

SEP 05 2013

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant DAVID Z WARD Phone (208)657-2560

Mailing Address 2700 N 626 E
PO BOX 32, MONTEVIEW ID 83435 Email _____

Name of Applicant MELISSA WARD Phone (208)657-2560

Mailing Address 2700 N 626 E
PO BOX 32, MONTEVIEW ID 83435 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 of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	32-4001D	No	Yes	Yes	No	No	No
	32-7034D	No	Yes	Yes	No	No	No
	32-13204	Yes	Yes	Yes	No	No	No

Associated Right(s): 32-7091B , 32-7054B , 32-7091A , 32-7054A

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**

The applicants seek to change the point of diversion and place of use for a portion of water right 32-13204.
24.0 acres from water right 32-13204 will be combined with water rights 32-4001D and 32-7034D to create
a 133.8 acre place of use. This transfer also proposes to correct a point of diversion legal description
discrepancy for water rights 32-4001D and 32-7034D. This transfer is being filed in response to a pending
notice of violation. The current and proposed points of diversion are within adjacent cells. No ESPA analysis is required.

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
32-7034D	0.610 cfs	206.8 af	59.1	133.8					
32-13334	0.270 cfs	84.0 af	24.0	133.8	32-13204	0.170 cfs	50.7 af	14.5	486.4
32-4001D	1.010 cfs	177.5 af	50.7	133.8		N/A	N/A	N/A	N/A
COMBINED TOTALS	1.890 cfs	468.3 af	133.8	133.8		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 1.89 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

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

Proposed Water Right No. 32-7034D

Current Water Right Owner

DAVID Z WARD
2700 N 626 E
PO BOX 32
MONTEVIEW, ID 83435

AND

MELISSA WARD
2700 N 626 E
PO BOX 32
MONTEVIEW, ID 83435

Priority Date: 1/2/1996

Origin: Water Right

Basis: License

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	0.610 CFS	206.8 AFA	
Total Diversion			0.610 CFS	206.8 AFA	

Source and Point(s) of Diversion:
GROUND WATER

NWSE

Sec. 8 Twp 09N Rge 34E CLARK 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	
09N	34E	8													34.3	35.5	32.5	31.5	133.8

Right Acre Limit: 59.1

POU Total Acres: 133.8

I O DEPARTMENT OF WATER RESOURC
 APPLICATION FOR TRANSFER OF WATER RIGH
 PART 1 Unchanged Portion After Requested Changes

Original Water Right No. 32-13204

Current Water Right Owner

DAVID Z WARD
 2700 N 626 E
 PO BOX 32
 MONTEVIEW, ID 83435

AND

MELISSA WARD
 2700 N 626 E
 PO BOX 32
 MONTEVIEW, ID 83435

Priority Date: 4/23/1983

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	04/01	11/01	0.170 CFS	50.7 AFA	
Total Diversion			0.170 CFS	50.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SESWNW

Sec. 5 Twp 09N Rge 34E CLARK County

GROUND WATER

SESWNE

Sec. 5 Twp 09N Rge 34E CLARK County

Describe the proposed diversion system

Well, pump to pivot.

Well, pump to pivot.

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	
09N	34E	5	30.4	30.4	30.4	30.4	30.4	30.4	30.4	30.4	30.4	30.4	30.4	30.4	30.4	30.4	30.4	30.4	486.4
			L 1	L 2			L 3	L 4											

Right Acre Limit: 14.5

POU Total Acres: 486.4

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

Proposed Water Right No. 32-13334

(Original Water Right No. 32-13204)

Current Water Right Owner

**DAVID Z WARD
2700 N 626 E
PO BOX 32
MONTEVIEW, ID 83435**

AND

**MELISSA WARD
2700 N 626 E
PO BOX 32
MONTEVIEW, ID 83435**

Priority Date: 4/23/1983

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	04/01	11/01	0.270 CFS	84.0 AFA	
Total Diversion			0.270 CFS	84.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER

