

RECEIVED

JUL 22 2013

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR TRANSFER

To change the ownership of an application for transfer

Page 1 of 2 is to be completed by the current transfer applicant. Notarization required.

Page 2 of 2 is to be completed by the new transfer applicant. Notarization not required.

I, Lita West, hereby assign to  
Current Applicant(s)

Holly Farms, LTD, an Arizona limited partnership

New Applicant(s)

of, 20051 W. Highway 85

Mailing address

Buckeye

AZ

85326

City

State

ZIP

Telephone No.

All my right, title, and interest in and to Application for Transfer No. 78602.

Made this 23 day of May, 2013.

Lita West  
Signature of Current Applicant or Authorized Representative

Lita West  
Print Name and Title (if applicable)

\_\_\_\_\_  
Signature of Current Applicant or Authorized Representative

\_\_\_\_\_  
Print Name and Title (if applicable)

State of Idaho )  
County of Blaine )ss

On this 23 day of May, 2013, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he/she/they executed the same.

SEAL



J. P. Speck  
Notary Public

My commission expires: 1/29/2015

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR TRANSFER

10716  
**RECEIVED**

**AUG 13 2013**

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

Name of New Applicant(s) Holly Farms LTD Phone 623-386-7282

Mailing address: 20051 W Hwy 85

City Buckeye State AZ Zip 85326 Email rlh4054@gmail.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. Additional fee(s) required for water right ownership changes; see fee schedule on application for transfer instructions.  
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). Additional fee(s) required for water right ownership changes; see fee schedule on application for transfer instructions.  
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 Evan Robertson, Attorney Phone 208-933-0700

Mailing address P.O. Box 1906, Twin Falls, ID 83301 Email erobertson@rsidaholaw.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]*  
for: Holly Farms Ltd.  
Signature of Applicant or Authorized Representative

DETMAR D. HOLLY; GENERAL  
PARTNER HOLLY FARMS LTD.  
Print Name and Title if applicable

8-6-13  
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

**NOTE: Include the appropriate attachments and fee(s) identified above with this assignment form.**

**RECEIVED****MAY 17 2013**DEPT. OF WATER RESOURCES  
SOUTHERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 78602**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/>.

**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. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #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 <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.) 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 RESOURCESTransfer No. 78602

RECEIVED

MAY 17 2013

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1DEPT. OF WATER RESOURCES  
Name of Applicant(s) Lita WestPhone (208) 823-4700Mailing address P.O. Box 100, Carey, ID 83320Email lita.w.west@gmail.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 RepresentativeName of Representative James P. SpeckPhone (208) 726-4421Mailing address P.O. Box 987, Ketchum, ID 83340Email jim@speckandaanestad.com☐ Send all correspondence for this application to the representative and not to the applicant.

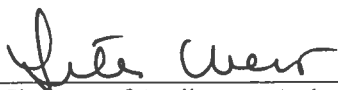
OR

☒ 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 of Applicant or Authorized Representative

Lita West

Print Name and Title if applicable

May 15, 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. Applicant desires to create a permissible place of use for all of her privately owned irrigation water rights.**

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<br>(cfs/ac-ft) | Nature of Use | Period of Use       | Source & Tributary |
|--------------------------------------------------------------|--------------|-----------------------|---------------|---------------------|--------------------|
| All or Part                                                  |              |                       |               |                     |                    |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 37-563       | 1.2 cfs               | irrigation    | April 15 to Oct. 31 | Little Wood River  |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 37-564       | 1.2 cfs               | irrigation    | April 15 to Oct. 31 | Little Wood River  |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 37-565       | 7.2 cfs               | irrigation    | April 15 to Oct. 31 | Dry Creek          |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 37-649       | 1.5 cfs               | irrigation    | April 15 to Oct. 31 | Little Wood River  |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 37-650       | 1.6 cfs               | irrigation    | April 15 to Oct. 31 | Little Wood River  |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 37-651       | 0.6 cfs               | irrigation    | April 15 to Oct. 31 | Little Wood River  |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 37-2595      | 1.0cfs/396AF          | irrigation    | April 15 to Oct.31  | ground water       |
| <input type="checkbox"/> <input type="checkbox"/>            |              |                       |               | to                  |                    |
| <input type="checkbox"/> <input type="checkbox"/>            |              |                       |               | to                  |                    |

Total authorized under rights 14.3 cfs and/or 396 ac-ft

2. Total amount of water proposed to be transferred or changed 14.3 cubic feet per second and/or 396 acre-feet per annum.

3. Point(s) of Diversion:

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

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

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

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

| Twp | Rge | Sec | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Acre Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |             |
| 1S  | 20E | 13  | 39.0 | 34.0 | 8.3  | 35.0 |      |      |      |      |      |      |      |      | 8.7  |      |      |      | 125.0       |
| 1S  | 21E | 17  |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 18.0 | 18.0        |
| 1S  | 21E | 18  |      |      |      |      |      |      |      |      |      | 33.0 | 46.0 | 40.0 |      |      | 12.0 |      | 131.0       |
| 1S  | 21E | 19  | 17.0 | 36.0 | 37.0 | 40.0 | 40.0 | 28.0 | 8.6  | 16.0 |      |      |      |      | 17.0 | 0.7  |      |      | 240.3       |
| 1S  | 21E | 20  | 30.0 | 8.6  | 40.0 | 40.0 | 15.0 | 15.0 | 40.0 | 40.0 | 40.0 | 40.0 | 19.0 | 24.0 | 40.0 | 40.0 | 16.0 | 13.0 | 460.6       |
| 1S  | 21E | 21  |      |      |      |      |      | 22.0 | 39.0 | 3.6  | 34.0 | 36.0 | 12.0 | 40.0 |      |      | 30.0 |      | 216.6       |
|     |     |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 1191.5      |

Total Acres (for irrigation use) 1191.5

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: Little Wood River water rights are diverted into the Little Wood River Irrigation District West Canal, then out of West Canal to private ditches to pressurized irrigation system. Dry Creek water right has two points of diversion from Dry Creek into the same irrigation system. Ground water right is also pumped into the same irrigation system.
- b. Who owns the property at the point(s) of diversion? 37-565 & 37-2595 - Applicant; Little Wood River Irrigation District  
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: Applicant owns shares in Little Wood River Irrigation District.

- 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: N/A

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:  
None. Total irrigated acres limit remains the same.

- 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:  
Water from the Little Wood River represented by shares in the Little Wood River Irrigation District

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

Yes No

- |                          |                                     |                                                                                               |
|--------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

### A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

**B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES**

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number:

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per  $\frac{1}{4}$   $\frac{1}{4}$  tract.)

[illegible]

Total Acres (for irrigation use) \_\_\_\_\_

\$125- / 8-6-2013 / 14 / 5033437 Ownership changes for 11 rights  
and assignment of permit

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

**Current Water Right No.:** 37-563

**Current Owner:** LITA WEST

**Priority Date:** 5/30/1881

**Origin:** Adjudication Recommendation

**Status:** Active

**Basis:** Decreed

**Source**

LITTLE WOOD RIVER

**Tributary**

MALAD RIVER

**Beneficial Use**

IRRIGATION

**From To**

04/15 to 10/31

**Diversion Rate**

1.2 CFS

**Annual Volume**

**Total Diversion**

1.2 CFS

**Location of Point(s) of Diversion**

LITTLE WOOD RIVER

NW1/4SW1/4SE1/4

Sec. 30, Twp 01N, Rge 21E B.M.

BLAINE County

**Place of Use**

IRRIGATION Within BLAINE County

|               |       |      |       |               |       |      |       |
|---------------|-------|------|-------|---------------|-------|------|-------|
| T01S R20E S13 | Lot 1 | NENE | 4.10  | T01S R20E S13 |       | NWNE | 34.00 |
| T01S R20E S13 |       | SWNE | 8.30  | T01S R20E S13 | Lot 2 | SENE | 18.00 |
| T01S R20E S13 | Lot 3 | NESE | 8.70  | T01S R21E S18 | Lot 3 | NWSW | 8.80  |
| T01S R21E S18 | Lot 4 | SWSW | 43.00 | T01S R21E S18 |       | SESW | 36.00 |
| T01S R21E S18 |       | SWSE | 12.00 | T01S R21E S19 |       | NENE | 16.00 |
| T01S R21E S19 |       | NWNE | 29.00 | T01S R21E S19 |       | SWNE | 34.00 |
| T01S R21E S19 |       | SENE | 37.00 | T01S R21E S19 |       | NENW | 38.00 |
| T01S R21E S19 | Lot 1 | NWNW | 28.00 | T01S R21E S19 | Lot 2 | SWNW | 8.60  |
| T01S R21E S19 |       | SENE | 16.00 | T01S R21E S19 |       | NESE | 16.00 |
| T01S R21E S20 |       | NENE | 16.00 | T01S R21E S20 |       | NWNE | 8.10  |
| T01S R21E S20 |       | SWNE | 40.00 | T01S R21E S20 |       | SENE | 40.00 |
| T01S R21E S20 |       | NENW | 14.00 | T01S R21E S20 |       | NWNW | 15.00 |
| T01S R21E S20 |       | SWNW | 40.00 | T01S R21E S20 |       | SENE | 40.00 |
| T01S R21E S20 |       | NESW | 40.00 | T01S R21E S20 |       | NWSW | 40.00 |
| T01S R21E S20 |       | SWSW | 19.00 | T01S R21E S20 |       | SESW | 24.00 |
| T01S R21E S20 |       | NESE | 40.00 | T01S R21E S20 |       | NWSE | 40.00 |
| T01S R21E S20 |       | SWSE | 16.00 | T01S R21E S20 |       | SESE | 13.00 |

Total Acres: 840.6

Conditions of Approval:

1. S12 USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER IRRIGATION DIST.
2. E55 USE OF THIS RIGHT WITH RIGHT NO. 37-564 & 37-565 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE IRRIGATION SEASON.
3. F01 WATER IS DELIVERED THROUGH WEST CANAL.
4. 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.
5. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 360 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. E56 The rights listed below are limited to the irrigation of a combined total of 495 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, 37-565, and 37-2595.
7. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

**Current Water Right No.:** 37-564

**Current Owner:** LITA WEST

**Priority Date:** 5/30/1882

**Origin:** Adjudication Recommendation

**Status:** Active

**Basis:** Decreed

**Source**

LITTLE WOOD RIVER

**Tributary**

MALAD RIVER

**Beneficial Use**

IRRIGATION

**From To**

04/15 to 10/31

**Total Diversion**

**Diversion Rate**

1.2 CFS

1.2 CFS

**Annual Volume**

**Location of Point(s) of Diversion**

LITTLE WOOD RIVER

BLAINE County

NW1/4SW1/4SE1/4

Sec. 30, Twp 01N, Rge 21E B.M.

**Place of Use**

**IRRIGATION Within BLAINE County**

|               |       |      |       |               |       |      |       |
|---------------|-------|------|-------|---------------|-------|------|-------|
| T01S R20E S13 | Lot 1 | NENE | 4.10  | T01S R20E S13 |       | NWNE | 34.00 |
| T01S R20E S13 |       | SWNE | 8.30  | T01S R20E S13 | Lot 2 | SENE | 18.00 |
| T01S R20E S13 | Lot 3 | NESE | 8.70  | T01S R21E S18 | Lot 3 | NWSW | 8.80  |
| T01S R21E S18 | Lot 4 | SWSW | 43.00 | T01S R21E S18 |       | SESW | 36.00 |
| T01S R21E S18 |       | SWSE | 12.00 | T01S R21E S19 |       | NENE | 16.00 |
| T01S R21E S19 |       | NWNE | 29.00 | T01S R21E S19 |       | SWNE | 34.00 |
| T01S R21E S19 |       | SENE | 37.00 | T01S R21E S19 |       | NENW | 38.00 |
| T01S R21E S19 | Lot 1 | NWNW | 28.00 | T01S R21E S19 | Lot 2 | SWNW | 8.60  |
| T01S R21E S19 |       | SENE | 16.00 | T01S R21E S19 |       | NESE | 16.00 |
| T01S R21E S20 |       | NENE | 16.00 | T01S R21E S20 |       | NWNE | 8.10  |
| T01S R21E S20 |       | SWNE | 40.00 | T01S R21E S20 |       | SENE | 40.00 |
| T01S R21E S20 |       | NENW | 14.00 | T01S R21E S20 |       | NWNW | 15.00 |
| T01S R21E S20 |       | SWNW | 40.00 | T01S R21E S20 |       | SENE | 40.00 |
| T01S R21E S20 |       | NESW | 40.00 | T01S R21E S20 |       | NWSW | 40.00 |
| T01S R21E S20 |       | SWSW | 19.00 | T01S R21E S20 |       | SESW | 24.00 |
| T01S R21E S20 |       | NESE | 40.00 | T01S R21E S20 |       | NWSE | 40.00 |
| T01S R21E S20 |       | SWSE | 16.00 | T01S R21E S20 |       | SESE | 13.00 |

Total Acres: 840.6

Conditions of Approval:

1. S12 USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER IRRIGATION DIST.
2. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 360 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. E56 The rights listed below are limited to the irrigation of a combined total of 495 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, 37-565, and 37-2595.
4. F01 WATER IS DELIVERED THROUGH WEST CANAL.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. E55 USE OF THIS RIGHT WITH RIGHT NO. 37-563 & 37-565 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE IRRIGATION SEASON.
7. 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.

