

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 77104

RECEIVED

MAR 17 2011

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

Name of Applicant(s) ARDEN L & HEIDI CRANNEY
SOUTHERN REGION

MAR 17 2011

Phone 208-862-3459

Mailing address 250 W 1545 S

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

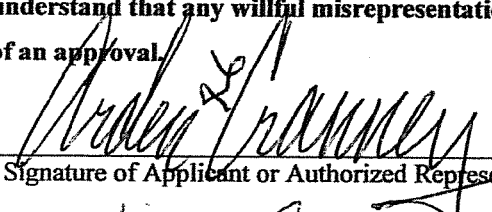
☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

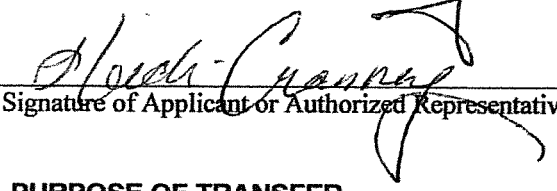
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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.


Signature of Applicant or Authorized Representative

ARDEN L CRANNEY
Print Name and Title if applicable

12/8/10
Date


Signature of Applicant or Authorized Representative

HEIDI CRANNEY
Print Name and Title if applicable

12/8/10
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 Combine
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**. All listed water rights will be combined and a new place of use will be specified for the new combined right

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DEPARTMENT OF WATER RESOURCESMAR 17 2011 APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 ContinuedDEPT. OF WATER RESOURCES
SOUTHERN REGION

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.

	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☒ ☐	45-423A	1.1 ✓	IRRIGATION	3/01 to 11/15	BIG COTTONWOOD CREE
☒ ☐	45-13772	0.93	IRRIGATION	3/15 to 11/15	BIG COTTONWOOD CREE
☒ ☐	45-2260	1.2	IRRIGATION	3/15 to 11/15	SPRING
☒ ☐	45-442	0.7 ✓	IRRIGATION	3/15 to 11/15	BIG COTTONWOOD CREE
☒ ☐	45-424	2.5 ✓	IRRIGATION	3/15 to 11/15	BIG COTTONWOOD CREE
☒ ☐	45-440	0.5	IRRIGATION	3/15 to 11/15	BIG COTTONWOOD CREE
☒ ☐	45-439	0.24	IRRIGATION	3/15 to 11/15	BIG COTTONWOOD CREE
☒ ☐	45-423B	1.36 ✓	IRRIGATION	3/01 to 11/15	BIG COTTONWOOD CREE
☐ ☐					

Total authorized under rights 8.536.4 cfs and/or AC # ac-ft2. Total amount of water proposed to be transferred or changed 8.536.4 cubic feet per second and/or AC # acre-feet per annum

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it Attachment #5.

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

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	21E	04									29.3	34.2	23.3	19.4	27.2	34.5	33.2	25.9	227.0
13S	21E	09					22.7	38.4		30.5	30.3								121.9

Total Acres (for irrigation use) 350 348.9

STATE OF IDAHO
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MAR 10 2011
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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: _____

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

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

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: _____

- 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**

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MAR 10 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Current Water Right No.: 45-423A

Current Owner: HEIDI CRANNEY
ARDEN L CRANNEY

Priority Date: 4/12/1892

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary		
BIG COTTONWOOD CREEK	DRY CREEK		
Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	3/01 to 11/15	1.1 CFS	
	Total Diversion	1.1 CFS	

Location of Point(s) of Diversion
BIG COTTONWOOD CREEK NW1/4NE1/4SW1/4 Sec. 17, Twp 13S, Rge 21E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R21E S9	NENW	25.00	T13S R21E S9	NWNW	39.00
Total Acres: 64					

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.

Decreed Date: 5/6/2005

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

Current Water Right No.: 45-423B

Current Owner: ARDEN L CRANNEY
HEIDI CRANNEY

Priority Date: 4/12/1892

Origin: Water Right

Status: Active

Basis: Decreed

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MAR 10 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Source
BIG COTTONWOOD CREEK

Tributary
DRY CREEK

Beneficial Use	From To
IRRIGATION	3/01 to 11/15
	Total Diversion

Diversion Rate	Annual Volume
1.36 CFS	
1.36 CFS	

Location of Point(s) of Diversion
BIG COTTONWOOD CREEK
CASSIA County

NW1/4NE1/4SW1/4 Sec. 17, Twp 13S, Rge 21E B.M.