NWSE

Sec. 8 Twp 09N Rge 34E CLARK 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	
09N	34E	8													34.3	35.5	32.5	31.5	133.8

Right Acre Limit: 24.0

POU Total Acres: 133.8

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

Proposed Water Right No. 32-4001D

Current Water Right Owner

DAVID Z WARD
2700 N 626 E
PO BOX 32
MONTEVIEW, ID 83435

AND

MELISSA WARD
2700 N 626 E
PO BOX 32
MONTEVIEW, ID 83435

Priority Date: 2/1/1963

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	1.010 CFS	177.5 AFA	
Total Diversion			1.010 CFS	177.5 AFA	

Source and Point(s) of Diversion:
GROUND WATER

NWSE

Sec. 8 Twp 09N Rge 34E CLARK 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	
09N	34E	8													34.3	35.5	32.5	31.5	133.8

Right Acre Limit: 50.7

POU Total Acres: 133.8

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 to pivot irrigation system. Lockable power box. measurements are derived by using power records (PPC).

- 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:

- 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: Rabo Agrifinance Inc

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

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

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Associated water rights include 32-7091A, 32-7091B, 32-7054A and 32-7054B.

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

Yes
☐
☐
☐
☐

No

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

If yes, describe:

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

Current Water Right No. 32-7034D

Current Water Right Owner

DAVID Z WARD
2700 N 626 E
PO BOX 32
MONTEVIEW, ID 83435

AND

MELISSA WARD
2700 N 626 E
PO BOX 32
MONTEVIEW, ID 83435

Priority Date: 1/2/1996

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	0.610 CFS	206.8 AFA	
Total Diversion			0.610 CFS	206.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SESE

Sec. 8 Twp 09N Rge 34E CLARK 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	
09N	34E	8													27.4	27.5	27.5	27.4	109.8

POU Total Acres: 109.8

Conditions/Remarks:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
2. The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the amount of water diverted to the department. Right No. 32-07034D is limited to irrigation of 59.1 acres in the place of use described above in a single irrigation season.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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

Current Water Right No. 32-13204

Current Water Right Owner

DAVID Z WARD
2700 N 626 E
PO BOX 32
MONTEVIEW, ID 83435

AND

MELISSA WARD
2700 N 626 E
PO BOX 32
MONTEVIEW, ID 83435

Priority Date: 4/23/1983

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	04/01	11/01	0.440 CFS	134.7 AFA	
Total Diversion			0.440 CFS	134.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SESWNW

Sec. 5 Twp 09N Rge 34E CLARK County

GROUND WATER

SESWNE

Sec. 5 Twp 09N Rge 34E CLARK County

Describe the proposed diversion system

Well, pump to pivot.

Well, pump to pivot.

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	
09N	34E	5	31.9	31.9	31.9	31.9	31.9	31.9	31.9	31.9	31.9	31.9	31.9	31.9	31.9	31.9	31.9	31.9	510.4
			L 1	L 2			L 3	L 4											

Right Acre Limit: 38.5

POU Total Acres: 510.4

Conditions/Remarks:

1. This right is limited to the irrigation of 38.5 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 32-7054A, 32-7091A, 32-7054B, 32-7091B and 32-13204 shall not exceed 7.30 cfs, nor total combined annual volume of 1786.4 af for the irrigation of 510.4 total acres.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 32-4001D

Current Water Right Owner

DAVID Z WARD
2700 N 626 E
PO BOX 32
MONTEVIEW, ID 83435

AND

MELISSA WARD
2700 N 626 E
PO BOX 32
MONTEVIEW, ID 83435

Priority Date: 2/1/1963

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	1.010 CFS	177.5 AFA	
Total Diversion			1.010 CFS	177.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SESE

Sec. 8 Twp 09N Rge 34E CLARK County

Describe the proposed diversion system

WELL/PUMP TO PIVOT

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	
09N	34E	8													27.4	27.5	27.5	27.4	109.8
Right Acre Limit:						50.7													
POU Total Acres:						109.8													

Conditions/Remarks:

1. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [APRIL 15] AND AFTER [OCTOBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50.7 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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

