

ENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 77119

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Don O Callister

Phone 208-767-3117

Mailing address 1496 W. 3700 N. Howe, ID 83244

Email _____

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

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

☒ No Representative

Name of Representative _____

Phone _____

Mailing address _____

Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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

Don O. Callister
Signature of Applicant or Authorized Representative

Don O. Callister
Print Name and Title if applicable

4/7/2011
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 Change of Ownership (33-2051B)
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**. Want to add a POD to the water rights to enable me to alternate usage from one or the other POD when it is necessary, especially when I have hay down. Wish to create a permissible place of use.

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Department of Water Resources
Eastern Region

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 ☒ ☐	33-2051B	0.37	Irrigation	4/01 to 11/01	Ground Water
☒ ☐	33-7026	1.08	Irrigation	4/01 to 11/01	Ground Water
☒ ☐	33-7013	3.12	Irrigation	4/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.5 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 4.5 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 #
NO		NW	NW	NW	21	06N	29E	BUTTE	GROUND WATER	
NO		NW	NW	NE	28	06N	29E	BUTTE	GROUND WATER	

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	
06N	29E	21														40	29		69
06N	29E	28	39	38	39	40													156

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Total Acres (for irrigation use) 225

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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: Two wells, mainline, pivot and hand/wheel lines.

- b. Who owns the property at the point(s) of diversion? YES

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? NO
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: _____

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: NONE

- 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: _____

- 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: _____

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

Current Water Right No.: 33-2051B

Current Owner: RULON J CALLISTER
MARGARET S CALLISTER

Priority Date: 11/26/1948

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

4/01 to 11/01

Total Diversion

Diversion Rate

0.37 CFS

0.37 CFS

Annual Volume

Location of Point(s) of Diversion

GROUND WATER

BUTTE County

NW1/4NW1/4NE1/4

Sec. 28, Twp 06N, Rge 29E B.M.

Place of Use

IRRIGATION Within BUTTE County

T06N R29E S21

NWSE

40.00

T06N R29E S21

SWSE

29.00

Total Acres: 69

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 24 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 33-07026 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 69 ACRES IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH RIGHT NO. 33-07026 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.38 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 241.5 AF.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-07013, 33-07026.
5. 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.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

Current Water Right No.: 33-7013

Current Owner: DON O CALLISTER
Priority Date: 4/26/1972
Origin: Water Right
Status: Active
Basis: Decreed

Source
GROUND WATER

Tributary

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	4/01 to 10/31	3.12 CFS	546 AF
	Total Diversion	3.12 CFS	

Location of Point(s) of Diversion

GROUND WATER NW1/4NW1/4NE1/4 Sec. 28, Twp 06N, Rge 29E B.M.
BUTTE County

Place of Use

IRRIGATION Within BUTTE County

T06N R29E S28	NENE	39.00	T06N R29E S28	NWNE	38.00
T06N R29E S28	SWNE	39.00	T06N R29E S28	SENE	40.00
Total Acres: 156					

Conditions of Approval:

1. RIGHT NOS. 33-07026 AND 33-02051B ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.
2. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decreed Date: 8/11/2000

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

Current Water Right No.: 33-7026

Current Owner: DON O CALLISTER
Priority Date: 10/30/1973
Origin: Water Right
Status: Active
Basis: Decreed

Source	Tributary
GROUND WATER	
Beneficial Use	From To
IRRIGATION	4/01 to 11/01
	Total Diversion
	1.08 CFS
	1.08 CFS
Location of Point(s) of Diversion	
GROUND WATER	NW1/4NW1/4NE1/4
BUTTE County	Sec. 28, Twp 06N, Rge 29E B.M.

Place of Use

IRRIGATION Within BUTTE County

T06N R29E S21	NWSE	40.00	T06N R29E S21	SWSE	29.00
Total Acres: 69					

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. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-07013, 33-02051B.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. USE OF THIS RIGHT WITH RIGHT NO. 33-02051B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.38 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 241.5 AF.
5. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

Decreed Date: 8/11/2000

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

Department of Water Resource
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

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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Department of Water Resources
Eastern Region

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 77119

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) Don O Callister Phone 208-767-3117

Mailing address 1496 W. 3700 N. Howe, ID 83244 Email _____

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

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

☒ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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

Don O. Callister
Signature of Applicant or Authorized Representative

Don O. Callister
Print Name and Title if applicable

3/14/11
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 Change of Ownership (33-2051B)
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**. Want to add a POD to the water rights to enable me to alternate usage from one or the other POD when it is necessary, especially when I have hay down.

