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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Page 1

Transfer No. 66569
Receipt No. S026427

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information SCHENK LAND & CATTLE LP
1380 S 50 W
OAKLEY ID 83346
(208) 862-9219

Will this transfer result in an ownership change? _____ Yes ___X___ No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
45-703	WR/Decreed	3.20		160.0	892.0	LAND CREEK
45-12444	WR/Decreed	4.13		300.0	892.0	LAND RANCH SPRING
45-4013B	WR/Beneficial Use	0.88	429.4	560.0	892.0	GROUND WATER
45-12450	WR/Beneficial Use	4.43	2,161.8		892.0	GROUND WATER
45-12447	WR/Decreed	5.33		439.0	892.0	LAND CREEK

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-703	NO	NO	YES	NO	NO	NO
45-12444	NO	NO	YES	NO	NO	NO
45-4013B	NO	NO	YES	NO	NO	NO
45-12450	NO	NO	YES	NO	NO	NO
45-12447	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Some land on the north end of our farm has been sold without water rights for a feedlot expansion, and the water is being moved to other parts of our property. The proposed new ppu reflects the installation of several pivots after 1987. Application amended 1-20-04 presumes that T66721 will be approved soon to allow drilling of replacement well to reduce interference with Land Ranch Spring by one existing well. Also to show the present place of use for stockwater & domestic uses.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

N/A

B. Describe the effects on other water uses resulting from the proposed change

N/A

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
45-703	3.20 cfs	160.0	892.0	
45-12444	4.13 cfs	300.0	892.0	
45-4013B	0.88 cfs	560.0	892.0	429.4 af
45-12450	4.43 cfs		892.0	2,161.8 af
45-12447	5.33 cfs	439.0	892.0	
TOTAL	16.51 cfs	892.0	892.0	3,568.0 af

Transfer No. 66569
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Dallan Schenk

(Signature of Applicant)

Vice-President of Robert Schenk
Feedlot, Inc. General Partner

(Title or Office)

~~Subscribed and sworn to before me this _____ day of _____, 20____.~~

~~_____
(Notary Public)~~

~~My commission expires _____~~

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

Current Water Right No. 45-703

Priority Date: April 01, 1912

Origin: Water Right

Basis: Decreed

Status: Active

Source: LAND CREEK

Tributary: GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	03/15 11/15	0.04 CFS		
IRRIGATION	03/15 11/15	3.20 CFS		
Total Diversion		3.20 CFS		

Source and Point(s) of Diversion:

LAND CREEK L1 (SENESE) Sec. 6 Twp 13S Rge 23E CASSIA County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	22E	1	X																
			L 1																

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	22E	25													33.0	33.0	33.0	33.0	132.0
12S	22E	36	33.0	40.0	40.0	33.0	33.0	33.0	40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	565.0
12S	23E	31			5.0										30.0	40.0	25.0		100.0
					L 2										L 3	L 4			
13S	22E	1	20.0	40.0															60.0
			L 1	L 2															
13S	23E	6	5.0	30.0															35.0
			L 1	L 2															

Total Acres: 892

Conditions/Remarks:

Page 5

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 892 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-703, 45-4013B, 45-12444, 45-12447, & 45-12450.
2. 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 LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Documentation of Ownership of the Current Place of Use

IDWR Records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Proposed PPU reflects the installation of several pivots after 1987. Transfer also shows the present POU for stockwater & domestic uses.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Current Water Right No. 45-12444

Priority Date: April 01, 1870

Origin: Water Right

Basis: Decreed

Status: Active

Source: LAND RANCH SPRING

Tributary: LAND CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01 12/31	0.50 CFS		
IRRIGATION	03/01 12/15	3.13 CFS		
STOCKWATER	01/01 12/31	0.50 CFS		
Total Diversion		4.13 CFS		

Source and Point(s) of Diversion:

LAND RANCH SPRING SESENE Sec. 7 Twp 13S Rge 23E CASSIA County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	22E	1	X																
			L 1																

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	22E	25													33.0	33.0	33.0	33.0	132.0
12S	22E	36	33.0	40.0	40.0	33.0	33.0	33.0	40.0	40.0	40.0			40.0	40.0	40.0	40.0	40.0	565.0
12S	23E	31			5.0										30.0	40.0	25.0		100.0
					L 2										L 3	L 4			
13S	22E	1	20.0	40.0															60.0
			L 1	L 2															
13S	23E	6	5.0	30.0															35.0
			L 1	L 2															

Total Acres: 892

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
13S	22E	1	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
			X																
			L 1																

Conditions/Remarks:

1. 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. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 300 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 45-164 FOR 2.35 CFS, 45-165 FOR 0.5 CFS (STOCKWATER), 45-698 FOR 0.783 CFS, & 45-699 FOR 0.5 CFS (DOMESTIC).
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 892 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-703, 45-4013B, 45-12444, 45-12447, & 45-12450.

