

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 76502
Ground Water Transfer

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

76509

Name of Applicant Contrary Limited Partnership c/o Alison Madhavi Bradford Phone (208)588-2957
Mailing Address 3776 W 3700 N, Darlington, ID 83255 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 Keith C. Wilson c/o Rocky Mountain Environmental Associates Inc. Phone (208) 524-2353 / Fax 524-1795
Mailing address 482 Constitution Way, Ste 303, Idaho Falls, ID 83402 Email kwilson@rockymountainenvironmental.com

☐ 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

Alison Madhavi Bradford Partner
Print Name and Title if applicable

5/3/10
Date


Signature of Applicant or Authorized Representative

Meredith J. Peterson Partner
Print Name and Title if applicable

5/3/10
Date

A. PURPOSE OF TRANSFER

- ☐ Change Point of Diversion ☒ Add diversion point(s) ☒ Change Place of use
☐ Change Nature of Use ☐ Change Period of Use ☐ Other _____
- 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. Attached additional pages if necessary and label it **Part 1A.2**. Current wells cannot divert their decreed diversion capacity. This application is to add an additional well to Ground water rights 34-2321 & 34-7015 to maintain the decreed diversion rate, and to rearrange acres within the original decreed place of use to facilitate current irrigation practices with center pivots.
Companion transfers accompany this transfer for associated water rights from Antelope Creek rights 34-116A, 34-10761, 34-10765, 34-10767 and 34-13568, and Big Lost River water rights 34-872A, 34-10729 and 34-13567.
See Part 1A.2. for a more detailed proposal. (See Attachment #9 Diversion Rate Calculations).
Rearranged Acres

MAY 06 2010

76509

Part 1.A.2.

Description of Proposal:

76509

This transfer and two companion transfers are being filed to rearrange the acres within the same original place of use as the decreed water rights to accommodate (reflect) the current irrigation practices and to add a point of diversion (well) to Ground Water rights 34-2321 and 34-7015 to return the diversion capacity up to the decreed diversion rate.

Ground water rights 34-2321 and 34-7015 share the same place of use as Antelope Creek rights 34-7015, 34-116A, 34-10763, 34-10765 and 34-10767, while the Big Lost River rights 34-872A, 34-10759, 34-13567 and Antelope Creek right 34-13568 are appurtenant to other places of use as well as overlapping the same place of use as Ground Water rights 34-2321, 34-7015, and Antelope Creek water rights 34-7015, 34-116A, 34-10763, 34-10765 and 34-10767.

Three separate companion transfers are necessary to rearrange the acres within the original decreed place of use to reflect the current irrigation practices and to add a point of diversion to the Ground Water rights for the following reasons:

1. Transfer for Ground Water rights 34-2321 & 34-7015:

The wells under these water rights can no longer deliver their decreed amount and a new point of diversion (well) needs to be drilled to return (bring) their diversion capacity up to their decreed diversion rates. Even though ground water rights 34-2321 and 34-7015 share the same place of use as Antelope Creek rights 34-7015, 34-116A, 34-10763, 34-10765 & 34-10767 only the transfer on the Ground Water rights proposes to add a point of diversion thus necessitating a separate transfer. This transfer proposes to rearrange the same 40 acres as the Antelope Creek water rights 34-7015, 34-116A, 34-10763, 34-10765 and right 34-10767

2. Transfer for Antelope Creek water rights 34-7015, 34-116A, 34-10763, 34-10765 & 34-10767

These water rights share the same place of use as the ground water rights 34-2321 and 34-7015; however, the transfer of Antelope Creek water rights only proposes to rearrange the same acres within the original decreed place of use thus necessitating a separate transfer. This transfer proposes to rearrange the same 40 acres as the Ground Water rights 34-2321 and 34-7015

3. Transfer for Big Lost River rights 34-872A, 34-10759, 34-13567 and Antelope Creek right 34-13568

These rights are appurtenant to other places of use as well as overlapping the place of use of Ground Water rights 34-2321, 34-7015, and Antelope Creek rights 34-7015, 34-116A, 34-10763, 34-10765 & 34-10767. The difference in the decreed place of use for these water rights requires a transfer to rearrange 41 acres to accommodate for the current irrigation practices thus necessitating a third separate transfer.

The three proposed transfers will not increase the consumptive use or total acres irrigated under water rights 34-2321, 34-7015, 34-7015, 34-116A, 34-10763, 34-10765, 34-10767, 34-872A, 34-10759, 34-13567 and 34-13568. These transfers do not change the place of use only rearrange acres within the original decreed place of use.

