

PG 1 of 6
RECEIVED

APR 06 2010

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

76427

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. Part 2B forms are available on the Department's website at: http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs_09/WaterRight_TransferApp_Part2B.pdf.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below). Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/wrt_default.htm.
- ☐ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☒ ☒ #9 Other. Please describe: See attachment 9 for easement to the well being added in Section 10

RECEIVED

APR 07 2010

WATER RESOURCES
WESTERN REGION

well being added in Section 10
SUPERSEDED BY AMENDED APP 10/11/2011

REJECTED

Reinstated
3-11-2011

RECEIVED

Rev. 10/09

Page 1 of 6 APR 06 2010

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 76427

APR 07 2010

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

WATER RESOURCES
WESTERN REGION

Name of Applicant(s) Columbia River Farms

Phone 208-866-8810

Mailing address 4182 W Braveheart Ln Eagle ID 83616

Email mike@vgunlimited.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 _____

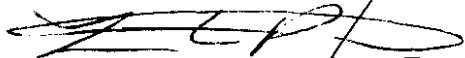
Phone _____

Mailing address _____

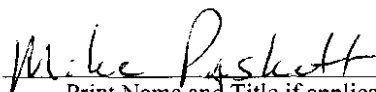
Email _____

- ☐ 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.



Signature of Applicant or Authorized Representative



Print Name and Title if applicable

3/30/10

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

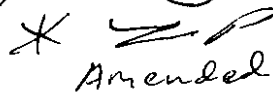
Date

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**. To record the addition of a new well and place water rights into a common 320 acre permissible place of use (PPU).

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

AMENDED

* 
Amended

3/8/11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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 ☒ ☐	63-32690	0.19 cfs	irrigation	3/1 to 11/15	groundwater
☒ ☐	63-32692	*1.41 ~~1.42~~ cfs	irrigation	3/1 to 11/15	groundwater
☒ ☐	63-32694	0.8 cfs	irrigation	3/1 to 11/15	groundwater
☒ ☐	63-32686	0.35 cfs	irrigation	3/1 to 11/15	groundwater
* ☒ ☐	63-32694	0.01	Stock water	1/1 to 12/31	groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.754 cfs and/or 934 ac-ft2. Total amount of water proposed to be transferred or changed 2.754 cubic feet per second and/or 934 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 #
Y		NW	SW	NE	10	02N	03W	Canyon	Groundwater	
N		SW	NE	NE	14	02N	03W	Canyon	Groundwater	

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	
02N	03W	14	40	40	40	40	40	40	40	40									320
									*	27.5								*	312.5

Total Acres (for irrigation use) 211.9 PPU* 27.5
amended
3/8/11SUPERSEDED BY AMENDED APP RECEIVED
10/11/2011

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: wells to pipe to pivots. Will install measuring device and lockable controlling works as required.
- b. Who owns the property at the point(s) of diversion? Applicant owns property at existing well
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: New well has an existing easement agreement.
- 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~~ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: No effect. Irrigation is the historical use of ground.
- 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: A subdivision directly east of the proposed place of use (Wild Prairie Estates) uses the existing well in Section 14 for backup/supplemental purposes.
- 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:

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

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: _____

- | | | | | |
|-----------|-----------------|---------------|----|--|
| 1. amount | (cfs/ac-ft) for | purposes from | to | |
| amount | for | purposes from | to | |
| amount | for | purposes from | to | |
| amount | for | purposes from | to | |
| amount | for | purposes from | to | |
| amount | for | purposes from | to | |
| amount | for | purposes from | to | |
| amount | for | purposes from | to | |

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

Twp	Rge	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

Total Acres (for irrigation use) _____

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**.