Documentation of Ownership of the Current Place of Use**IDWR Records**

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Yes

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Proposed PPU reflects the installation of several pivots after 1987. Transfer also shows the present POU for stockwater & domestic uses.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Current Water Right No. 45-4013B

Priority Date: April 10, 1948

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.88 CFS	429.4 AFA	
	Total Diversion	0.88 CFS	429.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNWSW Sec. 5 Twp 13S Rge 23E CASSIA County

GROUND WATER SESESW Sec. 8 Twp 13S Rge 23E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	22E	25													33.0	33.0	33.0	33.0	132.0
12S	22E	36	33.0	40.0	40.0	33.0	33.0	33.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	565.0
12S	23E	31			5.0											30.0	40.0	25.0	100.0
					L 2											L 3	L 4		
13S	22E	1	20.0	40.0															60.0
			L 1	L 2															
13S	23E	6	5.0	30.0															35.0
			L 1	L 2															

Total Acres: 892

Conditions/Remarks:

- The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Page 9

2. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
3. The well in the SENE of Section 5, T13S, R23E, BM previously used under Right 45-4013B shall be abandoned in a manner which complies with Department well abandonment rules.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. Rights 45-703, 45-4013B, 45-12444, 45-12447 and 45-12450 when combined shall not exceed the irrigation of 892 acres in a single irrigation season.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. The total instantaneous diversion of water from all points of diversion under Rights 45-4013B and 45-12450 shall not exceed 5.31 cfs, nor a total combined annual volume of 2591.2 af.
12. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Documentation of Ownership of the Current Place of Use

IDWR Records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Yes

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Proposed PPU reflects the installation of several pivots after 1987. Transfer also shows the present POU for stockwater & domestic uses.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

No

Transfer No. 66569
Receipt No. S026427

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

Current Water Right No. 45-12450

Priority Date: May 15, 1955
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	4.43 CFS	2,161.8 AFA	
Total Diversion		4.43 CFS	2,161.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNWSW Sec. 5 Twp 13S Rge 23E CASSIA County

GROUND WATER SESESW Sec. 8 Twp 13S Rge 23E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 22E 25													33.0	33.0	33.0	33.0	132.0
12S 22E 36	33.0	40.0	40.0	33.0	33.0	33.0	33.0	40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	565.0
12S 23E 31			5.0											30.0	40.0	25.0	100.0
			L 2											L 3	L 4		
13S 22E 1	20.0	40.0															60.0
	L 1	L 2															
13S 23E 6	5.0	30.0															35.0
	L 1	L 2															

Total Acres: 892

Conditions/Remarks:

- The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

2. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
3. The well in the SENE of Section 5, T13S, R23E, BM previously used under Right 45-4013B shall be abandoned in a manner which complies with Department well abandonment rules.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. 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.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. Rights 45-703, 45-4013B, 45-12444, 45-12447 and 45-12450 when combined shall not exceed the irrigation of 892 acres in a single irrigation season.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. The total instantaneous diversion of water from all points of diversion under Rights 45-4013B and 45-12450 shall not exceed 5.31 cfs, nor a total combined annual volume of 2591.2 af.
12. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
13. This right is a combination of old right nos. : 45-4024, 45-4025, AND 45-4009B.

Page 12

Documentation of Ownership of the Current Place of Use

IDWR Records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Yes

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Proposed PPU reflects the installation of several pivots after 1987. Transfer also shows the present POU for stockwater & domestic uses.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

No

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

Current Water Right No. 45-12447

Priority Date: April 01, 1890

Origin: Water Right

Basis: Decreed

Status: Active

Source: LAND CREEK

Tributary: GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01	12/15	5.33 CFS		
STOCKWATER	01/01	12/31	0.04 CFS		
DOMESTIC	01/01	12/31	0.10 CFS		
Total Diversion			5.33 CFS		

Source and Point(s) of Diversion:

LAND CREEK L1 (SENE) Sec. 6 Twp 13S Rge 23E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	22E	25																	132.0
12S	22E	36	33.0	40.0	40.0	33.0	33.0	33.0	33.0	40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	565.0
12S	23E	31			5.0											30.0	40.0	25.0	100.0
					L 2											L 3	L 4		
13S	22E	1	20.0	40.0															60.0
			L 1	L 2															
13S	23E	6		5.0	30.0														35.0
			L 1	L 2															

Total Acres: 892

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	22E	1	X																
			L 1																

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	22E	1	X																
			L 1																

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 892 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-703, 45-4013B, 45-12444, 45-12447, & 45-12450.
2. 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 COMBINATION OF OLD RIGHT NOS. 45-163 & 45-700.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 439 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Documentation of Ownership of the Current Place of Use

IDWR Records

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Yes

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Proposed PPU reflects the installation of several pivots after 1987. Transfer also shows the present POU for stockwater & domestic uses.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-703

Priority Date: April 01, 1912

Origin: Water Right

Basis: Decreed

Status: Active

Source: LAND CREEK**Tributary:** GOOSE CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	03/15 11/15	0.04 CFS		
IRRIGATION	03/15 11/15	3.20 CFS		
Total Diversion		3.20 CFS		

Source and Point(s) of Diversion:

LAND CREEK L1 (SENE) Sec. 6 Twp 13S Rge 23E CASSIA County

Describe the proposed diversion system**PLACE OF USE:** STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	22E	1	X																
			L 1																

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	22E	36	39.0	40.0	38.0	40.0	40.0	33.0	34.0	37.0	40.0	34.0	29.0	40.0	40.0	38.0	39.0	32.0	593.0
12S	23E	31			1.0										3.0	35.0	36.0	35.0	110.0
					L 2											L 3	L 4		
13S	22E	1	13.0	41.0	21.0		36.0		20.0										131.0
			L 1	L 2			L 3												
13S	23E	6	29.0	29.0															58.0
			L 1	L 2															

Total Acres: 892

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-12444

Priority Date: April 01, 1870

Origin: Water Right

Basis: Decreed

Status: Active

Source: LAND RANCH SPRING

Tributary: LAND CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01 12/31	0.50 CFS		
IRRIGATION	03/01 12/15	3.13 CFS		
STOCKWATER	01/01 12/31	0.50 CFS		
Total Diversion		4.13 CFS		

Source and Point(s) of Diversion:

LAND RANCH SPRING SESENE Sec. 7 Twp 13S Rge 23E CASSIA County

Describe the proposed diversion system

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	22E	1	X																
			L 1																