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

**Current Water Right No.:** 37-565

**Current Owner:** LITA WEST

**Priority Date:** 12/31/1884

**Origin:** Adjudication Recommendation

**Status:** Active

**Basis:** Decreed

**Source**

DRY CREEK

**Tributary**

LITTLE WOOD RIVER

**Beneficial Use**

IRRIGATION

**From To**

04/15 to 10/31

**Total Diversion**

**Diversion Rate**

7.2 CFS

7.2 CFS

**Annual Volume**

**Location of Point(s) of Diversion**

DRY CREEK

BLAINE County

DRY CREEK

BLAINE County

NE1/4NW1/4NE1/4

Sec. 13, Twp 01S, Rge 20E B.M.

SE1/4NW1/4NE1/4

Sec. 19, Twp 01S, Rge 21E B.M.

**Place of Use**

**IRRIGATION Within BLAINE County**

|               |       |      |       |               |       |      |       |
|---------------|-------|------|-------|---------------|-------|------|-------|
| T01S R20E S13 | Lot 1 | NENE | 4.10  | T01S R20E S13 |       | NWNE | 34.00 |
| T01S R20E S13 |       | SWNE | 8.30  | T01S R20E S13 | Lot 2 | SENE | 18.00 |
| T01S R20E S13 | Lot 3 | NESE | 8.70  | T01S R21E S18 | Lot 3 | NWSW | 8.80  |
| T01S R21E S18 | Lot 4 | SWSW | 43.00 | T01S R21E S18 |       | SESW | 36.00 |
| T01S R21E S18 |       | SWSE | 12.00 | T01S R21E S19 |       | NENE | 16.00 |
| T01S R21E S19 |       | NWNE | 29.00 | T01S R21E S19 |       | SWNE | 34.00 |
| T01S R21E S19 |       | SENE | 37.00 | T01S R21E S19 |       | NENW | 38.00 |
| T01S R21E S19 | Lot 1 | NWNW | 28.00 | T01S R21E S19 | Lot 2 | SWNW | 8.60  |
| T01S R21E S19 |       | SENW | 16.00 | T01S R21E S19 |       | NESE | 16.00 |
| T01S R21E S20 |       | NENE | 16.00 | T01S R21E S20 |       | NWNE | 8.10  |
| T01S R21E S20 |       | SWNE | 40.00 | T01S R21E S20 |       | SENE | 40.00 |
| T01S R21E S20 |       | NENW | 14.00 | T01S R21E S20 |       | NWNW | 15.00 |
| T01S R21E S20 |       | SWNW | 40.00 | T01S R21E S20 |       | SENW | 40.00 |
| T01S R21E S20 |       | NESW | 40.00 | T01S R21E S20 |       | NWSW | 40.00 |
| T01S R21E S20 |       | SWSW | 19.00 | T01S R21E S20 |       | SESW | 24.00 |
| T01S R21E S20 |       | NESE | 40.00 | T01S R21E S20 |       | NWSE | 40.00 |
| T01S R21E S20 |       | SWSE | 16.00 | T01S R21E S20 |       | SESE | 13.00 |

Total Acres: 840.6

Conditions of Approval:

1. 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.
2. E56 The rights listed below are limited to the irrigation of a combined total of 495 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, 37-565, and 37-2595.
3. K06 This right is limited to the irrigation of 360 acres within the place of use described above in a single irrigation season.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
6. The rights listed below are limited to the irrigation of a combined total of 360 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, and 37-565.

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

**Current Water Right No.:** 37-649

**Current Owner:** LITA WEST

**Priority Date:** 5/15/1883

**Origin:** Adjudication Recommendation

**Status:** Active

**Basis:** Decreed

**Source**

LITTLE WOOD RIVER

**Tributary**

MALAD RIVER

**Beneficial Use**

IRRIGATION

**From To**

04/15 to 10/31

**Diversion Rate**

1.5 CFS

**Annual Volume**

**Total Diversion**

1.5 CFS

**Location of Point(s) of Diversion**

LITTLE WOOD RIVER

NW1/4SW1/4SE1/4

Sec. 30, Twp 01N, Rge 21E B.M.

BLAINE County

**Place of Use**

IRRIGATION Within BLAINE County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R21E S21 | SWNW | 33.00 | T01S R21E S21 | SESW | 2.20  |
| T01S R21E S21 | NESW | 33.00 | T01S R21E S21 | NWSW | 29.00 |
| T01S R21E S21 | SWSW | 10.00 | T01S R21E S21 | SESW | 40.00 |
| T01S R21E S21 | SWSE | 30.00 |               |      |       |

Total Acres: 177.2

**Conditions of Approval:**

1. F01 WATER IS DELIVERED THROUGH WEST CANAL.
2. S12 USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER IRRIGATION DIST.
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. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 177.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-650 & 37-651.

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

**Current Water Right No.:** 37-650

**Current Owner:** LITA WEST

**Priority Date:** 5/15/1880

**Origin:** Adjudication Recommendation

**Status:** Active

**Basis:** Decreed

**Source**

LITTLE WOOD RIVER

**Tributary**

MALAD RIVER

**Beneficial Use**

**From To**

**Diversion Rate**

**Annual Volume**

|                        |                |
|------------------------|----------------|
| STOCKWATER             | 04/15 to 10/31 |
| IRRIGATION             | 04/15 to 10/31 |
| <u>Total Diversion</u> |                |

|          |
|----------|
| 0.14 CFS |
| 1.6 CFS  |
| 1.6 CFS  |

**Location of Point(s) of Diversion**

LITTLE WOOD RIVER  
BLAINE County

NW1/4SW1/4SE1/4      Sec. 30,    Twp 01N,    Rge 21E B.M.

**Place of Use**

**STOCKWATER Within BLAINE County**

|               |      |               |      |
|---------------|------|---------------|------|
| T01S R21E S21 | SWNW | T01S R21E S21 | SENW |
| T01S R21E S21 | NESW | T01S R21E S21 | NWSW |
| T01S R21E S21 | SWSW | T01S R21E S21 | SESW |
| T01S R21E S21 | SWSE |               |      |

**IRRIGATION Within BLAINE County**

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R21E S21 | SWNW | 33.00 | T01S R21E S21 | SENW | 2.20  |
| T01S R21E S21 | NESW | 33.00 | T01S R21E S21 | NWSW | 29.00 |
| T01S R21E S21 | SWSW | 10.00 | T01S R21E S21 | SESW | 40.00 |
| T01S R21E S21 | SWSE | 30.00 |               |      |       |

Total Acres: 177.2

Conditions of Approval:

1. S12 USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER IRRIGATION DIST.
2. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. F01 WATER IS DELIVERED THROUGH WEST CANAL.
4. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 177.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-649 & 37-651.
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.

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

**Current Water Right No.:** 37-651

**Current Owner:** LITA WEST

**Priority Date:** 11/1/1884

**Origin:** Adjudication Recommendation

**Status:** Active

**Basis:** Decreed

**Source**

LITTLE WOOD RIVER

**Tributary**

MALAD RIVER

**Beneficial Use**

IRRIGATION

**From To**

04/15 to 10/31

**Diversion Rate**

0.6 CFS

**Annual Volume**

**Total Diversion**

0.6 CFS

**Location of Point(s) of Diversion**

LITTLE WOOD RIVER

NW1/4SW1/4SE1/4

Sec. 30, Twp 01N, Rge 21E B.M.

BLAINE County

**Place of Use**

**IRRIGATION Within BLAINE County**

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R21E S21 | SWNW | 33.00 | T01S R21E S21 | SESW | 2.20  |
| T01S R21E S21 | NESW | 33.00 | T01S R21E S21 | NWSW | 29.00 |
| T01S R21E S21 | SWSW | 10.00 | T01S R21E S21 | SESW | 40.00 |
| T01S R21E S21 | SWSE | 30.00 |               |      |       |

Total Acres: 177.2

**Conditions of Approval:**

1. S12 USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER IRRIGATION DIST.
2. 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.
3. F01 WATER IS DELIVERED THROUGH WEST CANAL.
4. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 177.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-649 & 37-650.

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

Current Water Right No.: 37-2595

Current Owner: LITA WEST

Priority Date: 4/2/1957

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u>         | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/15 to 10/31         | 1 CFS                 | 396 AF               |
|                       | <u>Total Diversion</u> | 1 CFS                 | 396 AF               |

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4NE1/4 Sec. 19, Twp 01S, Rge 21E B.M.

BLAINE County

Place of UseIRRIGATION Within BLAINE County

|               |       |      |       |               |       |      |       |
|---------------|-------|------|-------|---------------|-------|------|-------|
| T01S R20E S13 | Lot 1 | NENE | 4.10  | T01S R20E S13 |       | NWNE | 34.00 |
| T01S R20E S13 |       | SWNE | 8.30  | T01S R20E S13 | Lot 2 | SENE | 18.00 |
| T01S R20E S13 | Lot 3 | NESE | 8.70  | T01S R21E S18 | Lot 3 | NWSW | 8.80  |
| T01S R21E S18 | Lot 4 | SWSW | 43.00 | T01S R21E S18 |       | SESW | 36.00 |
| T01S R21E S18 |       | SWSE | 12.00 | T01S R21E S19 |       | NENE | 16.00 |
| T01S R21E S19 |       | NWNE | 29.00 | T01S R21E S19 |       | SWNE | 34.00 |
| T01S R21E S19 |       | SENE | 37.00 | T01S R21E S19 |       | NENW | 38.00 |
| T01S R21E S19 | Lot 1 | NWNW | 28.00 | T01S R21E S19 | Lot 2 | SWNW | 8.60  |
| T01S R21E S19 |       | SENE | 16.00 | T01S R21E S19 |       | NESE | 16.00 |
| T01S R21E S20 |       | NENE | 16.00 | T01S R21E S20 |       | NWNE | 8.10  |
| T01S R21E S20 |       | SWNE | 40.00 | T01S R21E S20 |       | SENE | 40.00 |
| T01S R21E S20 |       | NENW | 14.00 | T01S R21E S20 |       | NWNW | 15.00 |
| T01S R21E S20 |       | SWNW | 40.00 | T01S R21E S20 |       | SENE | 40.00 |
| T01S R21E S20 |       | NESW | 40.00 | T01S R21E S20 |       | NWSW | 40.00 |
| T01S R21E S20 |       | SWSW | 19.00 | T01S R21E S20 |       | SESW | 24.00 |
| T01S R21E S20 |       | NESE | 40.00 | T01S R21E S20 |       | NWSE | 40.00 |
| T01S R21E S20 |       | SWSE | 16.00 | T01S R21E S20 |       | SESE | 13.00 |

Total Acres: 840.6

**Conditions of Approval:**

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 495 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, 37-565, and 37-2595.
3. The rights listed below are limited to the irrigation of a combined total of 360 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, and 37-565.
4. K06 This right is limited to the irrigation of 135 acres within the place of use described above in a single irrigation season.
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.

Decreed Date: 8/5/2010

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

### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slightly textured appearance and some minor discoloration or shadows, suggesting it's a scan of a physical document. There is no handwriting or other markings on the page.