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

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments.
 Received by SR7 Date 4-6-2010 Prelim. Check by AG Date 12/21/2010
 Fee Paid 1330 - Date 4-6-2010 Received by SR7 Receipt # C090459
 Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32686 V1

WATER RIGHT NUMBER: 63-32686 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	WILLIAM A PARSONS 137 W 13TH ST PO BOX 910 BURLEY, ID 83318 (208)878-8382
Original Owner	LADISLAV MAGLECIC 12754 DEER FLAT RD NAMPA, ID 83686 (208)466-3075
Original Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	ROBERT J MEYERS 3921 N 3300 E TWIN FALLS, ID 83301 (208) 735-5321
Original Owner	KATHI L MEYERS 3921 N 3300 E TWIN FALLS, ID 83301 (208) 735-5321
Original Owner	THE ESTATE OF GOLDA D MONTIERTH 825 HEARTLAND DRIVE NAMPA, ID 83686 (208)463-8163
Original Owner	HERBERT R MONTIERTH JR 6312 S ZITHER AVE BOISE, ID 83709 (208)407-2243
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Original Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Original Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Original Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208) 989-8310
Current Owner	BARRON DEVELOPMENT LLC 1605 S KIMBALL AVE STE 101 CALDWELL, ID 83605 (208)454-3936

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

XR 76427 ATTACHMENT 2A (12 PGS)

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 63-32686 V1

Priority Date: 04/17/1961

Basis: License

Status: Active

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

03/01 to 11/15

0.350 CFS

78.00 AF

Total Diversion:

0.350 CFS

78.00 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	03W	14	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	26.0

Total Acres: 26

Conditions of Approval:

1. This right is a split from former right 63-3232 .
2. K06 This right is limited to the irrigation of 17.3 acres within the place of use described above in a single irrigation season.
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.

Remarks:

Comments:

1. Iharris 6/13/2007 Ownership Change Correction
 Comment: Per Mr. Montierth's visit to Western Region office 6/12/07, this ownership change is being filed as a correction, since the right was not split when original ownership change was filed.

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32686 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

2A

76420

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32690 V1

WATER RIGHT NUMBER: 63-32690 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CHRYSTAL R EVANS 9990 ROAN MEADOWS DR BOISE, ID 83705
Original Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	KATHI L MEYERS 3921 N 3300 E TWIN FALLS, ID 83301 (208) 735-5321
Original Owner	HERBERT R MONTIERTH JR 6312 S ZITHER AVE BOISE, ID 83709 (208)407-2243
Original Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208) 989-8310
Current Owner	BARRON DEVELOPMENT LLC 1605 S KIMBALL AVE STE 101 Caldwell, ID 83605 (208)454-3936
Original Owner	EDWARD T EVANS 9990 ROAN MEADOWS DR BOISE, ID 83709 (208)362-9411
Original Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Original Owner	ROBERT J MEYERS 3921 N 3300 E TWIN FALLS, ID 83301 (208) 735-5321
Original Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Original Owner	THE ESTATE OF GOLDA D MONTIERTH 825 HEARTLAND DRIVE NAMPA, ID 83686 (208)463-8163

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

2A9

76427

03/30/2010

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32690 V1

Attorney

WILLIAM A PARSONS
137 W 13TH ST
PO BOX 910
BURLEY, ID 83318
(208)878-8382

Priority Date: 04/13/1967

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.190 CFS

Annual Volume

42.00 AF

Total Diversion:

0.190 CFS

42.00 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4NE1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	03W	14	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	14.0

Total Acres: 14

Conditions of Approval:

1. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. This right is a split from former right 63-3599A.
4. K06 This right is limited to the irrigation of 9.3 acres within the place of use described above in a single irrigation season.

Remarks:

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32690 V1

Comments:

1. Iharris 6/13/2007 Ownership Change Correction

Comment: Per Mr. Montierth's visit to Western Region office 6/12/07, this ownership change is being filed as a correction, since the right was not split when original ownership change was filed.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

(2A)

76427

03/30/2010

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32692 V1

WATER RIGHT NUMBER: 63-32692 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	WILLIAM A PARSONS 137 W 13TH ST PO BOX 910 BURLEY, ID 83318 (208)878-8382
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Original Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Original Owner	KATHI L MEYERS 3921 N 3300 E TWIN FALLS, ID 83301 (208) 735-5321
Original Owner	SUSAN L MONTIERH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Original Owner	HERBERT R MONTIERH JR 6312 S ZITHER AVE BOISE, ID 83709 (208)407-2243
Original Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Original Owner	ROBERT J MEYERS 3921 N 3300 E TWIN FALLS, ID 83301 (208) 735-5321
Original Owner	RODNEY KENT MONTIERH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	EDWARD RAY MONTIERH 825 HEARTLAND DR NAMPA, ID 83686 (208) 989-8310
Original Owner	THE ESTATE OF GOLDA D MONTIERH 825 HEARTLAND DRIVE NAMPA, ID 83686 (208)463-8163
Current Owner	BARRON DEVELOPMENT LLC 1605 S KIMBALL AVE STE 101 CALDWELL, ID 83605 (208)454-3936