RECEIVED

MAY 06 2010

Department of Water Resources
Eastern Region

Rocky Mountain Environmental Assoc. Inc.
482 Constitution Way, Suite 303, Idaho Falls, ID 83402

(208) 524-2353 / (208) 524-1795 Fax

76509

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

76509

B. DESCRIPTION OF RIGHT(S) 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
☒ ☐	34-2321	6.00 cfs	Irrigation	04/01 to 10/31	Ground water
☒ ☐		0.04 cfs	Domestic	01/01 to 12/31	Ground water
☒ ☐	34-7015	4.67 cfs	Irrigation	04/01 to 11/01	Ground water
☒ ☐		0.02 cfs	Domestic	01/01 to 12/31	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
Total Authorized under rights		10.67 *	cfs and/or		ac-ft

2. Total amount of water being transferred or changed 10.67 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 proposed to change a point of diversion affecting the ESPA.
 Label it **Attachment #5. NOTE: Adjacent Cells**

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local Name or tag #
No			SE	NW	2	5N	25E	CUSTER	Ground water	
No			SE	NE	34	6N	25E	CUSTER	Ground water	
Yes			SW	NE	35	6N	25E	CUSTER	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	
5N	25E	2		30	37		31	34	29	29									190
				L-2			L-3	L-4											
6N	25E	25											9						9
		26												14			39	32	85
		34	36	35	40	39													150
			L-1			L-2													
		35					38	37	40	40	40	40	34	35					304

Total Acres (for irrigation use) 738

*Combined rights: 34-2321, 34-7015, 34-116A, 34-10763, 34-10765, 34-10767, 34-13568, 34-872A, 34-10729, & 34-13567
 limited to 23.94 cfs

76509

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

76509

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: Three wells with mainline to center pivots and laterals with sprinklers.
Pump Control panel can be locked

- b. Who owns the property at the point(s) of diversion? Applicant
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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Acres within the decreed place of use will be rearranged to reflect the current irrigation practices with center pivots. The land from which acres are moved will no longer be irrigated.

- 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) of use: Water rights 34-2321, 34-7015, 34-116A, 34-10763, 34-10765, 34-10767 all overlap the same place of use. In addition to sharing the same place of use with the previous listed rights, water rights 34-872A, 34-10729, 34-13567 and 34-13568 have other decreed places of 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: _____

RECEIVED

MAY 06 2010

76509

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

76509

WATER RIGHT NO. 34-2321

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CONTRARY LIMITED PARTNERSHIP

Priority Date: 02/08/1955

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	6 CFS	1617 AFA
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			6 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SENE	Sec. 02	Township 05N	Range 25E	CUSTER County
--------------	------	---------	--------------	-----------	---------------

IRRIGATION Use: Acre Limit: 462

Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	25E	2	2	NWNE	33		SWNE	40						
				NENW	37		NWNW	39		SWNW	7		SENE	33
06N		25		SWSW	9									
		26		SESW	17									
				SWSE	39		SESE	30						
		34	1	NENE	28		NWNE	39		SWNE	40	2	SENE	35
		35		NENW	37		NWNW	38		SWNW	40		SENE	40
				NESW	37		NWSW	40		SWSW	40		SESW	40

Place of Use Legal Description: DOMESTIC same as IRRIGATION

RECEIVED
 Total Acres: 738

MAY 06 2010

Department of Water Resources
 Eastern Region

76509

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

76509

WATER RIGHT NO. 34-2321 (Cont.)

Conditions of Approval:

1.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 23.94 CFS. COMBINED RIGHT NOS.: 34-00116A, 34-00872A, 34-07015, 34-10729, 34-10763, 34-10765 AND 34-10767.
2.	N12	THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 936 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00116A, 34-00872A, 34-07015, 34-10729, 34-10763, 34-10765 AND 34-10767. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 462 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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.	N10	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decreed Date: 10/29/2001

Water District Number: 34

Combined Acres Limit: 936

Combined Rate Limit: 23.94

RECEIVED**MAY 06 2010**Department of Water Resources
Eastern Region**76509**

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

76509

WATER RIGHT NO. 34-7015

Owner Type	Name and Address
Current Owner	CONTRARY LIMITED PARTNERSHIP

Priority Date: 04/17/1970

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	4.67 CFS	847 AFA
DOMESTIC	1/01	12/31	0.02 CFS	
Total Diversion			4.67 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SENE	Sec. 02	Township 05N	Range 25E	CUSTER County
GROUND WATER	SENE	Sec. 34	Township 06N	Range 25E	CUSTER County

IRRIGATION Use: Acre Limit: 242

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	25E	2	2	NWNE	33		SWNE	40						
				NENW	37		NWNW	39		SWNW	7		SENE	33
06N		25		SWSW	9									
		26		SESW	17									
				SWSE	39		SESE	30						
		34	1	NENE	28		NWNE	39		SWNE	40	2	SENE	35
		35		NENW	37		NWNW	38		SWNW	40		SENE	40
				NESW	37		NWSW	40		SWSW	40		SESW	40

Place of Use Legal Description: DOMESTIC same as IRRIGATION

RECEIVED

MAY 06 2010

Total Acres: 738

Department of Water Resources
Eastern Region

76509

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

76509

WATER RIGHT NO. 34-7015 (Cont.)