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

Received by WM Date 5-17-2013 Prelim. Check by \_\_\_\_\_ Date \_\_\_\_\_

Fee Paid \$1,620- Date 5.17.2013 Received by WM Receipt # SD33259

Add'l Fee Paid \_\_\_\_\_ Date \_\_\_\_\_ Received by \_\_\_\_\_ Receipt # \_\_\_\_\_

# LITA WEST - APPLICATION FOR TRANSFER OF WATER RIGHT ATTACHMENT 7.a - DIVERSION AND DELIVERY SYSTEM

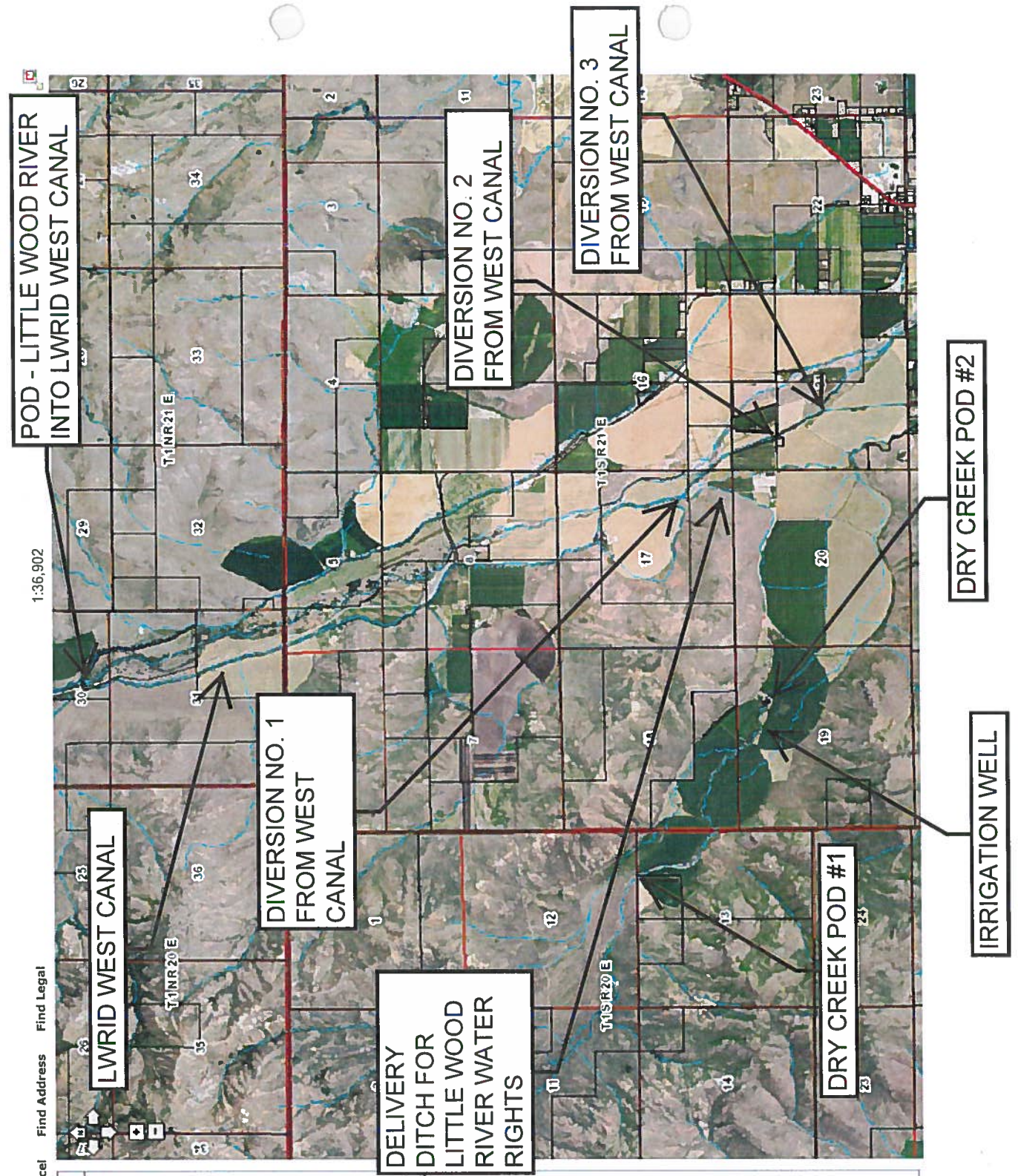
## Parcel Information

Print Results Find Owner Find Parcel Find Address Find Legal

Results

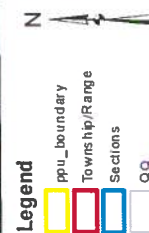
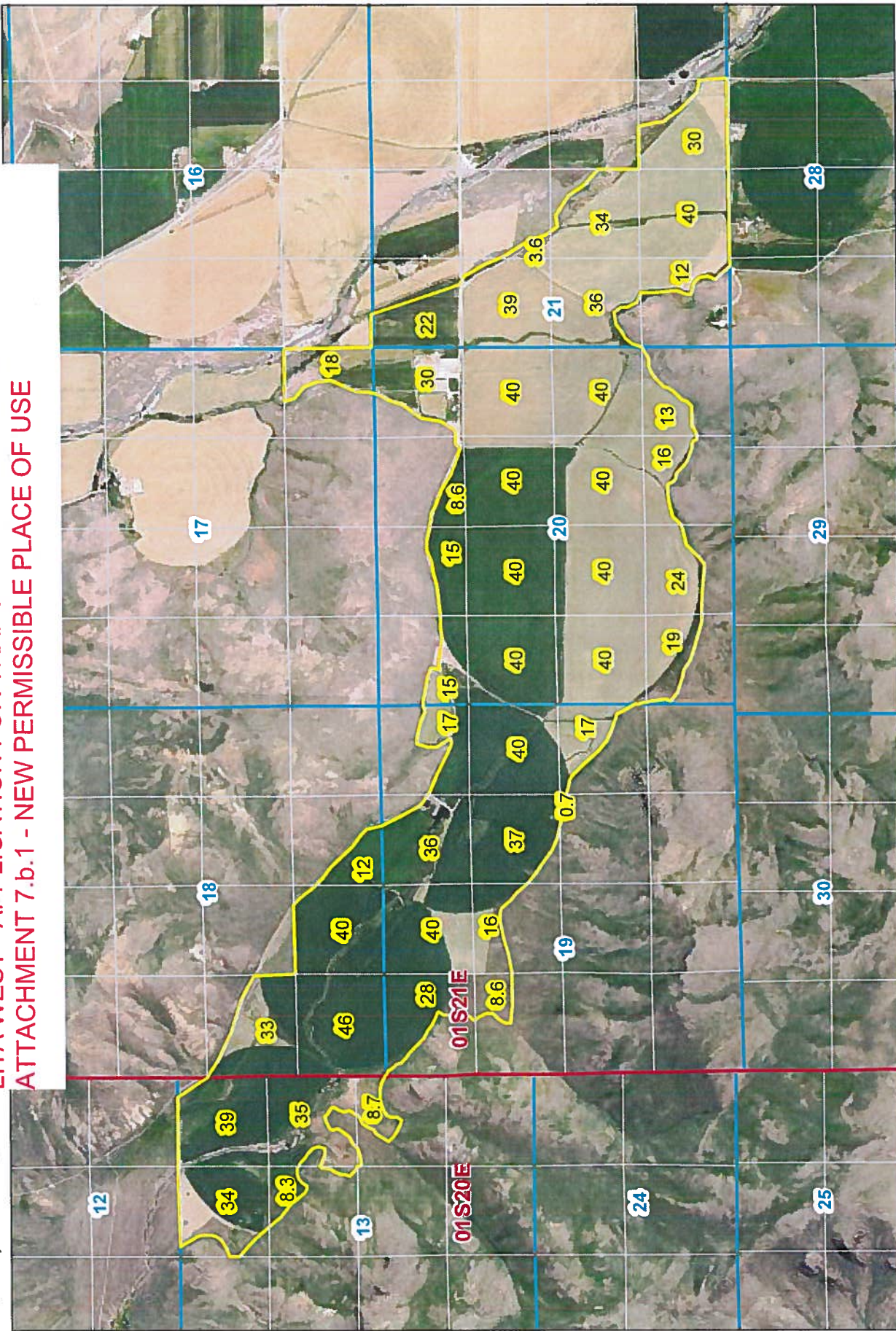
Map Contents

- ☒ Parcel Information
  - ☐ Mileposts
  - ☒ Main Roads
  - ☐ Roads
  - ☒ House Number
  - ☐ Plats
  - ☒ Parcels
  - ☐ Mines
  - ☐ Water Bodies
  - ☐ Water Areas
  - ☐ Water Lines
- ☐ Canal or Ditch
  - ☒ Perennial Rivers and Stream
  - ☐ Intermittent Rivers and Stream
- ☒ 1-4 Sections
- ☒ Townships
- ☒ Sections
- ☐ Cities
- ☐ 2011TaxCodeAreas
- ☐ Herd Districts
- ☐ Public Ownership
- ☐ Voter Precincts
- ☐ School Trustee Zones
- ☐ USGS Topos
  - ☒ USGS Topos
  - ☐ 2011 Aerials
  - ☐ 2009 Aerials
  - ☒ Blaine
  - ☐ 2004 Aerials
  - ☐ Blaine



# LITA WEST - APPLICATION FOR TRANSFER OF WATER RIGHT ATTACHMENT 7.b.1 - NEW PERMISSIBLE PLACE OF USE

Path: F:\Projects\West, Lita\Arcview



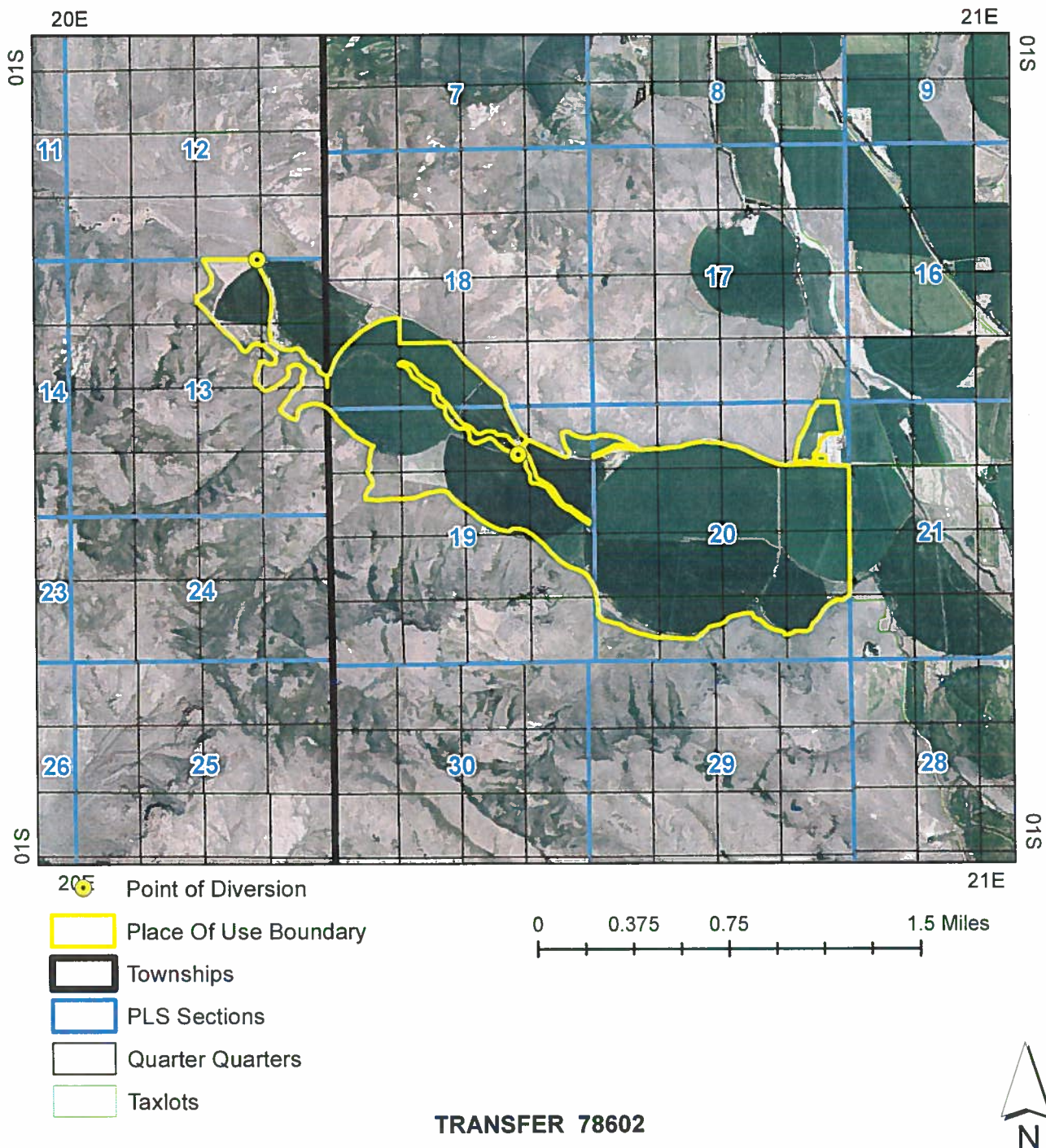
LITA WEST - DRY CREEK RANCH  
PERMISSIBLE PLACE OF USE BOUNDARY  
NAIP 2011 AERIAL