SUPERSEDED BY AMENDED AP RECEIVED 10/11/2011

2A-7

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32692 V1

Priority Date: 03/22/1967

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From _____ To _____
03/15 to 11/15Diversion Rate

1.410 CFS

Annual Volume

474.00 AF

Total Diversion:

1.410 CFS

474.00 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NW1/4SW1/4

Sec. 11, Twp 02N, Rge 03W, B.M.

GROUND WATER

CANYON County

SE1/4SW1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	03W	14	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							39.0	39.0	40.0	40.0									158.0

Total Acres: 158

Conditions of Approval:

1. K06 This right is limited to the irrigation of 105.3 acres within the place of use described above in a single irrigation season.
2. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. Q18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. This right is a split from former right 63-32077.

Remarks:

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32692 V1

Comments:

1. Iharris 6/14/2007 Ownership Change Correction

Comment: Per Mr. Montierth's visit to Western Region office 6/12/07, this ownership change is being filed as a correction, since the right was not split when original ownership change was filed.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32694 V1

WATER RIGHT NUMBER: 63-32694 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	WILLIAM A PARSONS 137 W 13TH ST PO BOX 910 BURLEY, ID 83318 (208)878-8382
Original Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	KATHI L MEYERS 3921 N 3300 E TWIN FALLS, ID 83301 (208) 735-5321
Original Owner	ROBERT J MEYERS 3921 N 3300 E TWIN FALLS, ID 83301 (208) 735-5321
Original Owner	THE ESTATE OF GOLDA D MONTIERTH 825 HEARTLAND DRIVE NAMPA, ID 83686 (208)463-8163
Original Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208) 989-8310
Current Owner	BARRON DEVELOPMENT LLC 1605 S KIMBALL AVE STE 101 CALDWELL, ID 83605 (208)454-3938
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Original Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Original Owner	BRYCE MILLAR NAMPA, ID 83651
Original Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	HERBERT R MONTIERTH JR 6312 S ZITHER AVE BOISE, ID 83709 (208)407-2243
Original Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

2A₁₀

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 63-32694 V1

Priority Date: 10/07/1968

Basis: License

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

STOCKWATER

From To

04/01 to 11/01

01/01 to 12/31

Diversion Rate

0.800 CFS

0.010 CFS

Annual Volume

340.00 AF

Total Diversion:

0.800 CFS

340.00 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4SE1/4

Sec. 11, Twp 02N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	03W	14	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	120.0
			40.0	40.0	40.0														

Total Acres: 120

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. K06 This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
2. This right is a split from former right 63-7156A.
3. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. 001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

Remarks:

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32694 V1

Comments:

1. Iharris 6/14/2007 . Ownership Change Correction

Comment: Per Mr. Montierth's visit to Western Region office 6/12/07, this ownership change is being filed as a correction, since the right was not split when original ownership change was filed.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

(2B)

Transfer No. 76427

2010010337

RECORDED

2010 Mar 8 AM 11 37

WILLIAM H. HURST

CANYON CNTY RECORDER

BY J. Crane

Requestor Title One Eagle

Type DEED

Fee \$18.00

ELECTRONICALLY RECORDED BY SIMPLIFILE

Recording Requested By and
When Recorded Return to:
North Gate Partners, Inc.
776 E. Riverside Drive, Ste 200
Eagle, Idaho 83616

C1027857 ST/DP

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

Special Warranty Deed made this 5th day of March, 2010, between Intermountain Community Bank, a division of Panhandle State Bank, Canyon County, a duly formed and existing county pursuant to the laws and Constitution of the State of Idaho whose address is 1115 Albany Street, Caldwell, ID 83605 ("Grantor"), and North Gate Partners, Inc., an Idaho corporation whose address is 776 E. Riverside Drive Ste 200, Eagle, ID 83616 ("Grantee"), witnesseth:

That Grantor, for and in consideration of the sum of Ten Dollars and No Cents (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, does, by these presents, grant, sell and convey unto Grantee and its successors and assigns forever, all the following described real estate situated in the County of Canyon State of Idaho.