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	22E	36	39.0	40.0	38.0	40.0	40.0	33.0	34.0	37.0	40.0	34.0	29.0	40.0	40.0	38.0	39.0	32.0	593.0
12S	23E	31			1.0										3.0	35.0	36.0	35.0	110.0
					L 2											L 3	L 4		
13S	22E	1	13.0	41.0	21.0		36.0		20.0										131.0
			L 1	L 2			L 3												
13S	23E	6	29.0	29.0															58.0
			L 1	L 2															

Total Acres: 892

PLACE OF USE: STOCKWATER

[illegible]

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-4013B

Priority Date: April 10, 1948

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.88 CFS	429.4 AFA	
	Total Diversion	0.88 CFS	429.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESESW Sec. 8 Twp 13S Rge 23E CASSIA County

Describe the proposed diversion system**PLACE OF USE:** IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 22E 36	39.0	40.0	38.0	40.0	40.0	33.0	34.0	37.0	40.0	34.0	29.0	40.0	40.0	38.0	39.0	32.0	593.0
12S 23E 31			1.0										3.0	35.0	36.0	35.0	110.0
			L 2											L 3	L 4		
13S 22E 1	13.0	41.0	21.0		36.0		20.0										131.0
	L 1	L 2			L 3												
13S 23E 6	29.0	29.0															58.0
	L 1	L 2															

Total Acres: 892

Transfer No. 66569
Receipt No.S026427

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-12450

Priority Date: May 15, 1955

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	4.43 CFS	2,161.8 AFA	
Total Diversion		4.43 CFS	2,161.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESESW Sec. 8 Twp 13S Rge 23E CASSIA County

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	22E	36	39.0	40.0	38.0	40.0	40.0	33.0	34.0	37.0	40.0	34.0	29.0	40.0	40.0	38.0	39.0	32.0	593.0
12S	23E	31			1.0										3.0	35.0	36.0	35.0	110.0
					L 2											L 3	L 4		
13S	22E	1	13.0	41.0	21.0		36.0			20.0									131.0
			L 1	L 2			L 3												
13S	23E	6	29.0	29.0															58.0
			L 1	L 2															

Total Acres: 892

Proposed Water Right No. 45-12447

Origin: Water Right

Basis: Decreed

Status: Active

Source: LAND CREEK

Tributary: GOOSE CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01 12/15	5.33 CFS		
STOCKWATER	01/01 12/31	0.04 CFS		
DOMESTIC	01/01 12/31	0.10 CFS		
	Total Diversion	5.33 CFS		

Source and Point(s) of Diversion:

LAND CREEK L1 (SENENE) Sec. 6 Twp 13S Rge 23E CASSIA County

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

[illegible]

Total Acres: 892

PLACE OF USE: STOCKWATER

[illegible]

[illegible]

Fax From:

Dallan Schenk
Schenk Land & Cattle L.P.
1380 South 50 West
Oakley, Idaho 83346

Phone: 208-862-9219 Fax: 208-862-3359

Email: schenkcattle@gmail.com

To: Jeff Cooper

Fax: 208-736-3037

April 22, 2011

3 pages including cover.

Jeff here is the agreement with Dallan Elquist regarding our water right.

Please review and let me know if there is anything we need to add.

Thank You, Dallan Schenk

MEMORANDUM OF AGREEMENT REGARDING USE OF PROPERTY

This agreement enter the 21st day of April 2011 by and between Schenk Land & Cattle L.P. an Idaho limited partnership, hereinafter referred to as "Schenk" , and Dallan Elquist hereinafter referred to as "Elquist".

Whereas, Schenk and Critchfield farm adjoining lands in Section 2, Township 13 South, Range 23 East of the Boise Meridian in Cassia County, Idaho on which Schenk uses a center pivot irrigation system and Elquist maintains his home.

Whereas, the survey boundaries of the respective parcels of property do not match the actual manner in which the properties are being used by the respective parties, and

Whereas, the Idaho Department of Water Resources has requested that Schenk provide written proof of authority to occupy the lands of Elquist which Schenk is farming with Schenk's water, and

Whereas the parties do not wish to incur the expense of resurveying their respective properties to correct the between the legal descriptions and the land occupied at the present.

IT IS HEREBY MUTUALLY AGREED AS FOLLOWS;

1. The land owned by Elquist consists of 0.3 acres in the NWNE Section 2 T 13 South Range 23 E Boise Meridian.
2. Elquist consents to allow Schenk to continue to farm the described lands of Elquist without compensation.
3. Either party may rescind this agreement on 12 months notice to the other party.
4. This agreement is executed on behalf of Schenk land & Cattle L. P., by Róbert Schenk Feedlot, Inc., its general partner.

IN WITNESS WHEREOF the parties hereby set their hands the day and year first above written.

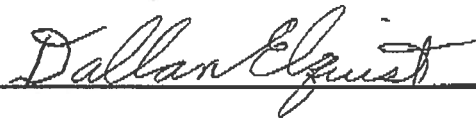
Schenk Land & Cattle L.P. By

Robert Schenk Feedlot, Inc. General partner

A handwritten signature in cursive script, reading "Dallan Schenk", written over a horizontal line.

Dallan Schenk Vice President

Dallan Elquist

A handwritten signature in cursive script, reading "Dallan Elquist", written over a horizontal line.

Dallan Elquist

Fax From:

Dallan Schenk
Schenk Land & Cattle L.P.
1380 South 50 West
Oakley, Idaho 83346

Phone: 208-862-9219 Fax: 208-862-3359

Email: schenkcattle@gmail.com

To: Jeff Cooper

Fax: 208-736-3037

April 28, 2011

3 pages including cover.

