

RECEIVED
JUN 08 2010

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Transfer No. 76579
Receipt No. E035865

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

1. Applicant Information SHARON J OSGOOD

1115 HWY 93 S
SALMON ID 83467
(208)756-3968

And

DAVID R OSGOOD
1115 HWY 93 S
SALMON ID 83467
(208)756-3968

Will 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
75-4107A	WR/Beneficial Use	0.06			2.0	TWELVEMILE CREEK
75-14169	AJC/Beneficial Use	0.10			2.0	TWELVEMILE CREEK
75-14597	WR/Decreed	0.18			3.5	TWELVEMILE CREEK

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
75-4107A	NO	NO	YES	YES	NO	NO
75-14169	NO	YES	YES	YES	NO	NO
75-14597	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

Change place of use for water rights 75-4107A, 75-14169 and 74-14597 to a single permissible place of use, and add point of diversion to water rights which will include a buried pipe line. Also change the point of diversion for water right 75-14169. IDWR record indicates the point of diversion for water right 75-14169 is in Lot 3, NWNENW of 19N, 21E, Section 1 which is a discrepancy. The physical location of the point of diversion is located in t Lot 3, NENENW of 19N, 21E, Section 1.

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

76579

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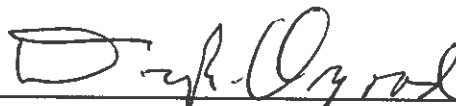
B. Describe the effects on other water uses resulting from the proposed change**5. Total Amounts Transferred**

	Rate	Acre Limit	Total Acres	Volume
75-4107A	0.06 cfs	2.0	7.5	
75-14169	0.10 cfs	2.0	7.5	
75-14597	0.18 cfs	3.5	7.5	
TOTAL	0.34 cfs	7.5	7.5	

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

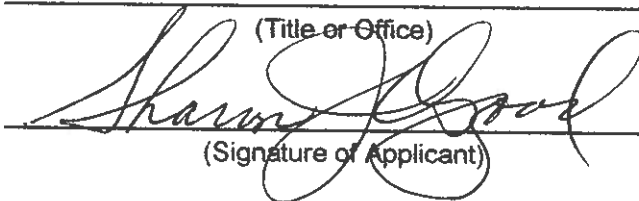
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application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



(Signature of Applicant)

owner

(Title or Office)



(Signature of Applicant)

Owner

(Title or Office)

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

Current Water Right No. 75-4107A

Priority Date: March 14, 1889

Origin: Water Right

Basis: Decreed

Status: Active

Source: TWELVEMILE CREEK

Tributary: SALMON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.06 CFS		
	Total Diversion	0.06 CFS		

Source and Point(s) of Diversion:

TWELVEMILE CREEK L3 (NENW) Sec. 1 Twp 19N Rge 21E LEMHI 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	
20N	21E	36												2.0					2.0

Total Acres: 2

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Documentation of Ownership of the Current Place of Use

Owner per IDWR record, taxlot data and 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. 76579
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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 75-14169

Priority Date: March 14, 1889
 Origin: Water Right
 Basis: Decreed
 Status: Active

Source: TWELVEMILE CREEK **Tributary:** SALMON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.10 CFS		
	Total Diversion	0.10 CFS		

Source and Point(s) of Diversion:

TWELVEMILE CREEK L3 (NWNENW) Sec. 1 Twp 19N Rge 21E LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
20N 21E 36											1.8	.2					2.0
											L 10						

Total Acres: 2

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Documentation of Ownership of the Current Place of Use

Owner per IDWR record, taxlot data and 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

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

Current Water Right No. 75-14597

Priority Date: March 14, 1889
Origin: Water Right
Basis: Decreed
Status: Active

Source: TWELVEMILE CREEK Tributary: SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.18 CFS		
	Total Diversion	0.18 CFS		

Source and Point(s) of Diversion:

TWELVEMILE CREEK L3 (NENENW) Sec. 1 Twp 19N Rge 21E LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
20N 21E 36											1.2	1.8	.5				3.5
											L 7	L 10					

Total Acres: 3.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Documentation of Ownership of the Current Place of Use

Owner per IDWR record, taxlot data and 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. 76579
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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 75-4107A

Priority Date: March 14, 1889

Origin: Water Right

Basis: Decreed

Status: Active

Source: TWELVEMILE CREEK

Tributary: SALMON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.06 CFS		
	Total Diversion	0.06 CFS		

Source and Point(s) of Diversion:

TWELVEMILE CREEK L1 (NENENE) Sec. 1 Twp 19N Rge 21E LEMHI County

TWELVEMILE CREEK L3 (NENW) Sec. 1 Twp 19N Rge 21E LEMHI County

Describe the proposed diversion system

Point of Diversion # 1 Headgate, burried pipeline to gravity sprinkler system.

