

RECEIVED

AUG 31 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77503**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: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

**AUG 31 2011 APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Antelope Springs Ranch Phone 208-731-2722

Mailing address Antelope Springs Ranch, Rogerson ID 83302 Email antelopesprings@msn.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 Marc Brackett Phone 208-731-2629

Mailing address Antelope Springs Ranch, Rogerson ID 83302 Email antelopesprings@msn.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- OR
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
 - ☒ 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.

Marc Brackett
Signature of Applicant or Authorized Representative

Owner Antelope Springs Ranch
Print Name and Title if applicable

7-17-11
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**. Over the past 20 years center pivots have been installed on the property, thus the acreage irrigated no longer accurately matches the acreage identified on the water right. This application would update the water right to better reflect the actual irrigation practices on the ground at this point in time.

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 ☒ ☐	47-52	10.4/	Irrigation	04/01 to 10/31	Antelope Creek Salmon Falls
☒ ☐		0.06/	Stockwater	01/01 to 12/31	Antelope Creek Salmon Falls
☒ ☐		0.06	Domestic	01/01 to 12/31	Antelope Creek Salmon Falls
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 10.4 cfs and/or ac-ft

2. Total amount of water proposed to be transferred or changed 10.4 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	
13S	14E	25									40		40	40					120
		26											40				40	40	120
		35	40	40	40	40	40								40	40			280
		36						40	40			5							85
13S	14E	35														D			
See	Exhibit A for StockWater																		

Total Acres (for irrigation use) 605

Exhibit A
Stockwater

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
13S	14E	25									S		S	S				
		26											S				S	S
		35	S	S	S	S	S								S	S		
		36						S	S			S						

Total 0

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: The spring head and canal are indistinguishable, in the event the features mentioned above were required we would hire an engineering firm to suggest how best to accomplish the task.

- b. Who owns the property at the point(s) of diversion? Antelope Springs Ranch
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: _____

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☒ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Northwest Farm Credit, mortgage

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: Things would continue as they have with no additional changes. The changes have already occurred with the installation of center pivots over the past 20 years.

- 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: Not applicable

- 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: _____

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

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.

☐ 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.

[illegible][illegible]

Total Acres (for irrigation use)	289.5
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Page 6 of 9

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

Current Water Right No.: 47-52

Current Owner: ANTELOPE SPRINGS RANCH

Priority Date: 3/1/1894

Origin: Water Right

Status: Active

Basis: Decreed

Source

ANTELOPE CREEK

Tributary

SALMON FALLS CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	10.4 CFS	
STOCKWATER	01/01 to 12/31	0.06 CFS	
DOMESTIC	01/01 to 12/31	0.06 CFS	
	<u>Total Diversion</u>	10.4 CFS	

Location of Point(s) of Diversion

ANTELOPE CREEK

TWIN FALLS County

SW1/4SE1/4NW1/4

Sec. 11, Twp 14S, Rge 14E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T13S R14E S25	NESW	32.00	T13S R14E S25	SWSW	37.00
T13S R14E S25	SESW	21.00	T13S R14E S26	SESE	5.00
T13S R14E S35	NENE	25.00	T13S R14E S35	NWNE	14.00
T13S R14E S35	SWNE	17.00	T13S R14E S35	SENE	39.00
T13S R14E S35	NENW	9.00	T13S R14E S35	NESE	14.00
T13S R14E S35	NWSE	31.00	T13S R14E S36	NENW	1.50
T13S R14E S36	NWNW	25.00	T13S R14E S36	SWNW	17.00
T13S R14E S36	NWSW	2.00			

Total Acres: 289.5

STOCKWATER Within TWIN FALLS County

T13S R14E S25	NESW	T13S R14E S25	SWSW
T13S R14E S25	SESW	T13S R14E S26	SESE
T13S R14E S35	NENE	T13S R14E S35	NWNE
T13S R14E S35	SWNE	T13S R14E S35	SENE
T13S R14E S35	NENW	T13S R14E S35	NESE
T13S R14E S35	NWSE	T13S R14E S36	NENW
T13S R14E S36	NWNW	T13S R14E S36	SWNW
T13S R14E S36	NWSW		

DOMESTIC Within TWIN FALLS County

T13S R14E S35	NWSE
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Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. X56 The portion of Right 47-52 used for conveyance losses is 4.42 cfs.
3. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
4. N14 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

Decreed Date: 1/26/2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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 _____ pages and _____ attachments.