Jeff, here is the agreement with Lambert Produce concerning our water right.

Please let me know of our next steps in getting this matter resolved.

Thank You, Dallan Schenk

MEMORANDUM OF AGREEMENT REGARDING USE OF PROPERTY

This agreement enter the 28th day of April 2011 by and between Schenk Land & Cattle L.P. an Idaho limited partnership, hereinafter referred to as "Schenk", and Lambert Produce, Inc., an Idaho Corporation hereinafter referred to as "Lambert".

Whereas, Schenk and Lambert farm adjoining lands in Section 31, Township 12 South, Range 23 East of the Boise Meridian in Cassia County, Idaho on which both parties have installed center pivot irrigation systems.

Whereas, the survey boundaries of the respective parcels of property do not match the actual manner in which the properties are being used by the respective parties, and

Whereas, the Idaho Department of Water Resources has requested that Schenk provide written proof of authority to occupy the lands of Lambert which Schenk is farming with Schenk's water, and

Whereas the parties do not wish to incur the expense of resurveying their respective properties to correct the between the legal descriptions and the land occupied at the present.

IT IS HEREBY MUTUALLY AGREED AS FOLLOWS;

1. The land owned by Lambert consists of 7.5 acres in the SWNE, NWSE, NESE, and Section 31 T 12 South Range 23 E Boise Meridian.
2. Elquist consents to allow Schenk to continue to farm the described lands of Elquist without compensation.
3. Schenk agrees to allow Lambert to farm and occupy a portion of Schenk lands also in said section 31 without compensation.
3. Either party may rescind this agreement on 12 months notice to the other party.
4. This agreement is executed on behalf of Schenk land & Cattle L. P., by Robert Schenk Feedlot, Inc., its general partner.

IN WITNESS WHEREOF the parties hereby set their hands the day and year first above written.

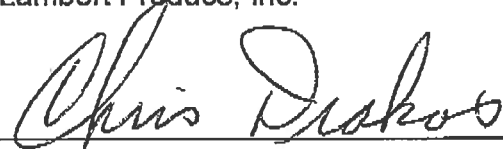
Schenk Land & Cattle L.P. By

Robert Schenk Feedlot, Inc. General partner

A handwritten signature in black ink, appearing to read "Dallan Schenk", is written over a horizontal line.

Dallan Schenk Vice President

Lambert Produce, Inc.

A handwritten signature in black ink, appearing to read "Chris Drakos", is written over a horizontal line.

Chris Drakos, President

MEMORANDUM OF AGREEMENT REGARDING USE OF PROPERTY

This agreement enter the 22nd day of April 2011 by and between Schenk Land & Cattle L.P. an Idaho limited partnership, hereinafter referred to as "Schenk", and Keith & Jan Farms Limited Partnership hereinafter referred to as "Critchfield".

Whereas, Schenk and Critchfield farm adjoining lands in Section 36, Township 12 South, Range 22 East of the Boise Meridian in Cassia County, Idaho on which they have installed center pivot irrigation systems, and

Whereas, the survey boundaries of the respective parcels of property do not match the actual manner in which the properties are being farmed by the respective parties, and

Whereas, the Idaho Department of Water Resources has requested that Schenk provide written proof of authority to occupy the lands of Critchfield which Schenk is farming with Schenk's water, and

Whereas the parties do not wish to incur the expense of resurveying their respective properties to correct the between the legal descriptions and the land occupied at the present.

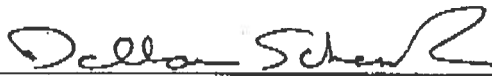
IT IS HEREBY MUTUALLY AGREED AS FOLLOWS;

1. The land owned by Critchfield consists of 4.4 acres in the SW ¼ SW ¼ Section 36 T 12 South Range 22 E Boise Meridian.
2. Critchfield consents to allow Schenk to continue to farm the described lands of Critchfield without compensation
3. Either party may rescind this agreement on 12 months notice to the other party.
4. This agreement is executed on behalf of Schenk land & Cattle L. P., by Robert Schenk Feedlot, Inc., its general partner.

IN WITNESS WHEREOF the parties hereby set their hands the day and year first above written.

Schenk Land & Cattle L.P. By

Robert Schenk Feedlot, Inc. General partner



Dallan Schenk Vice President

Keith & Jan Farms Limited Partnership



Keith Critchfield

RECEIVED
MAR 18 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

#43371

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR TRANSFER

To change the ownership of an application for transfer

Elquist Ranches, Inc. hereby assigns to **Schenk Land and Cattle, L.P.**, 1380 South 50 West, Oakley, Idaho 83346 (208) 862-9219, all its right, title and interest in and to Application for Transfer No. 66569 to transfer the public waters of the State of Idaho.

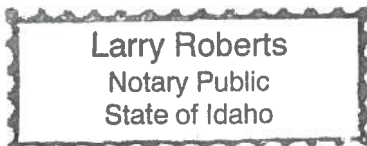
Dated this 17th day of March, 2008.

ELQUIST RANCHES, INC.

By: Dallan Elquist
Dallan Elquist, President

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 17th day of March, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared **Dallan Elquist**, known or identified to me to be the President of the corporation that 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.