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
20N 21E 36											1.2	3.6	2.7				7.5
											L 7	L 10					

Total Acres: 7.5

Transfer No. 76579
Receipt No. E035865

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

Proposed Water Right No. 75-14169

Priority Date: March 14, 1889

Origin: Water Right

Basis: Decreed

Status: Active

Source: TWELVEMILE CREEK

Tributary: SALMON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.10 CFS		
	Total Diversion	0.10 CFS		

Source and Point(s) of Diversion:

TWELVEMILE CREEK L1 (NENENE) Sec. 1 Twp 19N Rge 21E LEMHI County

TWELVEMILE CREEK L3 (NENENW) Sec. 1 Twp 19N Rge 21E LEMHI County

Describe the proposed diversion system

Point of Diversion # 1 Headgate, burried pipeline to gravity sprinkler 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	
20N	21E	36									1.2	3.6	2.7						
											L 7	L 10						7.5	

Total Acres: 7.5

Transfer No. 76579
Receipt No. E035865

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

Proposed Water Right No. 75-14597

Priority Date: March 14, 1889

Origin: Water Right

Basis: Decreed

Status: Active

Source: TWELVEMILE CREEK

Tributary: SALMON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.18 CFS		
	Total Diversion	0.18 CFS		

Source and Point(s) of Diversion:

TWELVEMILE CREEK L1 (NENENE) Sec. 1 Twp 19N Rge 21E LEMHI County

TWELVEMILE CREEK L3 (NENENW) Sec. 1 Twp 19N Rge 21E LEMHI County

Describe the proposed diversion system

Point of Diversion # 1 Headgate, burried pipeline to gravity sprinkler 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	
20N	21E	36																	
													1.2	3.6	2.7				
													L 7	L 10					