Received by	Date	Prelim. Check by	Date
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Fee Paid \$1300.00 Date 9/1/2011 Received by breeder Receipt # 5032122

Add'l Fee Paid	Date	Received by	Receipt #
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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 ☒ ☐	47-52	10.4	irrigation	04/01 to 10/31	Antelope Creek Salmon Falls
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 10.4 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 0 cubic feet per second and/or 0 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.

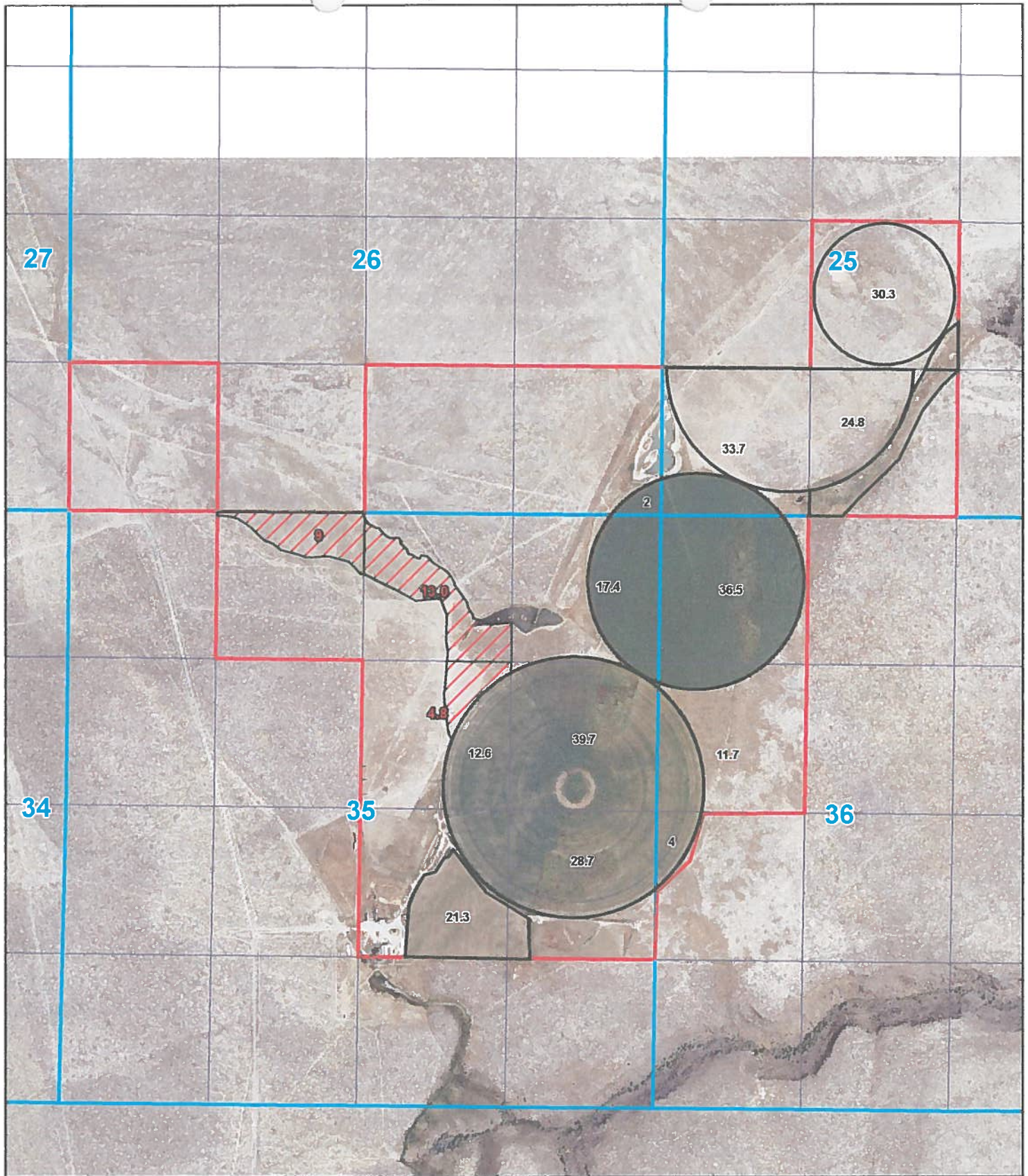
New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

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	
13S	14E	25									30.3		33.7	24.8					88.8
		26															2		2
		35	17.4	13	17.4	39.7	9								28.7	21.3			146.5
		36						36.5	11.7			4							52.2

