

RECEIVED**FEB 27 2012**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77799DEPT. OF WATER RESOURCES
SOUTHERN REGION**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: _____

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 purchased water right #37-857 and intends to move the place of use of the irrigation portion of that right to applicant's PPU under water right #37-856. Storage place of use will remain the same (Bray Lake). Applicant could and has already used water stored under #37-857 under conditions on #37-856.
Applicant seeks to transfer the diversion rate to storage and the existing priority date.

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 ☒ ☐	37-857	190 afy	Irrigation storage	4/1 to 10/31	Dry Creek/Big Wood River
☐ ☐	37-857	190 afy	Irrigation from storage	4/1 to 10/31	Dry Creek/Big Wood River
☐ ☐	37-857	8 cfs	Diversion to storage	1/1 to 12/31	Dry Creek/Big Wood River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 8 cfs and/or 190 ac-ft

2. Total amount of water proposed to be transferred or changed cubic feet per second and/or 190 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	
5S	13E	3						28	32			36							96
5S	13E	4	25	1	11	40					27			40	38	34	39	21	276
5S	13E	9		32	38	19	34	18		40	40			40		25	18		304
5S	13E	16		13			40	39	30	10									132

Total Acres (for irrigation use) 808

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 will not change; applicant will fill in the headgate where previous owner of 37-857 diverted from applicant's canal. _____
- b. Who owns the property at the point(s) of diversion? BLM
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: _____
Existing point of diversion will not change. BLM granted an easement in 1914. _____
- 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: No _____
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:
Land previously irrigated under 37-857 will no longer receive water under this right. Storage portion of the w/r will remain the same, with irrigation place of use being applicant's PPU as described above at B4. _____
- 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:
37-856; 37-2778; 37-2780; 37-7754; 37-21961; 37-21962 _____
- 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: _____

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 ¼ ¼ tract.)

[illegible]

Total Acres (for irrigation use)

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

Current Water Right No.: 37-857

Current Owner: BRAY VALLEY RANCH

Priority Date: 2/1/1917

Origin: Water Right

Status: Active

Basis: Decreed

Source

DRY CREEK

Tributary

BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01 to 12/31		190 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		190 AF
DIVERSION TO STORAGE	01/01 to 12/31	8 CFS	
<u>Total Diversion</u>		8 CFS	190 AF

Location of Point(s) of Diversion

DRY CREEK
GOODING County

SE1/4NE1/4SE1/4 Sec. 6, Twp 04S, Rge 14E B.M.

Place of Use

IRRIGATION STORAGE Within GOODING County

T04S R13E S25		NWSW	T04S R13E S25		SWSW
T04S R13E S25	Lot 1	SWSW	T04S R13E S26		NESE
T04S R13E S26		SESE	T04S R13E S26	Lot 7	SESE
T04S R13E S35		NENE	T04S R13E S35	Lot 1	NENE
T04S R13E S35	Lot 4	SWNE	T04S R13E S35	Lot 5	SENE
T04S R13E S36		NWNW	T04S R13E S36	Lot 1	NWNW
T04S R13E S36	Lot 2	SWNW			

IRRIGATION FROM STORAGE Within GOODING County

T04S R13E S33	NWNE	7.50	T04S R13E S33	SWNE	39.00
T04S R13E S33	SENE	35.00			

Total Acres: 81.5

Place of Use: DIVERSION TO STORAGE same as IRRIGATION STORAGE

Page _____ of _____

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. All storage uses described by rights 37-7754, 37-2780, 37-2778, 37-856, and 37-857 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.
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.

Decreed Date: 5/30/2008

Attachment 2a

WARRANTY DEED FOR WATER RIGHT

FOR VALUE RECEIVED, BRAY VALLEY RANCH LLC ("Grantor"), does hereby grant, bargain, sell, convey and assign unto GARY and HELEN DEMOSS ("Grantees"), whose address is 846 E 1050 S, Bliss, Idaho 83314, the following described Water Right No. 37-857:

8 cubic feet per second / 190 acre-feet per year, for the irrigation of 81.5 acres located in the NWNE, SWNE, and SENE Section 33, Township 4 South, Range 13 East, Gooding County, Idaho, pursuant to the partial decree for such water right issued May 30, 2008 *In Re SRBA*, Twin Falls District Court Case No. 39576, copy of which is attached hereto as Exhibit A respectively.