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

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

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

Received By _____ Date _____ Prelim. Check By _____ Date _____
 Fee Paid \$ 580 Date 9/9/2013 Received By Blake Receipt # E039083
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78738

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) DAVID Z WARD AND MELISSA WARD

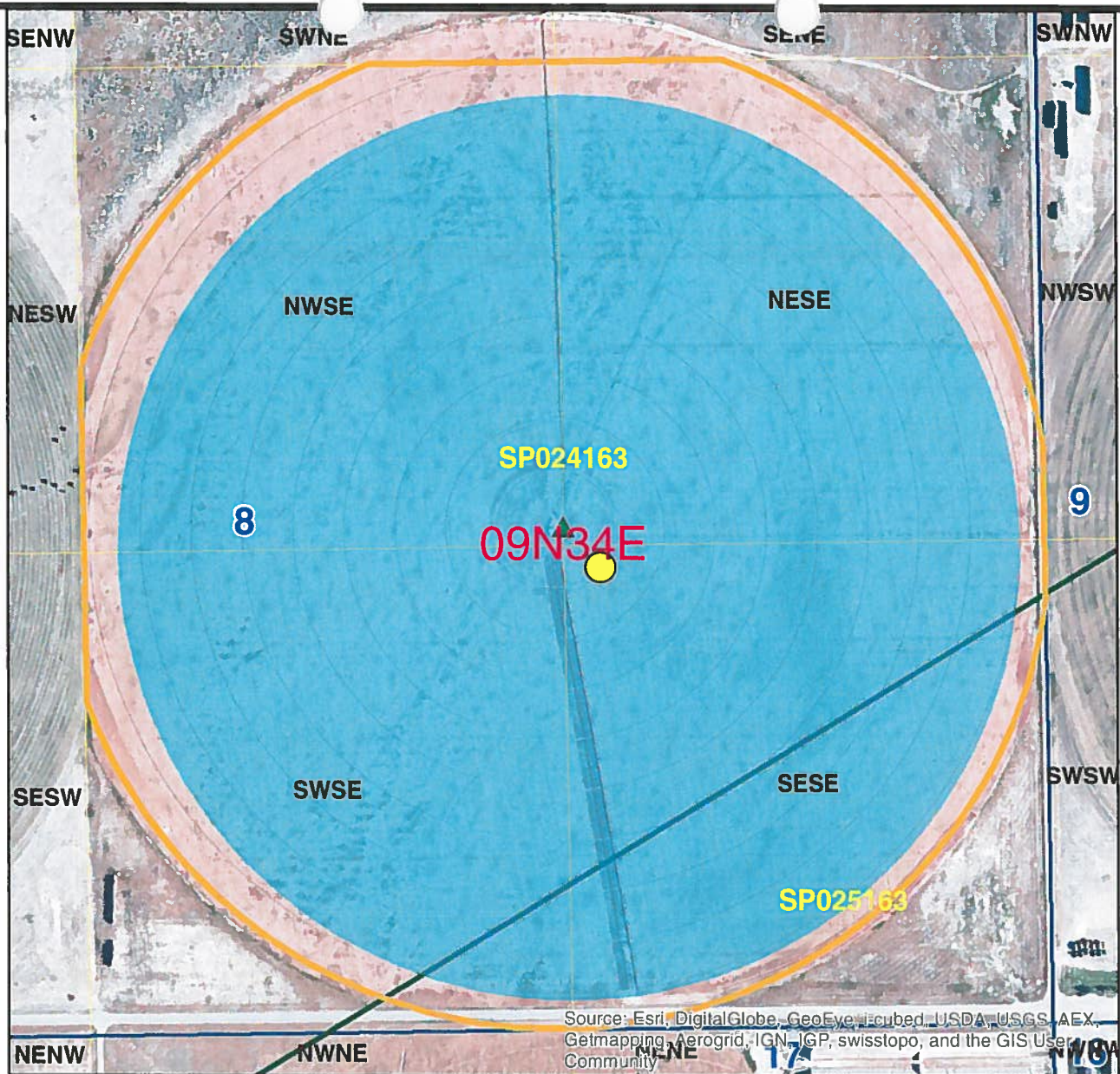
Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

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.