Total Acres: 7.5



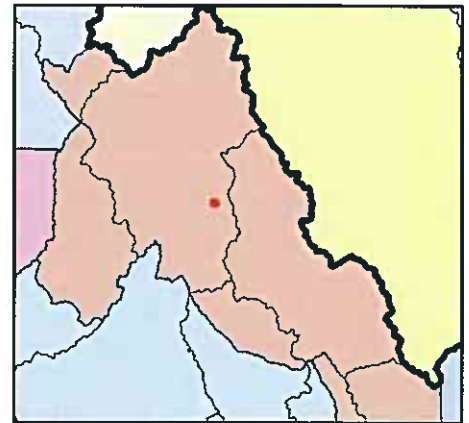
Idaho Department of Water Resources

Proposed Water Rights

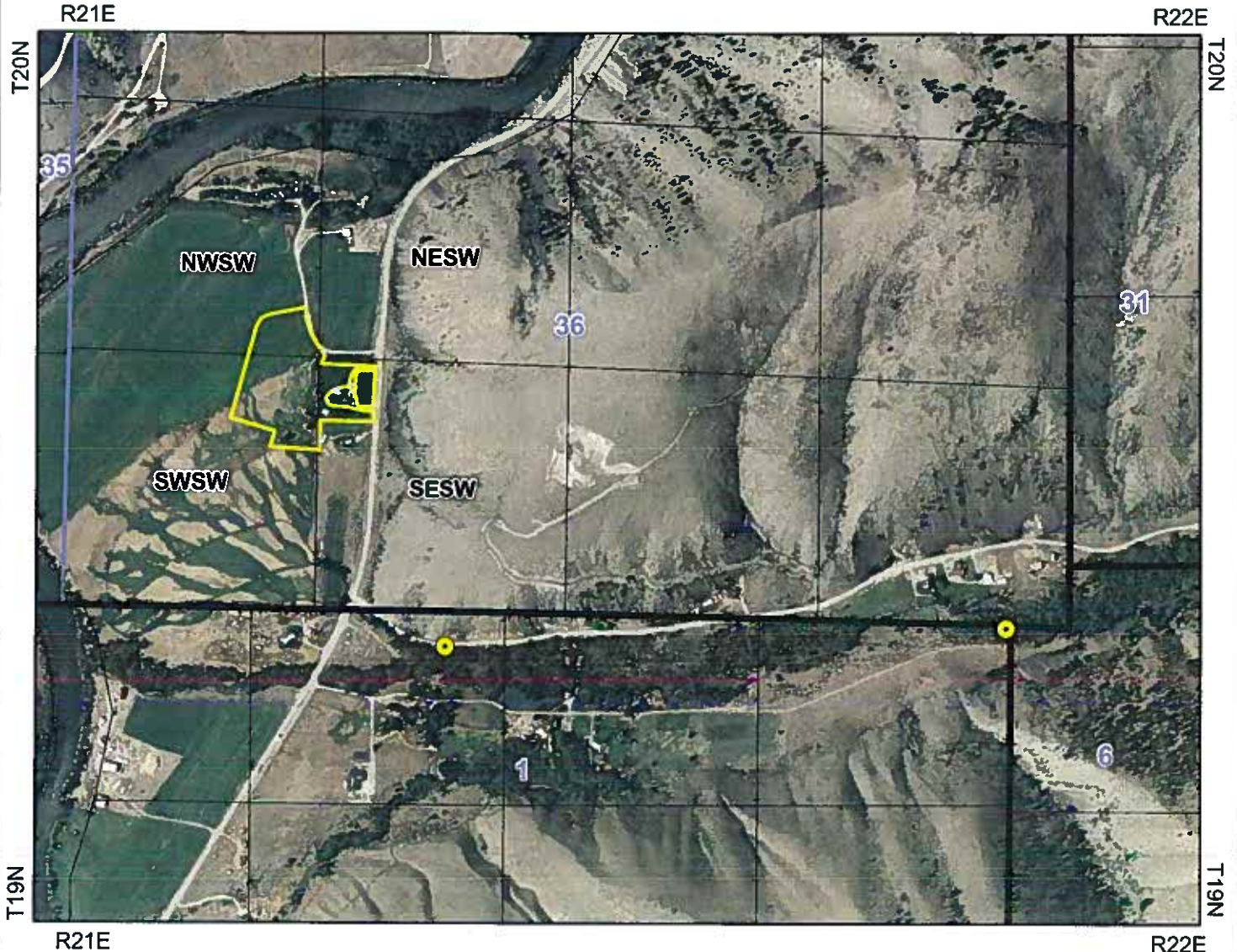
75-4107A, 75-14169
75-14597
(IRRIGATION)

Legend

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



Lemhi County
IDWR Basin 75



Prepared by Blake Jordan
On June 03, 2010
2006 Aerial Photography

0 0.15 0.3 0.6 Miles



Legend

● Current POD

Current_POU

WaterRight

75-14169

75-14597

75-4107A

Township/Range

Sections

QQ

0 0.025 0.05 0.1 Miles

1 inch = 0.06 miles



2009 Aerial Photography

76579

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 76579

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: _____

RECEIVED

MAY 28 2010

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) DAVID R. AND /OR SHARON J. OSGOOD Phone 208 756-3968

Mailing address 1115 HWY 93 S SALMON ID 83467 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**.

RECEIVED
MAY 28 2010
Department of Water Resources
Eastern Region

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]
Signature of Applicant or Authorized Representative

David R Osgood
Print Name and Title if applicable

5/26/10
Date

[Signature]
Signature of Applicant or Authorized Representative

Sharon J. Osgood
Print Name and Title if applicable

5/27/10
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 _____
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. POINT OF DIVERSION WILL BE CHANGED TO A BURIED PIPE LINE**

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 ☒ ☐	75-4107A	.06 CFS	IRRIGATION	04/01 to 10/31	TWELVEMILE CREEK
☒ ☐	75-14169	.10 CFS	IRRIGATION	04/01 to 10/31	TWELVEMILE CREK
☒ ☐	75-14597	.18 CFS	IRRIGATION	04/01 to 10/31	TWELVEMILE CREEK
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights .34 CFS cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed .34 CFS 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 #
	1	NE	NE	NE	1	19N	21E	LEMHI	TWELVEMILE CREEK	

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: HEADGATE, BURIED PIPELINE TO GRAVITY SPRINKLER SYSTEM
- b. Who owns the property at the point(s) of diversion? ADAM AND ELLA DEUTCHMAN
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: PIPELINE EASEMENT
- 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: _____
- 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: NONE
- 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 2**

Current Water Right No. 75-14597

Priority Date: 03/14/1889

Origin: Water Right

Basis: Decreed

Status: Active

Source: TWELVEMILE CREEK

Tributary to: SALMON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.18 CFS		
	Total Diversion	0.18 CFS		

