

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78305

RECEIVED

DEC 19 2012

Department of Water Resources
Eastern Region

Name of Applicant(s) Bear River Meadows, LLC

Phone (801) 540-4044

Mailing address 2920 W Directors Row, Salt Lake City UT 84104

Email chuckhrl@aol.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

☒ Send all correspondence for this application to the representative and not to the applicant.

OR

☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Randall C. Budg, Attorney
Signature of Applicant or Authorized Representative

Randall C. Budg
Print Name and Title if applicable

12/17/12
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 refine legal description of decreed POD
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**. Omit the decreed point of diversion and add three new points of diversion along Bear River to accommodate use of portable pump and sprinkler system for irrigation. Consolidate the place of use to the 120 acre parcel historically irrigated.

Part 1A.2

In the Utah Power & Light Company vs. The Last Chance Canal Company decree the place of use of water right 13-954 is limited to 120 acres but is described as sections 33 and 34 of Township 09S, Range 42E B.M., and the legal description of the point of diversion is the NW1/4 of Section 34. This application consolidates the place of use to 120 acres within the 1280 acres described in the decree. It also proposes to omit the decreed point of diversion and seeks to add points of diversion in three 1/41/4s where the Bear River borders the north edge of the place of use.

Based on statements provided by local residents who have lived in the community for decades it is believed the proposed place of use is the land historically irrigated with water right 13-954. This conclusion is consistent with current practice and is further supported by the topography of the area which restricts what could have reasonably been flood irrigated with water diverted from the Bear River. Based on the topography irrigation would have been limited to the N1/2, Section 33 south of the river and the W1/2NW1/4, Section 34 west and south of the river, both in Township 09S, Range 42E B.M. Of this 400 acre parcel only the NW1/4NW1/4, Section 34, Township 09S, Range 42E B.M. is not owned by the applicant. According to the Caribou County Assessor's Office land in the NW1/4 NW1/4, west and south of the river, is owned by Joel Johnson of Salt Lake City. The applicant has never had contact with Mr. Johnson and has never observed nor has any information indicating Mr. Johnson or his predecessors have ever used water on this property under right 13-954 or otherwise. Therefore the applicant respectfully requests the department contact Mr. Johnson if necessary regarding the place of use.

The purpose for adding three 1/41/4s as points of diversion is to accommodate moving a portable diesel pump and hand line sprinklers along a 3/4 mile stretch of river bank to irrigate the 120 acres.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ ☐	13-954	2.40 cfs	Irrigation	4/20 to 9/30	Bear River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.40 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 2.40 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			NE	NE	33	09S	42E	Caribou	Bear River	
Yes			NW	NE	33	09S	42E	Caribou	Bear River	
Yes			NE	NW	33	09S	42E	Caribou	Bear River	

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	
09S	42E	33	18.9	23	18.1	19.3	27.9	8.1	0.9	3.8									120

Total Acres (for irrigation use) 120

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:

Diversion system consists of portable diesel pump and hand line sprinkler system. Pump will be moved along bank of Bear River to accommodate sprinkling place of use. If water right is curtailed pump will be relocated to farmstead.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☒ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Western Ag Credit filed a security interest on water right 13-954

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:

Application is not proposing to dry up land once irrigated but rather based on topography and discussions with folks raised in the area it identifies the 120 acres that were historically flood irrigated from the Bear River.

- 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:

N/A

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

Yes No

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

If yes, describe:

The applicant diverted water under the water right in 2011 and 2012 and reported actual use to the watermaster and Department.

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

Current Water Right No.: 13-954

Current Owner: EPH T WILLIAMS
Priority Date: 3/21/1895
Origin: Water Right
Status: Active
Basis: Decreed

Source

BEAR RIVER

Tributary

GREAT SALT LAKE

Beneficial Use

IRRIGATION

From To

4/20 to 9/30

Total Diversion

Diversion Rate

2.4 CFS

2.4 CFS

Annual Volume

Location of Point(s) of Diversion

BEAR RIVER

NW1/4

Sec. 34, Twp 09S, Rge 42E B.M.