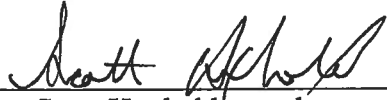
TO HAVE AND TO HOLD, the above-described Water Right Nos. 37-857 unto the Grantees and to the successors and assigns of Grantees forever.

IN WITNESS WHEREOF, the Grantor has executed this Warranty Deed this ___ day of _____, 20__.

DATED this 3rd day of Feb., 2012.

SELLER:

BRAY VALLEY RANCH LLC


By: Scott Huxhold, member

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 3rd day of Feb., 2012, before me, a Notary Public for said County and State, personally appeared Scott Huxhold known or identified to me, to be a member of BRAY VALLEY RANCH LLC, the person who executed the instrument on behalf of said company, and acknowledged to me that such company 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.




NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls
My commission expires: 4/3/12

Exhibit A

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-00857

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 30 2008	
Cy	Clerk

NAME AND ADDRESS: DONALD T BRAY
LYE LAKE RANCH
PO BOX 94
BLISS, ID 83314-0094

SOURCE: DRY CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 8.00 CFS
190.00 AFY

All storage uses described by rights 37-7754, 37-2780, 37-2778,
37-856, and 37-857 when combined shall not exceed the reservoir
storage capacity of 4365 acre-feet.

PRIORITY DATE: 02/01/1917

POINT OF DIVERSION: T04S R14E S06 SENESE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	190.00 AFY
	Irrigation from Storage	04-01 TO 10-31	190.00 AFY
	Diversions to Storage	01-01 TO 12-31	8.00 CFS

PLACE OF USE:	Irrigation Storage	Within Gooding County
	T04S R13E S25	NWSW SWSW
	LOT 1 (SWSW)	
	S26 NENE	SESE
	LOT 7 (SESE)	
	S35 NENE	LOT 1 (NENE)
	LOT 4 (SWNE)	LOT 5 (SENE)
	S35 NWNW	LOT 1 (NWNW)
	LOT 2 (SWNW)	

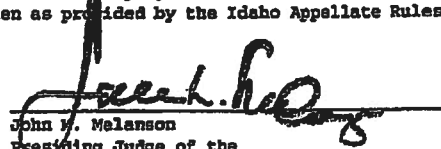
Irrigation from Storage	Within Gooding County
T04S R13E S33	NWNE 7.5
	SENE 35.0
81.5 Acres Total	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John V. Melanson
Presiding Judge of the
Snake River Basin Adjudication

Attachment 2b

T69896

WARRANTY DEED

FOR VALUE RECEIVED, Idaho State Bank, the Grantor, does hereby grant, bargain, sell, and convey unto Gary DeMoss and Helen DeMoss, husband and wife, the Grantee, whose current address is HC 69 Box 3900, the following described property in Gooding County, Idaho:

Township 5 South, Range 13 East of the Boise Meridian

Section 3, Lot 4, SW 1/4 NW 1/4, NW 1/4 SW 1/4.

Section 4, Lots 1 and 2, S 1/2 NE 1/4, SE 1/4, E 1/2 SW 1/4.

Section 9 N 1/2 NW 1/4, SE 1/4 NE 1/4, W 1/2 NE 1/4, SE 1/4 NW 1/4, E 1/2 SW 1/4, W 1/2 SE 1/4.

Together with Idaho Water License No., R-864/37-2778 consisting of 1210 acre feet of Bray Lake and all other water rights, rights-of-way and easements appurtenant to the above-described premises.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that it is free from all encumbrances except easements, covenants, and restrictions currently of record, and that it will warrant and defend the same from all lawful claims whatsoever.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining; SUBJECT TO all easements, rights of way, restrictions, and reservations of record.

