

Transfer No. 76639

Receipt No. 2035944

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

1. Applicant Information LOY G PEHRSON

3340 W 2800 N
 MOORE ID 83255
 (208)588-3381

And

BYRON PEHRSON

3340 W 2800 N
 MOORE ID 83255
 (208)588-3381

And

TERRI PEHRSON

3340 W 2800 N
 MOORE ID 83255
 (208)588-3381

And

LANA PEHRSON

3340 W 2800 N
 MOORE ID 83255
 (208)588-3381

RECEIVED

JUL 01 2010

Department of Water Resources
Eastern RegionWill this transfer result in an ownership change? ☒ Yes ☐ No**2. Current Water Right****Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
34-12378	WR/Decreed	1.03			252.0	GROUND WATER
34-13829	WR/Decreed	3.64		182.0	252.0	GROUND WATER

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
34-12378	NO	NO	NO	YES	NO	NO
34-13829	NO	NO	NO	YES	NO	NO

Describe the reason for the proposed changes

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Applicant is seeking to add a point of diversion to rights 34-12378 and 34-13829. The additional point of diversion will help irrigate the lower portion of applicants farm. Only .77 cfs will be diverted out of new point of diversion. An ownership change will also be accomplished through this transfer.

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

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

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
34-12378	1.03 cfs	70.0	252.0	245.0 af
34-13829	3.64 cfs	182.0	252.0	637.0 af
TOTAL	3.64 cfs	252.0	252.0	882.0 af

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

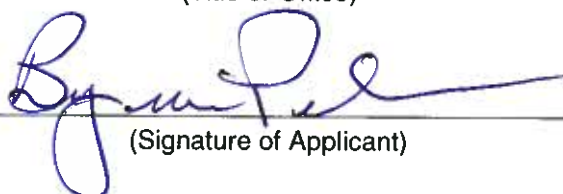
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)



(Title or Office)



(Signature of Applicant)



(Title or Office)



(Signature of Applicant)

(Title or Office)



(Signature of Applicant)

(Title or Office)

Transfer No. 76639

Receipt No. _____

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

Current Water Right No. 34-12378

Priority Date: June 09, 1966

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	4/01 10/31	1.03 CFS		
	Total Diversion	1.03 CFS		

Source and Point(s) of Diversion:

GROUND WATER SWNE Sec. 36 Twp 06N Rge 25E BUTTE 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	
06N 25E 36	38.0	38.0	35.0	40.0	18.0			8.0					20.0	2.0			199.0
06N 26E 31											15.0	38.0					53.0

Total Acres: 252

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHT NO. 34-13829 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.64 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 882 AF.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.98 CFS.
COMBINED RIGHT NOS.: 34-00028G, 34-00131B, 34-00132B, 34-00191 AND 34-13829.
- THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 252 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00028G, 34-00131B, 34-00132B, 34-00191 AND 34-13829.

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4. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 34-13829 PURSUANT TO SECTION 42-1426, IDAHO CODE.
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. RIGHT NO. 34-13829 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS FOR AN ENLARGEMENT OF 70 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
No change.

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. 76639

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

Current Water Right No. 34-13829

Priority Date: September 02, 1961

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	04/15 10/15	3.64 CFS		
	Total Diversion	3.64 CFS		

Source and Point(s) of Diversion:

GROUND WATER SWNE Sec. 36 Twp 06N Rge 25E BUTTE 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	
06N	25E	36	38.0	38.0	35.0	40.0	18.0				8.0					20.0	2.0	199.0	
06N	26E	31										15.0	38.0					53.0	

Total Acres: 252

Conditions/Remarks:

- 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.
- USE OF THIS RIGHT WITH RIGHT NO. 34-12378 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.64 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 882 AF.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.98 CFS.
COMBINED RIGHT NOS.: 34-00028G, 34-00131B, 34-00132B, 34-00191 AND 34-12378.