Total Acres (for irrigation use) 289.5



**MARC BRACKETT
PROPOSED PPU, IRRIGATION, & WATER BANK LEASE
NAIP 2009 AERIAL**

BROCKWAY ENGINEERING, PLLC.
ALR - July 26, 2011

Legend

-  Water Bank Rental 2011
-  Proposed Irrigation 282.7 ac.
-  Proposed PPU
-  Sections 13S14E



COPY

Twin Falls County, Idaho
Recorded for:
STEPHAN & KVANVIG
02:48pm Apr. 29, 1999
1999-008182
No. of Pages: 4 Fee: \$12.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: BN

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED, C.E. BRACKETT CATTLE CO., an Idaho corporation, the Grantor, does hereby grant, bargain, sell and convey unto ANTELOPE SPRINGS RANCH, an Idaho general partnership, consisting of Marc Brackett and Jared Brackett, the Grantee, whose address is Antelope Springs Ranch, Rogerson, ID 83302, the following described premises, to-wit:

See Exhibit A

(The grantor has reserved a first right of refusal on the sale or lease of the premises for a period of fifteen years from the date of this grant.)

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

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

DATED effective the 1st day of January, 1998.

C.E. BRACKETT CATTLE CO.

By Chet Brackett
Chet Brackett, Its President

ATTEST:

Kimberly Brackett
Kimberly Brackett, Its Secretary

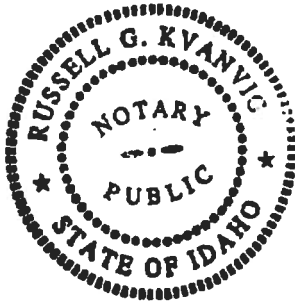
STATE OF IDAHO)

: ss.

COUNTY OF TWIN FALLS)

On this 28 day of April, 1999, before me, the undersigned, a Notary Public for Idaho, personally appeared CHET BRACKETT and KIMBERLY BRACKETT, known or identified to me to be the President and Secretary, respectively, of C.E. BRACKETT CATTLE CO., the corporation that executed the foregoing instrument, and acknowledged to me that they executed the same on behalf of said corporation.

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



Russell Kvanvig
Notary Public for Idaho
Residing at Twin Falls
Commission Expires: 8-12-99

EXHIBIT A

PARCEL 1

Township 13 South, Range 14 E., B.M., Twin Falls County, Idaho

Section 1: Lot 4 and SW1/4 NW1/4
Section 2: Lot 1 and SE1/4 NE1/4
Section 25: NE1/4 SW1/4, S1/2 SW1/4
Section 26: SW1/4 SW1/4, S1/2 SE1/4
Section 35: NE1/4, NE1/4 NW 1/4, N1/2 SE1/4
Section 36: W1/2NW1/4

Township 14 South, Range 14 E., B.M., Twin Falls County, Idaho

Section 11: NW 1/4 NE1/4, SE1/4 NW1/4
Section 21: W1/2
Section 33: NE1/4 SE1/4

Township 15 South, Range 14 E., B.M., Twin Falls County, Idaho

Section 31: Lots 4, 5, 7, 8, 9, 11 and 12 and the SE 1/4

Township 16 South, Range 14 E., B.M., Twin Falls County, Idaho

Section 5: SW1/4 NW 1/4 and W1/2 SW1/4
Section 6: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 and
NE1/4 and NE1/4 SE1/4
Section 7: Lots 2 and 5

PARCEL 2

Township 15 South, Range 13 E., B.M., Twin Falls County, Idaho

Section 25: SW1/4
Section 26: SE1/4 SE1/4
Section 35: NE1/4 NE1/4, S1/2 NE1/4, SW1/4

Township 16 South, Range 13 E., B.M., Twin Falls County, Idaho

Section 2: NW1/4
Section 3: E1/2, S1/2 NW1/4, E1/2 SW1/4
Section 9: E1/2 NE1/4, SE1/4 SE1/4
Section 10: All
Section 14: W1/2
Section 15: NE1/4, NE1/4 SE1/4, S1/2 SE1/4, W1/2
Section 22: E1/2, NW1/4, NW1/4 SW1/4

Section 23: E1/2 W1/2, NW1/4 NW1/4, SW1/4 SW1/4
Except Highway Right of Ways

SUBJECT TO taxes and assessments for 1988 and subsequent years, and

SUBJECT to a Mortgage to Equitable Life Assurance Society of the United States, dated February 2, 1971, recorded February 4, 1971, as Instrument No. 616470, Mortgage records of Twin Falls County, Idaho.