1 inch = 2,000 feet

BROCKWAY ENGINEERING, PLLC.  
GEP- MAY 10, 2013

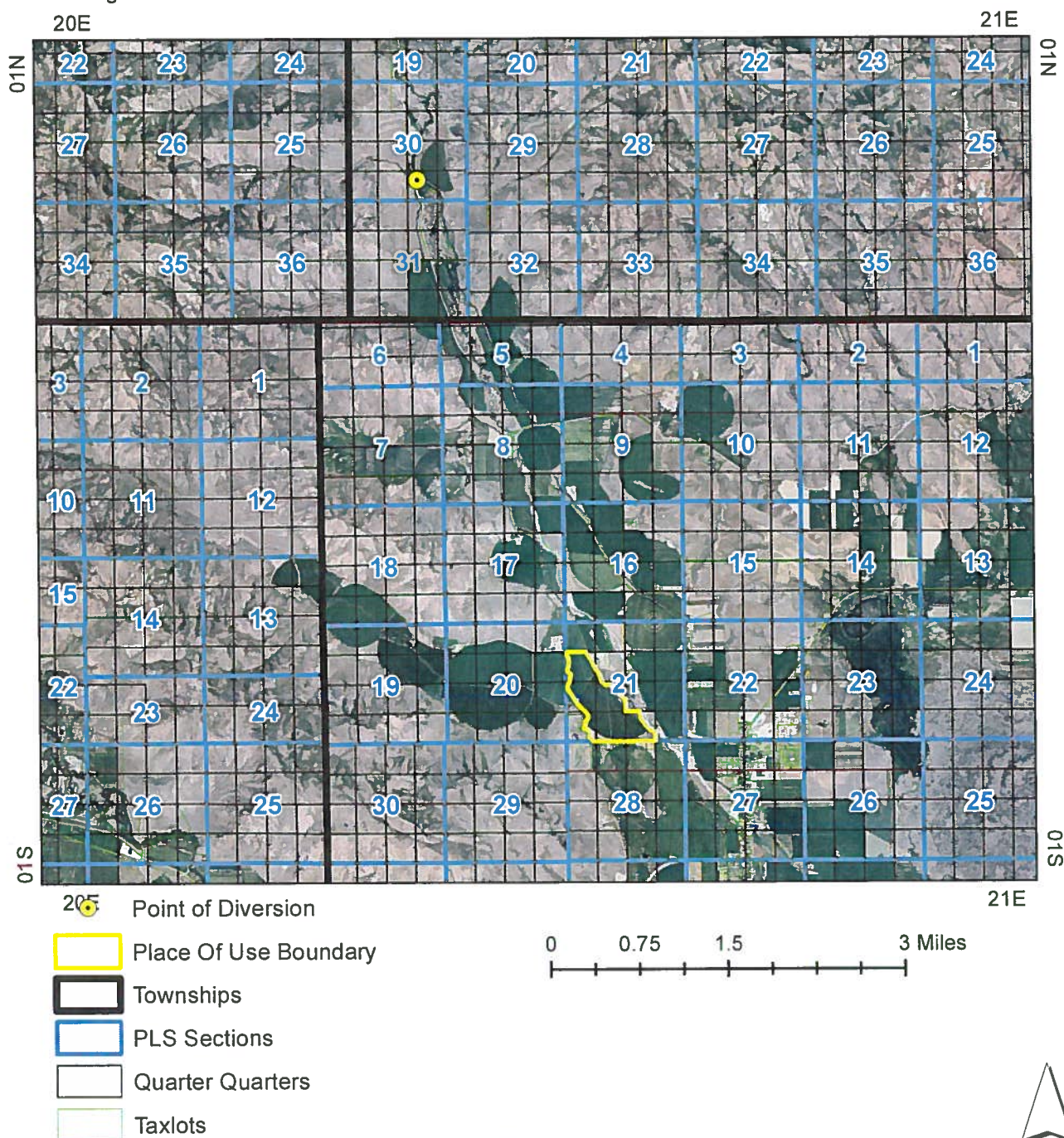
# LITA WEST - APPLICATION FOR TRANSFER OF WATER RIGHT ATTACHMENT 7.b.2 - EXISTING PERMISSIBLE PLACE OF USE FOR 37-563, 37-564, 37-565 & 37-2595

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.



# LITA WEST - APPLICATION FOR TRANSFER OF WATER RIGHT ATTACHMENT 7.b.3 - EXISTING PLACE OF USE FOR 37-649, 37-650 & 37-651

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.



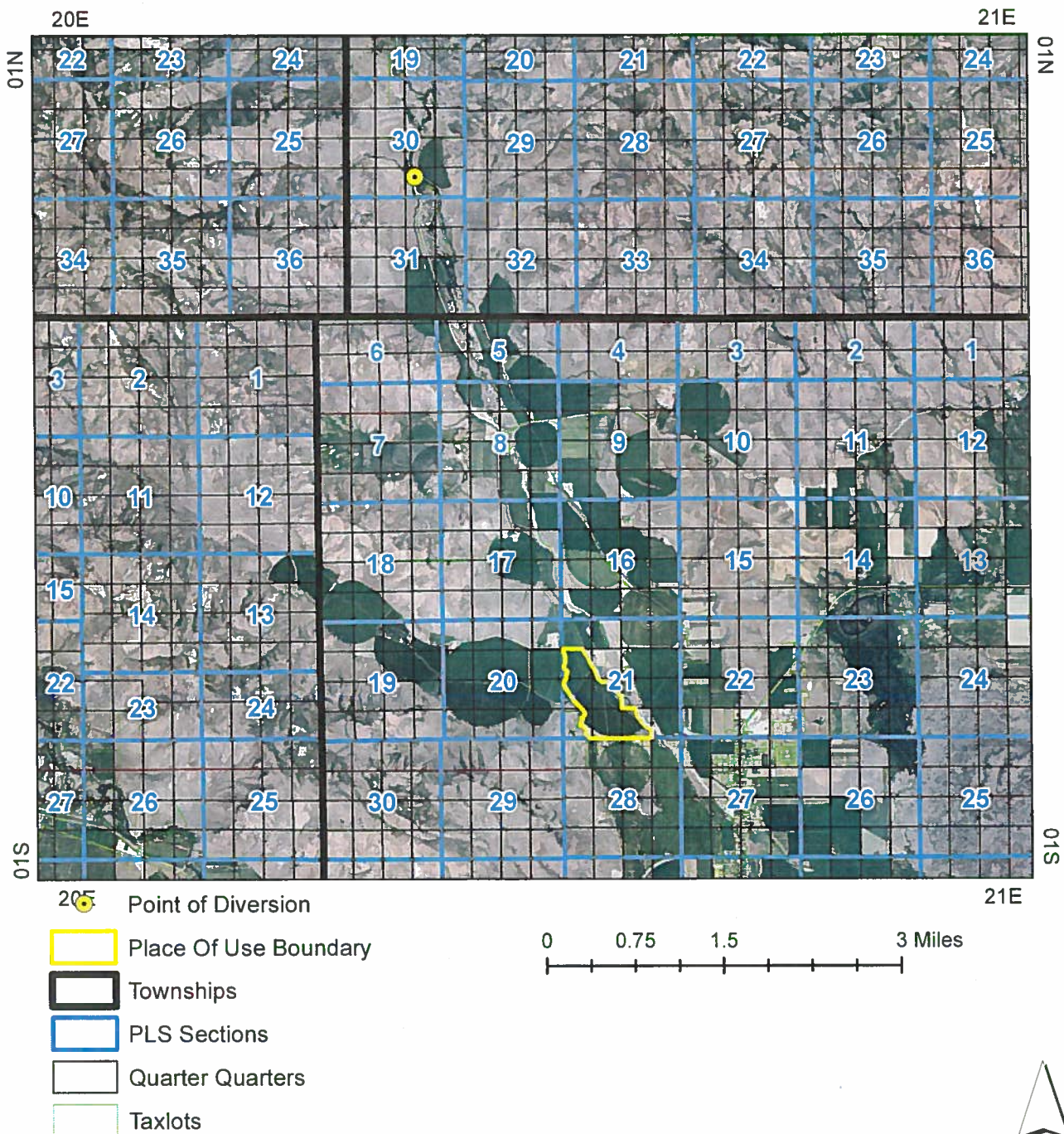
**TRANSFER 78602**

State of Idaho  
Department of Water Resources

# Adjudication Recommendation 37-650

## STOCKWATER

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.



1  
2  
3 **RECEIVED**

4 **JUL 22 2013**

5 **DEPT. OF WATER RESOURCES**  
6 **SOUTHERN REGION**

**AFFIDAVIT AND REQUEST FOR TRANSFER OF  
CERTIFICATE OF WATER RIGHTS NO. 0275  
OF THE LITTLE WOOD RIVER IRRIGATION DISTRICT**

7 STATE OF IDAHO )  
8 County of Blaine )  
9 ss:

10 LITA W. WEST, first being duly sworn, deposes and states under oath as follows:

11 1. She is the owner of the real estate situated in Blaine County, Idaho, described more  
12 particularly on Exhibit "A" attached hereto, and by this reference incorporated herein ("Property").

13 2. That she is the owner of all water rights appurtenant to said Property, including  
14 those water rights identified in, and evidenced by, that certain Certificate of Water Rights 0275  
15 issued by the Little Wood River Irrigation District, a copy of which is attached hereto as Exhibit  
16 "B" incorporated.

17 3. That the above referenced Little Wood River Irrigation District Certificate of Water  
18 Rights No. 0275 has been lost and can not be located by the Affiant.

19 4. That she has not heretofore endorsed, transferred conveyed, disposed of, pledged for  
20 security, or otherwise encumbered the above referenced as Certificate of Water Rights No. 0275  
21 issued in the name of the Affiant by the Little Wood River Irrigation District, or any of the water  
22 rights or interest in the Little Wood River Irrigation District evidenced by said Certificate, nor has  
23 the Affiant given any person(s) any power of attorney, or other authority of any kind or nature  
24 whatsoever, over said Certificate, or in or to any of the water rights evidenced thereby.

25 5. That on the date hereof she has sold and conveyed unto Holly Farms, LTD, an  
26 Arizona Limited Partnership, whose address is P.O. Box 100, Eagar, Arizona, 85925, and whose  
general partner is Detmar Holly, all of her rights title and interest in and to the above referenced  
Certificate of Water Rights No. 0275 issued by the Little Wood River Irrigation District, and all  
water rights identified therein, together with the real property to which said water rights are  
appurtenant.

1  
2 6. That she makes this affidavit in support of a request hereby made to the Little Wood  
3 Irrigation District to cancel its Certificate of Water Rights No. 0275 and to issue a new Certificate  
4 of Water Rights in lieu thereof to Holly Farms, LTD, an Arizona Limited Partnership, whose  
5 address is P.O. Box 100, Eagar, Arizona, 85925, for all of the water rights identified in, and  
6 evidenced by said Certificate of Water Rights No. 0275, to wit: 632.84 acre feet of Old Storage;  
7 202 acre feet of New Storage; 114.56 miners inches of natural flow rights from Little Wood River,  
8 Idaho Water Right No. 37-0421, priority date, April 15, 1993; 601.46 miners inches of natural flow  
9 rights from Little Wood River No. 37-042, priority date, September 2, 1889; and 501.22 miners  
10 inches of natural flow rights from Little Wood River, Idaho Water Right No. 37-1132, priority date,  
11 May 1, 1947.

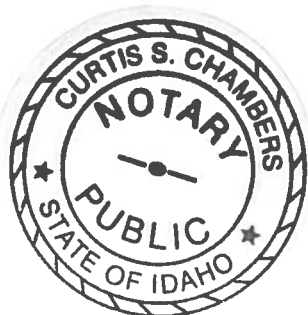
12 7. Affiant, for herself, her heirs, executors and assigns, does hereby agree to indemnify  
13 and, hold harmless, the Little Wood River Irrigation District against any and all parties claiming or  
14 to claim, damages or claims of any nature whatsoever rising from, or any way connected with, the  
15 cancelation of the above referenced Certificate of Water Rights No. 0275, and the issuance of a  
16 replacement of a Certificate of Water Rights to Holly Farms, LTD, as requested by the Affiant  
17 hereinabove.