Conditions of Approval:

1.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 23.94 CFS. COMBINED RIGHT NOS.: 34-00116A, 34-00872A, 34-02321, 34-10729, 34-10763, 34-10765 AND 34-10767.
2.	N12	THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 936 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00116A, 34-00872A, 34-02321, 34-10729, 34-10763, 34-10765 AND 34-10767. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 242 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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.	N10	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decreed Date: 10/29/2001

Water District Number: 34

Combined Acres Limit: 936

Combined Rate Limit: 23.94

RECEIVED

MAY 06 2010

Department of Water Resources
 Eastern Region

76500

76509

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

☒ 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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation.
Label it **Attachment #8b**.

1. Describe how the supplemental water right 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 supplemental, 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.:

[illegible]

Transfer contains _____	pages and _____	attachments.	
Received by _____	Date _____	Prelim. Check by _____	Date _____
Fee Paid _____	Date <u>5/11/2010</u>	Received by <u>[Signature]</u>	Receipt # <u>E035811</u>
Add'l Fee Paid _____	Date _____	Received by _____	Receipt # _____

RECEIVED

MAY 06 2010

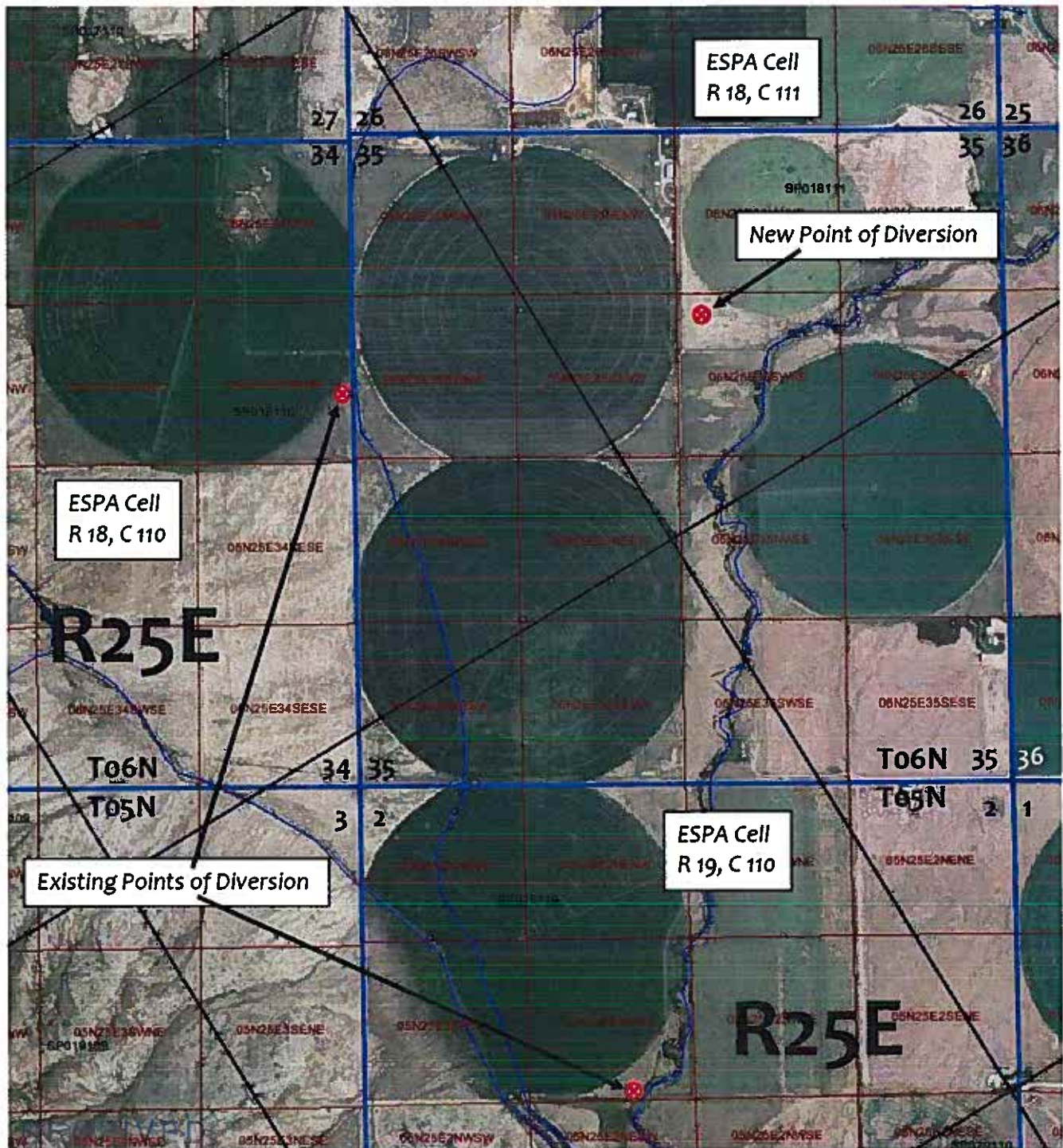
Department of Water Resources
Eastern Region