TOGETHER with all water rights appurtenant to and including but not limited to the following rights, numbered 47-0052, 47-0053, 47-2058, 47-2065, 47-2139, and 47-2211.

Together with their appurtenances.

PARCEL 3

Township 14 South, Range 14 E., B.M., Twin Falls County, Idaho

Section 26: S1/2 NE1/4; SE1/4 SW1/4; SE1/4

SUBJECT TO: Twin Falls County Highway Right of Way

Section 35: NE1/4 NW1/4; E1/2

SUBJECT TO: Twin Falls County Highway Right of Way

Township 15 South, Range 14 E., B.M., Twin Falls County, Idaho

Section 2: Lots 1 and 2; SW1/4 NE1/4;

SE1/4 NW1/4; SW1/4; W1/2 SE1/4

SUBJECT TO: Twin Falls County Highway Right of Way

Section 11: NW1/4 NE1/4; E1/2 NW1/4

SUBJECT TO: Twin Falls County Highway Right of Way

Together with all water rights appurtenant to said real property, and all appurtenances thereto.

227



CERTIFICATE OF ASSUMED BUSINESS NAME

Pursuant to Section 53-504, Idaho Code, the undersigned submits for filing a certificate of Assumed Business Name.

Please type or print legibly.

NOTE: See instructions on reverse before filing.

FILED EFFECTIVE

2003 FEB 26 PM 2:11

OFFICE OF THE SECRETARY OF STATE
STATE OF IDAHO

1. The assumed business name which the undersigned use(s) in the transaction of business is:

Antelope Springs Ranch

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name:

Name

Complete Address

Marc Brackett

Antelope Springs, Rogerson, ID 83302

Jared Brackett

HC62 Box 550 Wells, NV. 89835

3. The general type of business transacted under the assumed business name is:

- | | |
|--|--|
| ☐ Retail Trade | ☐ Transportation and Public Utilities |
| ☐ Wholesale Trade | ☐ Construction |
| ☐ Services | ☒ Agriculture |
| ☐ Manufacturing | ☐ Mining |
| ☐ Finance, Insurance, and Real Estate | |

4. The name and address to which future correspondence should be addressed:

Marc Brackett

Antelope Springs Ranch

Rogerson, ID 83302

Submit Certificate of Assumed Business Name and \$20.00 fee to:

Secretary of State
700 West Jefferson
Basement West
PO Box 83720
Boise ID 83720-0080
208 334-2301

5. Name and address for this acknowledgment copy is (If other than # 4 above):

Washington Mutual Business Bank

PO Box 5379

Twin Falls, ID 83303

Phone number (optional):

Signature: _____

(signature required)

Printed Name: _____

Jared Brackett

Capacity/Title: _____

Partner

(see instruction # 8 on back of form)

Secretary of State use only

g:\corp\form\idm\form\idm\idm.p65
Revised 09/2002

IDAHO SECRETARY OF STATE
02/26/2003 05:00
CK: 757645832 CT: 72853 BH: 665238
1 @ 20.00 = 20.00 ASSUM NAME 0 2

D 62899

June 23, 2011

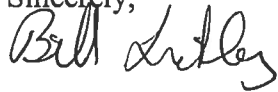
Idaho Department of Water Resources

Re: Antelope Springs Ranch #47-52

To Whom it May Concern:

Northwest Farm Credit Services has a first lien position on the water right noted above. I understand that the owners would like to make some modification to the "place of use" of the water. Northwest Farm Credit Services agrees to this request.

Sincerely,



Bill Lickley
Relationship Manager
(208)732-1033

**SOUTH CENTRAL
SUPERVISORY AREA**
319 South 417 East
Hwy. 93 Business Park
Jerome, ID 83338
Phone (208) 324-2561
FAX (208) 324-2917



GEORGE B. BACON, INTERIM DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

James E. Risch, Governor
Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney General
Keith L. Johnson, State Controller
Marilyn Howard, Sup't of Public Instruction

October 12, 2006

Marc Brackett
Antelope Springs Ranch
Rogerson, ID 83302

Dear Marc,

We understand that Antelope Springs Ranch will be making their final filing for water rights as part of the adjudication process in Basin 47 soon. The beneficial use location associated with your Water Right Number 47-52 will include approximately 3 acres in the NWSW Section 36 and 3 acres in NENW Section 36 Twp 13 South, Range 14 East. You also lease these and other lands as part of Lease G-7542.