DATED effective the 8 day of June, 1990.

IDAHO STATE BANK

SEE EXHIBIT "A" ATTACHED
HERETO.

By:

JAMES E. KEVAN
JAMES E. KEVAN

STATE OF IDAHO)
County of ADA) ss.

On this 8th day of June, 1990, before me,
Arada H. Anderson, the undersigned, a Notary Public in and for said state,
personally appeared JAMES E. KEVAN, known or identified to me to be the President of Idaho

183262

T69896

STATE OF IDAHO COUNTY OF GOODING

LAND TITLE & ESCROW
Filed for record in the name of _____52 min. past 9 o'clock A.M. 12th
of November, 1999 300

By Penny Archibald _____

WARRANTY DEED

FOR VALUE RECEIVED, R. RANDOLPH ERKINS and LAREN K. ERKINS, husband and wife, referred to as "Grantors", do hereby grant, bargain, sell, and convey unto GARY DeMOSS and HELEN DeMOSS, husband and wife, whose mailing address is Post Office Box 61, Bliss, Idaho 83314, referred to as "Grantees", the following described premises in Gooding County, State of Idaho:

THE NORTH HALF OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 13 EAST, BM, GOODING COUNTY, IDAHO, TOTALING 320 ACRES MORE OR LESS, TOGETHER WITH ALL WATER RIGHTS APPURTENANT THERETO, EXCEPTING THEREFROM 11 MINER'S INCHES, TO BE TAKEN AS FOLLOWS: 4.5 ACRES (INCHES) OF WATER RIGHT 37-07385 IN NE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 13 E.B.M.; AND 6.5 ACRES (INCHES) OF WATER RIGHT 37-07385 IN THE NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 16, TOWNSHIP 5 SOUTH, RANGE 13 E.B.M.

TO HAVE AND TO HOLD said premises, with their appurtenances unto Grantees, their heirs and assigns forever. Grantors do hereby covenant to and with Grantees that they are the owners of said premises and that they will warrant and defend same from all lawful claims whatsoever, except as hereinabove specifically provided.

DATED this 10th day of November, 1999.

"GRANTORS"

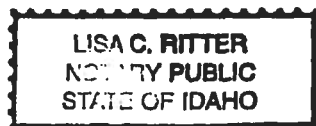
R. Randolph Erkins
R. RANDOLPH ERKINS

Laren K. Erkins
LAREN K. ERKINS

STATE OF IDAHO)
County of Gooding ss.
County of Jerome

On this 10 day of November, 1999, before me, the undersigned, a Notary Public in and for said County and State, personally appeared R. Randolph Erkins and Laren K. Erkins, known to me to be the persons whose names are subscribed to the within and foregoing instrument and who acknowledged to me that they executed the same.

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



[Signature]
NOTARY PUBLIC for Idaho
Residing at Blagernan, ID
Commission expires 10/09/04
SCANNED

MAR 25 2003

JAN 24 2003

T69896

State Bank, the corporation who executed the instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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.