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Department of Water Resources
Eastern Region

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 ☒ ☐	33-2051B	0.37	Irrigation	4/01 to 11/01	Ground Water
☒ ☐	33-7026	1.08	Irrigation	4/01 to 11/01	Ground Water
☒ ☐	33-7013	3.12	Irrigation	4/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.5 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 4.5 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 #
NO		NW	NW	NW	21	06N	29E	BUTTE	GROUND WATER	
NO		NW	NW	NE	28	06N	29E	BUTTE	GROUND WATER	

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	

Total Acres (for irrigation use) _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: There is a point of diversion in NW 1/4 of Section 21. There is another in the NE 1/4 of Section 28. I would like to have them connected so if I have hay down, or mature grain, I can water with either pump.
- b. Who owns the property at the point(s) of diversion? YES

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? NO
- 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: _____

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: NONE

- 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: _____

- 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: _____

Mail Property Tax Notice To:

Don O. Callister
1496 West 3700 North
Howe, Idaho 83244

NO. 0048168
RECORDED
NOV 03 2010
A.M. 1:50
BUTTE COUNTY RECORDER
Don O. Callister

PERSONAL REPRESENTATIVE'S DEED

THIS DEED is made by Wayne J. Lott, as personal representative of the estate of Rulon J. Callister, deceased and Margaret S. Callister, deceased and as successor trustee of the Margaret S. Callister Testamentary Trust, as Grantor, to Don O. Callister, a married man as his sole and separate property, Grantee, whose current address is 1496 West 3700 North, Howe, Idaho 83244.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. CV-10-99 in Butte County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Butte County, Idaho

See Attached Exhibit "A"

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way, and water rights anywise appertaining to the property herein described.

EXECUTED this 27th day of September, 2010.

Wayne J. Lott
WAYNE J. LOTT, Personal Representative of the estate of
Rulon J. Callister deceased.

STATE OF UTAH)
)ss.
County of Utah)

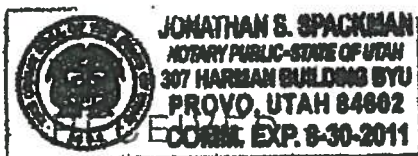
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JAN 14 2011

Department of Water Resources

On this 27th day of September, 2010, before me the undersigned, a Notary Public in and for said state, personally appeared, WAYNE J. LOTT, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Rulon J. Callister, deceased, and acknowledged to me that he executed the same as such Personal Representative.

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



Jonathan S. Spackman
Notary Public for Utah

Residing at: 307 Harman Building BYU Provo UT 84602
My Commission Expires: 8/30/2011

L:\DRN0711 3\pr deed.wpd

NOV 16 2010

Department of Water Resources
Eastern Region

77119

EXHIBIT "A"

The NW1/4, the W 1/2 of the SE 1/4 of Section 21 and the NE 1/4 of Section 28, all in Township 6 North, Range 29 East of the Boise Meridian, in Butte County, Idaho, together with the tenements, hereditaments and appurtenances thereunto belonging and appertaining, including all water rights and ditch rights however evidenced, and including all canal or water company rights associated therewith.

Together with all irrigation equipment and well rights and all motors and pumps installed in the said irrigation well upon said premises.

Subject to reservations contained in State and Government Deeds and Patents, rights of way for existing public roads, irrigation ditches and canals over and across said premises and all existing regulations of use.

Subject, also, to taxes and assessments which the grantee assumes and agrees to pay.

