

RECEIVED

AUG 06 2012

Department of Water Resources
Eastern Region

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 78072**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**Name of Applicant(s) Stoor Family LLCPhone 208-547-3619Mailing address 290 S 2nd W Soda Springs ID 83276

Email _____

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

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

- ☒ No Representative

Name of Representative _____

Phone _____

Mailing address _____

Email _____

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

OR

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

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

OR

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

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

Bruce Stoor

Signature of Applicant or Authorized Representative

Bruce Stoor

Print Name and Title if applicable

8-1-12

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 _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. The water right has the place of use in the wrong place. This application corrects the place of use to the
location where the home is located.

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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 ☒ ☐	25-13424	.02 cfs	Domestic	01/01 to 12/31	Spring/Sinks
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights .02 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed _____ 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 #

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	
05S	43E	23	D			D													

Total Acres (for irrigation use) _____

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: _____

Spring box to pipeline to home.

- b. Who owns the property at the point(s) of diversion? EEE & O LLC

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

- 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: Not applicable

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

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

The water has always been used at this place of use, this application is only a correct of the water right.

- 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:

None

- 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

☐
☒

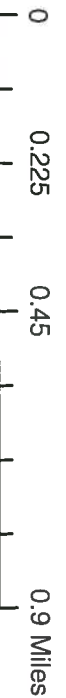
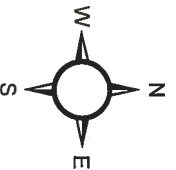
currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: _____



Stoor Family LLC

-  Correct_POU
-  Existing_POU
-  Township/Range
-  Sections
-  QQ



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

Current Water Right No.: 25-13424

Current Owner: ROY O STOOR
RUTH O STOOR
Priority Date: 9/1/1935
Origin: Water Right
Status: Active
Basis: Decreed

Source

SPRING

Tributary

SINKS

Beneficial Use

DOMESTIC

From To

1/01 to 12/31

Total Diversion

Diversion Rate

0.02 CFS

0.02 CFS

Annual Volume

Location of Point(s) of Diversion

SPRING

CARIBOU County

SW1/4SE1/4SE1/4

Sec. 14, Twp 05S, Rge 43E B.M.

Place of Use

DOMESTIC Within CARIBOU County

T05S R43E S21

NENE

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. PARCEL NO. 10930
3. N11 THE QUANTITY OF WATER DECREEED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Decreed Date: 4/16/1999

No. W 18771	Due no later than Apr 30, 2012 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. STOOR FAMILY LLC (THE) BRUCE STOOR 290 S 2ND W SODA SPRINGS ID 83276 USA		BRUCE STOOR 290 S 2ND W SODA SPRINGS ID 83276			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MANAGER	BRUCE STOOR	290 S 2ND W	SODA SPRINGS	ID	USA	83276
MEMBER	SUE WHITING	40 N. STATE ST. #2J	SALT LAKE CITY	UT	USA	84103
MEMBER	ADELL ARVIDSON	576 EAST MILLCREEK WAY	BOUNTIFUL	UT	USA	84010
MEMBER	LEE STOOR	478 E. 130 N.	OREM	UT	USA	84097
MEMBER	SHARON MCGUIRE	4625 MOUNTAINGATE DR.	ROCKLIN	CA	USA	95765
MEMBER	JULIA RASMUSSEN	1335 E. ALAMEDA	POCATELLO	ID	USA	83276
5. Organized Under the Laws of: ID W 18771		6. Annual Report must be signed.* Signature: Bruce Stoor Name (type or print): Bruce Stoor Date: 04/18/2012 Title: Manager				
Processed 04/18/2012		* Electronically provided signatures are accepted as original signatures.				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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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 <u>always required</u> 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: _____

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PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by JULIA ANN RASMUSSEN, as Personal Representative of the Estates of ROY ODELL STOOR and RUTH JULIA OBERG STOOR, Deceased, Grantor, to THE STOOR FAMILY L.L.C., an Idaho limited liability company, in care of Bruce Stoor, Manager, whose address is 290 South 2 West, Soda Springs, Idaho 83276.