BEAR LAKE County

Place of Use

IRRIGATION Within BEAR LAKE County

T09S R42E S33

T09S R42E S34

Conditions of Approval:

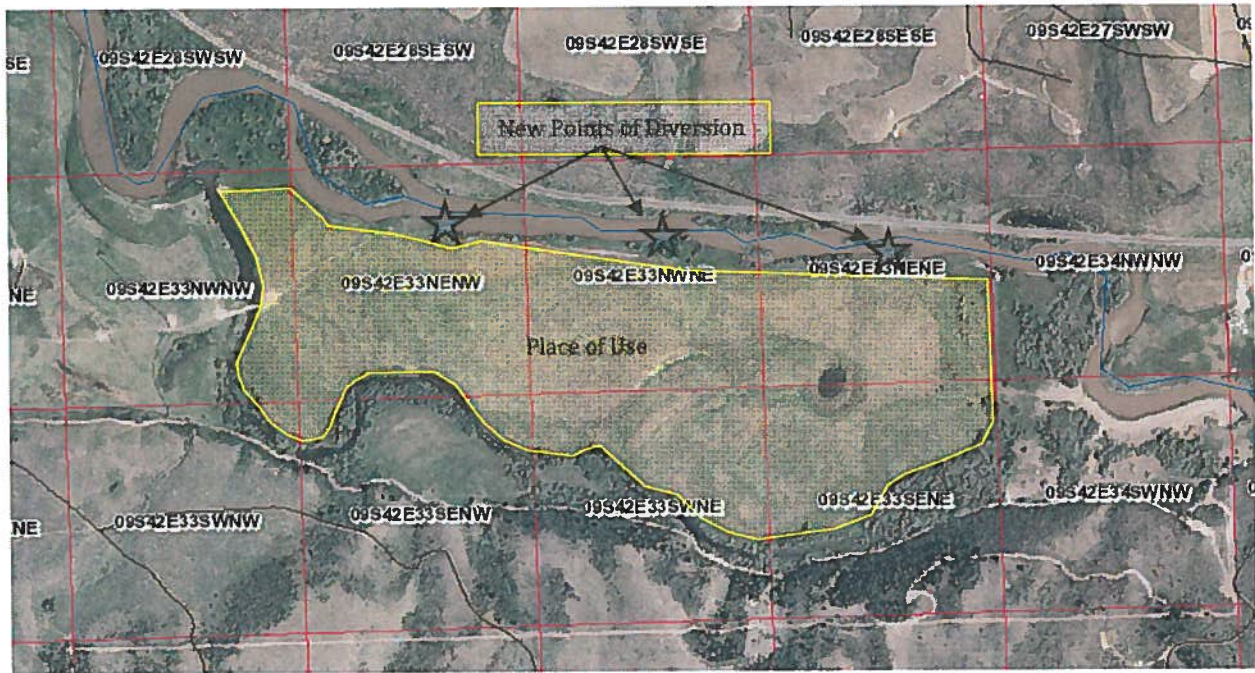
1. P/U AC. IRR. = 120, IN SEC 33 AND 34.

Decreed Date: 7/14/1920

\$ 330.00 E038254

Attachment #7b.

RE: Map of 13-954 with New Points of Diversion and Place of Use



SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

The undersigned hereby appoints the law firm of RACINE OLSON NYE BUDGE & BAILEY, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, my/our true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow them to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on my/our behalf.

DATED this 29th day of March, 2012.

EAST OFFICE LC:


(Signature)

Chuck Schvanaveldt, Manager/Member
(Printed name)
2920 W. Directors Row
(Address)
Salt Lake City, Utah 84104


(Signature)

Cathy Code, Manager/Member
(Printed name)
2920 W. Directors Row
(Address)
Salt Lake City, Utah 84104

STATE OF UTAH)
)
) :ss
County of Cache)

On this 29th day of March, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Chuck Schvanaveldt, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same.



Carmen C. Code
NOTARY PUBLIC FOR UTAH
Commission expires: 10/20/2014

STATE OF UTAH)
)
) :ss
County of Cache)

On this 29th day of March, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Cathy Code, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that she executed the same.



