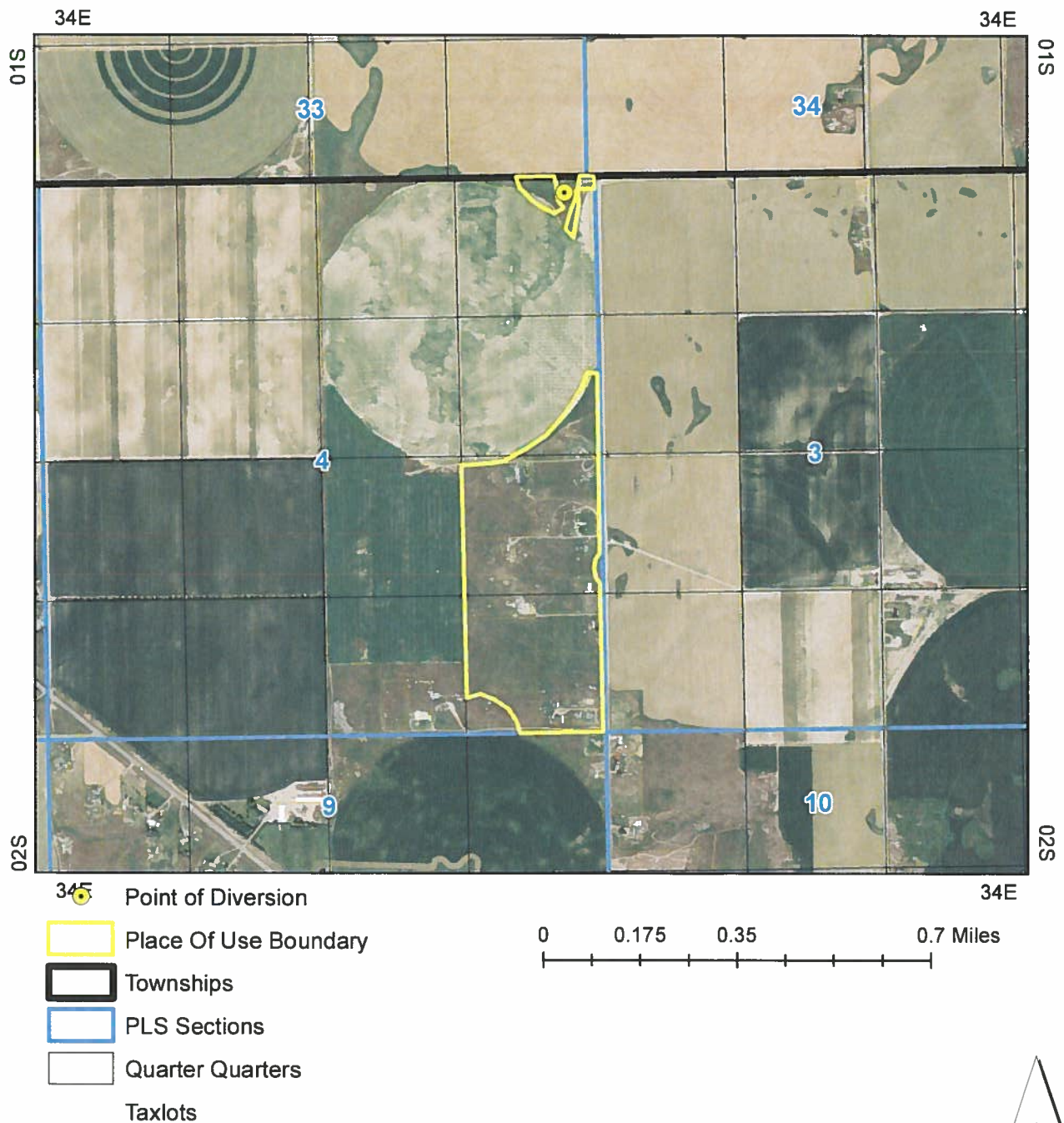
State of Idaho
Department of Water Resources