18 Further, sayeth your affiant naught.

19 AFFIANT

20 Lita W. West  
21 LITA W. WEST

22 SUBSCRIBED AND SWORN to before me this 20th day of May, 2013.



[Signature]  
NOTARY PUBLIC FOR IDAHO  
Residing at: HAILEY, ID  
Commission Expires: 5-15-16

EXHIBIT  
B

Address: PO Box 807 Bellevue, 10 83313

202 Acre feet of New Storage for the use on the following described land in Blaine County, Idaho:  
 Portion Sec 21, 15, 21E. Section 20 15, 21E. Portions of all of Sec 13, 17, 18 & 19, 15 21E.

140146 Miners' Inheritance of Natural Flow Rights from Little Wood River No. 37-0422, Priority, date September 2, 1899 for the use on the following described land in Blaine County, Idaho:

Dated this 1st day of June, 2009

Little Wood River Irrigation District

By: Kathleen Paul  
Secretary

197-2006  
8/2/06  
H44n: Trent

455052  
(Space above line for Recorder's use)

**FOR VALUE RECEIVED**, LITA WEST, whose address is P.O. Box 100, Carey, Idaho 83320 ("Grantor"), hereby releases and quitclaims to HOLLY FARMS, LTD., an Arizona limited partnership, whose address is 20051 W. Highway 85, Buckeye, Arizona 85326 ("Grantee"), all right, title and interest which Grantor now has or may hereafter acquire in all water rights appurtenant to that certain real property situated in Blaine County, Idaho and described in **Exhibit A** attached hereto and incorporated herein by this reference, including, but not limited to, Water Rights 37-563, 37-564, 37-565, 37-649, 37-650, 37-651, 37-2595, 37-12380, 37-13350, 37-12379 and 37-22047.

Date: May 15, 2013

Lita West  
LITA WEST

On this 15 day of May, 2013, before me, the undersigned notary public in and for said state, personally appeared Lita West, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

Quitclaim Deed.wpd  
5/15/13

Date: May 14, 2013

File No.: 455052K (mgm)

**EXHIBIT 'A'**

**LEGAL DESCRIPTION:**

**Parcel I**

**TOWNSHIP 1 SOUTH, RANGE 21 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO**

**SECTION 21: An un-surveyed parcel of property, more particularly described as follows:**

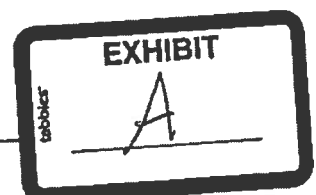
**COMMENCING** at the N1/4 corner of said Section 21; thence  
**W. 2,151.13 feet, more or less, along the northerly boundary of said Section 21 to the TRUE POINT OF BEGINNING; thence**  
**S. 18°34'00" E., 1,387.29 feet, more or less, to a point on the north side of a county road right-of-way (aka: Dry Creek Road); thence**  
**S. 89°20'00" W., 930.65 feet, more or less, to the N1/16 corner common to Section 20 and said Section 21; thence**  
**N. 1,325.92 feet, more or less, along the westerly boundary of said Section 21 to the NW Section corner of Section 21; thence**  
**E. 488.86 feet, more or less, along the northerly boundary of said Section 21 to the TRUE POINT OF BEGINNING. (Tax Lot 7624)**

**And**

**A parcel of land lying within the S1/2, NW1/4, Section 21, T1S, R21E, B.M., Blaine County, Idaho, begin more particularly described as follows:**

**Commencing at the bar marking the northwest corner of said S1/2, NW1/4, Section 21,**

**Thence**  
**North 89°46'32" East 721.00 feet to a bar set by LS 11779 (McCammon) marking the REAL POINT OF BEGINNING; Thence**  
**South 00°13'28" East 200.00 feet to a bar set by LS 11779; Thence**  
**North 89°46'32" East 365.20 feet to a point in the center of the West Canal, witnessed by bar set by LS 11779, back 20 feet; Thence proceeding along the centerline of the Canal**  
**North 28°08'13" West 128.56 feet to a point; thence continuing along said centerline**  
**North 19°30'04" West 91.52 feet to its intersection with the 1/16 line; Thence**  
**South 89°46'32" West 274.81 feet along the 1/16 line to the REAL POINT OF BEGINNING, based upon the Record of Survey Instrument No. 540950. (Tax Lot 4872)**



First American Title Company

File No.: 455052K (mgm)

Date: May 14, 2013

**Parcel II**

**Section 13, Township 1 South, Range 20 East, Boise Meridian, Blaine County, Idaho.  
W1/2SE1/4; SW1/4NE1/4; Lots 1, 2, 3, 4; NW1/4NE1/4**

**Section 17, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
SE1/4SW1/4; S1/2SE1/4**

**Section 19, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
Lots 1 & 2; NE1/4NW1/4; E1/2; SE1/4NW1/4; E1/2SW1/4; Lot 4**

**Section 20, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
N1/2; S1/2**

**Section 29, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
S1/2NW1/4; Lots 3 & 4**

**Section 30, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
Lots 1,2,3,4; S1/2NW1/4; S1/2NE1/4; N1/2SE1/4**

**Parcel III**

**Section 18, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
Lots 3, 4, SE1/4SW1/4**

**And**

**A parcel of land situate in the southwest one-quarter (SW1/4) of the southeast one-quarter (SE1/4) of Section 18, township 1 South, Range 21 East, B.M., Blaine County, Idaho, being more particularly described as follows:**

**Commencing at the east one-sixteenth (E1/16) corner common to Sections 18 & 19, Township 1 South, Range 21 East, B.M., being marked by a BLM aluminum cap and being the Point of Beginning and proceeding South 89°10'24" West, 388.43 feet along the south line of said Section 18 to a point on the northeasterly right-of-way line of Dry Creek Road and a point on a curve;**

**Thence departing said south section line and proceeding northwesterly along said right-of-way line, the following eight (8) courses:**

**Northerly along said curve to the right, through a central angle of 4°04'46", a radius of 1878.07 feet, an arc length of 133.72 feet; and a long chord which bears North 18°40'12" West, 133.69 feet; thence**

**North 17°39'34" West, 33.75 feet to a point on a curve; thence**

Northwesterly along said curve to the left, through a central angle of  $38^{\circ}39'10''$ , a radius of 325.66 feet, an arc length of 219.69 feet, and a long chord which bears North  $35^{\circ}47'35''$  West 215.55 feet; thence North  $48^{\circ}29'04''$  West, 139.35 feet; thence North  $46^{\circ}29'20''$  West, 348.99 feet; thence North  $46^{\circ}49'52''$  West, 460.85 feet; thence North  $44^{\circ}26'52''$  West, 80.62 feet; thence And North  $43^{\circ}25'28''$  West, 31.51 feet to a point on the North-South one-quarter (N-S1/4) line of said Section 18; thence North  $00^{\circ}25'58''$  West, 259.96 feet along said one-quarter line to the center-south-one-sixteenth (CS1/16) corner being marked by a BLM aluminum cap; thence North  $89^{\circ}09'58''$  East, 1,328.31 feet along the south one-sixteenth (S1/16) line of said Section 18 to the southeast one-sixteenth (SE1/16) corner of said Section 18, being marked by a BLM aluminum cap; thence South  $00^{\circ}33'21''$  East, 1,335.77 feet along the east one-sixteenth (E1/16) line of said Section 18 to the Point of Beginning.

And

A parcel of land situate in the southwest one-quarter (SW1/4) of the southeast one-quarter (SE1/4) of Section 18, Township 1 South, Range 21 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the south one-quarter (S1/4) corner of Section 18, Township 1 South, Range 21 East, B.M., being marked by an aluminum cap, PLS 9561 and being the Point of Beginning and proceeding North  $00^{\circ}25'58''$  West, 1,002.89 feet along the north-south one-quarter (NS1/4) line of said Section 18 to a point on the southwesterly right-of-way line of Dry Creek Road; thence departing said one-quarter line and proceeding southeasterly along said right-of-way line the following seven (7) courses; thence South  $44^{\circ}26'52''$  East, 60.84 feet; thence South  $46^{\circ}49'52''$  East, 461.74 feet; thence South  $46^{\circ}29'20''$  East, 349.71 feet; thence South  $48^{\circ}29'04''$  East, 143.24 feet to the beginning of a curve; thence Southeasterly along said curve to the right, through a central angle of  $39^{\circ}20'02''$ , a radius of 275.66 feet, an arc length of 189.24 feet and a long chord which bears South  $36^{\circ}01'48''$  East, 185.54 feet; thence South  $17^{\circ}39'54''$  East, 33.84 feet to a point on a curve; thence Southerly along said curve to the left, through a central angle of  $3^{\circ}31'47''$ , a radius of 1,928.07 feet, an arc length of 118.78 feet and a long chord which bears South  $18^{\circ}24'31''$  East, 118.76 feet to a point on the south line of said Section 18; thence South  $89^{\circ}10'24''$  West, 889.67 feet along said south section line to the Point of Beginning.

Parcel IV

*fw*

**TOWNSHIP 1 SOUTH, RANGE 21 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.**

**Section 21: Parcels of land more particularly described as follows:**

**SW1/4SE1/4; SE1/4SW1/4; NW1/4SW1/4;**

**AND**

**A parcel of land situate in the southwest one-quarter (SW1/4) of the northwest one-quarter (NW1/4) and the Southeast one-quarter (SE1/4) of the northwest one-quarter (NW1/4) of Section 21, Township 1 South, Range 21 East, B.M., Blaine County, Idaho, being more particularly described as follows:**

**Commencing at the north one-sixteenth (N1/16) corner common to Sections 20 and 21, Township 1 South, Range 21 East, being marked by an aluminum cap, also being the Point of Beginning and proceeding**  
**North 89°46'27" East, 720.95 feet, along the north one-sixteenth (N1/16) line of said Section 21 to a 5/8" rebar marking the northwest corner of Tax Lot 4872 as shown on Record of Survey, Instrument No. 540950; thence**  
**South 00°26'23" East, 200.21 feet along the west line of said Tax Lot 4872 to the southwest corner of said Tax Lot 4872, being marked by a 5/8" rebar; thence**  
**North 89°45'39" East, 364.53 feet along the south line of said Tax Lot 4872 to the southeast corner of said Tax Lot 4872 being monumented by a witness corner bearing South 89°45'39" West, 10.00 feet from said corner, also being a point on the centerline of the West Canal; thence the following thirteen (13) courses along the centerline of the West Canal:**  
**South 27°58'53" East, 190.60 feet; thence**  
**South 24°41'06" East, 211.48 feet; thence**  
**South 29°27'21" East, 160.89 feet; thence**  
**South 32°40'41" East, 120.28 feet; thence**  
**South 25°01'50" East, 44.89 feet; thence**  
**South 33°37'58" East, 132.41 feet; thence**  
**South 36°13'48" East, 60.24 feet; thence**  
**South 25°44'05" East, 52.95 feet; thence**  
**South 17°15'52" East, 41.99 feet; thence**  
**South 10°48'16" East, 65.05 feet; thence**  
**South 16°11'32" East, 122.05 feet; thence**  
**South 24°33'29" East, 50.12 feet; thence And**  
**South 37°55'57" East, 17.67 feet to a point on the east-west one-quarter (E-W1/4) line of said Section 21; thence**  
**South 89°41'09" West, 326.16 feet along said one-quarter line to the center-west one-sixteenth (CW1/16) corner of said Section 21; thence continuing**  
**South 89°41'09" West, 1,323.28 feet along said one-quarter line to the west one-quarter (W1/4) corner of said Section 21; thence**

*JW*

North 00°01'48" West, 1,334.62 feet along the west line of said Section 21 to the Point of Beginning.

AND

A parcel of land situate in the northeast one-quarter (NE1/4) of the Southwest one-quarter (SW1/4) of Section 21, Township 1 South, Range 21 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the north one-sixteenth (N1/16) corner common to Sections 20 and 21, Township 1 South, Range 21 East, being marked by an aluminum cap, and proceeding South 00°01'48" East, 1,334.62 feet along the west line of said Section 21 to the west one-quarter (W1/4) corner of said Section 21; thence North 89°41'09" East, 1,323.28 feet along the east-west one-quarter (E-W1/4) line of said Section 21 to the center-west one-sixteenth (CW1/16) corner of said Section 21 to the Point of Beginning; thence continuing North 89°41'09" East, 326.16 feet along said one-quarter line to a point on the centerline of the West Canal; thence the following thirteen (13) courses along the centerline of the West Canal;  
South 37°55'57" East, 18.22 feet; thence  
South 40°02'16" East, 184.13 feet; thence  
North 76°45'56" East, 145.16 feet; thence  
North 86°36'24" East, 21.31 feet; thence  
South 66°53'28" East, 40.91 feet; thence  
South 53°56'47" East, 327.05 feet; thence  
South 33°29'57" East, 61.73 feet; thence  
South 25°51'13" East, 139.89 feet; thence  
South 36°35'38" East, 42.46 feet; thence  
South 51°33'19" East, 53.27 feet; thence  
South 59°19'36" East, 80.63 feet; thence  
South 51°48'14" East, 55.25 feet; thence And  
South 46°14'08" East, 178.66 feet to a point on the north-south one-quarter (N-S1/4) line of said Section 21; thence  
South 00°04'20" East, 553.33 feet to the Center-south one-sixteenth (C-S1/16) corner of said Section 21; thence  
South 89°38'07" West, 1,323.46 feet along the south one-sixteenth (S1/16) line of said Section 21 to the southwest one-sixteenth (SW1/16) corner of said Section 21; thence  
North 00°04'04" West, 1,332.79 feet along the west one-sixteenth (W1/16) line of said Section 21 to the Point of Beginning.