Carmen C. Code
NOTARY PUBLIC FOR UTAH
Commission expires: 10/20/2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 21 2012

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
13-00954	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Eph. T. Williams
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Bear River Meadows, LLC
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
2920 W Directors Row
 Mailing address
Salt Lake City UT 84104
 City State ZIP
(801) 540-4044
 Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: September 18, 2008

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed. *(See Attachment # 2 a to Application for Transfer)*
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: Randall C. Budge Attorney for New Owner 11/20/12
 Signature of new owner/claimant Title, if applicable Date

Signature: _____
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____
 Approved by _____ Processed by _____ Date _____

Attachment #2a

Instrument # 181445

CARIBOU COUNTY

9-19-2008 01:00:10 No. of Pages: 2

Recorded for: CARIBOU TITLE

VEDA MASCARENAS

Ex-Officio Recorder Deputy T. Stephens Fee: 6.00

Index to: ORDER

DAVID K. BROADBENT, 0442
MATTHEW T. WIRTHLIN, 8291
HOLLAND & HART LLP
60 East South Temple, Suite 2000
Salt Lake City, Utah 84111-1031
(801) 595-7800

RECEIVED

FILED
U.S. DISTRICT COURT

SEP 19 2008

OFFICE OF
JUDGE TENA CAMPBELL

2008 SEP -9 A 10:32

DISTRICT OF UTAH

BY: MERRILL SCOTT & ASSOCIATES, LTD.

Attorneys for David K. Broadbent, Receiver for Merrill Scott & Associates, Ltd.;
Merrill Scott & Associates, Inc.; Phoenix Overseas Advisors, Ltd.; Gibraltar
Permanente Assurance, Ltd.; and each of their respective Subsidiaries and Affiliated
Entities

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff and Intervention Defendant,

v.

MERRILL SCOTT & ASSOCIATES, LTD.;
MERRILL SCOTT & ASSOCIATES, INC.;
PHOENIX OVERSEAS ADVISORS, LTD.;
GIBRALTAR PERMANENTE ASSURANCE,
LTD.; PATRICK M. BRODY; DAVID E. ROSS
II and MICHAEL G. LICOPANTIS,

Defendants.

ORDER CONFIRMING PRIVATE SALE OF SODA SPRINGS PROPERTY

Civil No. 2:02CV-0039C

DAVID K. BROADBENT, ESQ., as RECEIVER
for MERRILL SCOTT & ASSOCIATES, LTD.;
MERRILL SCOTT & ASSOCIATES, INC.;
PHOENIX OVERSEAS ADVISORS, LTD.;
GIBRALTAR PERMANENTE ASSURANCE,
LTD.; and each of their respective
SUBSIDIARIES and AFFILIATED ENTITIES,

Third-Party Plaintiff,

v.

CERTAIN UNDERWRITERS AT LLOYDS,
LONDON; and JAMES P. LANDIS,

Third-Party Defendants.

Judge Tena Campbell
Magistrate Judge David Nuffer

78305

Based upon the pleadings, the matters coming before the Court at the hearing on September 8, 2008 at 3:30 p.m. and being otherwise informed in the premises, the Court HEREBY FINDS AND ORDERS that:

1. David K. Broadbent is the Receiver of Legacy Capital, LLC, which is an affiliate of Merrill Scott & Associates, Ltd.
2. The Receiver's notice and procedure for proposing the private sale to the Court of the Receivership's property of approximately 815 acres located in Soda Springs County, Idaho (the "Property") is approved and confirmed;
3. The private sale of the Property is in the best interest of the Receivership; and
4. The Receiver is authorized and directed to finalize the private sale of the Property under the terms of the proposed private sale outlined in the pleadings and at the hearing and such sale is hereby confirmed by the Court.

DATED this 9th day of September, 2008.