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Department of Water Resources
Eastern Region

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Proposed Transfer- Callister Water Rights 33-2051B, 33-7026 and 33-7013



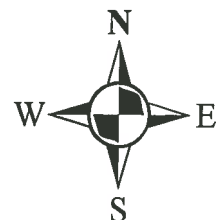
Legend

- Callister POD Added
- Callister POD Existing
- Callister POU
- Sections
- QQ

0 0.1 0.2 0.4 0.6 0.8 Miles

Prepared by Denise Kidman
On March 9, 2011
2009 Aerial Photography

77119



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

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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: Change of ownership

33-2051B

RECEIVED

MAR 15 2011

Department of Water Resources
Eastern Region

77119

WARRANTY DEED

For Value Received MERLE H. HOFFMAN and ILETA HOFFMAN, husband and wife, and ROY M. HOFFMAN, a bachelor, all of the County of Lemhi, State of Idaho,

the grantors, do hereby grant, bargain, sell, and convey unto RULON J. CALLISTER and MARGARET S. CALLISTER, husband and wife, of the County of Bingham, State of Idaho, the grantees, the following described premises, to-wit:

The NW $\frac{1}{4}$, the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 21, and the NE $\frac{1}{4}$ of Section 28, all in Township 6 North, Range 29 East of the Boise Meridian, in Butte County, Idaho, together with the tenements, hereditaments and appurtenances thereunto belonging and appertaining, including all water rights and ditch rights of way used for the irrigation thereof, and particularly the following:

240 shares of the capital stock of Blaine County Canal Company, a corporation; 175.25 shares of Dry Creek Development Company, a corporation, and the ground water right and license for 2.74 c.f.s. from an irrigation well located on the above-described premises with priority of November 26, 1948.

Also, one 50 h.p. electric motor and turbine pump installed in the said irrigation well upon said premises.

Subject to reservations contained in State and Government Deeds and Patents, rights of way for existing public roads, irrigation ditches and canals over and across said premises and all existing regulations of use.

Subject, also, to taxes, dues and assessments for the year 1972, which the grantees assume and agree to pay.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: April 21, 1972

Merle H. Hoffman
Ileta F. Hoffman

Roy M. Hoffman

STATE OF IDAHO, COUNTY OF Bingham
On this 21st day of April, 1972,
before me, a notary public in and for said State, personally
appeared MERLE H. HOFFMAN and ILETA
HOFFMAN, husband and wife, and
ROY M. HOFFMAN, a bachelor,

known to me to be the persons whose names are
subscribed within instrument, and acknowledged to
me that they executed the same.

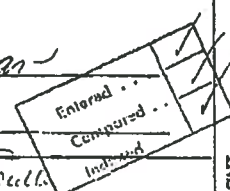
[Signature]
Notary Public
Residing at Blackfoot, Idaho
Comm. Expires 31, 1974

STATE OF IDAHO, COUNTY OF Blaine
I hereby certify that this instrument was filed for record at
the request of *David Sawyer*

at 30 minutes past 1 o'clock P. M.,
this 18th day of May,
1972, in my office, and duly recorded in Volume
of the Official Records.

[Signature]
Ex-Officio Recorder
By _____ Deputy.

Fees \$ 1.00
Mail to: *David Sawyer*



INSTRUMENT No. 711898

Mail Property Tax Notice To:

NO. 0048168

Don O. Callister
1496 West 3700 North
Howe, Idaho 83244

RECORDED

NOV 03 2010

A.M. 1:50 P.M.

BUTTE COUNTY RECORDER

PERSONAL REPRESENTATIVE'S DEED

THIS DEED is made by Wayne J. Lott, as personal representative of the estate of Rulon J. Callister, deceased and Margaret S. Callister, deceased and as successor trustee of the Margaret S. Callister Testamentary Trust, as Grantor, to Don O. Callister, a married man as his sole and separate property, Grantee, whose current address is 1496 West 3700 North, Howe, Idaho 83244.

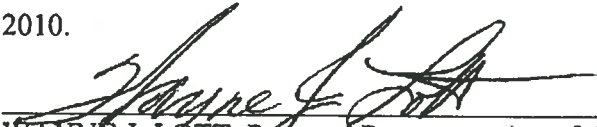
WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. CV-10-99 in Butte County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Butte County, Idaho

See Attached Exhibit "A"

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way, and water rights anywise appertaining to the property herein described.