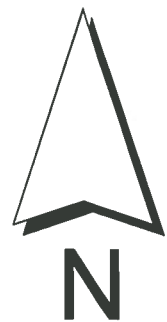
- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation 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: _____

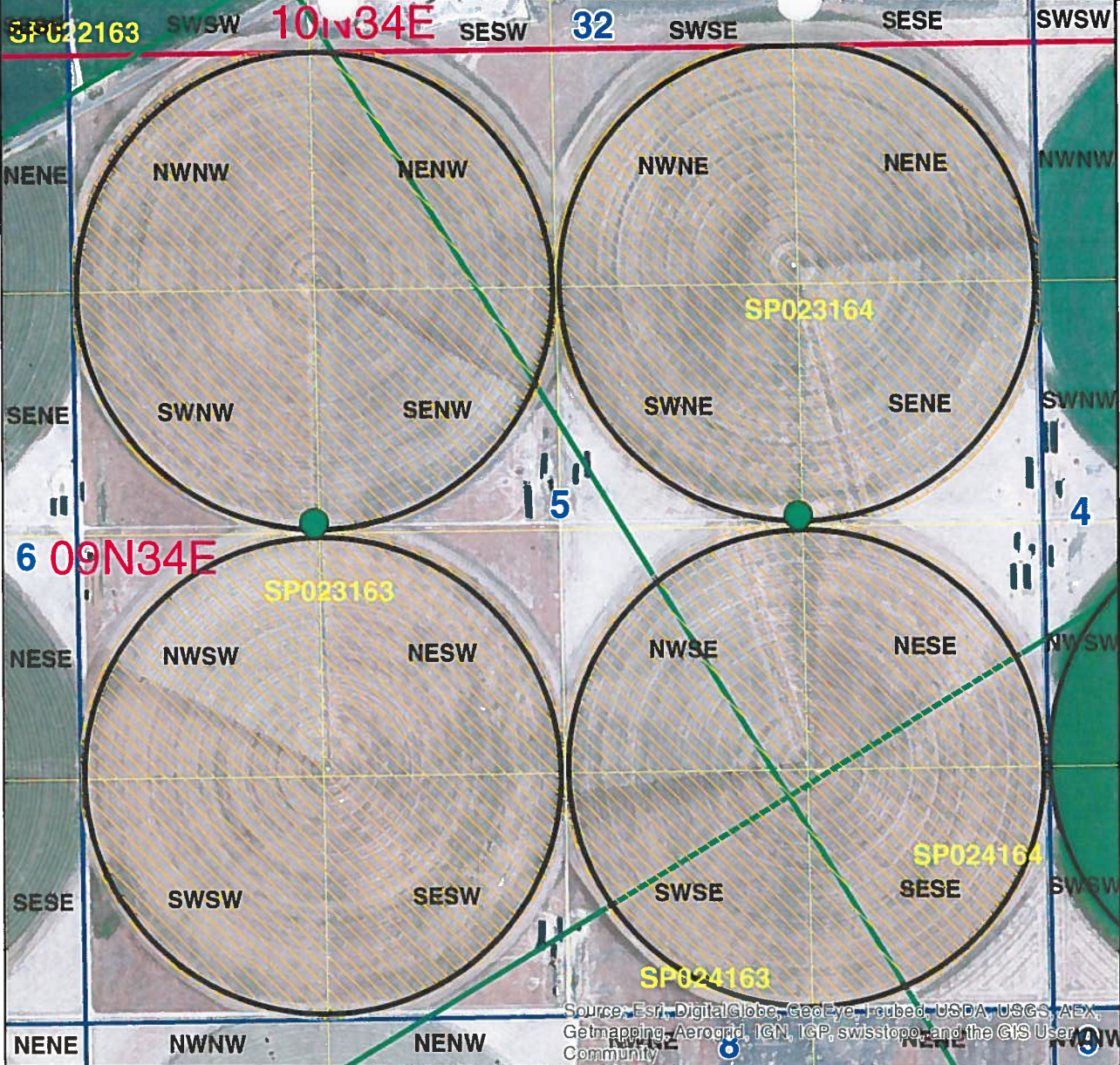


0 255 510 1,020 Feet

1 inch = 455.3 feet

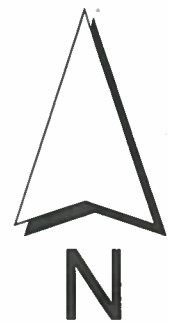