The State of Idaho will not object to the filing of this right so long as the water being used is not derived from IDL administered endowment land and/or the granting of the right does not give Antelope Springs Ranch a preferential right to renew Grazing Lease G-7542.

Sincerely,

TIMOTHY C. DUFFNER
Area Manager

TD/ww

C Tracy Behrens, Lands Program Manager, Range/Cropland
Dave Barber, Attorney General's Office



State of Idaho - Department of Lands
Lease Master Records

LEASE
G7542

Lessee of Record

Antelope Springs Ranch
Antelope Springs

Management Area

South Central Idaho

Effective Date: 01/01/07

Expiration Date: 12/31/16

Canceled Date:

Rogerson, ID 83302

Attn: Jared and Marc Brackett

Description of Leased Ground

Township	Section	Legal Description	Endowment	County	Contracted Acres				AUMS
					Grazing	Waste	Dryland	Irrigated	
12S-14E	36 00	ALL	PS	Twin Falls	640.00	0.00	0.00	0.00	64.0
13S-14E	36 00	NE,E2NW,S2	PS	Twin Falls	560.00	0.00	0.00	0.00	39.0
					#####	0.00	0.00	0.00	103.0

Billed Uses Effective This Year

Reason Code	Statement Description	Use	Effective Dates	Number	Rate	Amount to be Billed
LS01	Grazing Rental	Grz-Cattle Grazing	Begin 01/01/07 End 12/31/16	103.00 AUM	5.130	528.39
LS11	Cropland Rental	Ag-Hay (I)	Begin 01/01/07 End 12/31/16	4.13 Acres	33.250	137.32
LS71	Idaho Rangeland Res	Grz-Idaho Rangeland	Begin 01/01/07 End 12/31/16	103.00 AUM	0.100	10.30



STATE OF IDAHO
STATE LAND LEASE

LEASE NO. G-7542

This lease agreement is made and entered into by and between the State of Idaho, acting by and through the State Board of Land Commissioners (lessor) and Antelope Springs Ranch (lessee) c/o Marc Brackett, Antelope Springs, Rogerson, ID 83302 (Address).

This lease shall commence January 1, 2007 and terminate December 31, 2016.

The annual rent payment is due on May 1st of each year.

The lessor, in consideration of the rental paid and the covenants, conditions and restrictions hereinafter set forth, in attachment B, does hereby lease and demise unto the lessee the lands described, and the special provisions identified, in attachment A at the uses specified herein; grazing 1195.87 acres containing 103.00 AUMs, cropland 0.00 acres of dryland at 0.00 per acre, 4.13 acres irrigated land at 33.25 per acre, 0.00 acres of wasteland at 0.00 per acre, 0.00 miscellaneous per annum, or 0.00 premium bld.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed the day and year first above written.

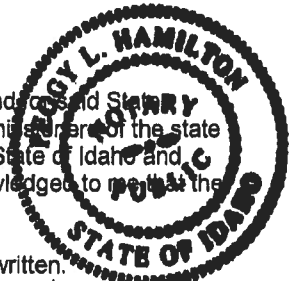
COUNTERSIGNED: STATE BOARD OF LAND COMMISSIONERS OF THE STATE OF IDAHO

Benz Yursa
Secretary of the State of Idaho
George B. Bacon
Director Department of

Butch Otter
President of the State Board of Land Commissioners
and Governor of the State of Idaho

STATE OF IDAHO)
COUNTY OF ADA)

On this 1st day of March, in the year 2007 before me, a Notary Public in and for said State, personally appeared C.L. "Butch" Otter, known to me to be the president of the State Board of Land Commissioners of the state of Idaho and the Governor of the state of Idaho; and Ben Yursa, known to me to be the Secretary of the State of Idaho and George B. Bacon, known to me to be the Interim Director, that executed the within instrument, and acknowledged to me that the State Board of Land Commissioners of the State of Idaho and the State of Idaho executed the same.