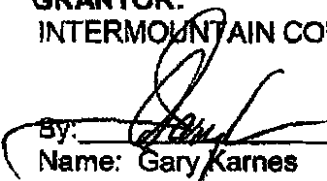
SEE SCHEDULE I ATTACHED HERETO AND INCORPORATED HEREIN.

TOGETHER WITH the tenements, hereditaments and appurtenances, thereunto belonging or in anywise appertaining (collectively the "Premises").

TO HAVE AND TO HOLD said Premises unto Grantee, its heirs, successors and assigns forever. Subject to those exceptions to title set forth in **SCHEDULE II** Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument, Grantor has not conveyed the same estate, or any right, title or interest therein, to any person other than Grantee and that such estate is at the time of the execution of this instrument free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor.

GRANTOR:

INTERMOUNTAIN COMMUNITY BANK

By: 

Name: Gary Karnes

Title: VP Commercial Lender

STATE OF IDAHO)

) ss.

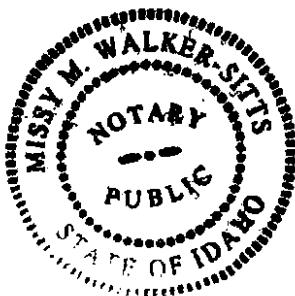
County of ~~Canyon~~
Payette

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

xR 76427 ATTACHMENT 2B (8 PGS)

On this 31st day of March, ²⁰¹⁰~~2009~~, before me Missy M. Walker-Sitts, a Notary Public in and for said State, personally appeared Gary Karhes, known or identified to me to be the VP Commercial Lender of Intermountain Community Bank, the entity that executed the within instrument or the person who executed the instrument on behalf of Intermountain Community Bank, and acknowledged to me that Intermountain Community Bank 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 Walden
 My commission expires 11-18-2010

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

SCHEDULE I**Parcel I:**

The Northeast Quarter of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Parcel II:

The East half of the Northwest Quarter of Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

Except:

A part of the Northwest Quarter of Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as:

Commencing at the Northeast corner of said Section 14 (section corner) monumented with a rebar, 5/8 inches diameter; thence
South 62°48'15" West 4,482.39 feet to the Point of Beginning; said point bears
South 63°05'00" East 1,480.17 feet from a found 3/8 inch pipe at the Northwest corner of the Southwest Quarter of the Northwest Quarter, Section 14 (North one-sixteenth corner); thence
North 89°54'30" East 295.32 feet; thence
South 0°05'30" East 295.00 feet; thence
South 89°54'30" West 295.32 feet; thence
North 0°05'30" West 295.00 feet to the Point of Beginning.

Parcel III:

The West Half of the Northwest Quarter of Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

SCHEDULE II

1. Taxes, including any assessments collected therewith, for the year 2010 which are a lien not yet due and payable.
2. Right of way for Lewis Lane.
(Affects Parcels I, II and III)
3. Right of way for Sky Ranch Road.
(Affects Parcel I)
4. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof.
Recorded: August 23, 1918
Instrument No.: 89952
Book 5 of Patents at Page 195
(Affects Parcel I)
5. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof.
Recorded: August 1, 1925
Instrument No.: 144348
Book 5 of Patents at Page 257
(Affects Parcels II and III)
6. Reservation of all mineral, gas and oil rights by a Warranty Deed recorded March 6, 1941 as Instrument No. 258910 in Book 136 at Page 625, records of Canyon County, Idaho.
(Affects Parcels II and III)
7. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company
Purpose: Public Utilities
Recorded: August 17, 1962
Instrument No.: 521296
(Affects Parcel I)
8. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company
Purpose: Public Utilities
Recorded: June 17, 1969
Instrument No.: 629772
(Affects Parcel III)
9. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company
Purpose: Public Utilities

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

2B4

Recorded: June 27, 1975
 Instrument No.: 753480
 (Affects Parcel I)