Tena Campbell

The Honorable Judge Tena Campbell
United States District Court for the
District of Utah

I hereby certify that the annexed is a true and correct
copy of a document or an electronic docket entry on
file at the United States District Court for the District
of Utah.
of pages 2
Date 9/11/08
D. MARK JONES, Clerk
By: Debra J. Jones
Deputy Clerk

AFTER RECORDING MAIL TO:

Chuck Schvaneveldt
2920 W. Directors Row
Salt Lake City, UT 84104

Instrument # 181446

CARIBOU COUNTY

9-19-2008 01:04:58 No. of Pages: 5

Recorded for: CARIBOU TITLE

VEDA MASCARENAS

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: QUITCLAIM DEED

Space Above This Line for Recorder's Use Only

QUITCLAIM DEED

This quitclaim deed is made by DAVID K. BROADBENT, in his capacity as Receiver for LEGACY CAPITAL, LLC ("Grantor"), of 60 E. South Temple, Suite 2000, Salt Lake City, Utah 84111, to Grantee, CHUCK SCHVANEVELDT, an individual ("Grantee"), of 2920 W. Directors Row, Salt Lake City, Utah 84104:

By these presents, Grantor, for and in consideration of \$1.00, the receipt of which is hereby acknowledged, remises, releases, and forever quitclaims to Grantee, all of the interest of Grantor, if any, in and to that certain real estate situated in the county of Caribou, state of Idaho more particularly described in Exhibit A, attached hereto and incorporated herein by this reference.

To have and to hold the described property, together with all and singular tenements, hereditaments, and appurtenances belonging to the property, or in any way appertaining to the property, and the reversion and reversions, remainder and remainders, rents, issues, and profits of the property to Grantee, and Grantee's heirs and assigns forever.

Grantor has set Grantor's hand on this 16th day of September, 2008.



DAVID K. BROADBENT, in his capacity as
Receiver of Legacy Capital, LLC

3922198_1.DOC

[Acknowledgement follows immediately]

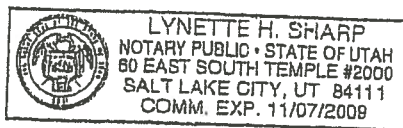
STATE OF UTAH)

: ss.

COUNTY OF Salt Lake

On this 17th day of September 2008, before me, the undersigned notary public for said state, personally appeared DAVID K. BROADBENT, in his capacity as Receiver of LEGACY CAPITAL, LLC, the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said Legacy Capital, LLC.

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



Lynette H. Sharp
Notary Public
Residing at Salt Lake City, Utah
Comm. Expires 11-7-2009

EXHIBIT A

Legal Description

Legal Description of the larger parcel (the "Large Parcel"):

Located in Caribou County, Idaho:

Tract I: Township 9 South, Range 42 East of the Boise Meridian:

Section 29: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
ALSO, beginning at the Southwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said
Section 29, and running
thence North along the West line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 29,
271.1 feet, more or less, to the Westerly right of way line of the Union
Pacific Railroad;
thence South 21°39' East along said right of way 1712 feet, more or less,
to the South line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 29;
thence West 631.6 feet;
thence North along the West line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 29,
1320 feet, more or less,
to the point of beginning.
EXCEPT THEREFROM, Beginning at the Northwest corner of the
SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 29, and running
thence East along the North line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of
said Section 29, 2640 feet, more or less, to the Southwest corner of
the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29;
thence North along the West line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, 271.1 feet more or
less, to the Westerly right of way line of the Union Pacific Railroad;
thence South 21°39' East along said right of way line 1183 feet, more or
less, to the fence line running West;
thence due West along said fence line 298 feet;
thence South 83° West 200 feet, more or less, to the centerline of the
Bear River;
thence downstream Westerly along the centerline of Bear River to the
West line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 29, thence North along the
said West line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, 800 feet, more or less, to
the point of beginning.