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3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 252 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00028G, 34-00131B, 34-00132B, 34-00191 AND 34-12378.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 182 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. RIGHT NO. 34-12378 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
RIGHT NO. 34-12378 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
No change.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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

Proposed Water Right No. 34-12378

Priority Date: June 09, 1966

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER
GROUNDWATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	1.03 CFS	245.0 AFA	
	Total Diversion	1.03 CFS	245.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNE Sec. 36 Twp 06N Rge 25E BUTTE County

GROUNDWATER SESW Sec. 31 Twp 06N Rge 26E BUTTE County

Describe the proposed diversion system

Point of Diversion # 1 WELL & PUMP

Point of Diversion # 2 Pump to sprinkler irrigation 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	
06N	25E	36	38.0	38.0	35.0	40.0	18.0			8.0					20.0	2.0			199.0
06N	26E	31											15.0	38.0					53.0

Total Acres: 252

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

Proposed Water Right No. 34-13829

Priority Date: September 02, 1961

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER
GROUNDWATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/15	3.64 CFS	637.0 AFA	
	Total Diversion	3.64 CFS	637.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNE Sec. 36 Twp 06N Rge 25E BUTTE County

GROUNDWATER SESW Sec. 31 Twp 06N Rge 26E BUTTE County

Describe the proposed diversion system

Point of Diversion # 1 WELL & PUMP

Point of Diversion # 2 Pump to sprinkler irrigation 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	
06N	25E	36	38.0	38.0	35.0	40.0	18.0				8.0					20.0	2.0		199.0
06N	26E	31											15.0	38.0					53.0

Total Acres: 252

76639

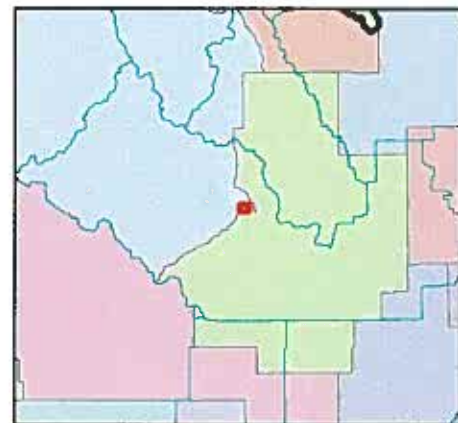


Idaho Department of Water Resources

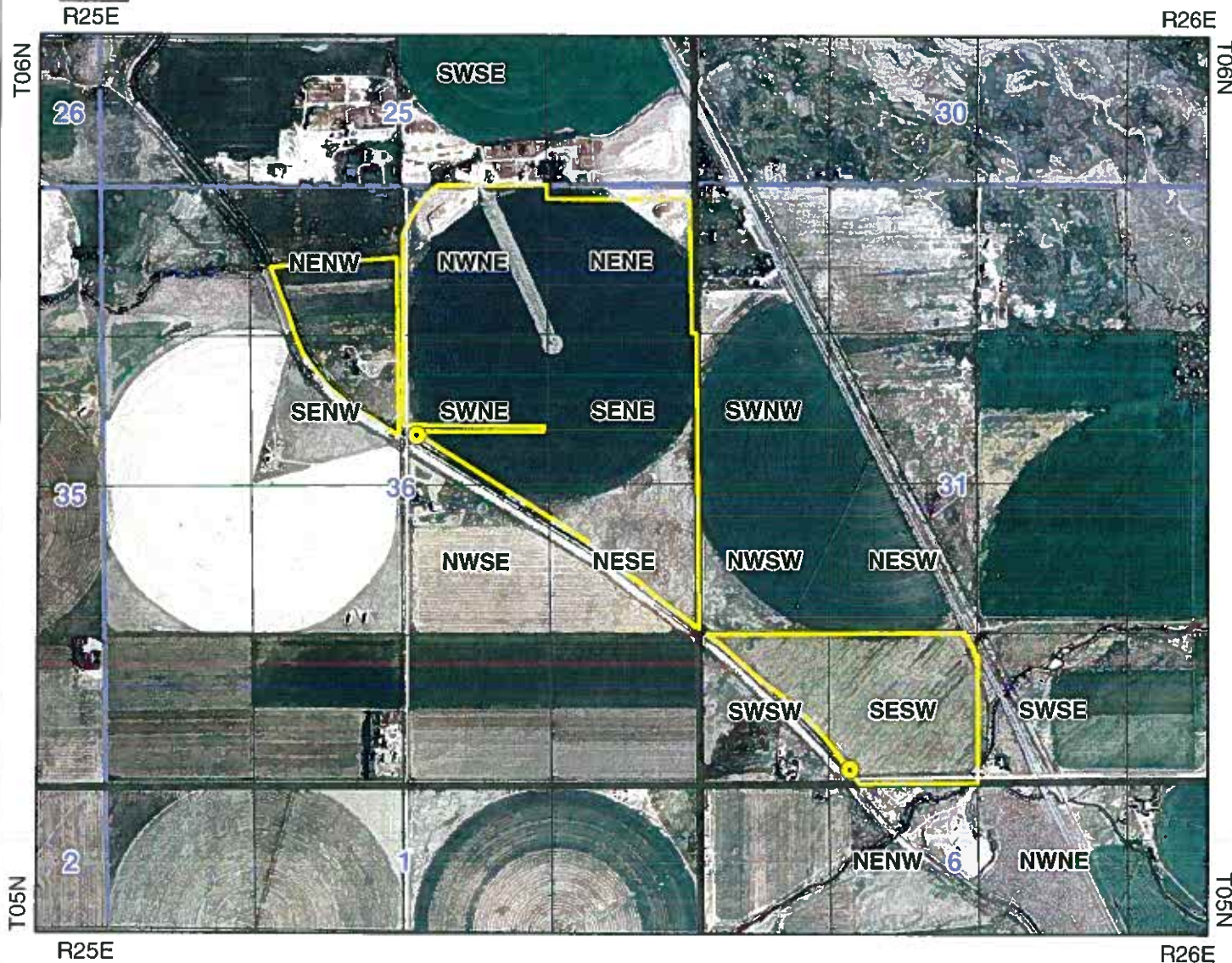
Water Right
34-12378
34-13829
(IRRIGATION)

Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Butte County
IDWR Basin 34



WARRANTY DEED

COPY

FOR VALUABLE CONSIDERATION RECEIVED DENNIS K. MOSS, a Single Person, and
 as SHARYN F. MOSS, married dealing as her sole and separate property, the Grantor,
 does hereby grant, bargain, sell and convey unto LOY PEHRSON and LANA PEHRSON, Husband and Wife,
 and BYRON PEHRSON and TERRI PEHRSON, Husband and Wife, the Grantee,
 whose current address is Rt 1 Box 16A, Moore, ID 83255
 the following described real estate situated in BUTTE & CUSTER Counties,
 State of Idaho, to-wit:

See attached EXHIBIT A

NO. 0039169
 RECORDED

MAR 17 2003

11:53 AM PM
 BUTTE COUNTY RECORDER

Tully S. McAffee

0226644

Custer County Rec. of

Idaho Title & Trust

Time 3:16 PM Date 3-17-2003

Ethel M. Peck, Clerk

Lura Baker \$6.00
 Deputy

SUBJECT TO: all easements, rights of way, covenants, restrictions,
 patent reservations, applicable building and zoning ordinances and
 use regulations and restrictions and accruing taxes, of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances
 thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant
 to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and
 defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the
 masculine, the feminine and neuter.

DATED: 14 March 2003

Dennis K. Moss by Lloyd A. Bingham Attorney in Fact

Sharyn F. Barchers by Lloyd A. Bingham Attorney in Fact

STATE OF IDAHO } ss.
 COUNTY OF Butte }
 On this 14th day of March in the
 year 2003, before me, a Notary Public, personally appeared
 Lloyd A. Bingham
 known or identified to me to be the person whose name is subscribed
 to the within instrument as the attorney in fact of
 Sharyn F. Barchers and acknowledged to me
 that he subscribed the name of Sharyn F. Barchers
 thereto as principal, and his (her) own name as attorney in fact.

Lloyd A. Bingham
 Notary Public
 Residing at Arco, Idaho
 Com Exp 5-31-2003

STATE OF IDAHO } ss.
 COUNTY OF Butte }
 On this 14th day of March in the
 year 2003, before me, a Notary Public, personally appeared
 Robert K. Moss
 known or identified to me to be the person whose name is subscribed
 to the within instrument as the attorney in fact of Dennis K.
 Moss and acknowledged to me
 that he subscribed the name of Dennis K. Moss
 thereto as principal, and his (her) own name as attorney in fact.