Water Right

35-13999

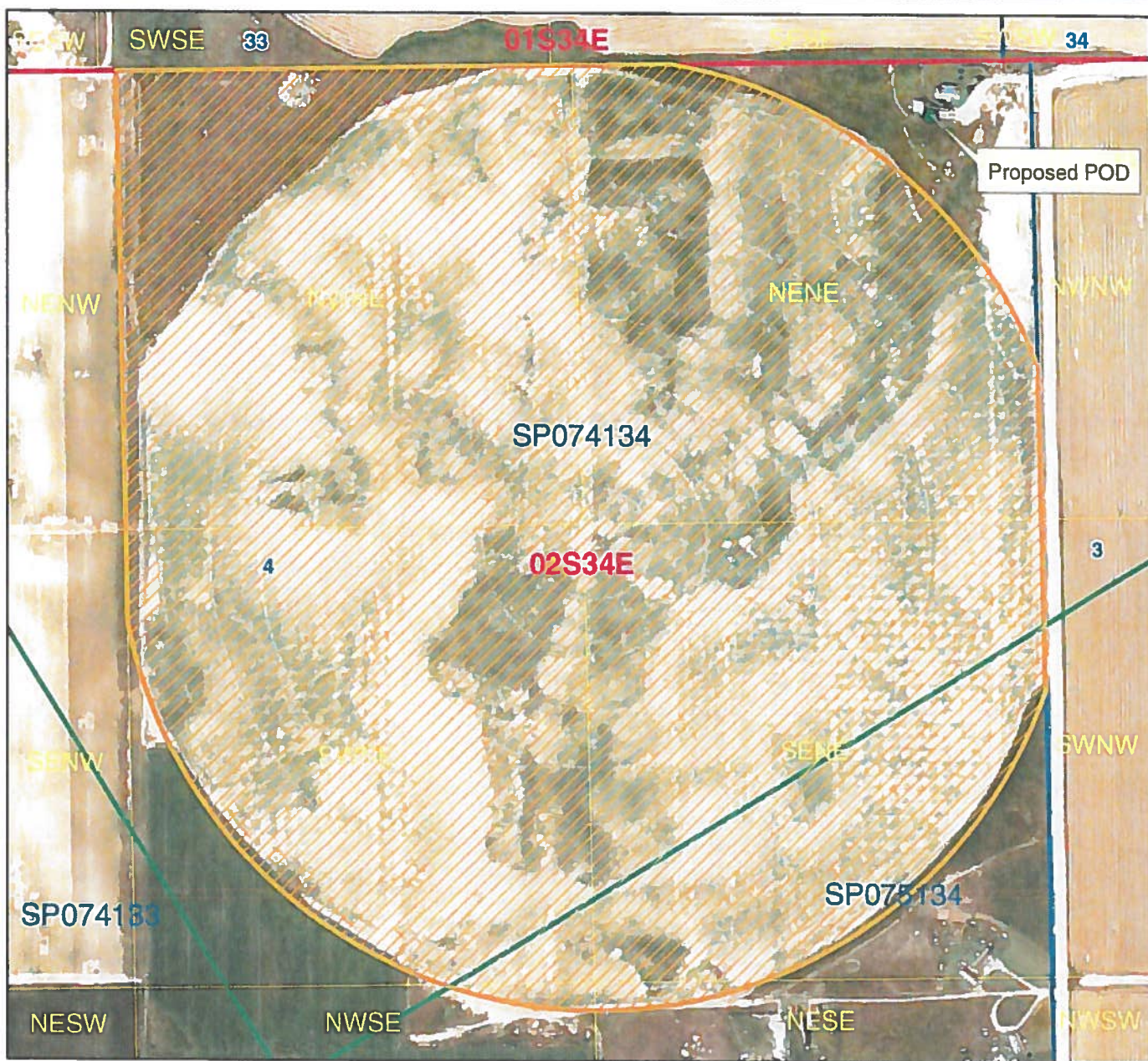
IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Map produced on September 16, 2013