Larry Roberts
Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-09

Page 1 of 12

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5147
66569

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Elquist Ranches Phone 862-3851
Post Office address 1425 S 80 W, Oakley, ID 83346

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 Create PPU, Show Present P/Ds
2. Describe the reason for the proposed changes Half of a pivot is being sold for use as a feedlot, and the water will be moved to other land. Some of the new P/U is already irrigated & some is dry.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE See Attachment A

1. Right Number _____ Priority _____ Amount (cfs/ac-ft) _____ Nature of Use _____ Period of Use _____ to _____
_____ to _____
_____ to _____
_____ to _____
2. Total amount of water being transferred 18.44 cubic feet per second and/or 3512.0 acre-feet per annum.
3. Source of water Groundwater, Land Cr., Land Ranch tributary to Sinks
4. Point(s) of Diversion: No Change Springs

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
~~1~~	~~SE~~	~~SW~~	~~NE~~	~~5~~	~~13S~~	~~22E~~	~~Cassia~~	~~Land Creek diversion~~
	SE	SE	NE	5	"	"	"	Well - See Remarks
	"	"	"	7	"	"	"	Land Ranch Spring diversion
	"	"	SW	8	"	"	"	Well - See Remarks

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
12S	22E	25									16			16		16	16		64
		36	33	39	39	39	33	33	37	37	39	35	3	14	37	40	36	33	523 523
						35												33	
13S	22E	1	12	37	23		35			22									128 129
			141	142			143												
12S	23E	31			6										4	33	40	36	119
					142											143	144		

13S 22E 6 26 30
141 142

Total acres 56
899

PART 1

6. General Information:

a. Description of diversion system See Attachment Bb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land will not be irrigated - will become a feedlot.

d. Remarks:

The well in Sec. 5 will be drilled if allowed by pending transfer #5038. If transfer is denied, both wells in Sec. 8 will continue to be used if needed.**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

PART 2

TRANS NO. 5147

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-00163A

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 12/15	0.60 CFS
STOCKWATER	to	
DOMESTIC	to	
	Totals	0.60 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LAND CREEK	GOOSE CREEK

Priority: 04/01/1890

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWNW), Sec. 5, Township 13S, Range 23E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	22E	36	NESW	NWSW	SWSW	
			SESW	NESE	NWSE	
			SWSE	SESE		
13S	22E	1	Lot 1(NENE)			
	23E	6	Lot 3(SWNE)	Lot 4(NWSE)	Lot 5(SWSE)	
		7	Lot 1(NWNE)	Lot 2(SWNE)		

PLACE OF USE: STOCKWATER, same as IRRIGATION usePLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. SEE DECREE FOR FURTHER DESCRIPTION OF P. U.
2. P/D GIVEN INCORRECTLY IN TRANS. 470 AS SWSW S6 T13S R23E.

PART 2

TRANS NO. 5147

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-00163B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 12/15	2.60 CFS
STOCKWATER	to	
DOMESTIC	to	
	Totals	2.60 CFS

SOURCE

LAND CREEK

TRIBUTARY OF

GOOSE CREEK

Priority: 04/01/1890

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWNW), Sec. 5, Township 13S, Range 23E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	22E	36	NENW	NWNW	SWNW	
			SEnw			

PLACE OF USE: STOCKWATER, same as IRRIGATION usePLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. P/D GIVEN INCORRECTLY IN TRANS. 470 AS SWSW S6 T13S R23E.

PART 2

TRANS NO. 5147

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-00164

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 12/15	2.35 CFS
STOCKWATER	to	
DOMESTIC	to	
	Totals	2.35 CFS

SOURCE

LAND RANCH SPRING

TRIBUTARY OF

LAND CREEK

Priority: 04/01/1870

LOCATION OF POINT(S) OF DIVERSION:SENE , Sec. 7, Township 13S, Range 23E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	22E	36	NESW	NWSW	SWSW	
			SESW	NESE	NWSE	
			SWSE	SESE		
13S	22E	1	Lot 1(NENE)			
	23E	6	Lot 3(SWNE)	Lot 4(NWSE)	Lot 5(SWSE)	
		7	Lot 1(NWNE)	Lot 2(SWNE)		

PLACE OF USE: STOCKWATER, same as IRRIGATION usePLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. P. D. DETERMINED BY FIELD INSPECTION.
2. ALSO SEE 45-0165 (DOMESTIC & STOCK USE ON SAME LANDS).
3. P/D GIVEN INCORRECTLY IN DECREE AS SWNW S6 T13S R23E.
4. SOURCE GIVEN INCORRECTLY IN DECREE AS LAND, WARM OR THORN SPRING.

PART 2

TRANS NO. 5147

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-00698

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 12/15	0.78 CFS
STOCKWATER	to	
DOMESTIC	to	
	Totals	0.78 CFS

SOURCE

LAND RANCH SPRING

TRIBUTARY OF

LAND CREEK

Priority: 04/01/1870

LOCATION OF POINT(S) OF DIVERSION:SENE , Sec. 7, Township 13S, Range 23E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	22E	36	SWSW	SESW	SWSE	
			SESE			
13S	22E	1	Lot 1(NENE)			

PLACE OF USE: STOCKWATER, same as IRRIGATION usePLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. SEE DECREE FOR FURTHER DESCRIPTION OF P. U.
2. P. D. DETERMINED BY FIELD INSPECTION.
3. SEE ALSO 45-0699 (DOMESTIC & STOCK USE ON SAME LANDS).

PART 2

TRANS NO. 5147

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-00700

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 12/15	2.13 CFS
STOCKWATER	to	
DOMESTIC	to	
	Totals	2.13 CFS

SOURCE

LAND CREEK

TRIBUTARY OF

GOOSE CREEK

Priority: 04/01/1890

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWNW), Sec. 5, Township 13S, Range 23E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	22E	36	SWSW	SESW	SWSE	
			SESE			
13S	22E	1	Lot 1(NENE)			

PLACE OF USE: STOCKWATER, same as IRRIGATION usePLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. P. U. APPEARS TO BE DESCRIBED INCORRECTLY IN DECREE; SAME LANDS GIVEN FOR 45-0698 & 45-0699.