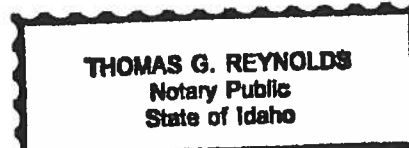
IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Residing at Boise, Idaho, Commission expires 08/30/2012 Gregory L. Hamilton
Notary Public for Idaho

*****LESSEE*****

x Marc Brackett partner (Lessee) x _____ (Lessee)
x _____ (Lessee) x _____ (Lessee)

STATE OF IDAHO)
COUNTY OF Twin Falls)

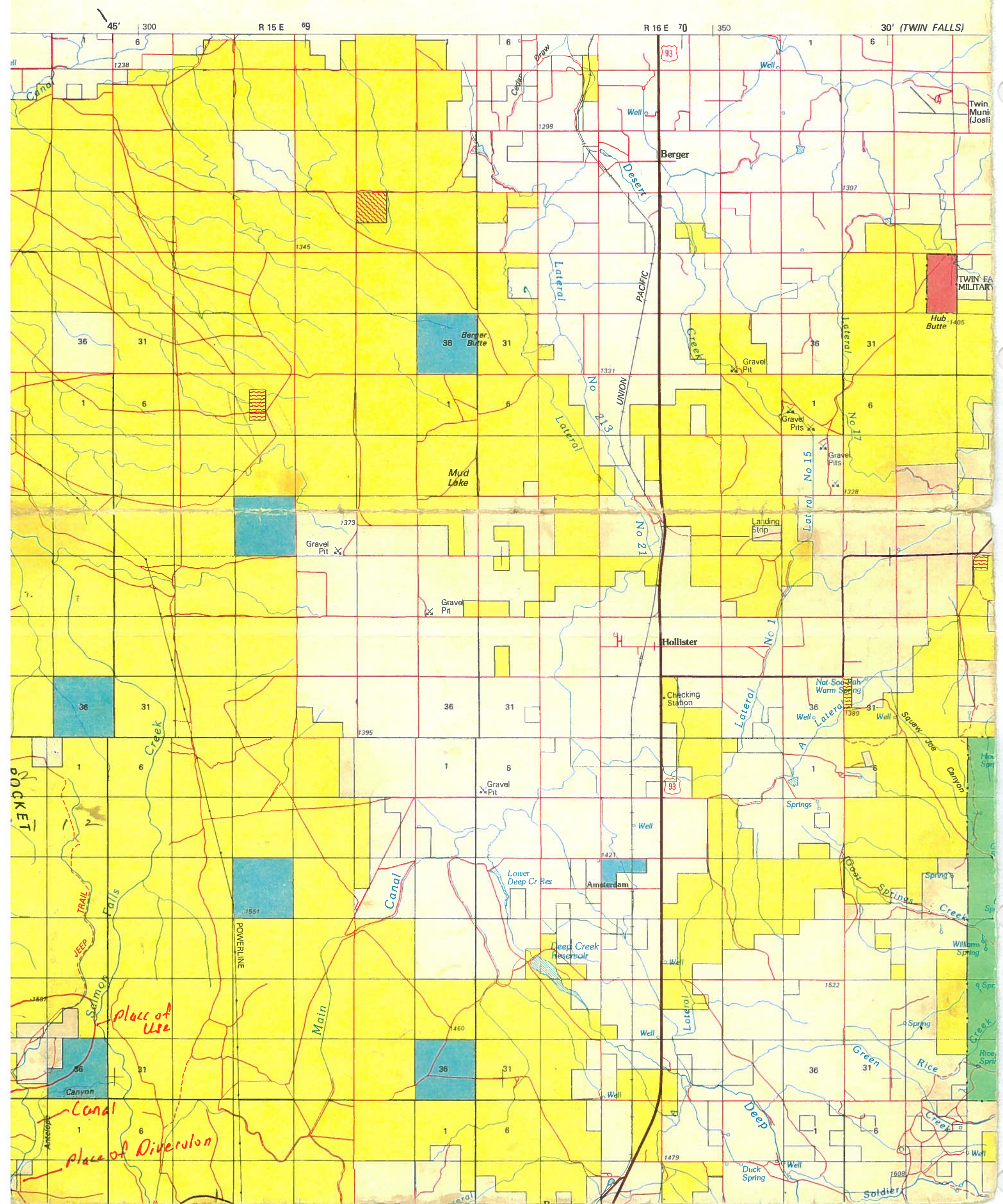


On this 15 day of February, in the year 2007, before me, a Notary Public in and for said State, personally appeared Marc David Brackett

known to me to be the lessee that executed the within instrument and acknowledged to me that he executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Residing at Twin Falls ID, Commission expires June 25, 2007 Thomas G. Reynolds
Notary Public for IDAHO

Attachment #7A



Antelope Springs

Approximate Acres: 51695.9

Customer(s): ANTELOPE SPRINGS RANCH

Field Office: TWIN FALLS SERVICE CENTER

Agency: NRCS

Assisted By: Scott R Engle

Date: 3/16/2009