Lloyd A. Bingham
 Notary Public
 Residing at Arco, Idaho
 Com Exp 5-31-2003

IDAHO TITLE & TRUST COMPANY
 Escrows • Title Insurance

EXHIBIT A

Township 6 North, Range 26 East of the Boise Meridian, BUTTE County, Idaho.

Section 31: That portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the S $\frac{1}{2}$ SW $\frac{1}{4}$ lying South and West of the right-of-way of the Oregon Shortline Railroad, and East and North of the Utah Construction Company Canal, EXCEPT the following:

That portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ lying East of Antelope Creek and West of the Oregon Shortline Railroad.

Township 6 North, Range 25 East of the Boise Meridian, BUTTE County, Idaho, and CUSTER County, Idaho.

Section 36: That portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$ lying North and East of the Utah Construction Company Canal; the N $\frac{1}{2}$ NE $\frac{1}{4}$, and all that portion of the NW $\frac{1}{4}$ lying North and East of the Utah Construction Company Canal.

mHA 1955-49
10-28-81)

Position 5

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

QUITCLAIM DEED

NO. 027119
FILED

AUG 09 1993

A.M. 4:00 P.M.

BUTTE COUNTY RECORDER

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to

DENNIS K. MOSS and SHARYN F. MOSS, husband and wife

Grantee, for the sum of ONE HUNDRED ONE THOUSAND TWO HUNDRED DOLLARS

all interest in the following described real estate situated in the County of BUTTE and CUSTER

State of IDAHO

, to-wit:

TOWNSHIP 6 NORTH, RANGE 26 EAST BOISE MERIDIAN, BUTTE COUNTY, IDAHO.

Section 31: That portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the S $\frac{1}{2}$ SW $\frac{1}{4}$ lying South and West of the right-of-way of the Oregon Shortline Railroad, and East and North of the Utah Construction Company Canal. EXCEPT the following: That portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ lying East of Antelope Creek and West of the Oregon Shortline Railroad.

TOWNSHIP 6 NORTH, RANGE 25 EAST BOISE MERIDIAN, BUTTE & CUSTER COUNTIES, IDAHO.

Section 36: That portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$ lying North and East of the Utah Construction Company Canal; the N $\frac{1}{2}$ NE $\frac{1}{4}$, and all that portion of the NW $\frac{1}{4}$ lying North and East of the Utah Construction Company Canal.

TOGETHER with the following water rights:

License #34-04004A Priority date 09/02/61 - well
34-00028G priority 8/31/1884 .8cfs with 640 inches storage water
34-00131B priority 6/1/1888 .5cfs with 731 inches storage water
34-00132B priority 5/10/1897 1.6 cfs with 2,156 inches of storage water
34-00191 priority 5/10/1897 .24cfs
storage water of 181 inches priority 1885
storage water of 1,593 inches priority 3/10/1894

TOGETHER with all irrigation equipment presently located on the property.

deed is executed and delivered pursuant to the provisions of the credit sale of inventory property formerly owned by Byron Pehrson, former case #12-12-518647737 advise #12-12-22984 and the

authority set forth in 7 CFR 1900, Subpart A.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated April 22nd

, 19 93 .

UNITED STATES OF AMERICA (Grantor)

By

LOREN A. NELSON

Farmers Home Administration

United States Department of Agriculture

In the presence of:

*

*

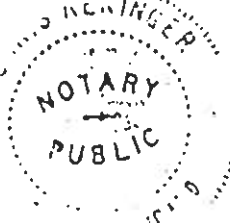
ACKNOWLEDGMENT

STATE OF IDAHO)

County of Ada)

On this 22nd day of April 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared Loren A. Nelson, known to me to be the State Director Farmers Home Administration, USDA, and person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above mentioned.



Chris Reninger
CHRIS RENINGER

Notary Public in and for State of Idaho
Residing at Meridian, Idaho
My Bond Expires 7/6/94

6115 COMMA RECORDS
44 54

613 03 1001

76639

FILED

NO