RECITALS

WHEREAS, Grantor is the qualified Personal Representative of the Estate of Roy Odell Stoor and Ruth Julia Oberg Stoor, filed as Probate Case No. 00-1614 in Caribou County, Idaho; and

WHEREAS, Letters of Personal Representative were issued on the 18th day of September, 2000, evidencing the appointment and qualification of Julia M. Rasmussen as Personal Representative, copy of which is attached hereto; and

THEREFORE, pursuant to the foregoing, Grantor hereby transfers and conveys to Grantee the following-described real property located in Caribou County, Idaho, together with all appurtenances, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED
BY REFERENCE.

DATED this 6th day of August, 2002.

Julia Ann Rasmussen
JULIA ANN RASMUSSEN
Personal Representative

PERSONAL REPRESENTATIVE'S DEED - 1

STATE OF IDAHO } ss 166571
County of Caribou }
I hereby certify that this instrument was filed at the request
of Randall Budge
at 11:15 o'clock A m this 8 day of
August, 2002 in my office and duly
recorded Official Records
Recorder Edie Izatt
Denise Housley
Signature Deputy 1500

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STATE OF IDAHO

)

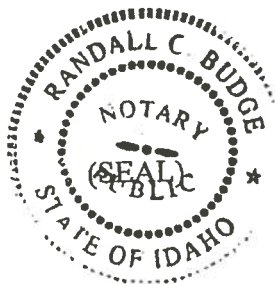
: ss

County of Bannock

)

On this 6th day of August, 2002, before me, the undersigned Notary Public in and for said State, personally appeared Julia Ann Rasmussen, Personal Representative of the Estates of Roy Odell Stoor and Ruth Julia Oberg Stoor, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she signed the same.

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



A handwritten signature of Randall C. Budge in cursive script, written over a horizontal line.

NOTARY PUBLIC FOR IDAHO,

Residing at Pocatello.

My Commission Expires 10/11/2006

Caribou County, Idaho:

Township 5 South, Range 43 East of the Boise Meridian:

This is the
Property where
the house is
located and the
spring water
is used.

Section 23: Beginning at a Government corner common to Sections 13, 14, 23 and 24, which corner is a Stone marked 3 chisel marks on the South face; 1 chisel mark on the East face as described in the original Government Survey Notes of 1875, and running thence South 11° West on established accepted line 1277 feet to corner of property line;
thence West 90° angle on East and West property line accepted by land owners 632 feet to point of beginning of plat of ground lying at intersection of Wayan-Freedom and Wayan-Soda Springs roads;
thence West 250 feet to East line of Soda Springs-Wayan road;
thence North by West at an angle of $130^{\circ}10'$, 450 feet to intersection of Wayan-Freedom highway and Wayan-Soda Springs highway;
thence South by East $17^{\circ}35'$, 630 feet parallel to Wayan-Freedom Highway to point of beginning. Closing angle $32^{\circ}15'$.

EXCEPT THEREFROM, Beginning at the most Westerly corner of the tract of land as described in that certain Warranty Deed dated January 10, 1961, recorded January 26, 1961, in Book 43 of Deeds at page 447 as Instrument No. 45790, records of Caribou County, Idaho; and which corner is approximately 989.0 feet South and approximately 1210.0 feet West of the Section corner common to Sections 13, 14, 23 and 24, aforesaid, and running
thence South $57^{\circ}20'05''$ East (shown of record to be South $17^{\circ}35'$ East) 185.0 feet, more or less, to a point that bears South $35^{\circ}05'48''$ West - 70.79 feet from Station 1017+95 of said State Highway No. 34, Project No. FHP-40-1(7) Highway Survey;
thence South $35^{\circ}05'48''$ West, 60.23 feet to a point in the Southwesterly line of the tract of land as described in the abovementioned deed;
thence Northwesterly along said Southwesterly line 190.0 feet, more or less,
to the POINT OF BEGINNING.

166571

EXHIBIT A (Page 2 of 2)

Caribou County, Idaho

Township 5 South, Range 43 East of the Boise Meridian.

Section 26: Commencing at that point where the Northerly right-of-way line of the existing county road crosses the West line of the Northeast quarter of Southwest quarter, said point being 860 feet more or less South of the Northwest corner of the Northeast quarter of the Southwest quarter,
thence Southeasterly along said county road right of way line 175 feet,
thence Northeasterly at a right angle to said county road 350 feet,
thence Northwesterly at a right angle and parallel to said county road 500 feet more or less to the West line of the Northeast quarter of the Southwest quarter,
thence South 480 feet, more or less, to the point of beginning.

*Doc
Val Blocher
148402*

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