78901

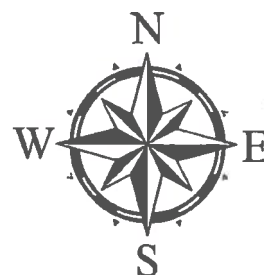


Legend

-  Proposed POU
-  modelgrid
-  Township/Range
-  Sections
- QQ

0 260 520 1,040 Feet

1 inch = 444 feet



78901

Morgan Enterprises Transfer



- Proposed PO
- Acres to remc
- Proposed PO
- Original POU
- Township/Rar
- Sections
- QQ

NE NE SEC 4 T2S R34E
2011



NE NE NE
SEC 4 T2S R34E
2010



78901

NSW NW
SEC 4 T2S R34E
LOOKING SOUTH
END OF PLOT



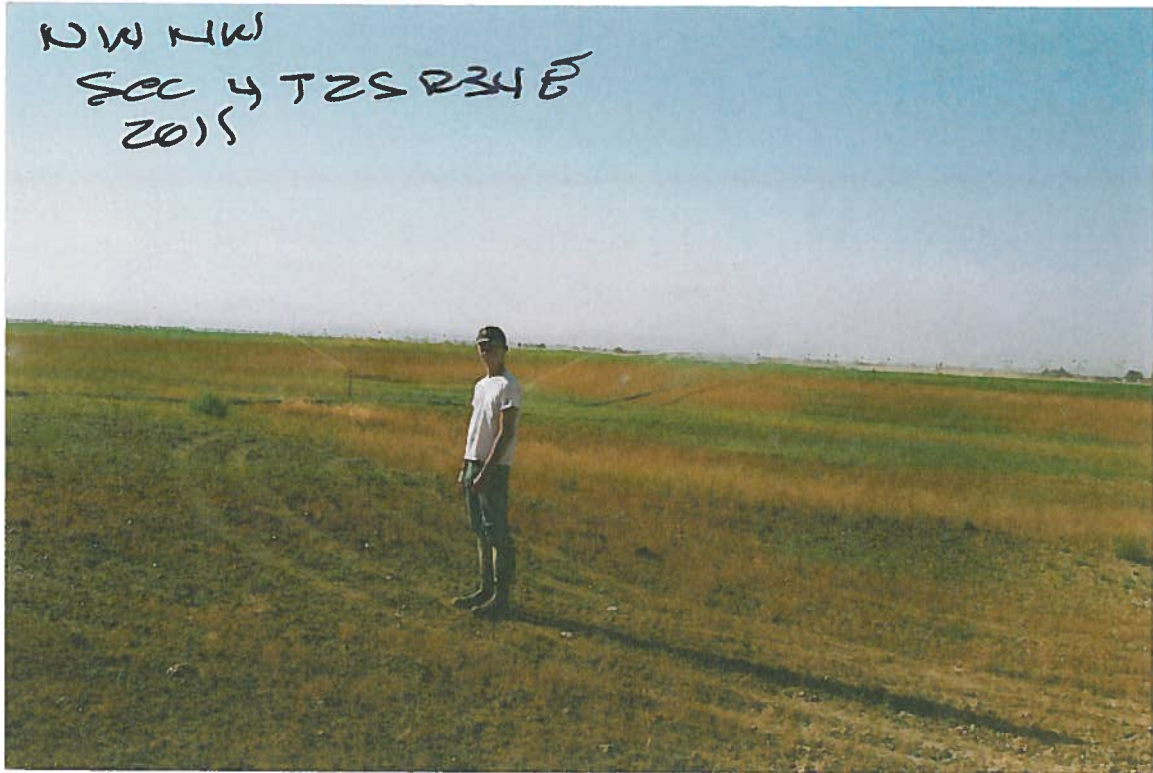
NSW NW
SEC 4 T2S R34E
2011



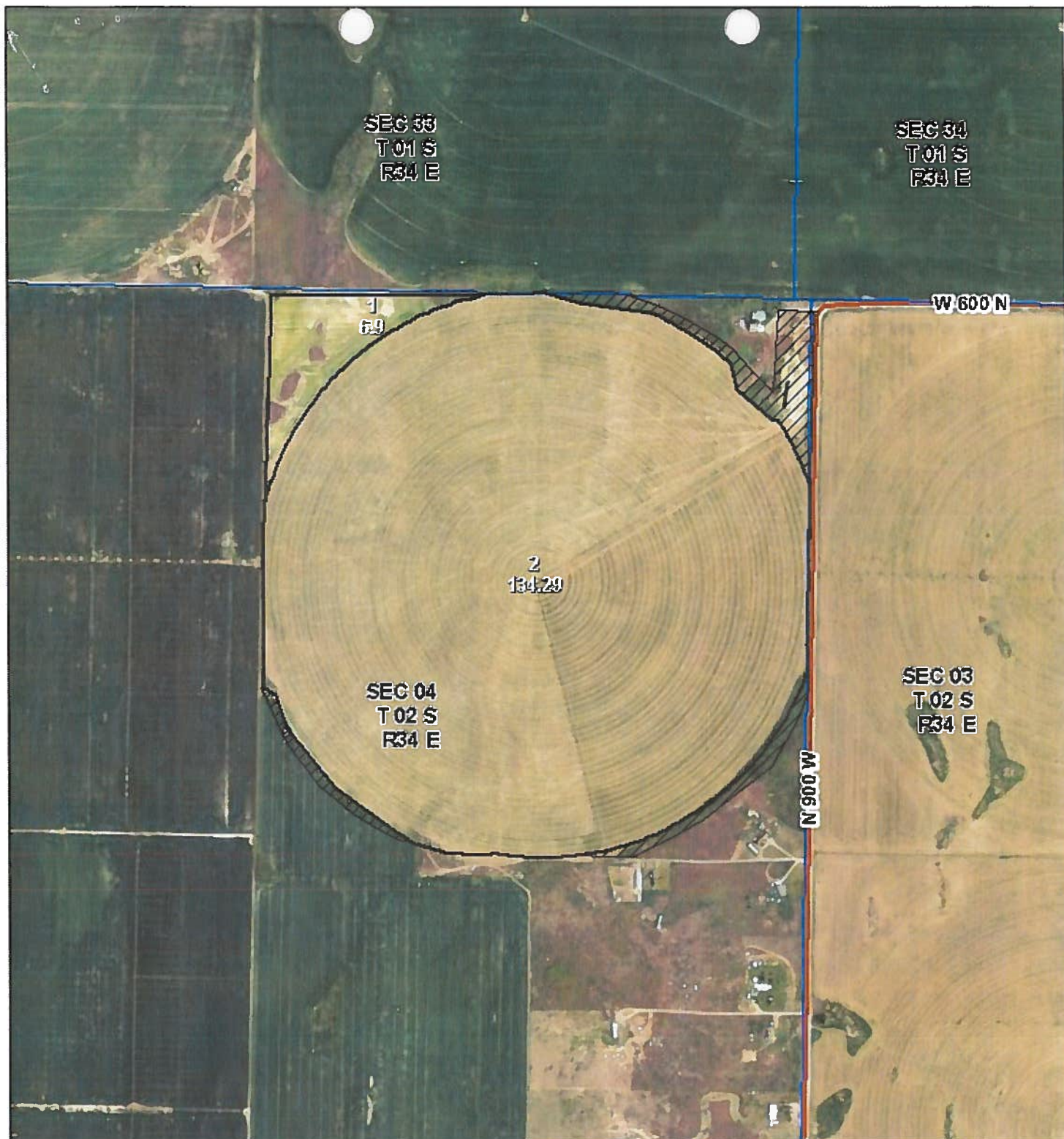
NW NW

Sec 4 T2S R34E