AND

A parcel of land lying within the SW1/4SW1/4, Township 1 South, Range 21 East, Section 21, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

*fw*

First American Title Company

File No.: 455052K (mgm)

Date: May 14, 2013

COMMENCING at the brass cap by Carl Edwards, L.S., marking the southwest corner of said Section 21, which bears South 00°00'08" East, 5,337.02 feet from the northwest corner of said Section 21; thence North 00°00'08" West, 1,199.30 feet along the west line of Section 21 to a bar, which is the REAL POINT OF BEGINNING; thence continuing North 00°00'08" West, 134.96 feet to the bar marking the 1/16 corner; thence North 89°40'07" East, 1,323.58 feet to the bar marking the SW 1/16 corner; thence South 00°01'14" East, 1,332.98 feet to the bar marking the West 1/16 corner common to Sections 21 and 28; thence South 89°37'00" West, 222.14 feet along the south line of said Section 21 to a bar; thence North 06°09'53" West, 140.37 feet to a bar; thence North 41°53'37" West, 105.29 feet to a bar; thence North 16°58'59" West, 143.56 feet to a bar; thence North 14°31'31" West, 108.72 feet to a bar; thence North 33°43'05" West, 65.55 feet to a bar; thence North 63°55'16" West, 132.68 feet to a bar; thence South 82°13'54" West, 165.15 feet to a bar; thence North 42°23'49" West, 71.54 feet to a bar; thence North 05°53'41" East, 211.12 feet to a bar; thence North 70°35'13" East, 134.84 feet to a bar; thence North 02°59'05" East, 194.84 feet to a bar; thence North 04°09'58" East, 163.11 feet to a bar; thence South 87°05'07" West, 472.85 feet to a bar; thence South 89°59'52" West, 278.50 feet to the TRUE POINT OF BEGINNING.

EXCEPTING those portions of the County Road Rights-of-Way for Foothill Road and Dry Creek Road.

Date: May 14, 2013

File No.: 455052K (mgm)

## EXHIBIT 'A'

### LEGAL DESCRIPTION:

#### Parcel I

TOWNSHIP 1 SOUTH, RANGE 21 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 21: An un-surveyed parcel of property, more particularly described as follows:

COMMENCING at the N1/4 corner of said Section 21; thence  
W. 2,151.13 feet, more or less, along the northerly boundary of said Section 21 to the TRUE  
POINT OF BEGINNING; thence  
S. 18°34'00" E., 1,387.29 feet, more or less, to a point on the north side of a county road  
right-of-way (aka: Dry Creek Road); thence  
S. 89°20'00" W., 930.65 feet, more or less, to the N1/16 corner common to Section 20 and  
said Section 21; thence  
N. 1,325.92 feet, more or less, along the westerly boundary of said Section 21 to the NW  
Section corner of Section 21; thence  
E. 488.86 feet, more or less, along the northerly boundary of said Section 21 to the TRUE  
POINT OF BEGINNING. (Tax Lot 7624)

And

A parcel of land lying within the S1/2, NW1/4, Section 21, T1S, R21E, B.M., Blaine County,  
Idaho, begin more particularly described as follows:

Commencing at the bar marking the northwest corner of said S1/2, NW1/4, Section 21,

Thence

North 89°46'32" East 721.00 feet to a bar set by LS 11779 (McCammon) marking the REAL  
POINT OF BEGINNING; Thence

South 00°13'28" East 200.00 feet to a bar set by LS 11779; Thence

North 89°46'32" East 365.20 feet to a point in the center of the West Canal, witnessed by  
bar set by LS 11779, back 20 feet; Thence proceeding along the centerline of the Canal

North 28°08'13" West 128.56 feet to a point; thence continuing along said centerline

North 19°30'04" West 91.52 feet to its intersection with the 1/16 line; Thence

South 89°46'32" West 274.81 feet along the 1/16 line to the REAL POINT OF BEGINNING,  
based upon the Record of Survey Instrument No. 540950. (Tax Lot 4872)

**Parcel II**

**Section 13, Township 1 South, Range 20 East, Boise Meridian, Blaine County, Idaho.  
W1/2SE1/4; SW1/4NE1/4; Lots 1, 2, 3, 4; NW1/4NE1/4**

**Section 17, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
SE1/4SW1/4; S1/2SE1/4**

**Section 19, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
Lots 1 & 2; NE1/4NW1/4; E1/2; SE1/4NW1/4; E1/2SW1/4; Lot 4**

**Section 20, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
N1/2; S1/2**

**Section 29, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
S1/2NW1/4; Lots 3 & 4**

**Section 30, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
Lots 1,2,3,4; S1/2NW1/4; S1/2NE1/4; N1/2SE1/4**

**Parcel III**

**Section 18, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
Lots 3, 4, SE1/4SW1/4**

**And**

**A parcel of land situate in the southwest one-quarter (SW1/4) of the southeast one-quarter (SE1/4) of Section 18, township 1 South, Range 21 East, B.M., Blaine County, Idaho, being more particularly described as follows:**

**Commencing at the east one-sixteenth (E1/16) corner common to Sections 18 & 19, Township 1 South, Range 21 East, B.M., being marked by a BLM aluminum cap and being the Point of Beginning and proceeding South 89°10'24" West, 388.43 feet along the south line of said Section 18 to a point on the northeasterly right-of-way line of Dry Creek Road and a point on a curve;**

**Thence departing said south section line and proceeding northwesterly along said right-of-way line, the following eight (8) courses:**

**Northerly along said curve to the right, through a central angle of 4°04'46", a radius of 1878.07 feet, an arc length of 133.72 feet; and a long chord which bears North 18°40'12" West, 133.69 feet; thence**

**North 17°39'34" West, 33.75 feet to a point on a curve; thence**

*Handwritten signature*

Northwesterly along said curve to the left, through a central angle of  $38^{\circ}39'10''$ , a radius of 325.66 feet, an arc length of 219.69 feet, and a long chord which bears North  $35^{\circ}47'35''$  West 215.55 feet; thence  
North  $48^{\circ}29'04''$  West, 139.35 feet; thence  
North  $46^{\circ}29'20''$  West, 348.99 feet; thence  
North  $46^{\circ}49'52''$  West, 460.85 feet; thence  
North  $44^{\circ}26'52''$  West, 80.62 feet; thence And  
North  $43^{\circ}25'26''$  West, 31.51 feet to a point on the North-South one-quarter (N-S1/4) line of said Section 18; thence  
North  $00^{\circ}25'58''$  West, 259.96 feet along said one-quarter line to the center-south-one-sixteenth (CS1/16) corner being marked by a BLM aluminum cap; thence  
North  $89^{\circ}09'58''$  East, 1,328.31 feet along the south one-sixteenth (S1/16) line of said Section 18 to the southeast one-sixteenth (SE1/16) corner of said Section 18, being marked by a BLM aluminum cap; thence  
South  $00^{\circ}33'21''$  East, 1,335.77 feet along the east one-sixteenth (E1/16) line of said Section 18 to the Point of Beginning.

And

A parcel of land situate in the southwest one-quarter (SW1/4) of the southeast one-quarter (SE1/4) of Section 18, Township 1 South, Range 21 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the south one-quarter (S1/4) corner of Section 18, Township 1 South, Range 21 East, B.M., being marked by an aluminum cap, PLS 9561 and being the Point of Beginning and proceeding  
North  $00^{\circ}25'58''$  West, 1,002.89 feet along the north-south one-quarter (NS1/4) line of said Section 18 to a point on the southwesterly right-of-way line of Dry Creek Road; thence departing said one-quarter line and proceeding southeasterly along said right-of-way line the following seven (7) courses; thence  
South  $44^{\circ}26'52''$  East, 60.84 feet; thence  
South  $46^{\circ}49'52''$  East, 461.74 feet; thence  
South  $46^{\circ}29'20''$  East, 349.71 feet; thence  
South  $48^{\circ}29'04''$  East, 143.24 feet to the beginning of a curve; thence  
Southeasterly along said curve to the right, through a central angle of  $39^{\circ}20'02''$ , a radius of 275.66 feet, an arc length of 189.24 feet and a long chord which bears South  $36^{\circ}01'48''$  East, 185.54 feet; thence  
South  $17^{\circ}39'54''$  East, 33.84 feet to a point on a curve; thence  
Southerly along said curve to the left, through a central angle of  $3^{\circ}31'47''$ , a radius of 1,928.07 feet, an arc length of 118.78 feet and a long chord which bears South  $18^{\circ}24'31''$  East, 118.76 feet to a point on the south line of said Section 18; thence  
South  $89^{\circ}10'24''$  West, 889.67 feet along said south section line to the Point of Beginning.

Parcel IV



**TOWNSHIP 1 SOUTH, RANGE 21 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.**

**Section 21: Parcels of land more particularly described as follows:**

**SW1/4SE1/4; SE1/4SW1/4; NW1/4SW1/4;**

**AND**

**A parcel of land situate in the southwest one-quarter (SW1/4) of the northwest one-quarter (NW1/4) and the Southeast one-quarter (SE1/4) of the northwest one-quarter (NW1/4) of Section 21, Township 1 South, Rang 21 East, B.M., Blaine County, Idaho, being more particularly described as follows:**

**Commencing at the north one-sixteenth (N1/16) corner common to Sections 20 and 21, Township 1 South, Range 21 East, being marked by an aluminum cap, also being the Point of Beginning and proceeding**

**North 89°46'27" East, 720.95 feet, along the north one-sixteenth (N1/16) line of said Section 21 to a 5/8" rebar marking the northwest corner of Tax Lot 4872 as shown on Record of Survey, Instrument No. 540950; thence**

**South 00°26'23" East, 200.21 feet along the west line of said Tax Lot 4872 to the southwest corner of said Tax Lot 4872, being marked by a 5/8" rebar; thence**

**North 89°45'39" East, 364.53 feet along the south line of said Tax Lot 4872 to the southeast corner of said Tax Lot 4872 being monumented by a witness corner bearing South 89°45'39" West, 10.00 feet from said corner, also being a point on the centerline of the West Canal; thence the following thirteen (13) courses along the centerline of the West Canal:**

**South 27°58'53" East, 190.60 feet; thence**

**South 24°41'06" East, 211.48 feet; thence**

**South 29°27'21" East, 160.89 feet; thence**

**South 32°40'41" East, 120.28 feet; thence**

**South 25°01'50" East, 44.89 feet; thence**

**South 33°37'58" East, 132.41 feet; thence**

**South 36°13'48" East, 60.24 feet; thence**

**South 25°44'05" East, 52.95 feet; thence**

**South 17°15'52" East, 41.99 feet; thence**

**South 10°48'16" East, 65.05 feet; thence**

**South 16°11'32" East, 122.05 feet; thence**

**South 24°33'29" East, 50.12 feet; thence And**

**South 37°55'57" East, 17.67 feet to a point on the east-west one-quarter (E-W1/4) line of said Section 21; thence**

**South 89°41'09" West, 326.16 feet along said one-quarter line to the center-west one-sixteenth (CW1/16) corner of said Section 21; thence continuing**

**South 89°41'09" West, 1,323.28 feet along said one-quarter line to the west one-quarter (W1/4) corner of said Section 21; thence**

*YJW*

**North 00°01'48" West, 1,334.62 feet along the west line of said Section 21 to the Point of Beginning.**

**AND**

**A parcel of land situate in the northeast one-quarter (NE1/4) of the Southwest one-quarter (SW1/4) of Section 21, Township 1 South, Range 21 East, B.M., Blaine County, Idaho, being more particularly described as follows:**