Place of Use

IRRIGATION Within CASSIA County

T13S R21E S9	SENW	39.00	T13S R21E S9	NESW	38.00
Total Acres: 77					

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. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-439, 45-440

Decreed Date: 5/6/2005

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

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Current Water Right No.: 45-424

Current Owner: HEIDI CRANNEY
ARDEN L. CRANNEY

Priority Date: 4/12/1892

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
BIG COTTONWOOD CREEK	DRY CREEK
Beneficial Use	From To
IRRIGATION	03/15 to 11/15
	Total Diversion
	2.5 CFS
	2.5 CFS

Location of Point(s) of Diversion
BIG COTTONWOOD CREEK NW1/4NE1/4SW1/4 Sec. 17, Twp 13S, Rge 21E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R21E S4	NESW	38.00	T13S R21E S4	NWSW	39.00
T13S R21E S4	SWSW	38.00	T13S R21E S4	SESW	33.00
T13S R21E S4	NWSE	31.00	T13S R21E S4	SWSE	30.00
Total Acres: 209					

Conditions of Approval:

1. E52 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.2 CFS. COMBINED RIGHT NOS.: 45-424, 45-442, 45-2260 & 45-13772.
2. E55 USE OF THIS RIGHT WITH RIGHT NOS. 45-442 & 45-2260 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 147 ACRES IN A SINGLE IRRIGATION SEASON.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 209 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-424, 45-442, 45-2260, 45-13772.
5. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 147 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. K01 RIGHT NO. 45-13772 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

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

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Current Water Right No.: 45-439

Current Owner: ARDEN L CRANNEY
HEIDI CRANNEY

Priority Date: 3/31/1872

Origin: Water Right

Status: Active

Basis: Decreed

Source
BIG COTTONWOOD CREEK

Tributary
DRY CREEK

Beneficial Use	From	To
IRRIGATION	03/15	11/15
	Total Diversion	

Diversion Rate
0.24 CFS
0.24 CFS

Annual Volume

Location of Point(s) of Diversion
BIG COTTONWOOD CREEK
CASSIA County

NW1/4NE1/4SW1/4

Sec. 17, Twp 13S, Rge 21E B.M.

Place of Use

IRRIGATION Within CASSIA County

T13S R21E S9

SENW

39.00

T13S R21E S9

NESW

38.00

Total Acres: 77

Conditions of Approval:

1. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-423B, 45-439, 45-440.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 5/6/2005

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

Current Water Right No.: 45-440

Current Owner: ARDEN L CRANNEY
HEIDI CRANNEY

Priority Date: 4/30/1887

Origin: Water Right

Status: Active

Basis: Decreed

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MAR 10 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Source	Tributary		
BIG COTTONWOOD CREEK	DRY CREEK		
Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	0.5 CFS	
	Total Diversion	0.5 CFS	

Location of Point(s) of Diversion
BIG COTTONWOOD CREEK
CASSIA County

NW1/4NE1/4SW1/4 Sec. 17, Twp 13S, Rge 21E B.M.

Place of Use

IRRIGATION Within CASSIA County

T13S R21E S9	SENW	39.00	T13S R21E S9	NESW	38.00
Total Acres: 77					

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. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-423B, 45-439, 45-440.

Decreed Date: 5/6/2005

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

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Current Water Right No.: 45-442

Current Owner: HEIDI CRANNEY
ARDEN L CRANNEY

Priority Date: 4/30/1882

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary		
BIG COTTONWOOD CREEK	DRY CREEK		
Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	0.7 CFS	
	Total Diversion	0.7 CFS	

Location of Point(s) of Diversion
BIG COTTONWOOD CREEK NW1/4NE1/4SW1/4 Sec. 17, Twp 13S, Rge 21E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R21E S4	NESW	38.00	T13S R21E S4	NWSW	39.00
T13S R21E S4	SWSW	38.00	T13S R21E S4	SESW	33.00
T13S R21E S4	NWSE	31.00	T13S R21E S4	SWSE	30.00
Total Acres: 209					

Conditions of Approval:

1. K01 RIGHT NO. 45-13772 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
2. E52 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.2 CFS. COMBINED RIGHT NOS.: 45-424, 45-442, 45-2260, 45-13772.
3. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 147 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-424, 45-442, 45-2260.
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. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 209 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-424, 45-442, 45-2260, 45-13772.
6. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 147 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION

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

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MAR 10 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Current Water Right No.: 45-2260

Current Owner: HEIDI CRANNEY
ARDEN L CRANNEY

Priority Date: 6/2/1948

Origin: Water Right

Status: Active

Basis: Decreed

Source		Tributary	
SPRING		SINKS	
Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	1.2 CFS	
	Total Diversion	1.2 CFS	

Location of Point(s) of Diversion

SPRING SE1/4NW1/4NW1/4 Sec. 9, Twp 13S, Rge 21E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R21E S4	NESW	38.00	T13S R21E S4	NWSW	39.00
T13S R21E S4	SWSW	38.00	T13S R21E S4	SESW	32.00
Total Acres: 147					

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. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 147 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-424, 45-442, 45-2260.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 209 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-424, 45-442, 45-2260, 45-13772.
4. E52 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.2 CFS. COMBINED RIGHT NOS.: 45-424, 45-442, 45-2260.
5. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Decreed Date: 5/6/2005

**IDAHO DEPARTMENT OF WATER RESOURCES
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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Current Water Right No.: 45-13772

Current Owner: ARDEN L CRANNEY
HEIDI CRANNEY

Priority Date: 3/15/1950

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary	Beneficial Use	From To	Diversion Rate	Annual Volume
BIG COTTONWOOD CREEK	DRY CREEK	IRRIGATION	03/15 to 11/15	0.93 CFS	
			Total Diversion	0.93 CFS	

Location of Point(s) of Diversion

BIG COTTONWOOD CREEK NW1/4NE1/4SW1/4 Sec. 17, Twp 13S, Rge 21E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

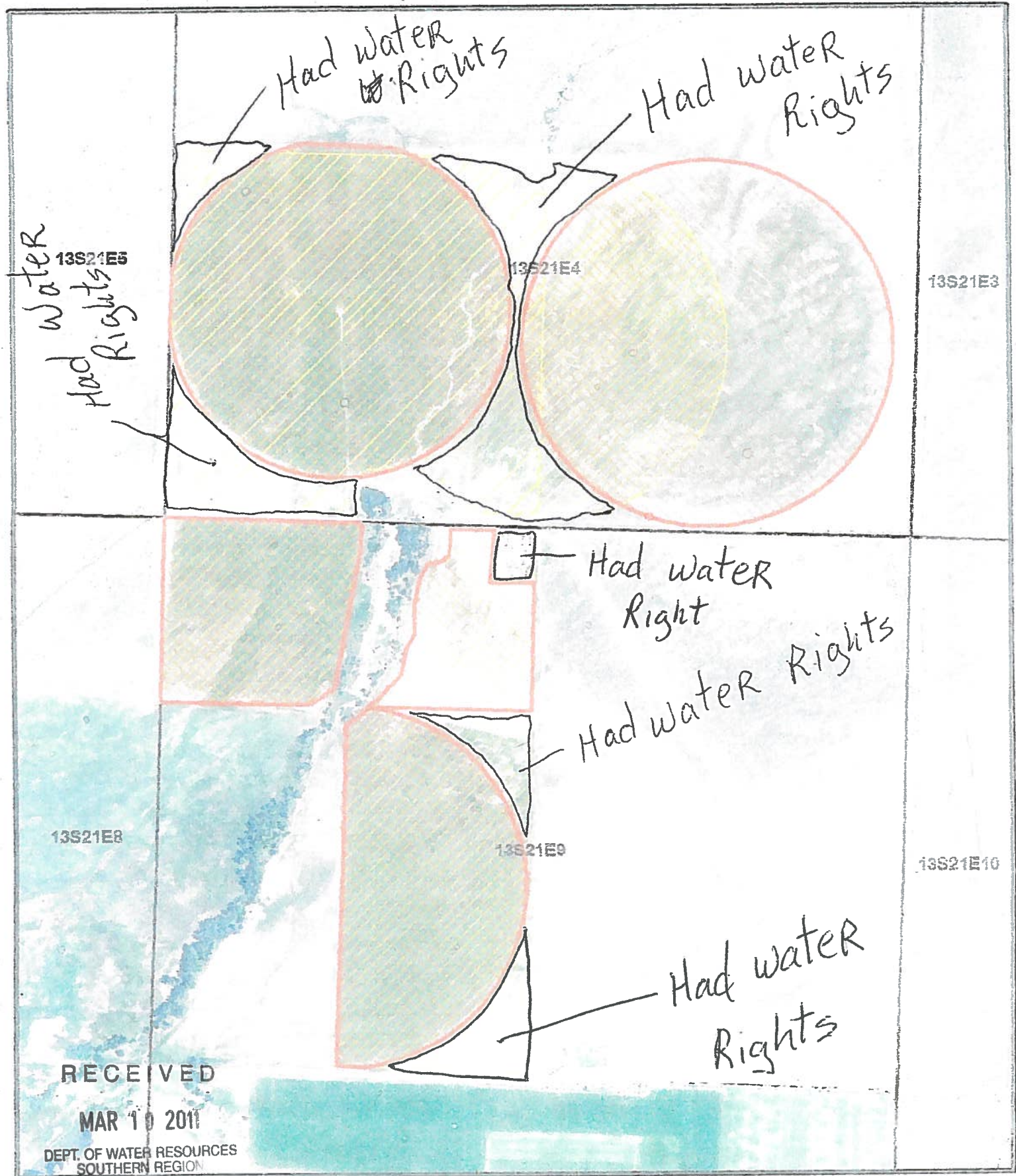
T13S R21E S4	NESW	38.00	T13S R21E S4	NWSW	39.00
T13S R21E S4	SWSW	38.00	T13S R21E S4	SESW	33.00
T13S R21E S4	NWSE	31.00	T13S R21E S4	SWSE	30.00
Total Acres: 209					