Source and Point(s) of Diversion:

TWELVEMILE CREEK L3 (NENENW) 19N 21E 1 LEMHI

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	
20N 21E 36											1.2	1.8	.5				3.5
											L 7	L 10					

Total Acres: 3.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Documentation of Ownership of the Current Place of Use

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

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

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

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

Current Water Right No. 75-4107A

Priority Date: 03/14/1889

Origin: Water Right

Basis: Decreed

Status: Active

Source: TWELVEMILE CREEK**Tributary to:** SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.06 CFS		
	Total Diversion	0.06 CFS		

Source and Point(s) of Diversion:

TWELVEMILE CREEK L3 (NENW) 19N 21E 1 LEMHI

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	
20N 21E 36												2.0					2.0

Total Acres: 2

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Documentation of Ownership of the Current Place of Use

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

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

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

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

Current Water Right No. 75-14169

Priority Date: 03/14/1889

Origin: Water Right

Basis: Decreed

Status: Active

Source: TWELVEMILE CREEK**Tributary to:** SALMON RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.10 CFS		
Total Diversion		0.10 CFS		

Source and Point(s) of Diversion:

TWELVEMILE CREEK L3 (NWNENW) 19N 21E 1 LEMHI

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	
20N	21E	36											1.8	.2					2.0
													L 10						

Total Acres: 2

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Documentation of Ownership of the Current Place of Use

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

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

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

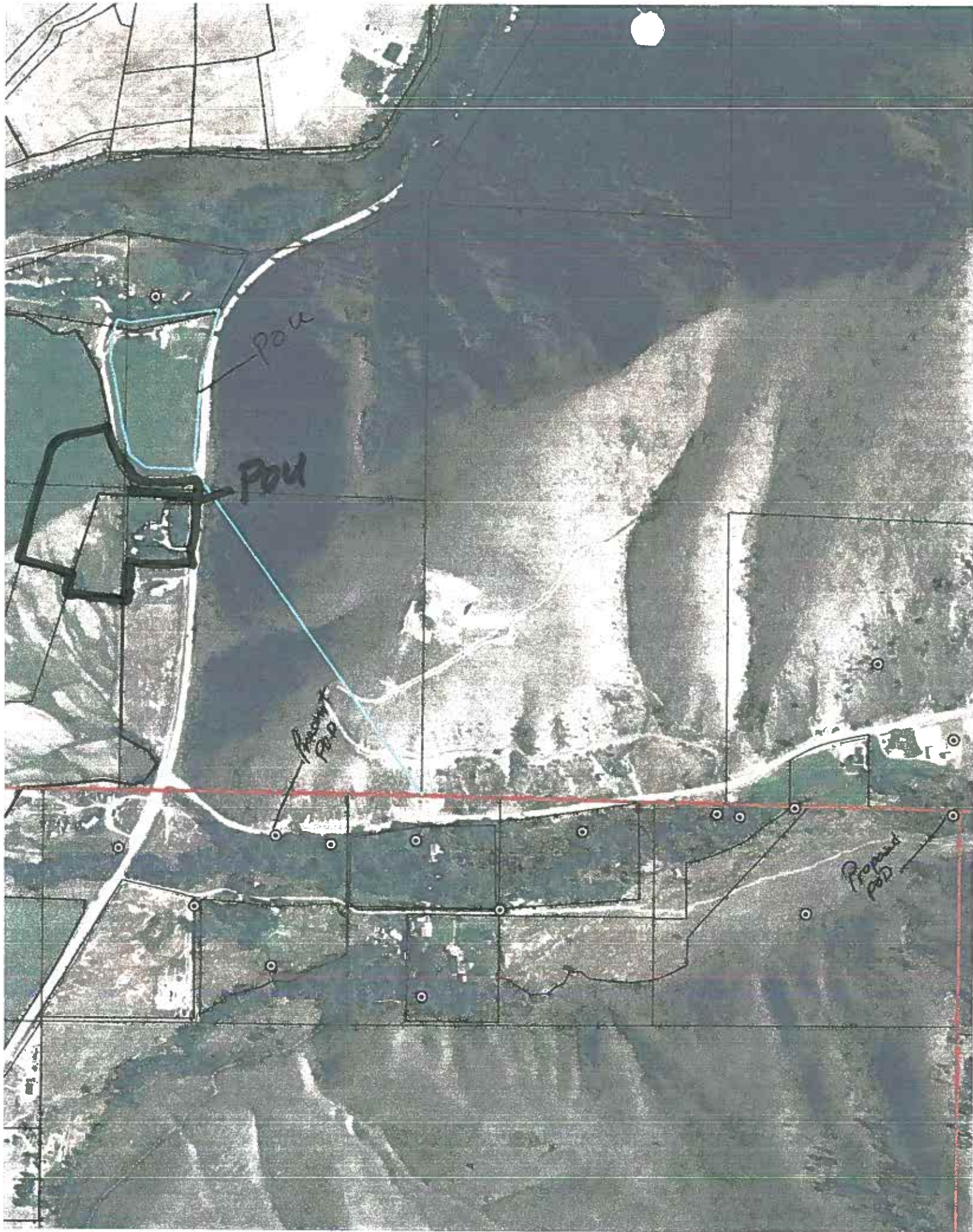
APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