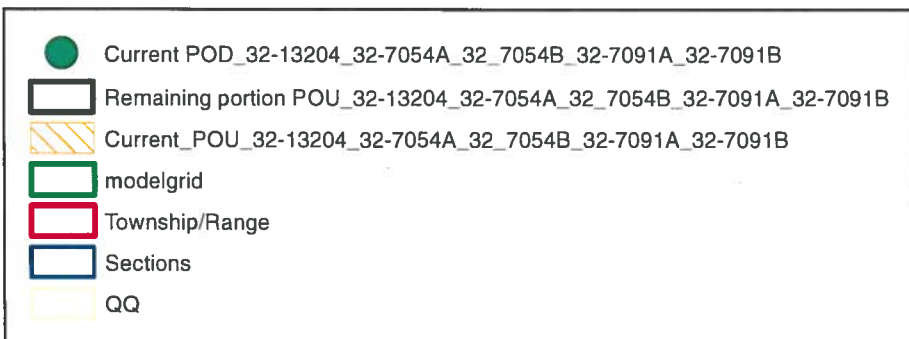
- Proposed POD 32-13204_32-7054A_32_7054B_32-7091A_32-7091B_31-4001D_31-7034
- Current POD_31-4001D_31-7034
- Current_POU_31-4001D_31-7034D
- Proposed POU_32-13204_32-7054A_32_7054B_32-7091A_32-7091B_31-4001D_31-7034
- modelgrid
- Township/Range
- Sections
- QQ