Conditions of Approval:

1. E52 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.2 CFS. COMBINED RIGHT NOS.: 45-424, 45-442, 45-2260 & 45-13772.
2. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 62 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 209 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-424, 45-442, 45-2260, 45-13772.
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.

Decreed Date: 5/14/2005

Arden Cranney- WR Transfer



New POU

Previous POU

GCD Sections



235776

WARRANTY DEED

#25795

For Value Received

CRANNEY BROTHERS, a co-partnership consisting of Willard Cranney, Jr., Michael Cranney and Douglas Cranney, also known as Douglas K. Cranney

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ARDEN L. CRANNEY and HEIDI CRANNEY, husband and wife
Address: 1069 Mountain Road
Oakley, Idaho 83346

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

See attached Exhibit "A" for legal description

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant to including but not limited to:

<u>License #</u>	<u>Amount</u>	<u>Priority Date</u>	<u>Stage</u>
A45-00423A	1.10 CFS	04/12/1892	Decree
A45-00423B	1.36 CFS	04/12/1892	Decree
A45-00424	2.50 CFS	04/12/1892	Decree
A45-00442	0.70 CFS	04/30/1882	Decree

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1995 and subsequent years.

Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.

Easement for Construction and Maintenance of Concrete Ditch between Hyrum Poulton, deceased, and Pearl Poulton, parties of the first part, and Cottonwood Water Users Association of Lateral, Inc., a non-profit water users association, party of the second part, dated February 12, 1973 and recorded April 4, 1973 as Instrument No. 69136 on Film No. 81, records of Cassia County, Idaho.

Easement for Construction and Maintenance of Concrete Ditch between Bill R. Poulton and Patricia Lee Poulton, husband and wife, parties of the first part, and Cottonwood Water Users Association of Lateral, Inc., a non-profit water users association, party of the second part, dated February 12, 1973 and recorded April 4, 1973 as Instrument No. 69137 on Film No. 81, records of Cassia County, Idaho.

Power Line Easement from Pearl Poulton, a widow, to Idaho Power Company, a corporation, dated March 1, 1976 and recorded August 27, 1976 as Instrument No. 92828 on Film No. 103, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 23, 1995

EXHIBIT "A"

TOWNSHIP 15 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 8:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, and the following described tract:

Beginning at the Southeast corner of said Section 8;
Thence West 440 feet, more or less, along the South boundary line of the said Section to the Point of intersection thereof at the center line of the right-of-way of the Birch Creek County Road;
Thence Northwesterly along the center line of such right-of-way to the point of intersection thereof with the North boundary line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 8 at a point approximately 200 feet West of the Northeast corner thereof;
Thence Northwesterly along the said center line of the said right-of-way to the point of its intersection with the North line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 8 at a point approximately 800 feet West from the Northeast corner thereof;
Thence Northwesterly along the center line of said right-of-way to the point of intersection thereof with the North boundary line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 8 at a point approximately 940 feet West of the Northeast corner thereof;
Thence Northwesterly along the center line of the said right-of-way of said County road to the intersection thereof with the North boundary line of said Section 8 at a point approximately 600 feet West from the Northeast corner of the NW $\frac{1}{4}$ of said Section 8;
Thence East to the Northeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 8;
Thence South along the East boundary line of the said NW $\frac{1}{4}$ NE $\frac{1}{4}$ to the Southeast corner thereof;
Thence East along the North boundary line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Section 8 to the Northeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 8;
Thence South along the East boundary line of the said Section 8 to the Point of Beginning.