2015



78901



United States Department of Agriculture
Farm Service Agency

Farm: 5952
Tract: 26814

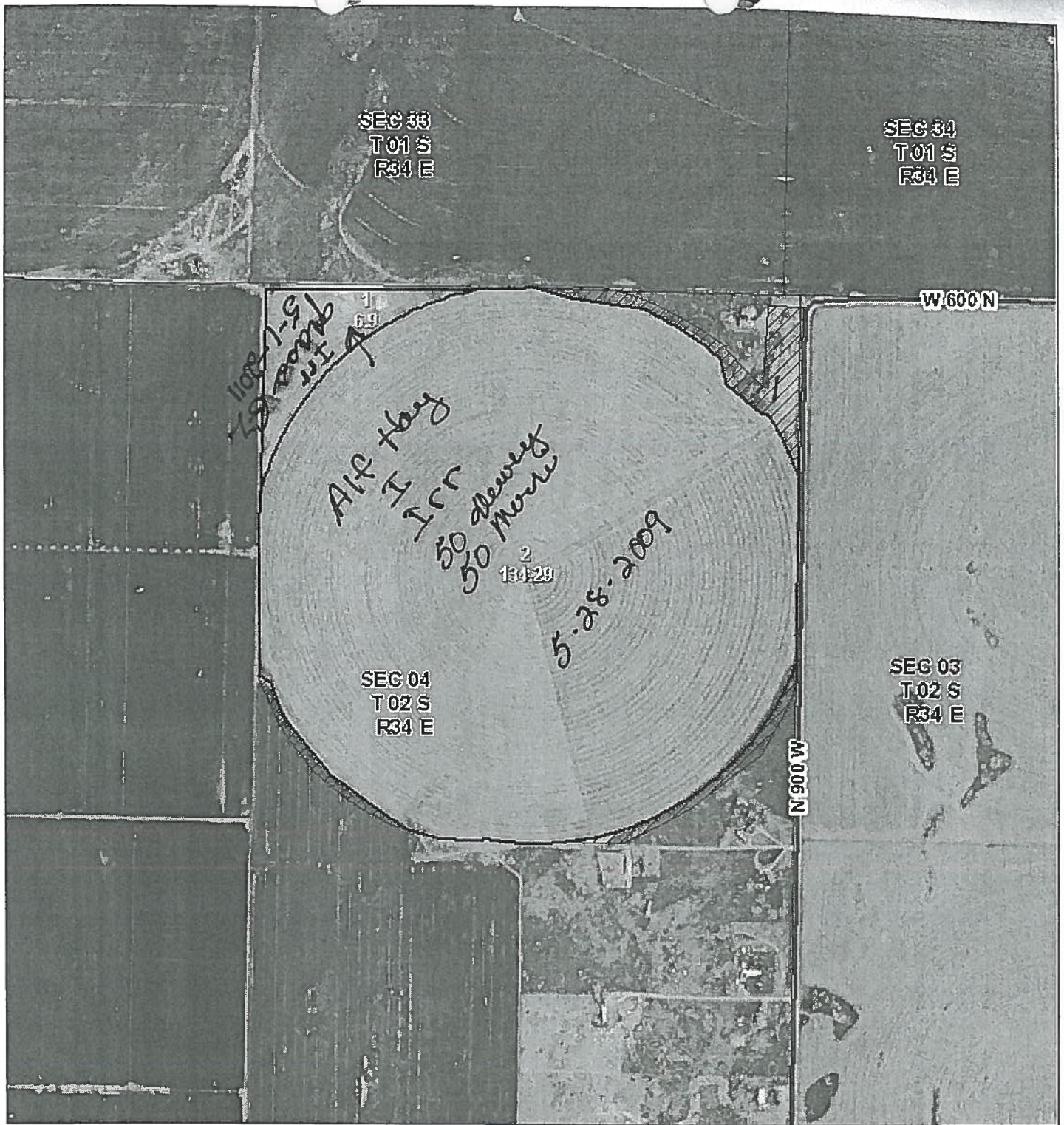
Bingham County, ID
1:7,851

April 23, 2012



Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS. For FSA Program Purposes Only.