**Commencing at the north one-sixteenth (N1/16) corner common to Sections 20 and 21, Township 1 South, Range 21 East, being marked by an aluminum cap, and proceeding South 00°01'48" East, 1,334.62 feet along the west line of said Section 21 to the west one-quarter (W1/4) corner of said Section 21; thence North 89°41'09" East, 1,323.28 feet along the east-west one-quarter (E-W1/4) line of said Section 21 to the center-west one-sixteenth (CW1/16) corner of said Section 21 to the Point of Beginning; thence continuing North 89°41'09" East, 326.16 feet along said one-quarter line to a point on the centerline of the West Canal; thence the following thirteen (13) courses along the centerline of the West Canal;  
South 37°55'57" East, 18.22 feet; thence  
South 40°02'16" East, 184.13 feet; thence  
North 76°45'56" East, 145.16 feet; thence  
North 86°36'24" East, 21.31 feet; thence  
South 66°53'28" East, 40.91 feet; thence  
South 53°56'47" East, 327.05 feet; thence  
South 33°29'57" East, 61.73 feet; thence  
South 25°51'13" East, 139.89 feet; thence  
South 36°35'38" East, 42.46 feet; thence  
South 51°33'19" East, 53.27 feet; thence  
South 59°19'36" East, 80.63 feet; thence  
South 51°48'14" East, 55.25 feet; thence And  
South 46°14'08" East, 178.66 feet to a point on the north-south one-quarter (N-S1/4) line of said Section 21; thence  
South 00°04'20" East, 553.33 feet to the Center-south one-sixteenth (C-S1/16) corner of said Section 21; thence  
South 89°38'07" West, 1,323.46 feet along the south one-sixteenth (S1/16) line of said Section 21 to the southwest one-sixteenth (SW1/16) corner of said Section 21; thence  
North 00°04'04" West, 1,332.79 feet along the west one-sixteenth (W1/16) line of said Section 21 to the Point of Beginning.**

**AND**

**A parcel of land lying within the SW1/4SW1/4, Township 1 South, Range 21 East, Section 21, Boise Meridian, Blaine County, Idaho, more particularly described as follows:**

**COMMENCING** at the brass cap by Carl Edwards, L.S., marking the southwest corner of said Section 21, which bears South 00°00'08" East, 5,337.02 feet from the northwest corner of said Section 21; thence

North 00°00'08" West 1,199.30 feet along the west line of Section 21 to a bar, which is the **REAL POINT OF BEGINNING**; thence continuing

North 00°00'08" West, 134.96 feet to the bar marking the 1/16 corner; thence

North 89°40'07" East, 1,323.58 feet to the bar marking the SW1/16 corner; thence

South 00°01'14" East, 1,332.98 feet to the bar marking the West 1/16 corner common to Sections 21 and 28; thence

South 89°37'00" West, 222.14 feet along the south line of said Section 21 to a bar; thence

North 06°09'53" West, 140.37 feet to a bar; thence

North 41°53'37" West, 105.29 feet to a bar; thence

North 16°58'59" West, 143.56 feet to a bar; thence

North 14°31'31" West, 108.72 feet to a bar; thence

North 33°43'05" West, 65.55 feet to a bar; thence

North 63°55'16" West 132.68 feet to a bar; thence

South 82°13'54" West, 165.15 feet to a bar; thence

North 42°23'49" West, 71.54 feet to a bar; thence

North 05°53'41" East, 211.12 feet to a bar; thence

North 70°35'13" East, 134.84 feet to a bar; thence

North 02°59'05" East, 194.84 feet to a bar; thence

North 04°09'58" East, 163.11 feet to a bar; thence

South 87°05'07" West, 472.85 feet to a bar; thence

South 89°59'52" West, 278.50 feet to the **TRUE POINT OF BEGINNING**.

**EXCEPTING** those portions of the County Road Rights-of-Way for Foothill Road and Dry Creek Road.

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
120 Second Ave. North/P O Box 7999  
Ketchum, ID 83340

**Instrument # 609394**

HAILEY, BLAINE, IDAHO  
05-20-2013 3:38:39 PM No. of Pages: 8  
Recorded for: FIRST AMERICAN TITLE - KETCHUM  
JOLYNN DRAGE Fee: \$31.00  
Ex-Officio Recorder Deputy: JB  
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

## **WARRANTY DEED**

File No.: **455052K (mgm)**.

Date: **May 14, 2013**

For Value Received and as part of an IRC 1031 tax deferred exchange, **Lita Walker West also known as Lita West, as her sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Holly Farms, LTD., an Arizona limited partnership**, hereinafter called the Grantee, whose current address is **20051 W Highway 85, Buckeye, AZ 85326**, the following described premises, situated in **Blaine County, Idaho**, to-wit:

**Replacement Property for buyer and Relinquished Property for Seller**

**Excepting and excluding any and all water rights appurtenant thereto, which water rights are to be conveyed by Grantor to Grantee by a separate quitclaim deed.**

**See Exhibit 'A' attached hereto and made a part hereof**

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.

**RECORDING REQUESTED BY**

First American Title Company

**AND WHEN RECORDED MAIL TO:**

First American Title Company  
120 Second Ave. North/P O Box 7999  
Ketchum, ID 83340

Space Above This Line for Recorder's Use Only

**WARRANTY DEED**

File No.: **455052K (mgm)**

Date: **May 14, 2013**

For Value Received **and as part of an IRC 1031 tax deferred exchange, Lita Walker West also known as Lita West, as her sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Holly Farms, LTD., an Arizona limited partnership**, hereinafter called the Grantee, whose current address is **20051 W Highway 85, Buckeye, AZ 85326**, the following described premises, situated in **Blaine County, Idaho**, to-wit:

**Replacement Property for buyer and Relinquished Property for Seller**

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**See Exhibit 'A' attached hereto and made a part hereof**

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: 05/14/2013

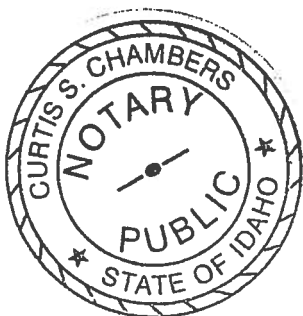
Warranty Deed  
- continued

File No.: 455052K (mgm)

Lita Walker West  
Lita Walker West

STATE OF Idaho )  
SS.  
COUNTY OF Blaine )

On this 15 day of May, 2013, before me, a Notary Public in and for said State, personally appeared **Lita Walker West**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



[Signature]

Notary Public for the State of Idaho

Residing at: HAILEY, ID

My Commission Expires: 5-15-16

Date: May 14, 2013

File No.: 455052K (mgm)

## EXHIBIT 'A'

### LEGAL DESCRIPTION:

#### Parcel I

TOWNSHIP 1 SOUTH, RANGE 21 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO

SECTION 21: An un-surveyed parcel of property, more particularly described as follows:

COMMENCING at the N1/4 corner of said Section 21; thence  
W. 2,151.13 feet, more or less, along the northerly boundary of said Section 21 to the TRUE  
POINT OF BEGINNING; thence  
S. 18°34'00" E., 1,387.29 feet, more or less, to a point on the north side of a county road  
right-of-way (aka: Dry Creek Road); thence  
S. 89°20'00" W., 930.65 feet, more or less, to the N1/16 corner common to Section 20 and  
said Section 21; thence  
N. 1,325.92 feet, more or less, along the westerly boundary of said Section 21 to the NW  
Section corner of Section 21; thence  
E. 488.86 feet, more or less, along the northerly boundary of said Section 21 to the TRUE  
POINT OF BEGINNING. (Tax Lot 7624)

And

A parcel of land lying within the S1/2, NW1/4, Section 21, T1S, R21E, B.M., Blaine County,  
Idaho, begin more particularly described as follows:

Commencing at the bar marking the northwest corner of said S1/2, NW1/4, Section 21,

Thence

North 89°46'32" East 721.00 feet to a bar set by LS 11779 (McCammon) marking the REAL  
POINT OF BEGINNING; Thence

South 00°13'28" East 200.00 feet to a bar set by LS 11779; Thence

North 89°46'32" East 365.20 feet to a point in the center of the West Canal, witnessed by  
bar set by LS 11779, back 20 feet; Thence proceeding along the centerline of the Canal

North 28°08'13" West 128.56 feet to a point; thence continuing along said centerline

North 19°30'04" West 91.52 feet to its intersection with the 1/16 line; Thence

South 89°46'32" West 274.81 feet along the 1/16 line to the REAL POINT OF BEGINNING,  
based upon the Record of Survey Instrument No. 540950. (Tax Lot 4872)

**Parcel II**

**Section 13, Township 1 South, Range 20 East, Boise Meridian, Blaine County, Idaho.  
W1/2SE1/4; SW1/4NE1/4; Lots 1, 2, 3, 4; NW1/4NE1/4**

**Section 17, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
SE1/4SW1/4; S1/2SE1/4**

**Section 19, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
Lots 1 & 2; NE1/4NW1/4; E1/2; SE1/4NW1/4; E1/2SW1/4; Lot 4**

**Section 20, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
N1/2; S1/2**

**Section 29, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
S1/2NW1/4; Lots 3 & 4**

**Section 30, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
Lots 1,2,3,4; S1/2NW1/4; S1/2NE1/4; N1/2SE1/4**

**Parcel III**

**Section 18, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho.  
Lots 3, 4, SE1/4SW1/4**

**And**

**A parcel of land situate in the southwest one-quarter (SW1/4) of the southeast one-quarter (SE1/4) of Section 18, township 1 South, Range 21 East, B.M., Blaine County, Idaho, being more particularly described as follows:**

**Commencing at the east one-sixteenth (E1/16) corner common to Sections 18 & 19, Township 1 South, Range 21 East, B.M., being marked by a BLM aluminum cap and being the Point of Beginning and proceeding South 89°10'24" West, 388.43 feet along the south line of said Section 18 to a point on the northeasterly right-of-way line of Dry Creek Road and a point on a curve;**

**Thence departing said south section line and proceeding northwesterly along said right-of-way line, the following eight (8) courses:**

**Northerly along said curve to the right, through a central angle of 4°04'46", a radius of 1878.07 feet, an arc length of 133.72 feet; and a long chord which bears North 18°40'12" West, 133.69 feet; thence**

**North 17°39'34" West, 33.75 feet to a point on a curve; thence**

Northwesterly along said curve to the left, through a central angle of  $38^{\circ}39'10''$ , a radius of 325.66 feet, an arc length of 219.69 feet, and a long chord which bears North  $35^{\circ}47'35''$  West 215.55 feet; thence  
North  $48^{\circ}29'04''$  West, 139.35 feet; thence  
North  $46^{\circ}29'20''$  West, 348.99 feet; thence  
North  $46^{\circ}49'52''$  West, 460.85 feet; thence  
North  $44^{\circ}26'52''$  West, 80.62 feet; thence And  
North  $43^{\circ}25'26''$  West, 31.51 feet to a point on the North-South one-quarter (N-S1/4) line of said Section 18; thence  
North  $00^{\circ}25'58''$  West, 259.96 feet along said one-quarter line to the center-south-one-sixteenth (CS1/16) corner being marked by a BLM aluminum cap; thence  
North  $89^{\circ}09'58''$  East, 1,328.31 feet along the south one-sixteenth (S1/16) line of said Section 18 to the southeast one-sixteenth (SE1/16) corner of said Section 18, being marked by a BLM aluminum cap; thence  
South  $00^{\circ}33'21''$  East, 1,335.77 feet along the east one-sixteenth (E1/16) line of said Section 18 to the Point of Beginning.

And

A parcel of land situate in the southwest one-quarter (SW1/4) of the southeast one-quarter (SE1/4) of Section 18, Township 1 South, Range 21 East, B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the south one-quarter (S1/4) corner of Section 18, Township 1 South, Range 21 East, B.M., being marked by an aluminum cap, PLS 9561 and being the Point of Beginning and proceeding

North  $00^{\circ}25'58''$  West, 1,002.89 feet along the north-south one-quarter (NS1/4) line of said Section 18 to a point on the southwesterly right-of-way line of Dry Creek Road; thence departing said one-quarter line and proceeding southeasterly along said right-of-way line the following seven (7) courses; thence  
South  $44^{\circ}26'52''$  East, 60.84 feet; thence  
South  $46^{\circ}49'52''$  East, 461.74 feet; thence  
South  $46^{\circ}29'20''$  East, 349.71 feet; thence  
South  $48^{\circ}29'04''$  East, 143.24 feet to the beginning of a curve; thence  
Southeasterly along said curve to the right, through a central angle of  $39^{\circ}20'02''$ , a radius of 275.66 feet, an arc length of 189.24 feet and a long chord which bears South  $36^{\circ}01'48''$  East, 185.54 feet; thence  
South  $17^{\circ}39'54''$  East, 33.84 feet to a point on a curve; thence  
Southerly along said curve to the left, through a central angle of  $3^{\circ}31'47''$ , a radius of 1,928.07 feet, an arc length of 118.78 feet and a long chord which bears South  $18^{\circ}24'31''$  East, 118.76 feet to a point on the south line of said Section 18; thence  
South  $89^{\circ}10'24''$  West, 889.67 feet along said south section line to the Point of Beginning.