A. DESCRIPTION OF RIGHT AS RECORDED:Water Right No. **45-00703**

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 12/15	3.20 CFS
STOCKWATER	to	
DOMESTIC	to	
	Totals	3.20 CFS

SOURCE

LAND CREEK

TRIBUTARY OF

GOOSE CREEK

Priority: 04/01/1912

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 6, Township 13S, Range 23E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	22E	36	NENE	NWNE	SWNE	
			SENE			

PLACE OF USE: STOCKWATER, same as IRRIGATION usePLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

PART 2

TRANS NO. 5147

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. A45-04013B

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 10/31	0.88 CFS

SOURCE

GROUNDWATER

Priority: 04/10/1948

LOCATION OF POINT(S) OF DIVERSION:SESESW , Sec. 8, Township 13S, Range 23E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
12S	22E	36	SWNE	5	SENW	40	NESW	40	
			NWSW	40	SWSW	40	SESW	40	
			NESE	40	NWSE	40	SWSE	40	
			SESE	40					365
23E	6	Lot	2(NWNE)	30					30
	31	Lot	2(SWNE)	5	Lot	3(NWSE)	30	Lot	4(SWSE)
			SESE	25					100
13S	22E	1	Lot	1(NENE)	20	Lot	2(NWNE)	40	60
23E	6	Lot	1(NENE)	5					5
					Total number of acres irrigated:				560

CONDITIONS/REMARKS:

1. TRANS. 3133. APPROVAL OF THIS TRANS. IN NO WAY VALIDATES THE RT. CLAIMED.
2. THIS CLAIM IS A PORTION OF STATUTORY CLAIM 45-04013.
3. UNRECORDED TRANSFER OF P/D AND SOME P/U HAS OCCURED.
4. ***DWR NOTE***
A PORTION OF THE ACRE FEES FOR THIS CLAIM AND OTHER CLAIMS BY THIS CLAIMANT HAVE BEEN PAID ON CLAIM A45-04013, #S007604.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **A45-12450**

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/01 to 10/31	5.90 CFS

SOURCE

GROUNDWATER

Priority: 05/09/1953

LOCATION OF POINT(S) OF DIVERSION:

SESESW , Sec. 8, Township 13S, Range 23E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			<u>ACRES</u>				<u>ACRES</u>			<u>ACRES</u>	<u>TOTAL</u>
12S	22E	25		NESE	33			NWSE	33			SWSE	33
				SESE	33								132
		36		NENE	33			NWNE	40			SWNE	40
				SENE	33			NENW	33			NWNW	33
				SWNW	33			SENW	40			NESW	40
				NWSW	40			SESW	40			NESE	40
				NWSE	40			SWSE	40			SESE	40
													565
	23E	31	Lot	2(SWNE)	5	Lot	3(NWSE)	30		Lot	4(SWSE)	40	
				SESE	25								100
13S	22E	1	Lot	1(NENE)	20	Lot	2(NWNE)	40					60
	23E	6	Lot	1(NENE)	5	Lot	2(NWNE)	30					35
								Total number of acres irrigated:					892

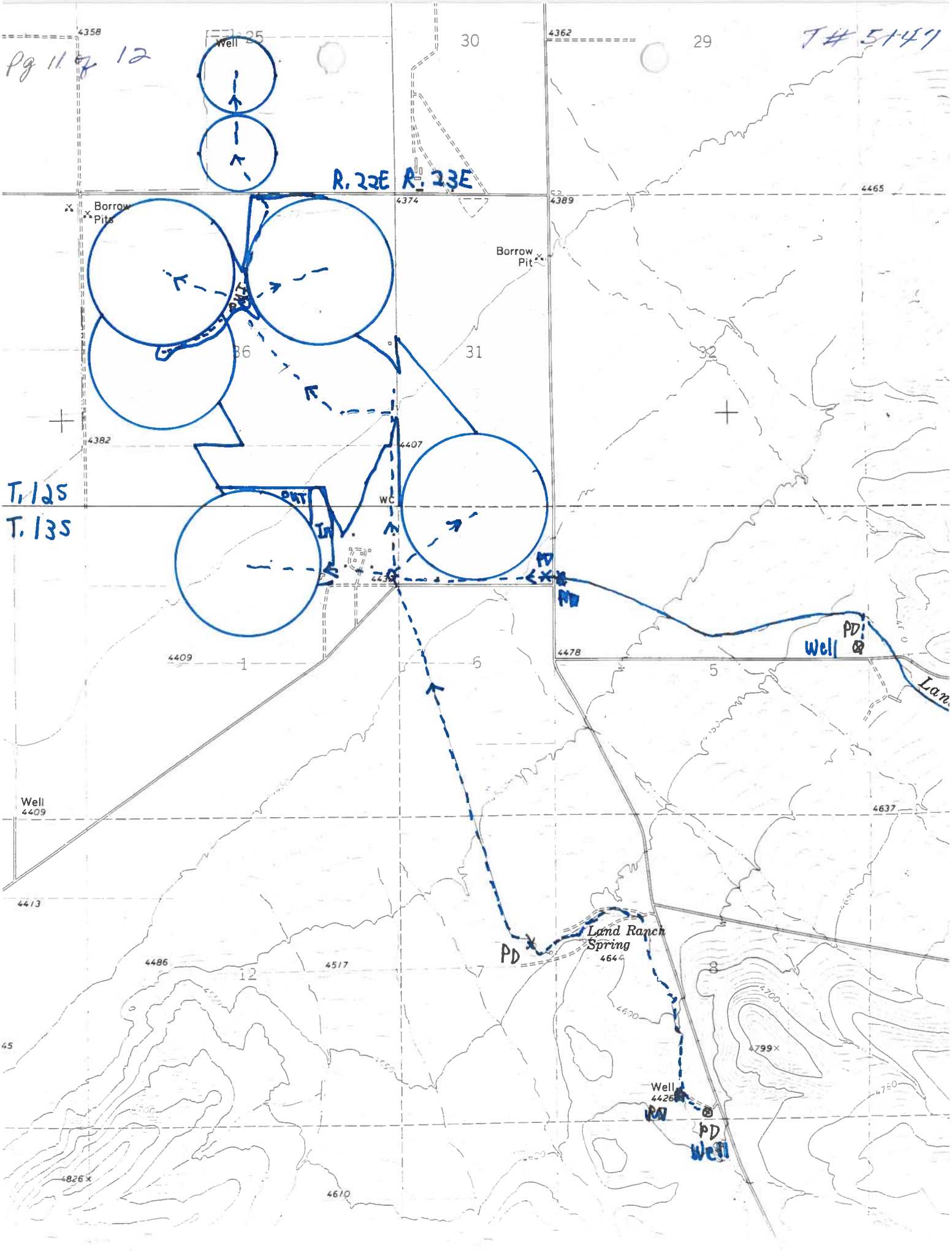
CONDITIONS/REMARKS:

1. 2 P/D IN SESW, S8, T13S, R23E.
2. THIS CLAIM IS A COMBINATION OF THE FOLLOWING WR'S:
45-04025 FOR 2.2 CFS
45-04024 FOR 2.93 CFS
45-04009 FOR 0.775 CFS (PART)

SOME UNRECORDED TRANSFERS HAVE CHANGED P/U TO THAT LISTED HERE.

Pg 11 of 12

T# 5147



PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Subscribed and sworn to before me this 25th day of July, 19 97.

Secretary

(Signature of Applicant)

J. F. Stanton

(Notary Public)

My commission expires 10-25-2000**FOR DEPARTMENT USE ONLY**Transfer contains 12 pages and 4 attachmentsReceived by J. F. Stanton Date 7-25-97Protest filed by NonePrelim. check by JS Fee \$100. 5020409Receipted by JS Date 7-25-97Published in So. Ed. Press

Copies of protest forwarded by _____

Pub. dates 10/6 + 10/13/97

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☒ approval ☐ denial

_____ rec'd. _____

by AS

Copy of transfer sent to lien holder _____

ATTACHMENT A

1.B.1.

1. Land Creek Rights

45-00163A (A45-12447)	4-1-1890	0.60 cfs ✓	Irrig Stock/Dom	3-1 to 12-15
45-00163B (A45-12447)	"	2.60 cfs ✓	Irrig Stock/Dom	"
45-00700 (A45-12447)	"	2.13 cfs ✓ 5.33	Irrig Stock/Dom	"
45-00703 (A45-00703)	4-1-1912	3.20 cfs	Irrig Stock/Dom	"

2. Land Ranch Spring Rights

45-00164 (A45-12444)	4-1-1870	2.35 cfs ✓	Irrig Stock/Dom	"
45-00698 (A45-12444) 4.133 cfs	"	0.78 cfs ✓	Irrig Stock/Dom	"

3. Groundwater

A45-04013B	4-10-1948	0.88 cfs	Irrig	3-1 to 10-31
A45-12450	5-9-1953	5.90 cfs	"	"

18.44

11-8-99
KRC
45-00699
is part of
A45-12444

Analysis appears
to be missing 45-00699-
Stockwater Right
only.

ATTACHMENT B

1.6.a. Land Creek - Divider box, ditch to pond on south end of farm, bypass ditch to second pond near center of farm.

Land Ranch Spring - Check dam & ditch to pond on south end farm, bypass to other pond.

Groundwater - Two pumped wells now discharge into a channel that comingles with Land Ranch Spring. Water then flows to the farm as described above. If T. 5038 is approved, the west well will be abandoned in favor of a new well to be drilled near Land Creek. The new well will then discharge into Land Creek, flowing to the farm in the existing diversion works described above.

The two ponds have pumps that feed several pivot sprinklers. The central part of the farm is irrigated via gravity flow from the ditch between the two ponds. All three water sources are comingled as needed.

The large pivot on the north end of the farm will be moved to the south end of the farm to replace some handlines and to cover some land that just came out of CRP. Some of the land under the north pivot will now be irrigated with two 1/8-mile pivots. Overall, the number of irrigated acres will decrease slightly. These water sources are shared with Corey King for use on his land north and east of our property.

T#5147

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
1459 OVERLAND AVE.
BURLEY, ID 83318

IMPORTANT NOTICE-PLEASE READ

PRESORTED
FIRST CLASS MAIL
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PERMIT NO. 10

	CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1	IRRGTD AG	20.000 AC	10,700
5	DRY GRAZING	93.270 AC	2,985
32	RURAL IMP ON AG		112,540
59	MACH & EQUIP		45,185
		113.270	171,410*

1997

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VALUATION

ASSESSMENT NOTICE

TAXES ARE BASED ON THE VALUATION
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JUNE 20, 1997

See the reverse side for further references
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195498
171410
24088

PROPERTY ADDRESS

PARCEL NUMBER RP 13S22E011800 A

Mail To:

SENE, SWNE, T 4933
SENE LYING N/W OF ROAD
S 1 T 13 R 22
FEEDYARD

ELQUIST RANCHES INC
1425 SOUTH 80 WEST
OAKLEY ID 83346

Down 24,088

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
1459 OVERLAND AVE.
BURLEY, ID 83318