78901



United States Department of Agriculture
Farm Service Agency

Farm: 5952
Tract: 26814

Bingham County, ID
1:7,851

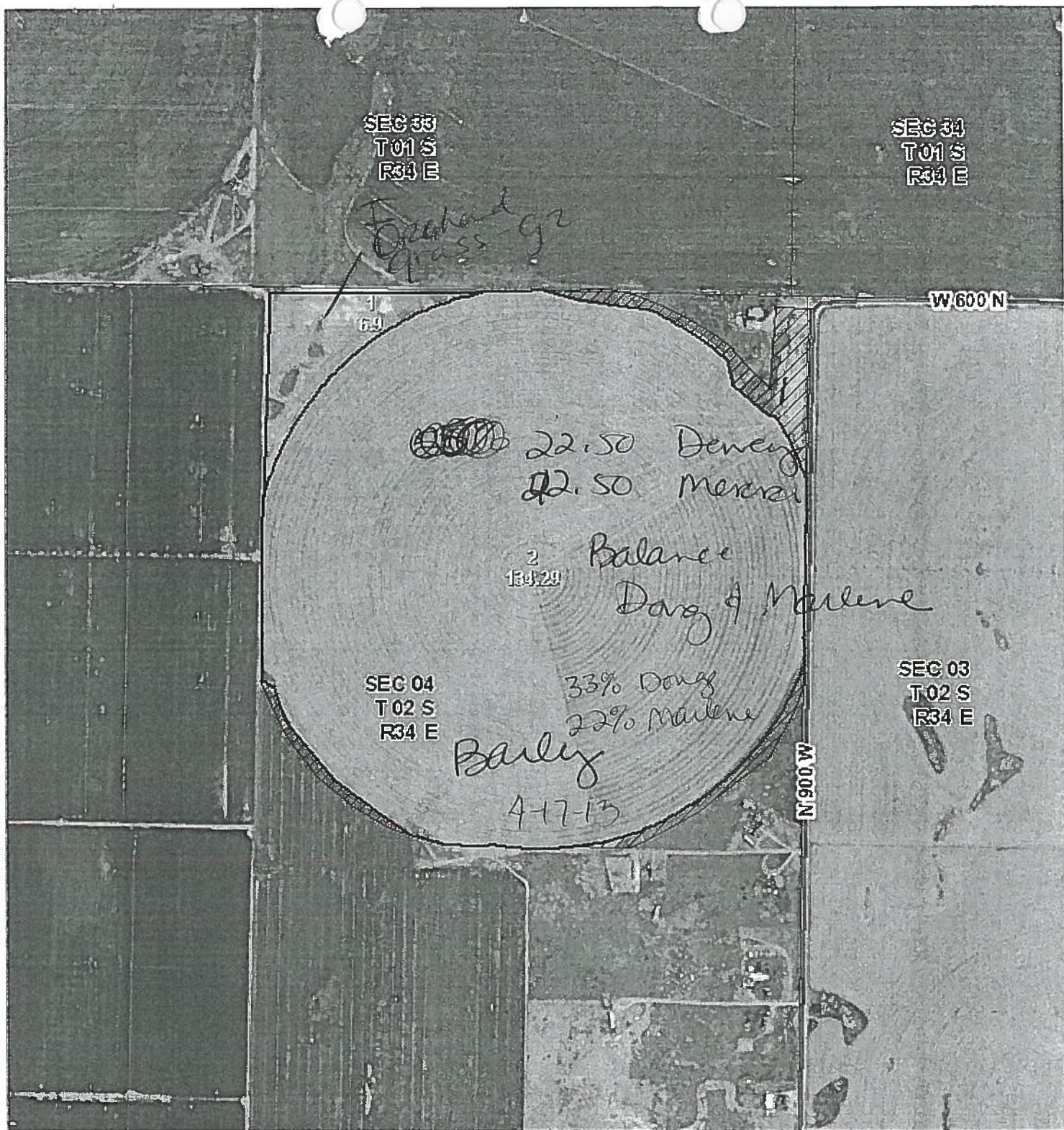
April 23, 2012



2012

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boundaries and determinations, or contact NRCS.
For FSA Program Purposes Only.