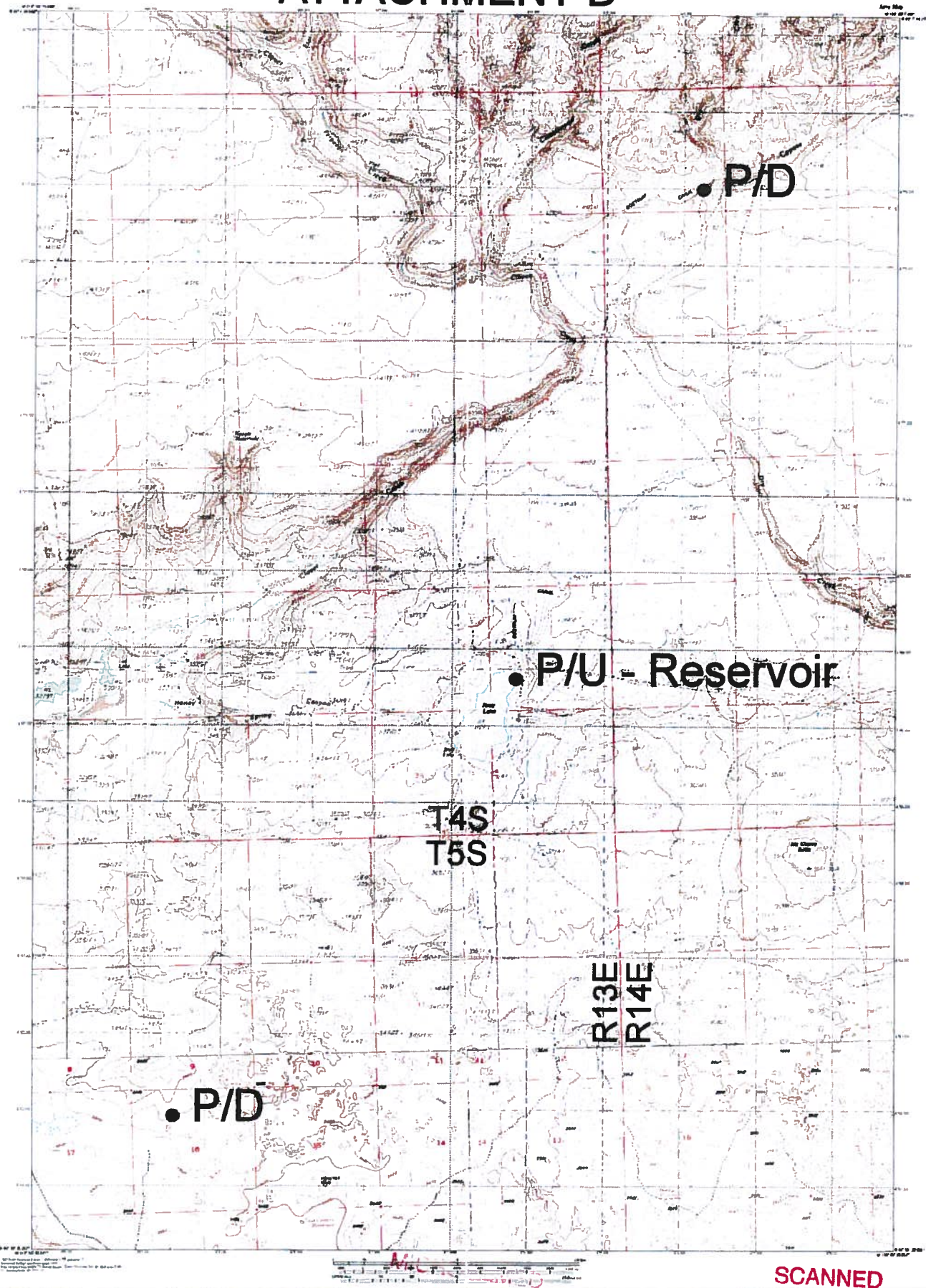
Linda M. Adamson

NOTARY PUBLIC FOR IDAHO
Residing at BOISE, IDAHO
My Commission Expires 5/22/94

Attachment 7A

ATTACHMENT D

T69896



SCANNED

MAR 26 2003

JAN 24 2003

MICROFILMED

MAR 26 2003
SCANNED

JAN 24 2003

Attachment 7B

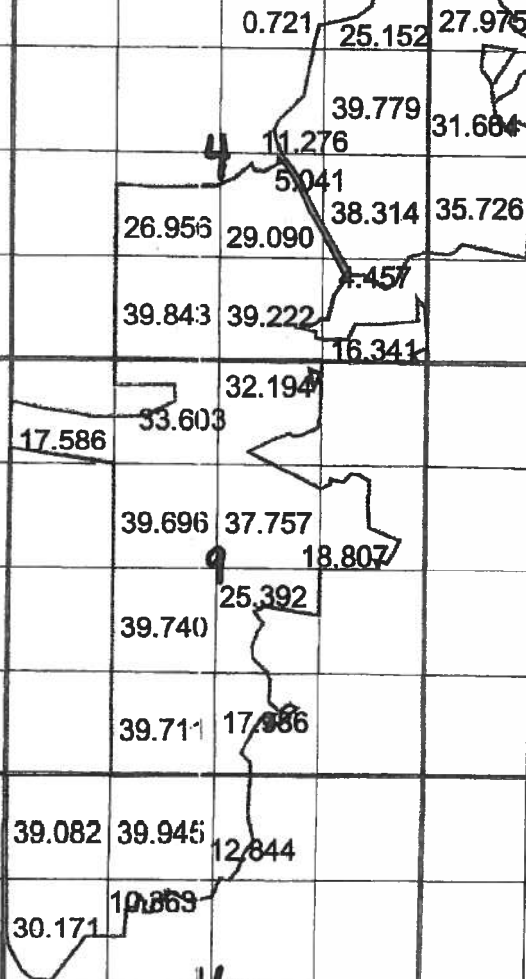
T69896

Attachment D

T4S

T5S

RISE



SCANNED