10. An easement for the purpose shown below and rights incidental thereto as set forth in a Warranty Deed.
 Granted to: Nick R. Millar and Jonie M. Millar, husband and wife
 Purpose: road purposes
 Recorded: February 2, 1981
 Instrument No.: 912289
 Re-Recorded: February 5, 1981
 Instrument No.: 912607
 Re-Re-Recorded: February 13, 1981
 Instrument No.: 913344
 (Affects Parcel III)
11. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
 Granted to: Idaho Power Company
 Purpose: Public Utilities
 Recorded: June 15, 1981
 Instrument No.: 923236
 (Affects Parcels II and III)
12. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
 Granted to: Nampa Highway District No. 1, a body politic and corporate
 Purpose: Permanent easement and right of way to construct, maintain and repair a public road
 Recorded: December 6, 1991
 Instrument No.: 9124336
 (Parcel III)
13. Terms, conditions, and obligations contained in a Easement.
 Grantor: Robert J. Meyers and Kathi L. Meyers, husband and wife and W. Nolan Victor and Ruby C. Victor, husband and wife
 Grantee: Herbert R. Montierth and The Estate of Golda D. Montierth; Edward Ray Montierth and Susan L. Montierth, husband and wife; Rodney Kent Montierth and Dollie Montierth, husband and wife
 Recorded: April 27, 1994
 Instrument No.: 9412430
 (Affects Parcels I, II and III)
14. Appurtenant well water permits disclosed in Decree of Partition by Stipulation and Order.
 Recorded: June 23, 1999
 Instrument No.: 9924656
 (Affects Parcels I, II and III)

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

15. All matters, and any rights, easements, interests or claims as disclosed by Record of Survey recorded December 13, 1999 as Instrument No. 9948370, records of Canyon County, Idaho, including but not limited to the following:

a. 28.00' Ingress-egress easement;

b. location of existing fence.
(Affects Parcel III)

16. Record of Survey recorded February 26, 2007 as instrument No. 2007013831, records of Canyon County, Idaho.
(Affects Parcels I, II and III)

17. Terms, conditions, restrictions, easements, and obligations contained in a Water Line Easement Agreement and Well Agreement.

Grantor: Intermountain Community Bank, a division of Panhandle State Bank

Grantee: Wild Prairie Estates Homeowners Association, Inc.