78901



United States Department of Agriculture
Farm Service Agency

Farm: 5952
Tract: 26814

Bingham County, ID

1:7,851

April 23, 2012

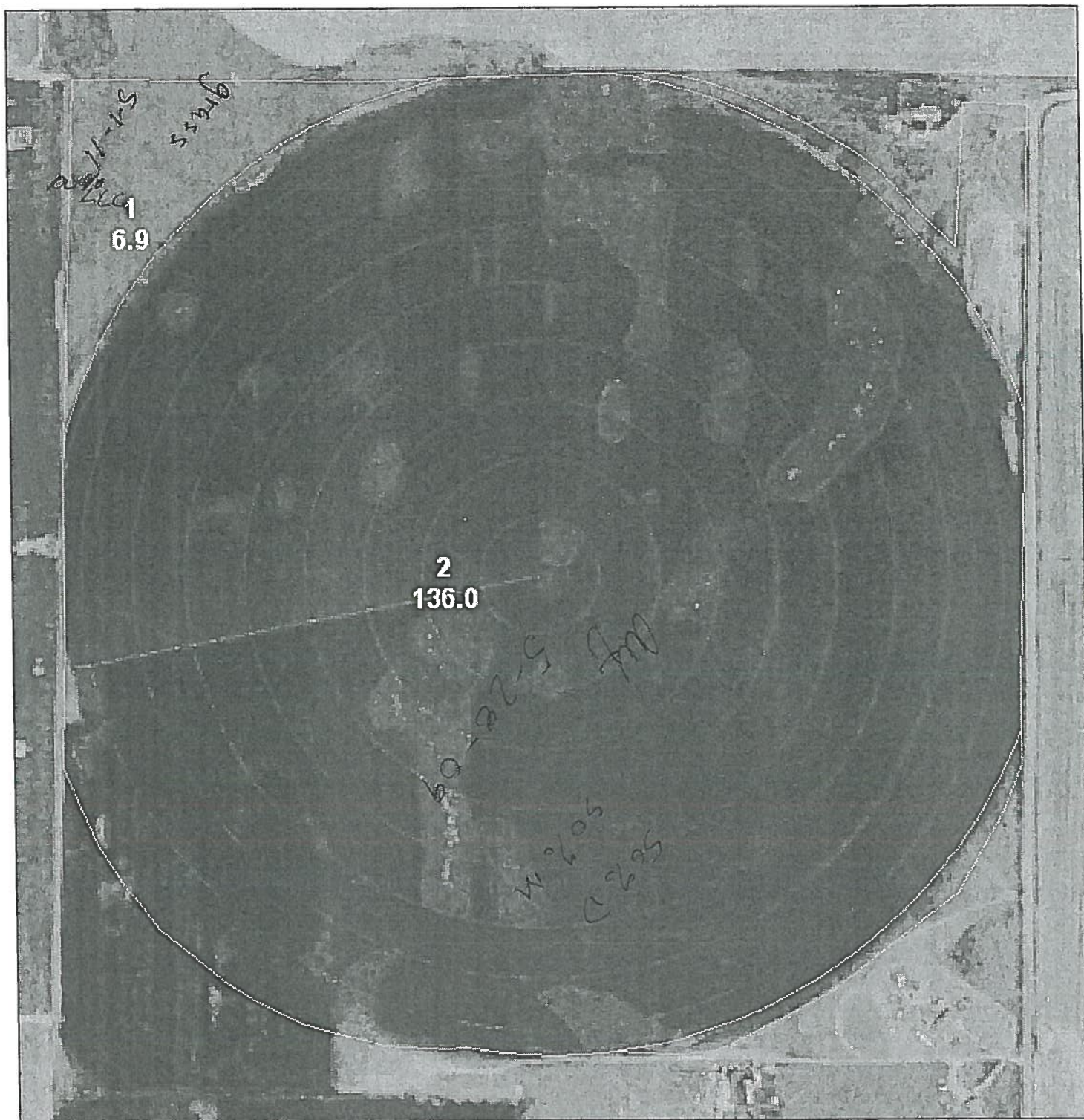


45/55

2013

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS. For FSA Program Purposes Only.

78901



USDA United States Department of Agriculture
Farm Service Agency

May 26, 2009

2011



Farm 5952
Tract 26814

For Informational Purposes Only

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78901