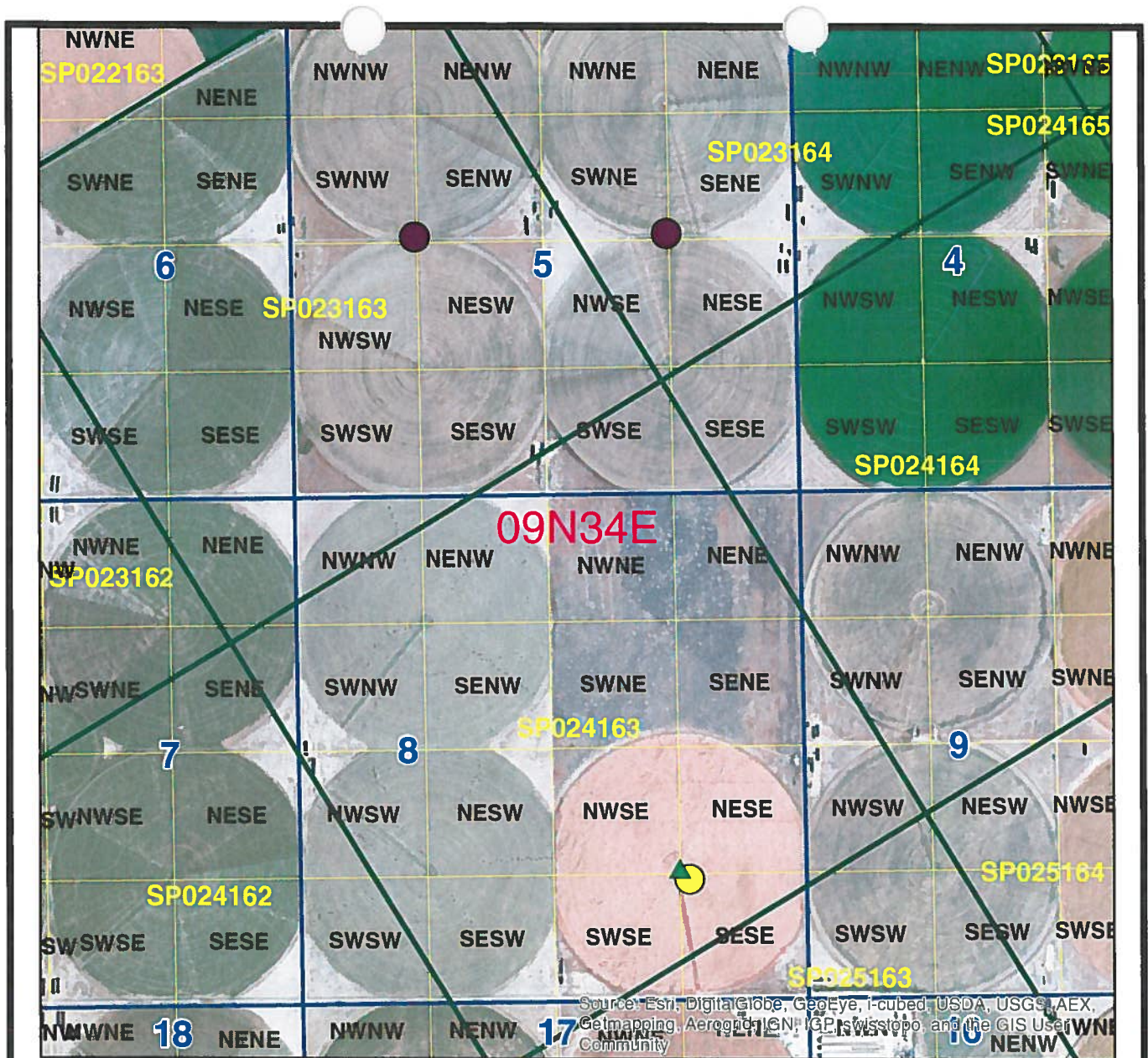


0 500 1,000 2,000 Feet

1 inch = 909.63 feet



78738

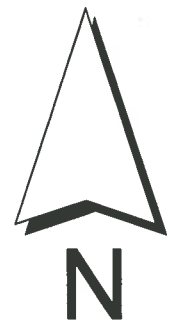


0 900 1,800 3,600 Feet



1 inch = 1,679.58 feet

-  Current POD_32-13204_32-7054A_32_7054B_32-7091A_32-7091B
-  Proposed POD 32-13204_32-7054A_32_7054B_32-7091A_32-7091B_31-4001D_31-7034
-  Current POD_31-4001D_31-7034
-  modelgrid
-  Township/Range
-  Sections
-  QQ



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
110 N. Clark Street/PO Box 405
Rigby, ID 83442

Microfile No. 54900
25 Day May 12
At 03 O'Clock 24 M
Clark Co. Recorder Velvet Killian
Fee \$16.00
VK Deputy
Recorded at Request of
First American Title - Rigby

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **398416-RI (ss)**

Date: **May 17, 2012**

For Value Received, **BLF Land, LLC**, an Idaho limited liability company, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **David Z. Ward and Melissa L. Ward, husband and wife**, hereinafter called the Grantee, whose current address is **PO Box 32, Montevlew, ID 83435**, the following described premises, situated in **Clark County, Idaho**, to-wit:

Township 9 North, Range 34 E.B.M., Clark County, Idaho.

Section 4: ALL

EXCEPT that portion deeded to Clark County for road purposes by Instrument Nos. 36728 and 36730.

Section 5: ALL

EXCEPT that portion deeded to Clark County for road purposes by Instrument Nos. 36728 and 36730.