Add'l Fee Paid	Date	Received by _____	Receipt # _____
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76579



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WARRANTY DEED

For Value Received **MARVIN HUTCHINGS** also known of record as
MARVIN C. HUTCHINGS AND IRENE HUTCHINGS also
 Known of record as **IRENE D. HUTCHINGS,**
HUSBAND AND WIFE,

the grantors, do hereby grant, bargain, sell and convey unto

DAVID OSGOOD AND SHARON OSGOOD,
 Husband and wife,

1114 Highway 93 S., Salmon ID 83467

the grantees, the following described premises, in Lemhi County Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO:

Together with Easement described on Exhibit "B" attached hereto:

The above conveyance is made free and clear of all other encumbrances except: Rights-of-way and easements, reservation in Federal patents and State Deeds, or other restrictions imposed by law, building and use restrictions of record, building and zoning regulations and ordinances of any governmental unit whether of sight or of record.

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 they are free from all encumbrances.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 24 2008

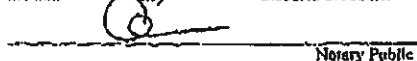

 MARVIN C. HUTCHINGS


 IRENE D. HUTCHINGS

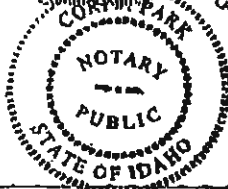
STATE OF IDAHO, COUNTY OF Lemhi--ss
 On this 23 Day of October, 2008
 before me, a Notary Public in and for said State, personally
 appeared

MARVIN C. HUTCHINGS AND IRENE D. HUTCHINGS

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, Salmon, Idaho
 Commission Expires 6-2-12



INSTRUMENT NO: 277965

STATE OF IDAHO, COUNTY OF LEMHI

I hereby certify that this instrument was filed
 for record at the request of Bill Allen Escrow

at 55 minutes past 4 o'clock P. M.,
 this 29 day of October
 20 08, in my office, and duly recorded in Book
 of Deeds in Lemhi County.


 Ex-Officio Recorder

By Erin Carson
 Deputy

Fees \$ 1200
 Mail to: BAE



WADE SURVEYING

Global Positioning Service

Land Surveying and Planning

402 Van Dreff St.
Salmon, Idaho 83467



277965

Phone: (208)-756-3070

September 30, 2008

PARCEL "D"

A parcel of land located in the W1/2 of Section 36, T. 20 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the S1/4 Corner of said Section 36 from which the Meander Corner on the easterly bank of the Salmon River bears N 88°28'00"W a distance of 2531.06 ft., the Basis Of Bearing of this description, run thence N 35°07'19"W a distance of 1734.78 ft. to a point on the westerly right-of-way of U.S. Highway 93; Thence S 03°56'14"W along said right-of-way a distance of 50.02 ft. to the POINT OF BEGINNING;

Thence continuing S 03°56'14"W along said right-of-way a distance of 20.09 ft. to the NE Corner of the Salmon River Highlands Subdivision;

Thence N 87°49'49"W along the northerly boundary of said subdivision a distance of 423.94 ft. to the NW Corner of said subdivision;

Thence S 16°07'51"W along the westerly boundary of said subdivision a distance of 417.35 ft.;

Thence N 73°52'09"W a distance of 208.71 ft.;

Thence N 16°07'51"E a distance of 515.74 ft.;

Thence 104.42 ft. along a curve to the right having a central angle of 59°49'45", a radius of 100.00 ft. and a chord bearing of N 46°02'44"E for a distance of 99.74 ft.;

Thence N 75°57'36"E a distance of 167.06 ft.;

Thence S 05°22'52"E a distance of 8.01 ft.;

Thence S 14°02'24"E a distance of 152.33 ft.;

Thence 163.70 ft. along a curve to the left having a central angle of 75°01'59", a radius of 125.00 ft. and a chord bearing of S 51°33'24"E for a distance of 152.25 ft.;

Thence S 87°49'49"E a distance of 207.51 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 3.54 ACRES.