Recorded: November 6, 2009

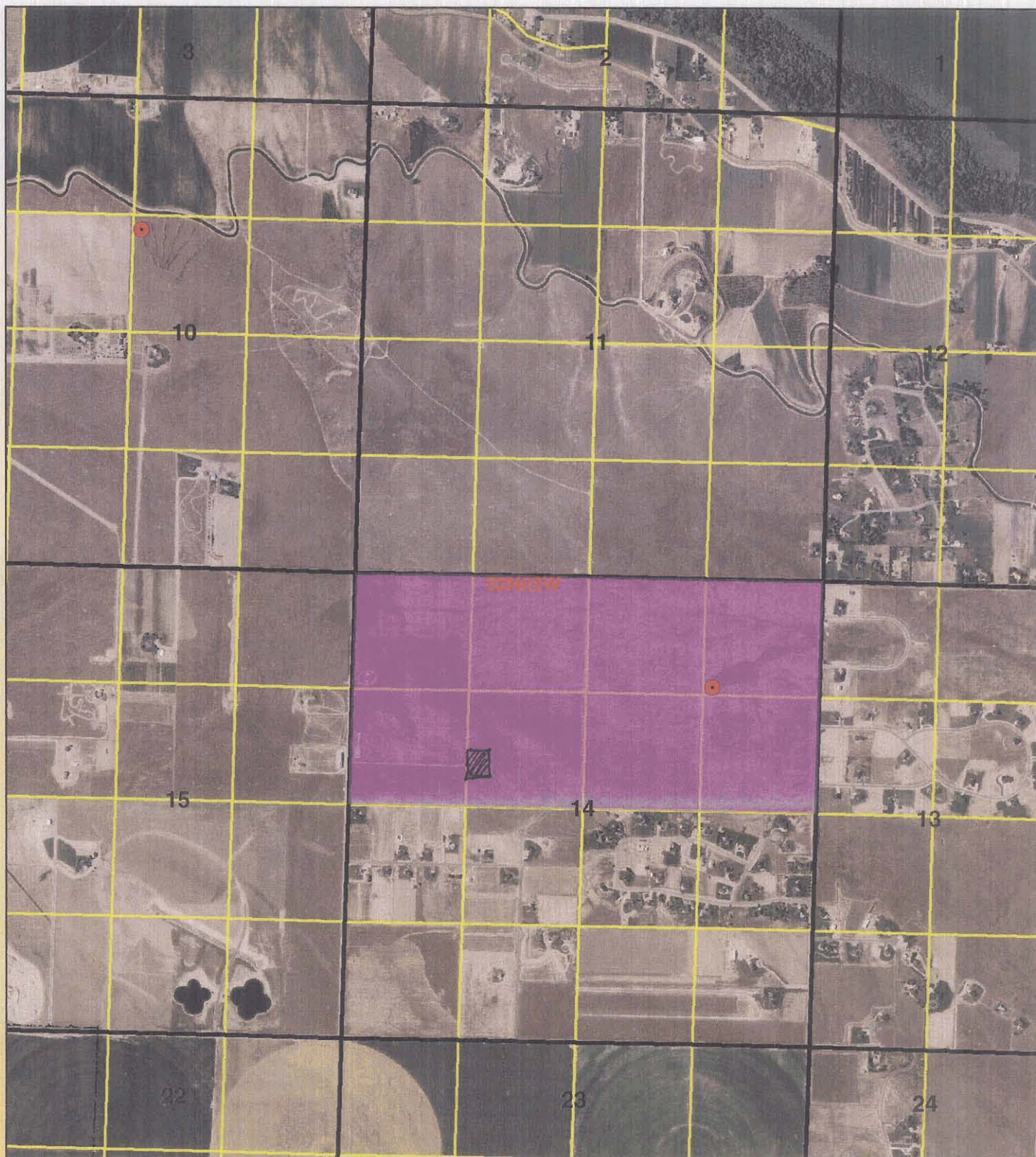
Instrument No.: 2009056546

(Affects Parcels I, II and III)

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

2B6

TRANSFER N 76427
New Place of Use (Attachment 7b)



0 0.25 0.5 1 Miles

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011
2009 aerial imagery

Attachment 7b (2 pgs)

Legend

- points_of_diversion
- proposed_ppu
- Sections
- QQ

SCANNED

FEB 25 2011

ATTACHMENT #1

Business Registry Business Name Search

New Search

Business Entity Data

03-08-2011

09:37

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
659898-90	DLIC	ACT	OREGON	01-26-2010	01-26-2012	
Entity Name COLUMBIA RIVER FARMS, LLC						
Foreign Name						

New Search

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS		
Addr 1	880 EUREKA AVE			
Addr 2				
CSZ	NYSSA	OR	97913	Country UNITED STATES OF AMERICA

Please click here for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	01-26-2010	Resign Date	
Of Record	068502-91	WESTERN AG IMPROVEMENTS, INC.				
Addr 1	17780 SE WALLACE RD					
Addr 2						
CSZ	DAYTON	OR	97114	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS		
Addr 1	3919 ROAD 6 NW			
Addr 2				
CSZ	EPHRATA	WA	98823	Country UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Name	TODD	HINES			
Addr 1	3919 ROAD 6 NW				
Addr 2					
CSZ	EPHRATA	WA	98823	Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Name	JAMIE	HINES			
Addr 1	3919 ROAD 6 NW				
Addr 2					

http://egov.sos.state.or.us/br/pkg_web_name_srch_inq.show_det?p_be_rsn=1435415&p... 03/08/2011

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011
ATTACHMENT #1 (3 PGS)

CSZ	EPHRATA	WA 98823	Country	UNITED STATES OF AMERICA
-----	---------	----------	---------	--------------------------

New Search

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
COLUMBIA RIVER FARMS, LLC	EN	CUR	01-26-2010	

Please read before ordering Copies.

New Search

Summary History

Image Date	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
01-24-2011	AMENDED ANNUAL REPORT	01-24-2011		FI		
01-26-2010	ARTICLES OF ORGANIZATION	01-26-2010		FI	Agent	

© 2011 Oregon Secretary of State. All Rights Reserved.

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011

TRANSFER No. 76427



880 Eureka Avenue • PO Box 2641 Nyssa, OR 97913

I, Todd Hines, hereby give authorization for Mike Paskett to act on behalf of Columbia River Farms in regards to any issues with water rights.

A handwritten signature of Todd Hines, consisting of a stylized 'T' and 'H'.

Todd Hines
Member/Manager

SUPERSEDED BY AMENDED APP RECEIVED 10/11/2011