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	CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1	IRRGTD AG	79.000 AC	42,265
5	DRY GRAZING	17.800 AC	570
		96.800	42,835*

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PARCEL NUMBER RP 13S22E010150 A

Mail To:

T 1484, LOTS 2 & 3
S 1 T 13 R 22

ELQUIST RANCHES INC
1425 SOUTH 80 WEST
OAKLEY ID 83346

same

T #514;

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
1459 OVERLAND AVE.
BURLEY, ID 83318

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	CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
		TAX CODE 15-00	
1	IRRGTD AG	300.000 AC	160,500
2	IRRGTD PASTURE	175.000 AC	59,500
5	DRY GRAZING	35.000 AC	1,120
19	WASTE	6.420 AC	
		516.420	221,120*

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PARCEL NUMBER RP 12S22E360000 A

Mail To:

N1/2, T 1396, T 1393,
S 36 T 12 R 22

ELQUIST RANCHES INC

1425 SOUTH 80 WEST
OAKLEY ID 83346

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
1459 OVERLAND AVE.
BURLEY, ID 83318

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	CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
		TAX CODE 15-00	
1	IRRGTD AG	150.690 AC	80,619
19	WASTE	1.230 AC	
		151.920	80,619*

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PROPERTY ADDRESS

PARCEL NUMBER RP 12S22E254800 A

Mail To:

S E1/4, E1/2 E1/2 SW LESS T 5659
S 25 T 12 R 22

ELQUIST RANCHES INC

1425 SOUTH 80 WEST
OAKLEY ID 83346

same

T#5147

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
1459 OVERLAND AVE.
BURLEY, ID 83318

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CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	29.210 AC	15,627
	29.210	15,627*

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PARCEL NUMBER RP 12S22E367000 A

Mail To:

T 5137
S 36 T 12 R 22

ELQUIST RANCHES INC

1425 SOUTH 80 WEST
OAKLEY ID 83346

52me

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
1459 OVERLAND AVE.
BURLEY, ID 83318

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CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	25.000 AC	13,375
5 DRY GRAZING	54.770 AC	1,753
19 WASTE	.580 AC	
	80.350	15,128*

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PARCEL NUMBER RP 12S22E366149 A

Mail To:

T 1482, T 1391, T 1394,
S 36 T 12 R 22

ELQUIST RANCHES INC

1425 SOUTH 80 WEST
OAKLEY ID 83346

52me

T # 514,

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
1459 OVERLAND AVE.
BURLEY, ID 83318

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	CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
	TAX CODE 15-00		
1	IRRGTD AG	10.950 AC	5,858
10	RURAL HOMESITE	1.000 AC	6,600 ✓
19	WASTE	1.000 AC	
31	RURAL RES BLDG		53,915
32	RURAL IMP ON AG		1,200
	LESS HOMEOWNER EXEMPTION		26,958
		12.950	40,615*

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PROPERTY ADDRESS

PARCEL NUMBER RP 13522E010000 A

Mail To:

T 1395, T 1392
S 1 T 13 R 22

ELQUIST RANCHES INC
1425 SOUTH 80 WEST
OAKLEY ID 83346

Plus 3465

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
1459 OVERLAND AVE.
BURLEY, ID 83318

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	CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
	TAX CODE 15-00		
2	IRRGTD PASTURE	7.160 AC	2,434
10	RURAL HOMESITE	1.000 AC	6,600 ✓
31	RURAL RES BLDG		40,459
32	RURAL IMP ON AG		22,173
	LESS HOMEOWNER EXEMPTION		20,230
		8.160	51,436*

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PROPERTY ADDRESS

PARCEL NUMBER RP 13522E010050 A

Mail To:

TAX 175
S 1 T 13 R 22

ELQUIST RANCHES INC
1425 SOUTH 80 WEST
OAKLEY ID 83346

Plus 3465

J# 514;

RECEIVED

JUL 31 1997

Department of Water Resources
Southern Region

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
1459 OVERLAND AVE.
BURLEY, ID 83318

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	CATEGORY DESCRIPTION	LOTS/ACRES	TAX CODE	MARKET VALUE
1	IRRGTD AG	78.060 AC	15-00	41,762
2	IRRGTD PASTURE	32.000 AC		10,880
5	DRY GRAZING	9.000 AC		288
19	WASTE	1.400 AC		
		120.460		52,930*

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PROPERTY ADDRESS

PARCEL NUMBER RP 12S23E311600 A

Mail To:

T 4931, T 4932, PT LOT 3,
LOT 4, PT SESE
S 31 T 12 R 23

ELQUIST RANCHES INC

1425 SOUTH 80 WEST
OAKLEY ID 83346

same

MARTELL C. HOLLAND
CASSIA COUNTY ASSESSOR
CASSIA COUNTY COURTHOUSE
1459 OVERLAND AVE.
BURLEY, ID 83318

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	CATEGORY DESCRIPTION	LOTS/ACRES	TAX CODE	MARKET VALUE
1	IRRGTD AG	25.000 AC	15-00	13,375
2	IRRGTD PASTURE	9.000 AC		3,060
5	DRY GRAZING	44.000 AC		1,408
10	RURAL HOMESITE	1.000 AC		6,600✓
19	WASTE	1.390 AC		
31	RURAL RES BLDG			84,361
32	RURAL IMP ON AG			6,302
	LESS HOMEOWNER EXEMPTION	80.390		42,181
				72,925*

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PROPERTY ADDRESS

PARCEL NUMBER RP 13S23E060000 A

Mail To:

LOTS 1 & 2
S 6 T 13 R 23

ELQUIST RANCHES INC

1425 SOUTH 80 WEST
OAKLEY ID 83346

plus 3465

T # 514;