Section 32: NW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT THEREFROM, the following tracts:

1. Beginning at the North Quarter corner of said Section 32, and
running
thence South along the meridional centerline of said Section 32,
1320 feet to the South line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 32;
thence East along said line of 417.8 feet;
thence North 2083.2 feet;
thence West 1025.0 feet to the Easterly right of way line of the
Bailey Creek Road;
thence North 48°04' West 452.6 feet along said right of way;

EXCEPT:
12.66 ac
in NWNE
S32
7.32 ac
in SWSE SE
25 ac
in SE SW SE

- thence North 38°50' West 356.3 feet along said right of way;
thence North 52°31' West along said right of way 178.8 feet,
more or less, to the North line of the SE¼SW¼ of said Section
29;
thence West along said North line 167.8 feet;
thence South 1320 feet along the West line of said SE¼SW¼ of
Section 29;
thence East 1320 feet, more or less, to the point of beginning.
2. Beginning at a point 797.3 feet East of the Southwest corner of
the NW¼NE¼ of Section 32; and running thence North 903.2
feet;
thence East 554 feet, more or less, to the East line of said
NW¼NE¼ of Section 32;
thence South 903.2 feet to said South line;
thence West along said South line 554 feet, more or less, to the
point of beginning.
- 11.4 A^c

Tract II: Township 9 South, Range 42 East of the Boise Meridian:

- Section 29: E¼SE¼, N¼SW¼, and that part of the SW¼NW¼ lying South of the
centerline of the Bear River and more particularly described as follows:
Beginning at the point where the West line of said Section 29 intersects
the center of the Bear River, and running
thence South along said Section line 975 feet, more or less, to the West
Quarter Section corner;
thence East on the latitudinal center line 1320 feet, to the West 1/16th
corner on said center line;
thence North along the West 1/16th line 592 feet, more or less, to the
centerline of the Bear River;
thence following the center line of Bear River down stream, to the point
of beginning.
EXCEPT THEREFROM, any portion of the above described premises
lying West of the Easterly right of way line of the Bailey Creek County
Road as presently located.
- Section 30: All that portion of the SE¼NE¼ of said Section 30 lying Easterly of the
Bailey Creek Road as presently located.
- Section 32: NE¼NE¼, S¼NE¼, N¼SE¼, EXCEPT THEREFROM, the following
described tract:
Beginning at the Southwest corner of the NW¼SE¼ of said Section 32,
and running
thence due East along the South line of the NW¼SE¼ 635 feet;
thence North 7°25' East 822 feet;
thence North 14°49' West 263 feet to a fence line;
thence along said fence line North 31°58' West 621 feet; thence along
said fence line North 54°13' West 406 feet, more or less, to the West line
of the SW¼NE¼ of said Section 32;
thence South 0°28' West along the West line of the SW¼NE¼ and the
NW¼SE¼ of Section 32, 1835 feet, more or less, to the point of
beginning.

Section 33: N¼.

Legal Description of the smaller parcel (the "Small Parcel"):

Located in Caribou County, Idaho:

The southwest quarter of the northwest quarter of Section 34, Township 9 South, Range 42 East of the Boise Meridian.

Instrument # 181447

CARIBOU COUNTY

9-19-2008

01:09:01 No. of Pages: 4

Recorded for: CARIBOU TITLE

VEDA MASCARENAS

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: QUITCLAIM DEED

T. Stephens

QUIT-CLAIM DEED

FOR VALUE RECEIVED,

Chuck Schvaneveldt aka Charles Schvaneveldt and Cathy Code,
husband and wife

do hereby convey, release, remise and forever quit claim unto
Bear River Meadows, LLC., a Utah Limited Liability Company, of
2920 West Directors Row, Salt Lake City, UT 84104, the following
described premises, to-wit:

See Exhibit A attached hereto and incorporated herein by this
reference.

together with their appurtenances.

DATED: September 18, 2008.

Charles Schvaneveldt
CHARLES SCHVANEVELDT

Cathy Code
CATHY CODE

STATE OF IDAHO)
: ss.
County of Caribou)

On this 18th day of September, 2008, before me, the
undersigned, a Notary Public in and for said State, personally
appeared Charles Schvaneveldt and Cathy Code, known or identified
to me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they executed the same.