EXECUTED this 27th day of September, 2010.


WAYNE J. LOTT, Personal Representative of the estate of
Rulon J. Callister deceased.

STATE OF UTAH)
)ss.
County of Utah)

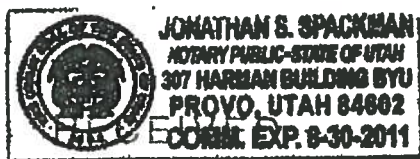
RECEIVED

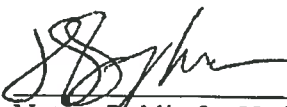
JAN 14 2011

Department of Water Resources
Utah Water Right

On this 27th day of September, 2010, before me the undersigned, a Notary Public in and for said state, personally appeared, WAYNE J. LOTT, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Rulon J. Callister, deceased, and acknowledged to me that he executed the same as such Personal Representative.

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




Notary Public for Utah
Residing at: 307 Harman Building BYU Provo UT 84602
My Commission Expires: 8/30/2011

L:\DRN0711 3pr deed.wpd

NOV 16 2010

Department of Water Resources
Eastern Region

77119

EXHIBIT "A"

The NW1/4, the W 1/2 of the SE 1/4 of Section 21 and the NE 1/4 of Section 28, all in Township 6 North, Range 29 East of the Boise Meridian, in Butte County, Idaho, together with the tenements, hereditaments and appurtenances thereunto belonging and appertaining, including all water rights and ditch rights however evidenced, and including all canal or water company rights associated therewith.

Together with all irrigation equipment and well rights and all motors and pumps installed in the said irrigation well upon said premises.

Subject to reservations contained in State and Government Deeds and Patents, rights of way for existing public roads, irrigation ditches and canals over and across said premises and all existing regulations of use.

Subject, also, to taxes and assessments which the grantee assumes and agrees to pay.

RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

77119

NO. 0048233
RECORDED

DEC 03 2010

A.M. 4:37 P.M.
BUTTE COUNTY RECORDER
[Signature]

QUITCLAIM DEED

For Value Received: Owen and Vella Romrell

Hereby convey, release, remise and forever quit claim unto Don Callister whose current address is 1496 West 3700 N, Howe, Idaho 83244, the following described premises, to wit:

Part of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 6 North, Range 29 East of the Boise Meridian, Butte County, Idaho, described as:

Beginning at the Center of Section 21, said point being marked by a 5/8" iron rod with 2" aluminum cap being stamped Harper-Leavitt Engineering PLS 12222 and bearing S 89°38'27" E 2639.14 feet from the West $\frac{1}{4}$ corner of said section, said point being referenced by Corner Perpetuation and Filing Record instrument number 0038029 and also bearing N 00°24'38" W 2648.85 feet from the South $\frac{1}{4}$ corner of said section and being marked by a 5/8" iron rod with 2" aluminum cap being stamped Harper-Leavitt Engineering PLS 12222; thence S 00°24'38" E 854.98 feet along the East line of the Southwest $\frac{1}{4}$ to a point of curvature of a non-tangent curve whose radius point bears S 69°01'56" W 1395.36 feet; thence Northwesterly 1368.48 feet along said curve with the following curve data: Delta=56°11'31", Radius=1395.36 feet and Chord Bearing=N 49°03'50" W 1314.29 feet to the North line of said Southwest $\frac{1}{4}$; thence S 89°38'27" E 986.76 feet along said North line to the Point of Beginning.

Parcel contains 6.33 acres more or less.

together with their appurtenances.

Dated:

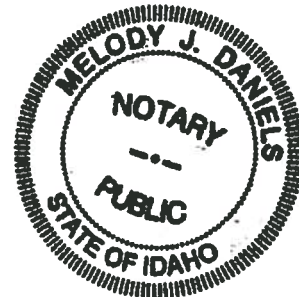
Owen A. Romrell 11/24/10

Vella Romrell 11/26/10

STATE OF IDAHO, COUNTY OF BUTTE

On this 26th day of November, 2010 before me a notary public in and for said State personally appeared *Owen A. Romrell* known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Melody J. Daniels
Notary Public
Residing at Twin Falls Idaho
Commission Expires: 1/16/2014



RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

77119

QUITCLAIM DEED

NO. 0048234
RECORDED

DEC 03 2010

A.M. 4:38 P.M.
BUTTE COUNTY RECORDER
[Signature]

For Value Received: Don Callister

Hereby conveys, releases, remises and forever quit claims unto Owen and Vella Romrell whose current address is 1596 West 3800 N, Howe, Idaho 83244, the following described premises, to wit:

Part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 21, Township 6 North, Range 29 East of the Boise Meridian, Butte County, Idaho, described as:

Beginning at the West $\frac{1}{4}$ corner of Section 21, said point being marked by a 2" aluminum cap-PLS 3577 and referenced by Corner Perpetuation and Filing Record instrument number 0038029, from which the Northwest corner of said section bears N 00°13'17" W 2647.09 feet and is marked by a 5/8" iron rod with plastic cap-PLS 826 and being referenced by Corner Perpetuation and Filing Record instrument number 0038028; thence N 00°13' 17" W 950.40 feet along the West line of said section to the point of curvature of a non-tangent curve whose radius point bears N 75°27'42"E 1368.80 feet; thence Southeasterly 1365.64 feet along said curve with the following curve data; Delta=57°09'49", Radius=1368.80' and Chord Bearing=S 43°07'13"E 1309.70 feet to South line of the Northwest $\frac{1}{4}$; thence N 89°38'27" W 891.57 feet along said South line to the Point of Beginning.

Parcel contains 6.33 acres more or less and is subject to a county road right of way and a canal along West side, together with their appurtenances.

Dated:

Don O. Callister

11/27/2010

STATE OF IDAHO, COUNTY OF BUTTE

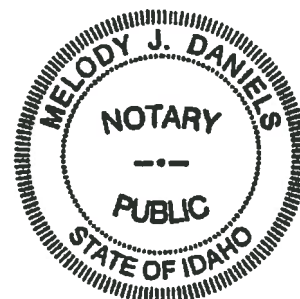
On this 27th day of November, 2010 before me a notary public in and for said State personally appeared Don Callister known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Melody J. Daniels

Notary Public

Residing at Twin Falls, Idaho

Commission Expires: 1/16/2014



RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

77119

After recording return to: Farm Credit Services
2225 W. Broadway, Suite A
Idaho Falls, ID 83402

Customer/Note No. 11074-301

FULL RELEASE - Debt Discharged

For good and valuable consideration, Lender certifies as follows:

Release/Debt Fully Discharged: The note and all other indebtedness secured by the Loan Documents having been fully discharged, the following Loan Documents are released:

The Mortgage dated March 16, 1983 and executed by Rulon J. Callister and Margaret Callister, husband and wife, recorded on April 7, 1983, as Instrument No. M-12231, in the records of Butte County, State of Idaho.

"Loan Documents" include any note, security, or other documents of any kind and any amendments thereto, signed in connection with the note, identified by the above-listed note number.

Dated: July 23, 2003

Lender: Northwest Farm Credit Services, ACA

Carmela Smizer
Authorized Agent

State of Idaho)
) ss.
County of Bonneville)

On July 23, 2003, before me personally appeared Carmela Smizer, known to me to be an authorized agent of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same as its free act and deed; and on oath stated that he/she was authorized to execute said instrument.



Jennifer A. Hansen
Jennifer A. Hansen
Notary Public for the State of Idaho
Residing at Shelley, ID
My commission expires 9/7/05

NO. 0039672
RECORDED

JUL 25 2003

AM 1:19 PM
BUTTE COUNTY RECORDER

Tully S. McEffer

RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

77119

NO. 0046900

RECORDED

JUN 26 2009

9:15 A.M.
BUTTE COUNTY RECORDER
[Signature]

QUITCLAIM DEED

For Value Received: Dennis Weeks

Hereby convey, release, remise and forever quit claim unto Callister Dairy LLP whose current address is 1496 West 3700 N, Howe, Idaho 83244, the following described premisis, to wit:

Part of the Southwest ¼ of the Southwest ¼ of the Northeast ¼ of Section 21, Township 6 North, Range 29 East of the Boise Meridian, Butte County, Idaho, described as:

Beginning at the Center of Section 21, said point being marked by a 5/8" iron rod with 2" aluminum cap North ¼ corner of said section and being marked by a 5/8" iron rod with 2" aluminum cap being stamped Harper-Leavitt Engineering PLS 12222 and also bearing N 89°38'27" W 2646.89 feet from the East ¼ corner of said section which is a ½" iron rod; thence N 00°24'38" W 878.33 feet to a point of curvature of a non-tangent curve whose radius point bears N 71°46'54" E 1369.80 feet; thence Southeasterly 1317.53 feet along said curve with the following curve data: Delta=55°06'35", Bearing=S 45°46'23" E 1267.33 feet to the South line of said Northeast ¼; thence N 89°38'27" W 901.87 feet along said South line to the Point of Beginning.

Parcel contains 6.04 acres more or less.

together with their appurtenances.

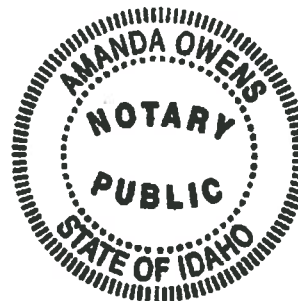
Dated:

[Signature] 6-25-09

STATE OF IDAHO, COUNTY OF BUTTE

On this 25 day of June, 2009 before me a notary public in and for said State personally appeared Dennis Weeks known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
Notary Public
Residing at Howe, Idaho
Commission Expires: Aug 7, 2014



RECEIVED

NOV 16 2010

Department of Water Resources
Eastern Region

77119

NO. 0046902
RECORDED

JUN 26 2009

9:17 A.M.
BUTTE COUNTY RECORDER
[Signature]

QUITCLAIM DEED

For Value Received: Owen Romrell

Hereby convey, release, remise and forever quit claim unto Rulon Callister whose current address is 1542 West 3800 N, Howe, Idaho 83244, the following described premises, to wit:

Part of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 6 North, Range 29 East of the Boise Meridian, Butte County, Idaho, described as:

Beginning at the Center of Section 21, said point being marked by a 5/8" iron rod with 2" aluminum cap being stamped Harper-Leavitt Engineering PLS 12222 and bearing S $89^{\circ}38'27''$ E 2639.14 feet from the West $\frac{1}{4}$ corner of said section, said point being referenced by Corner Perpetuation and Filing Record instrument number 0038029 and also bearing N $00^{\circ}24'38''$ W 2648.85 feet from the South $\frac{1}{4}$ corner of said section and being marked by a 5/8" iron rod with 2" aluminum cap being stamped Harper-Leavitt Engineering PLS 12222; thence S $00^{\circ}24'38''$ E 854.98 feet along the East line of the Southwest $\frac{1}{4}$ to a point of curvature of a non-tangent curve whose radius point bears S $69^{\circ}01'56''$ W 1395.36 feet; thence Northwesterly 1368.48 feet along said curve with the following curve data: Delta= $56^{\circ}11'31''$, Radius=1395.36 feet and Chord Bearing=N $49^{\circ}03'50''$ W 1314.29 feet to the North line of said Southwest $\frac{1}{4}$; thence S $89^{\circ}38'27''$ E 986.76 feet along said North line to the Point of Beginning.

Parcel contains 6.33 acres more or less.

together with their appurtenances.

Dated:

Owen R Romrell 6/25/09

Vella J. Romrell 6/25/09

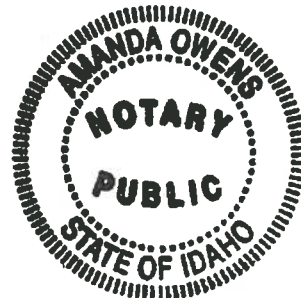
STATE OF IDAHO, COUNTY OF BUTTE

On this 25th day of June, 2009 before me a notary public in and for said State personally appeared ~~Owen Romrell~~ Owen + Vella Romrell known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at Howe, Idaho

Commission Expires: Aug 7, 2014



RECEIVED

NOV 16 2010

Department of Water Resources
Eastern Region

77119