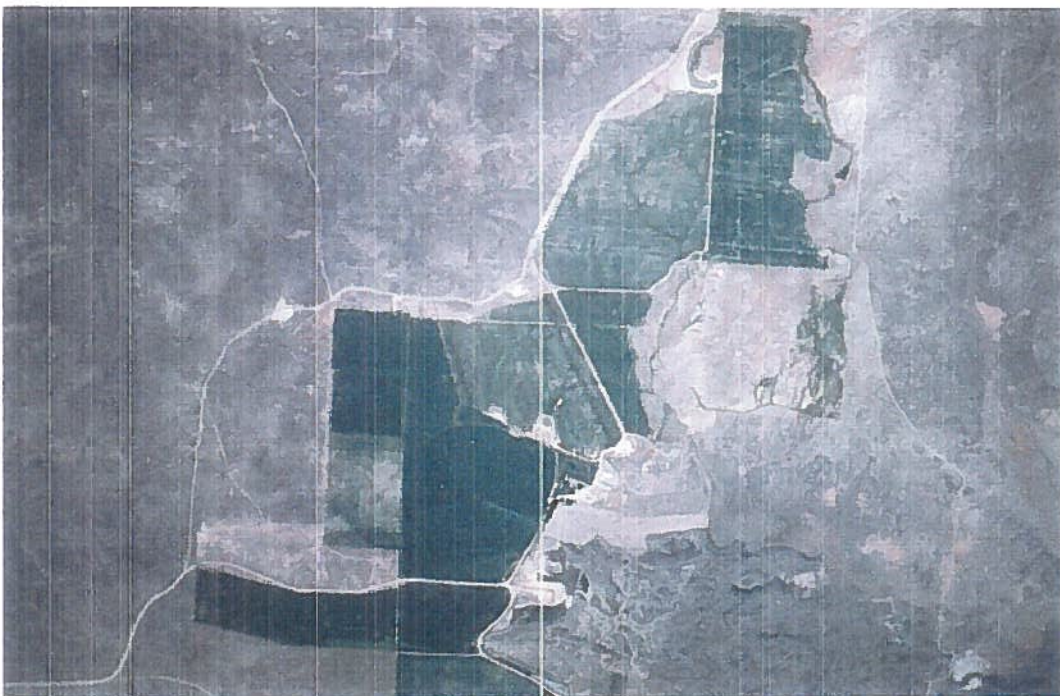
JAN 24 2005

Attachment D
Bray Lake Ranch Aerial Photos

T69896



Bray Lake Ranch – 1999



Bray Lake Ranch – 1999

SCANNED

JAN 24 2003

MAR 26 2003

T69896

Attachment D
Bray Lake Ranch Aerial Photos



Bray Lake Ranch – South Half - 1996

SCANNED

JAN 24 2003

WCS
JAN 24 2003

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.:

[illegible]

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by A. SKINNER Date 2/27/2012 Prelim. Check by _____ Date _____

Fee Paid \$1085.00 Date 2/28/2012 Received by C. SKINNER Receipt # 5032377

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
37-857	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Bray Valley Ranch LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Gary DeMoss
Name of each new owner as listed on the conveyance document
Helen DeMoss
New owner continued Name connector ☒ and ☐ or ☐ and/or
P.O. Box 61
Mailing address
Bliss ID 83314
City State ZIP
208-352-4385 ghdemoss@hughes.net
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: February 3, 2012

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.
- 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: Gary A DeMoss Title, if applicable _____ Date 2/27/12
Signature of new owner/claimant
Signature: Helen DeMoss Title, if applicable _____ Date 2/27/12
Signature of new owner/claimant

For IDWR Office Use Only:

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

WARRANTY DEED FOR WATER RIGHT

FOR VALUE RECEIVED, BRAY VALLEY RANCH LLC ("Grantor"), does hereby grant, bargain, sell, convey and assign unto GARY and HELEN DEMOSS ("Grantees"), whose address is 846 E 1050 S, Bliss, Idaho 83314, the following described Water Right No. 37-857:

8 cubic feet per second / 190 acre-feet per year, for the irrigation of 81.5 acres located in the NWE, SWNE, and SENE Section 33, Township 4 South, Range 13 East, Gooding County, Idaho, pursuant to the partial decree for such water right issued May 30, 2008 *In Re SRBA*, Twin Falls District Court Case No. 39576, copy of which is attached hereto as Exhibit A respectively.

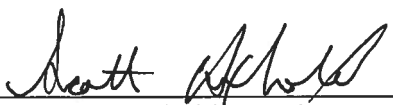
TO HAVE AND TO HOLD, the above-described Water Right Nos. 37-857 unto the Grantees and to the successors and assigns of Grantees forever.

IN WITNESS WHEREOF, the Grantor has executed this Warranty Deed this ___ day of _____, 20__.

DATED this 3rd day of Feb., 2012.

SELLER:

BRAY VALLEY RANCH LLC

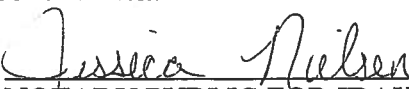

By: Scott Huxhold, member

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 3rd day of Feb., 2012, before me, a Notary Public for said County and State, personally appeared Scott Huxhold known or identified to me, to be a member of BRAY VALLEY RANCH LLC, the person who executed the instrument on behalf of said company, and acknowledged to me that such company 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.




NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls
My commission expires: 4/3/12

No. W 56587	Due no later than Nov 30, 2011 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. BRAY VALLEY RANCH, LLC SCOTT A HUXHOLD PO BOX 94 BLISS ID 83314	SCOTT HUXHOLD 846-C EAST 1050 SOUTH BLISS ID 83314															
		3. <u>New</u> Registered Agent Signature:*															
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager. <table border="1"> <thead> <tr> <th>Office Held</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>MANAGER</td> <td>SCOTT HUXHOLD</td> <td>846 E 1050 S</td> <td>BLISS</td> <td>ID</td> <td>USA</td> <td>83314</td> </tr> </tbody> </table>				Office Held	Name	Street or PO Address	City	State	Country	Postal Code	MANAGER	SCOTT HUXHOLD	846 E 1050 S	BLISS	ID	USA	83314
Office Held	Name	Street or PO Address	City	State	Country	Postal Code											
MANAGER	SCOTT HUXHOLD	846 E 1050 S	BLISS	ID	USA	83314											
5. Organized Under the Laws of: ID W 56587	6. Annual Report must be signed.* Signature: Scott Huxhold Name (type or print): Scott Huxhold Date: 12/30/2011 Title: Owner																
Processed 12/30/2011	* Electronically provided signatures are accepted as original signatures.																