Subject To/Together With a 50 ft. radius turn around easement as constructed on the ground for Hutchings Ranch Road.

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EXHIBIT A

277965

**WADE SURVEYING****Global Positioning Service**

Land Surveying and Planning

402 Van Dreff Street

Salmon, Idaho 83467

Phone: (208)-756-3070

September 30, 2008

Healds Haven Road/Hutchings Ranch Road
 Subject To/Together With for Parcel "B"
 Together With for Parcels "D" and "H"

TOGETHER WITH: A 50 ft. wide easement for ingress and egress located in the W1/2, Section 36, T. 20 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the S1/4 Corner of said Section 36 from which the East Meander Corner of the Salmon River bears N 88°28'00"W a distance of 2531.06 ft., the Basis Of Bearing of this description, run thence N 35°07'19"W a distance of 1734.78 ft. to a point on the westerly right-of-way of U.S. Highway 93 and the POINT OF BEGINNING;

Thence S 03°56'14"W along said right-of-way a distance of 50.02 ft.;

Thence the following courses and distances along said easement right-of-way;

N 87°49'49"W	207.51 ft.;	163.70 ft. along a curve to the right
having a central angle of 75°01'59", a radius of 125.00 ft. and a chord bearing of		
N 51°33'23"W	for a distance of 152.25 ft.;	N 14°02'24"W 152.33 ft.;
N 05°22'52"W	7.87 ft.;	S 75°57'36"W 166.81 ft.;
104.42 ft. along a curve to the left having a central angle of 59°49'45", a radius of		
100.00 ft. and a chord bearing of S 46°02'43"W for a distance of 99.74 ft.;		
S 16°07'51"W	590.73 ft.;	S 73°52'09"E 50.00 ft.;
N 16°07'51"E	590.72 ft.;	156.63 ft. along a curve to the
right having a central angle of 59°49'44", a radius of 150.00 ft. and a chord bearing of N		
46°02'39"E	for a distance of 149.61 ft.;	N 75°57'36"E 174.25 ft.;
Thence 143.88 ft. along a curve to the left having a central angle of 07°19'40", a		
radius of 1125.00 ft. and a chord bearing of N 10°01'47"W for a distance of 143.78 ft.;		
Thence N 13°41'37"W a distance of 67.89 ft.;		
Thence 137.62 ft. along a curve to the right having a central angle of 32°11'02", a		
radius of 245.00 ft. and a chord bearing of N 02°23'54"E for a distance of 135.82 ft.;		
Thence N 18°29'25"E a distance of 71.63 ft. to a point on said boundary of		
Mobile Acres Subdivision;		
Thence along said subdivision boundary S 76°55'42"E a distance of 50.22 ft.;		
Thence S 18°29'25"W a distance of 76.38 ft.;		
Thence 109.53 ft. along a curve to the left having a central angle of 32°11'02", a		
radius of 195.00 ft. and a chord bearing of S 02°23'54"W for a distance of 108.10 ft.;		

Page 1 of 2 of 50 ft. Wide Easement

EXHIBIT B

H:\projects\T20NR21E\MARV HUCKINS\Word\MARVEASEMENT.doc

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277965

**WADE SURVEYING****Global Positioning Service****Land Surveying and Planning**

402 Van Dreff Street

Salmon, Idaho 83467



Phone: (208)-756-3070

September 30, 2008

50 ft. Wide Easement Continued

Thence S $13^{\circ}41'37''$ E a distance of 67.89 ft.;
Thence 170.47 ft. along a curve to the right having a central angle of $08^{\circ}18'45''$, a
radius of 1175.00 ft. and a chord bearing of S $09^{\circ}32'14''$ E for a distance of 170.32 ft.;
Thence S $05^{\circ}22'52''$ E a distance of 35.30 ft.;
Thence S $14^{\circ}02'24''$ E a distance of 148.54 ft.;
Thence 98.22 ft. along a curve to the left having a central angle of $75^{\circ}01'59''$, a
radius of 75.00 ft. and a chord bearing of S $51^{\circ}33'24''$ E for a distance of 91.35 ft.;
Thence S $87^{\circ}49'49''$ E a distance of 210.13 ft. to the POINT OF BEGINNING.