Section 9:

W $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$

TOWNSHIP 13 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 4:

W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE and SW $\frac{1}{4}$

Section 9:

N $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

SAVE a TRACT Part of the NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the North $\frac{1}{4}$ section corner of said Section 9 said corner marked by a 5/8" rebar; Thence South 89°53'54" West along the section line for 713.91 feet to a 1/2" rebar which shall be the Point of Beginning;
Thence South 08°28'00" West for a distance of 770.09 feet to a 1/2" rebar;
Thence South 16°47'51" West for a distance of 316.93 feet to a 1/2" rebar;
Thence South 27°09'50" West for a distance of 293.95 feet to a 1/2" rebar;
Thence North 69°28'55" West for a distance of 383.62 feet to a 1/2" rebar;
Thence North 09°12'54" East for a distance of 1206.85 feet to a 1/2" rebar on section line;
Thence North 89°53'54" East along section line for a distance of 505.19 feet to the Point of Beginning.

CRANNEY BROTHERS

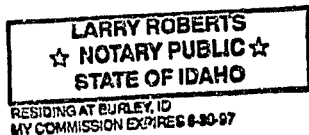
By: Willard Cranney Jr.
Willard Cranney, Jr.

By: Michael Cranney
Michael Cranney

By: Douglas Cranney
Douglas Cranney, aka Douglas K. Cranney

STATE OF IDAHO)
COUNTY OF Cassia) ss.

On this 23rd day of March, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared **WILLARD CRANNEY, JR., MICHAEL CRANNEY and DOUGLAS CRANNEY**, known or identified to me to be the partner or one of the partners in the Partnership of Cranney Brothers, and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said Partnership name.



Larry Roberts
Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-97

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 264
1995 MAR 23 10 48
DANIEL M. JOSEPH
RECORDER
FEE 22.00 DEPUTY 2.00
LAND TITLE & ESCROW
235776

FSA-2060
(12-31-07)U.S. DEPARTMENT OF AGRICULTURE
Farm Service Agency

Position 5

APPLICATION FOR PARTIAL RELEASE, SUBORDINATION, OR CONSENT

PART A — BORROWER REQUEST

1. The undersigned (a) Arden Cranney & Heidi Cranney

("Borrower") in accordance with the terms of the security instruments now held by the United States, acting through U.S. Department of Agriculture, Farm Service Agency (called "Government") on the property, apply for:

(b) ☐ release,(c) ☐ subordination (d) _____

I agree that none of the funds obtained as a result of the subordination will be used for a purpose that will contribute to excessive erosion of highly erodible land or to the conversion of wetlands to produce an agricultural commodity as explained in 7 C.F.R., part 1940, subpart G, Exhibit M;

(e) ☒ consent to (f), combine & move water rights from pivot corners to cover pivots

2. Description of Property:

Water rights are located in Sec. 4 Twp 13S Rge 21E and in Sec. 9 Twp 13S Rge 21E See attached map

3. Name of lienholder, approximate amount of each lien, including FSA in the order of lien priority:

(a) Name of lienholder	(b) Approximate amount of lien	(c) Lien priority
USDA-FSA	\$ \$146,850	First
	\$	
	\$	
	\$	

4. The use to be made of the property covered by this application:

Still continue to farm

Combining water rights keeping same water right number and moving water rights from irrigated pivot corners to 1/2 circle pivot that is presently dryland.

5. The anticipated proceeds or benefits from this transaction are:

no proceeds to be received just moving water from one location on FSA mortgaged farm to another location on FSA mortgaged farm.

FSA would benefit from this water transfer, changing half circle pivot from dryland to irrigated.