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

KENA ANN MOORE
NOTARY PUBLIC
STATE OF IDAHO

Kena Ann Moore
NOTARY PUBLIC for the State of Idaho
Residing at: Soda Springs, Idaho
Commission expires: 8/15/09

EXHIBIT A

Legal Description

Legal Description of the larger parcel (the "Large Parcel"):

Located in Caribou County, Idaho:

Tract I: Township 9 South, Range 42 East of the Boise Meridian:

Section 29: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
ALSO, beginning at the Southwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said
Section 29, and running
thence North along the West line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 29,
271.1 feet, more or less, to the Westerly right of way line of the Union
Pacific Railroad;
thence South 21°39' East along said right of way 1712 feet, more or less,
to the South line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 29;
thence West 631.6 feet;
thence North along the West line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 29,
1320 feet, more or less,
to the point of beginning.
EXCEPT THEREFROM, Beginning at the Northwest corner of the
SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 29, and running
thence East along the North line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of
said Section 29, 2640 feet, more or less, to the Southwest corner of
the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29;
thence North along the West line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, 271.1 feet more or
less, to the Westerly right of way line of the Union Pacific Railroad;
thence South 21°39' East along said right of way line 1183 feet, more or
less, to the fence line running West;
thence due West along said fence line 298 feet;
thence South 83° West 200 feet, more or less, to the centerline of the
Bear River;
thence downstream Westerly along the centerline of Bear River to the
West line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 29, thence North along the
said West line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, 800 feet, more or less, to
the point of beginning.

Section 32: NW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT THEREFROM, the following tracts:

1. Beginning at the North Quarter corner of said Section 32, and
running
thence South along the meridional centerline of said Section 32,
1320 feet to the South line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 32;
thence East along said line of 417.8 feet;
thence North 2083.2 feet;
thence West 1025.0 feet to the Easterly right of way line of the
Bailey Creek Road;
thence North 48°04' West 452.6 feet along said right of way;

- thence North 38°50' West 356.3 feet along said right of way;
thence North 52°31' West along said right of way 178.8 feet,
more or less, to the North line of the SE¼SW¼ of said Section
29;
thence West along said North line 167.8 feet;
thence South 1320 feet along the West line of said SE¼SW¼ of
Section 29;
thence East 1320 feet, more or less, to the point of beginning.
2. Beginning at a point 797.3 feet East of the Southwest corner of
the NW¼NE¼ of Section 32; and running thence North 903.2
feet;
thence East 554 feet, more or less, to the East line of said
NW¼NE¼ of Section 32;
thence South 903.2 feet to said South line;
thence West along said South line 554 feet, more or less, to the
point of beginning.

Tract II: Township 9 South, Range 42 East of the Boise Meridian:

- Section 29: E½SE¼, N½SW¼, and that part of the SW¼NW¼ lying South of the
centerline of the Bear River and more particularly described as follows:
Beginning at the point where the West line of said Section 29 intersects
the center of the Bear River, and running
thence South along said Section line 975 feet, more or less, to the West
Quarter Section corner;
thence East on the latitudinal center line 1320 feet, to the West 1/16th
corner on said center line;
thence North along the West 1/16th line 592 feet, more or less, to the
centerline of the Bear River;
thence following the center line of Bear River down stream, to the point
of beginning.
EXCEPT THEREFROM, any portion of the above described premises
lying West of the Easterly right of way line of the Bailey Creek County
Road as presently located.
- Section 30: All that portion of the SE¼NE¼ of said Section 30 lying Easterly of the
Bailey Creek Road as presently located.
- Section 32: NE¼NE¼, S½NE¼, N½SE¼, EXCEPT THEREFROM, the following
described tract:
Beginning at the Southwest corner of the NW¼SE¼ of said Section 32,
and running
thence due East along the South line of the NW¼SE¼ 635 feet;
thence North 7°25' East 822 feet;
thence North 14°49' West 263 feet to a fence line;
thence along said fence line North 31°58' West 621 feet; thence along
said fence line North 54°13' West 406 feet, more or less, to the West line
of the SW¼NE¼ of said Section 32;
thence South 0°28' West along the West line of the SW¼NE¼ and the
NW¼SE¼ of Section 32, 1835 feet, more or less, to the point of
beginning.

Section 33: N½.