Section 8: SE $\frac{1}{4}$

EXCEPTING THEREFROM: That portion conveyed to Clark County, recorded February 1, 1982, as Instrument No. 36558, more particularly described as follows: Beginning at the SE Corner of said Section 8; thence N. 89°40'08" W. 2639.65 feet, more or less, along the South section line of said section to the center of section line; thence North along the center of section line 30 feet; thence S. 89°49'08" E. 2589.65 feet, more or less; thence N. 0°21'16" E. 2629.00 feet, more or less, to the center of section line; thence East 50 feet to the East section line of said section; thence S. 0°21'16" W. 2659.00 feet along the East section line to the point of beginning.

Section 9: ALL

EXCEPT that portion deeded to Clark County for road purposes by Instrument No. 36730.

Section 16: ALL

EXCEPT that portion deeded to Clark County for road purposes by Instrument No. 36730.

Section 17: ALL

EXCEPT that portion deeded to Clark County for road purposes by Instrument No. 36730.

Section 18: Lots 3 and 4; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$

EXCEPT FROM ABOVE:

Part of the NW $\frac{1}{4}$ of Section 16 and part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 9 North, Range 34 East of the Boise Meridian, Clark County, Idaho, more particularly described as:

54900

Commencing at the Northwest corner of Section 16 from which the Northeast Corner of said section bears S. 89°40'07" E. 5229.14 feet; thence S. 89°40'07" E. 31.58 feet along the North line of said section; thence S. 00°07'10" W. 14.80 feet to an 1/2" iron rod with plastic cap stamped HLE PLS 12222, said point being the point of beginning; thence S. 00°07'10" W. 206.69 feet to an 1/2" iron rod with plastic cap stamped HLE PLS 12222, said point being 31.05 feet East of the West line of said section; thence S. 89°52'50" E. 283.78 feet to an 1/2" iron rod with plastic cap stamped HLE PLS 12222; thence N. 00°07'19" E. 206.85 feet to an 1/2" iron rod with plastic cap stamped HLE PLS 12222, said point being 13.59 feet South of the North line of said section; thence S. 89°55'15" E. 648.90 feet to an 1/2" iron rod with plastic cap stamped HLE PLS 12222, said point being 10.74 feet South of said North line; thence S. 00°00'45" E. 399.87 feet to an 1/2" iron rod with plastic cap stamped HLE PLS 12222; thence S. 89°54'54" E. 122.61 feet to an 1/2" iron rod with plastic cap stamped HLE PLS 12222; thence S. 00°00'17" E. 429.72 feet to an 1/2" iron rod with plastic cap stamped HLE PLS 12222; thence N. 89°55'19" W. 1111.81 feet to an 1/2" iron rod with plastic cap stamped HLE PLS 12222 being in the NE 1/4 NE 1/4 of Section 17; thence N. 34°20'09" W. 732.75 feet to an 1/2" iron rod with plastic cap stamped HLE PLS 12222; thence N. 89°40'51" W. 337.93 feet to an 1/2" iron rod with plastic cap stamped HLE PLS 12222; thence N. 00°00'05" W. 221.95 feet to an 1/2" iron rod with plastic cap stamped HLE PLS 12222, said point being 20.00 feet South of the North line of said Section 17; thence N. 89°57'01" E. 807.60 feet to the point of beginning.

RESERVING UNTO the Grantor and their heirs and assigns forever, a 50 foot Ingress and Egress Easement along the North, South, East and West Section lines of Section 16, Township 9 North, Range 34, E.B.M., Clark County, Idaho.

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

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

Date: 05/17/2012

Warranty Deed
- continued

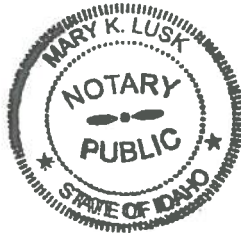
File No.: 398416-RI (ss)

BLF Land, LLC, an Idaho limited liability company

X Blaine Larsen
By: Blaine Larsen, President/Manager

STATE OF Idaho)
COUNTY OF Clark)
SS.

On this 22nd day of May, 2012, before me, a Notary Public in and for said State, personally appeared **Blaine Larsen**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the President/Manager of the **BLF Land, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



Mary K. Lusk
Notary Public of Idaho

Residing at: Rehoboth, ID

Commission Expires: 1/17/18