6. Additional considerations:

7. Borrower proposes to use the proceeds as follows:

No proceeds

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its program and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of Discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

RECEIVED

MAR 10 2011

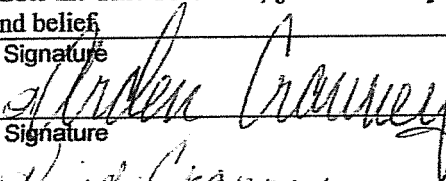
DEPT. OF WATER RESOURCES
SOUTHERN REGION

8. Have you, or any entity members if applicable, ever been: (If "Yes", provide details in Item 9)	YES	NO
(a) Convicted under any Federal or State law of planting, cultivating, growing, producing, harvesting, or storing a controlled substance within the previous 5 crop years? (See the Food Security Act of 1985, Pub. Law. 99-198)	☐	☒
(b) Determined ineligible for Federal benefits based on a conviction for the distribution of controlled substances or any offense involving the possession of a controlled substance under 21 U.S.C. 862?	☐	☒
(c) Determined ineligible for Federal benefits based on Federal Crop Insurance Corporation fraud? (See 7 U.S.C. 1515)	☐	☒

9. Explanations for any "YES", answers to Item 8.

10. I understand that unless FSA executes a separate written instrument for subordination or partial release, FSA's approval of this application will merely constitute and evidence FSA's consent, as lienholder, to the proposed transaction without in any way subordinating its liens, releasing any of its security, modifying the payment terms of my loans, or otherwise affect any FSA rights. If this application is approved, I agree to comply with such terms as may be set by FSA and to dispose of the proceeds as required by FSA.

The statements and representations made above are made in connection with the request for a change in the loan security and/or the release of USDA-provided funds. The making of any false statement or misrepresentations herein may be a crime punishable under the Title 18 U.S.C., §1001. I certify that the statements made are true, complete, and correct to the best of my knowledge and belief.

11A. Signature 	11B. Date 12/8/10
12A. Signature 	12B. Date 12-8-10
13A. Signature	13B. Date
14A. Signature	14B. Date

NOTE: The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): the Farm Service Agency (FSA) is authorized by the Consolidated Farm and Rural Development Act, as amended (7 USC 1921 et seq.), or other Acts, and the regulations promulgated thereunder, to solicit the information requested on its application forms. The information requested is necessary for FSA to determine eligibility for credit or other financial assistance, service your loan, and conduct statistical analyses. Supplied information may be furnished to other Department of Agriculture agencies, the Internal Revenue Service, The Department of Justice or other law enforcement agencies, the Department of Defense, the Department of Housing and Urban Development, the Department of Labor, the United States Postal Service, or other Federal, State, or local agencies as required or permitted by law. In addition, information may be referred to interested parties under the Freedom of Information Act (FOIA), to financial consultants, advisors, lending institutions, packagers, agents, and private or commercial credit sources, to collection or servicing contractors, to credit reporting agencies, to private attorneys under contract with FSA or the Department of Justice, to business firms in the trade area that buy chattel or crops or sell them for commission, to Members of Congress or Congressional staff members, or to courts or adjudicative bodies. Disclosure of the information requested is voluntary. However, failure to disclose certain items of information requested, including your Social Security Number or Federal Tax identification Number, may result in a delay in the processing of an application or its rejection.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0236. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

PART B – FSA APPROVAL

1. Recommendation for approval or denial of the request and comments:

I recommend approval of this consent. It is in the best interest of the government because it will enhance the value of the real estate by changing dryland 1/2 pivot to irrigated.

2(a) Initial Payment

- (1) \$ _____ to prior liens
- (2) \$ _____ to extra payment on FSA loan
- (3) \$ _____ to regular payment on FSA loan
- (4) \$ _____ Other (specify): _____
- (5) \$ _____ to borrower

2(b) Subsequent Payments

- (1) \$ _____ or _____ % to prior liens
- (2) \$ _____ or _____ % to extra payment of FSA
- (3) \$ _____ or _____ % to regular payment
- (4) \$ _____ Other (specify): _____ % to
- (5) \$ _____ or _____ borrower

3. I hereby:

- (a) ☒ recommend this application for approval.
- (b) ☐ do NOT recommend this application be approved.

(c) Recommending Official Name
Kelli Bott

(d) Title
Farm Loan Manager

(e) Signature

Kelli Bott

(f) Date

12/10/10

4. I hereby:

- (a) ☒ approve this application.
- (b) ☐ do NOT approve this application.
- (c) Reason for denial of the request:

(d) Approving Official Name

Kelli Bott

(e) Title

Farm Loan Manager

(f) Signature

Kelli Bott

(g) Date

1/3/11