Legal Description of the smaller parcel (the "Small Parcel"):

Located in Caribou County, Idaho:

The southwest quarter of the northwest quarter of Section 34, Township 9 South, Range 42 East of the Boise Meridian.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78305

SUPERNOVA

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: _____

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

NOV 21 2012

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

SUPERCEDED

Name of Applicant(s) Bear River Meadows, LLC

Phone (801) 540-4044

Mailing address 2920 W Directors Row, Salt Lake City UT 84104

Email chuckhrl@aol.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Randall C. Budge

Phone 208-232-6101

Mailing address P.O. Box 1391, Pocatello, ID 83204-1391

Email rcb@racinelaw.net

☐ 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.

Randall C. Budge

Signature of Applicant or Authorized Representative

Randall C. Budge, Attorney in Fact

Print Name and Title if applicable

11/20/12

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 refine legal description of decreed POD
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**. Add three 1/41/4s along Bear River to accommodate use of portable pump and sprinkler system for
irrigation of decreed place of use. Identify a 120 acre place of use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ All or Part	13-954	2.40 cfs	Irrigation	4/1 to 10/31	Bear River
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

Total authorized under rights 2.40 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 2.40 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			NE	NE	33	09S	42E	Caribou	Bear River	
Yes			NW	NE	33	09S	42E	Caribou	Bear River	
Yes			NE	NW	33	09S	42E	Caribou	Bear River	

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	
09S	42E	33	18.9	23	18.1	19.3	27.9	8.1	0.9	3.8									120

78305

Total Acres (for irrigation use) 120

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:

Diversion system consists of portable diesel pump and hand line sprinkler system. Pump will be moved along bank of Bear River to accommodate sprinkling place of use. If water right is curtailed pump will be relocated to farmstead.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Of the 1280 acres listed as the decreed place of use, the application identifies 120 acres that were actually historically irrigated and currently irrigated.

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:

Application is not proposing to dry up land once irrigated. Based on topography and discussions with folks raised in the area the 120 acres historically flood irrigated from the Bear River have been irrigated consistent with current irrigation practices. Therefore, there is no change in actual irrigated acres.

- 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:

N/A

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

Yes No

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

If yes, describe:

The applicant did divert water under the water right in 2011 and 2012. The property has been irrigated in years after applicant acquired the property in September 2008. Diversion and use records for 2011 and 2012 were reported to IDWR (Liz Cresto) to update the water master's records.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Prelim. Check by _____ Date _____

Fee Paid 8332.00 Date _____ Received by _____ Receipt # E038237

Add'l Fee Paid 25.00 Date _____ Received by _____ Receipt # E038236

8332.00 E038254 78305

Part 1A.2

In the Utah Power & Light Company vs. The Last Chance Canal Company decree the place of use of water right 13-954 is limited to 120 acres but is described as sections 33 and 34 of Township 09S, Range 42E B.M., and the legal description of the point of diversion is the NW1/4 of Section 34. This application identifies the location for the 120 acres believed to be historically irrigated and provides legal descriptions for three new points of diversion to reflect actual irrigation practices.

The historic point of diversion no longer used or needed is believed to be a natural rock barrier that extends across the river channel in the NW1/4NW1/4, Section 34, Township 09S, Range 42E B.M. Figure 1 is a picture of the rock barrier taken on September 25, 2012. The barrier is also visible on



Figure 1 Rock barrier in Bear River

aerial photography and is marked as the decreed point of diversion on Attachment #7b. The purpose for adding three 1/41/4s as points of diversion is to accommodate moving a portable diesel pump and hand line sprinklers along a ¾ mile stretch of river bank to irrigate the entire 120 acres in accordance with current irrigation practices.

Identifying the historical place of use is based on information provided by local residents that have lived in the community for decades and the topography of the area which restricts what can reasonably be flood irrigated with water diverted from the Bear River upstream of the rock dam. The result of this analysis reveals irrigation would have been limited to the N1/2, Section 33 south of the river and the W1/2NW1/4, Section 34 west and south of the river, both in Township 09S, Range 42E B.M.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

AMENDED

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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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: _____