Parcel IV

**TOWNSHIP 1 SOUTH, RANGE 21 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.**

**Section 21: Parcels of land more particularly described as follows:**

**SW1/4SE1/4; SE1/4SW1/4; NW1/4SW1/4;**

**AND**

**A parcel of land situate in the southwest one-quarter (SW1/4) of the northwest one-quarter (NW1/4) and the Southeast one-quarter (SE1/4) of the northwest one-quarter (NW1/4) of Section 21, Township 1 South, Rang 21 East, B.M., Blaine County, Idaho, being more particularly described as follows:**

**Commencing at the north one-sixteenth (N1/16) corner common to Sections 20 and 21, Township 1 South, Range 21 East, being marked by an aluminum cap, also being the Point of Beginning and proceeding**

**North 89°46'27" East, 720.95 feet, along the north one-sixteenth (N1/16) line of said Section 21 to a 5/8" rebar marking the northwest corner of Tax Lot 4872 as shown on Record of Survey, Instrument No. 540950; thence**

**South 00°26'23" East, 200.21 feet along the west line of said Tax Lot 4872 to the southwest corner of said Tax Lot 4872, being marked by a 5/8" rebar; thence**

**North 89°45'39" East, 364.53 feet along the south line of said Tax Lot 4872 to the southeast corner of said Tax Lot 4872 being monumented by a witness corner bearing South 89°45'39" West, 10.00 feet from said corner, also being a point on the centerline of the West Canal; thence the following thirteen (13) courses along the centerline of the West Canal:**

**South 27°58'53" East, 190.60 feet; thence**

**South 24°41'06" East, 211.48 feet; thence**

**South 29°27'21" East, 160.89 feet; thence**

**South 32°40'41" East, 120.28 feet; thence**

**South 25°01'50" East, 44.89 feet; thence**

**South 33°37'58" East, 132.41 feet; thence**

**South 36°13'48" East, 60.24 feet; thence**

**South 25°44'05" East, 52.95 feet; thence**

**South 17°15'52" East, 41.99 feet; thence**

**South 10°48'16" East, 65.05 feet; thence**

**South 16°11'32" East, 122.05 feet; thence**

**South 24°33'29" East, 50.12 feet; thence And**

**South 37°55'57" East, 17.67 feet to a point on the east-west one-quarter (E-W1/4) line of said Section 21; thence**

**South 89°41'09" West, 326.16 feet along said one-quarter line to the center-west one-sixteenth (CW1/16) corner of said Section 21; thence continuing**

**South 89°41'09" West, 1,323.28 feet along said one-quarter line to the west one-quarter (W1/4) corner of said Section 21; thence**

**North 00°01'48" West, 1,334.62 feet along the west line of said Section 21 to the Point of Beginning.**

**AND**

**A parcel of land situate in the northeast one-quarter (NE1/4) of the Southwest one-quarter (SW1/4) of Section 21, Township 1 South, Range 21 East, B.M., Blaine County, Idaho, being more particularly described as follows:**

**Commencing at the north one-sixteenth (N1/16) corner common to Sections 20 and 21, Township 1 South, Range 21 East, being marked by an aluminum cap, and proceeding South 00°01'48" East, 1,334.62 feet along the west line of said Section 21 to the west one-quarter (W1/4) corner of said Section 21; thence**

**North 89°41'09" East, 1,323.28 feet along the east-west one-quarter (E-W1/4) line of said Section 21 to the center-west one-sixteenth (CW1/16) corner of said Section 21 to the Point of Beginning; thence continuing**

**North 89°41'09" East, 326.16 feet along said one-quarter line to a point on the centerline of the West Canal; thence the following thirteen (13) courses along the centerline of the West Canal;**

**South 37°55'57" East, 18.22 feet; thence**

**South 40°02'16" East, 184.13 feet; thence**

**North 76°45'56" East, 145.16 feet; thence**

**North 86°36'24" East, 21.31 feet; thence**

**South 66°53'28" East, 40.91 feet; thence**

**South 53°56'47" East, 327.05 feet; thence**

**South 33°29'57" East, 61.73 feet; thence**

**South 25°51'13" East, 139.89 feet; thence**

**South 36°35'38" East, 42.46 feet; thence**

**South 51°33'19" East, 53.27 feet; thence**

**South 59°19'36" East, 80.63 feet; thence**

**South 51°48'14" East, 55.25 feet; thence And**

**South 46°14'08" East, 178.66 feet to a point on the north-south one-quarter (N-S1/4) line of said Section 21; thence**

**South 00°04'20" East, 553.33 feet to the Center-south one-sixteenth (C-S1/16) corner of said Section 21; thence**

**South 89°38'07" West, 1,323.46 feet along the south one-sixteenth (S1/16) line of said Section 21 to the southwest one-sixteenth (SW1/16) corner of said Section 21; thence**

**North 00°04'04" West, 1,332.79 feet along the west one-sixteenth (W1/16) line of said Section 21 to the Point of Beginning.**

**AND**

**A parcel of land lying within the SW1/4SW1/4, Township 1 South, Range 21 East, Section 21, Boise Meridian, Blaine County, Idaho, more particularly described as follows:**

**COMMENCING** at the brass cap by Carl Edwards, L.S., marking the southwest corner of said Section 21, which bears South 00°00'08" East, 5,337.02 feet from the northwest corner of said Section 21; thence

North 00°00'08" West 1,199.30 feet along the west line of Section 21 to a bar, which is the **REAL POINT OF BEGINNING**; thence continuing

North 00°00'08" West, 134.96 feet to the bar marking the 1/16 corner; thence

North 89°40'07" East, 1,323.58 feet to the bar marking the SW1/16 corner; thence

South 00°01'14" East, 1,332.98 feet to the bar marking the West 1/16 corner common to Sections 21 and 28; thence

South 89°37'00" West, 222.14 feet along the south line of said Section 21 to a bar; thence

North 06°09'53" West, 140.37 feet to a bar; thence

North 41°53'37" West, 105.29 feet to a bar; thence

North 16°58'59" West, 143.56 feet to a bar; thence

North 14°31'31" West, 108.72 feet to a bar; thence

North 33°43'05" West, 65.55 feet to a bar; thence

North 63°55'16" West 132.68 feet to a bar; thence

South 82°13'54" West, 165.15 feet to a bar; thence

North 42°23'49" West, 71.54 feet to a bar; thence

North 05°53'41" East, 211.12 feet to a bar; thence

North 70°35'13" East, 134.84 feet to a bar; thence

North 02°59'05" East, 194.84 feet to a bar; thence

North 04°09'58" East, 163.11 feet to a bar; thence

South 87°05'07" West, 472.85 feet to a bar; thence

South 89°59'52" West, 278.50 feet to the **TRUE POINT OF BEGINNING**.

**EXCEPTING** those portions of the County Road Rights-of-Way for Foothill Road and Dry Creek Road.

**Mills, William**

---

**From:** Mills, William  
**Sent:** Thursday, August 08, 2013 2:47 PM  
**To:** 'careywater@frontier.com'  
**Subject:** Watermaster comments on Transfer 78602  
**Attachments:** Transfer 78602.pdf; Transfer 78602 Memorandum.pdf; Deeds.pdf; Watermaster Comment Letter .doc

Mr. Simpson,

Please provide Watermaster comments for the attached transfer application. Lita West was the original applicant but has assigned the transfer to Holly Farms LTD.

Thanks

Bill Mills

Water Resource Agent

# MEMORANDUM

**Date:** July 1, 2013  
**To:** Transfer 78602 File  
**From:** Bill Mills  
**Re:** Evaluation of Sufficiency of Information Submitted

---

Application proposes creating an 1191.5 acre Permissible Place of Use (PPU) for six surface water rights (13.3 cfs) and one ground water right (1.0 cfs). This transfer will combine a 177.2 acre Place of Use with an existing 840.6 acre PPU along with the addition of 173.7 new acres to the PPU. Proposed PPU is located 1.0 to 2.6 miles north and 0.74 to 4.0 miles west of the intersection of Hwy 20 & Hwy 93 in Carey.

Surface water rights 37-563 (1.2 cfs); 37-564 (1.2 cfs); 37-565 (7.2 cfs) and ground water right 37-2595 (1.0 cfs; 396 AF) when combined are limited to the irrigation of 495 acres within the existing 840.6 acre PPU.

Surface water rights 37-649 (1.5 cfs); 37-650 (1.6 cfs) and 37-651 (0.6 cfs) are used to irrigate the 177.2 acre POU adjacent to the existing PPU.

Review of water use on the property indicates that ground water right 37-2595 is likely supplemental to surface waters. Research indicates the original claim was filed on 135 acres in Sec. 19 of Twp 01S, Rge 21E, and describes other water rights used at the same place as "37-0563, 37-0564, 37-0565, 37-4243, 37-4244, 274 AF of "old storage" and 50 AF of "new storage" in the Little Wood Reservoir under the Little Wood Irrigation District, 18 shares of the Little Wood Canal Company...". Additionally a certificate of water rights from the Little Wood River Irrigation District provided by the transfer applicants indicates that portions of 632.84 AF of old storage and 202 AF of new storage are used in "portions or all of section 19." As such, conditions 065 and 104 have been added to water right 37-2595.

Overlap review indicates potential overlap with two statutory claims, 37-4243 and 37-4244 and one beneficial use claim, 37-12381. All three of these claims have been disallowed in the SRBA. PPU also overlaps with the Little Wood River Irrigation District service area. As mentioned above, applicants own shares in the Little Wood River Irrigation System and the applicant's water rights, both surface and ground, are diverted into the Little Wood River Irrigation District West Canal prior to delivery to private ditches.

Original applicant, Lita West submitted the transfer application prior to selling the property to Holly Farms LTD and the transfer was subsequently assigned to them. Holly Farms LTD submitted a copy of the warranty deed covering all property involved in the transfer, along with a quitclaim for the water rights, an affidavit along with a certificate of water rights of the Little Wood River Irrigation District, and a 206 map shapefile for the 2014 irrigation season. PPU is in Water District 37N and Watermaster comments will be solicited.

Since the application only modifies the place of use to include adjacent lands, and since there is no hydrologic change, the transfer was processed, and can be approved without advertising.

- **Authority to File:** Original Applicant was listed as the owner of all water rights in transfer. New owners have submitted a deed indicating ownership of all acres and a quitclaim indicating ownership of all water rights within the PPU and filed a change of ownership for the water rights.
- **Water Right Validity:** Water rights 37-563; 37-564; 37-565 and 37-2595 were decreed in the SRBA August of 2010. Water Rights 37-649; 37-650 and 37-651 were decreed in the SRBA on September 20, 2006. Recent aerial and satellite imagery indicate the property involved with this transfer appears irrigated.

- **Injury to Other Water Rights:**  
None anticipated.
- **Enlargement of Use:**  
None anticipated.
- **Local Public Interest:**  
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**  
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**  
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**  
None Anticipated.

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

**SPECK & AANESTAD**

A PROFESSIONAL CORPORATION  
**ATTORNEYS**

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May 15, 2013

Mr. Allen Merritt  
Idaho Dept. of Water Resources  
1341 Fillmore, Suite 200  
Twin Falls, ID 83301

**RECEIVED**  
**MAY 17 2013**  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

**RE: Lita West - Application for Transfer of Water Rights**

Dear Allen:

Enclosed you will an original and a copy of an Application for Transfer of Water Right which I have prepared for my client, Lita West, along with our firm's check in the amount of \$1,620 for the required filing fees (for 14.3 cfs). Please receipt date stamp the copy and return it to me in the enclosed postage-prepaid envelope.

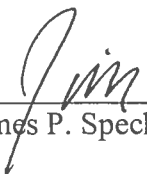
The purpose of the Application is to create a permissible place of use that covers the entire irrigated portion of her Dry Creek Ranch outside of Carey, Idaho. The irrigated acre limitations imposed by the SRBA Partial Decrees for each of the water rights will remain the same. Once the Application is ready for approval, we will submit an appropriate map identifying the acres which will be irrigated by all of the subject water rights until further notice.

Please contact me right away if you have any questions and let me know as soon as possible once the Application has been given its identification number.

Thank you.

Sincerely yours,

SPECK & AANESTAD  
A Professional Corporation

By:   
James P. Speck

Enclosures

CC w/ Enclosures: Lita West  
J. Evan Robertson