76509

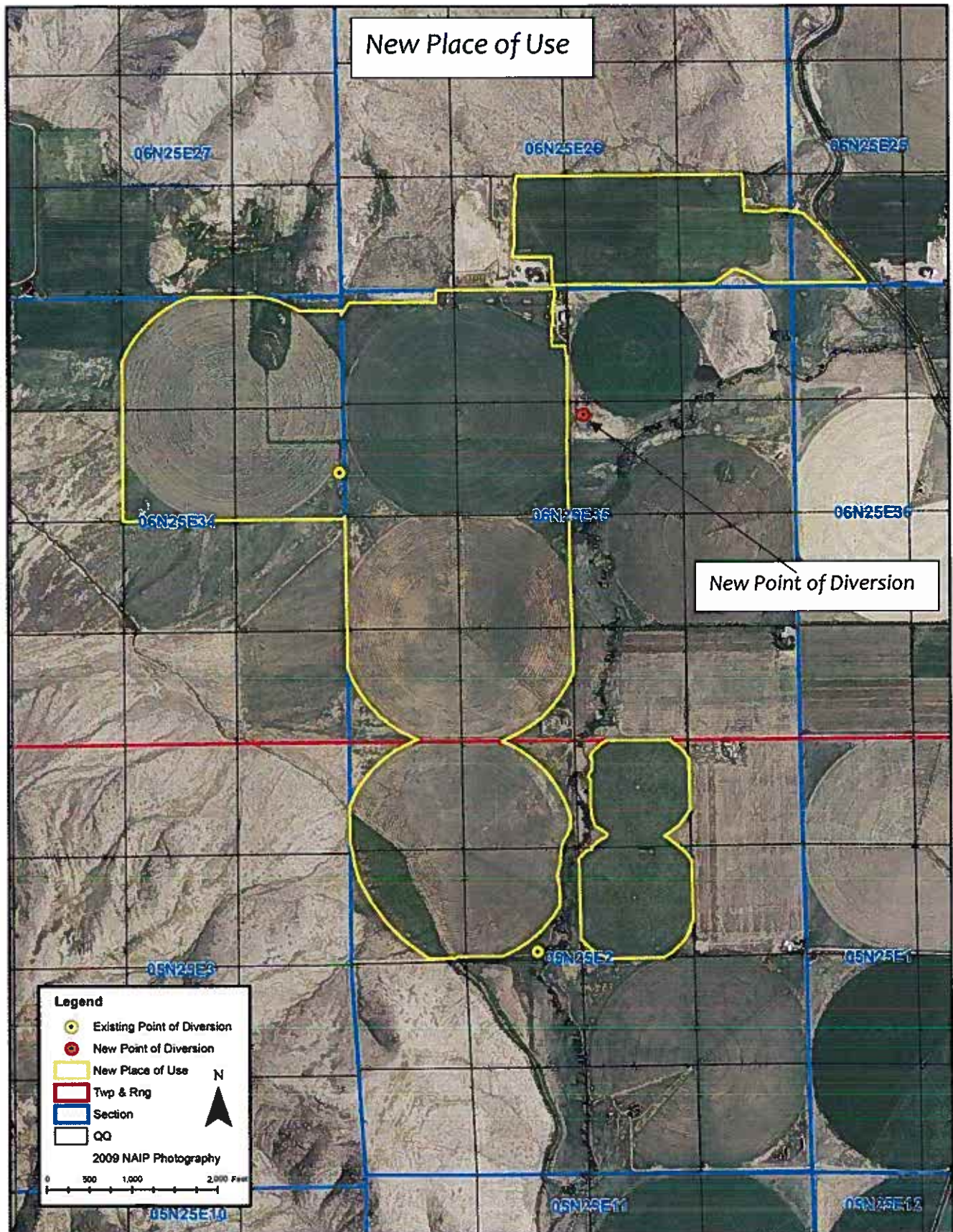
ESPA Spreadsheet:

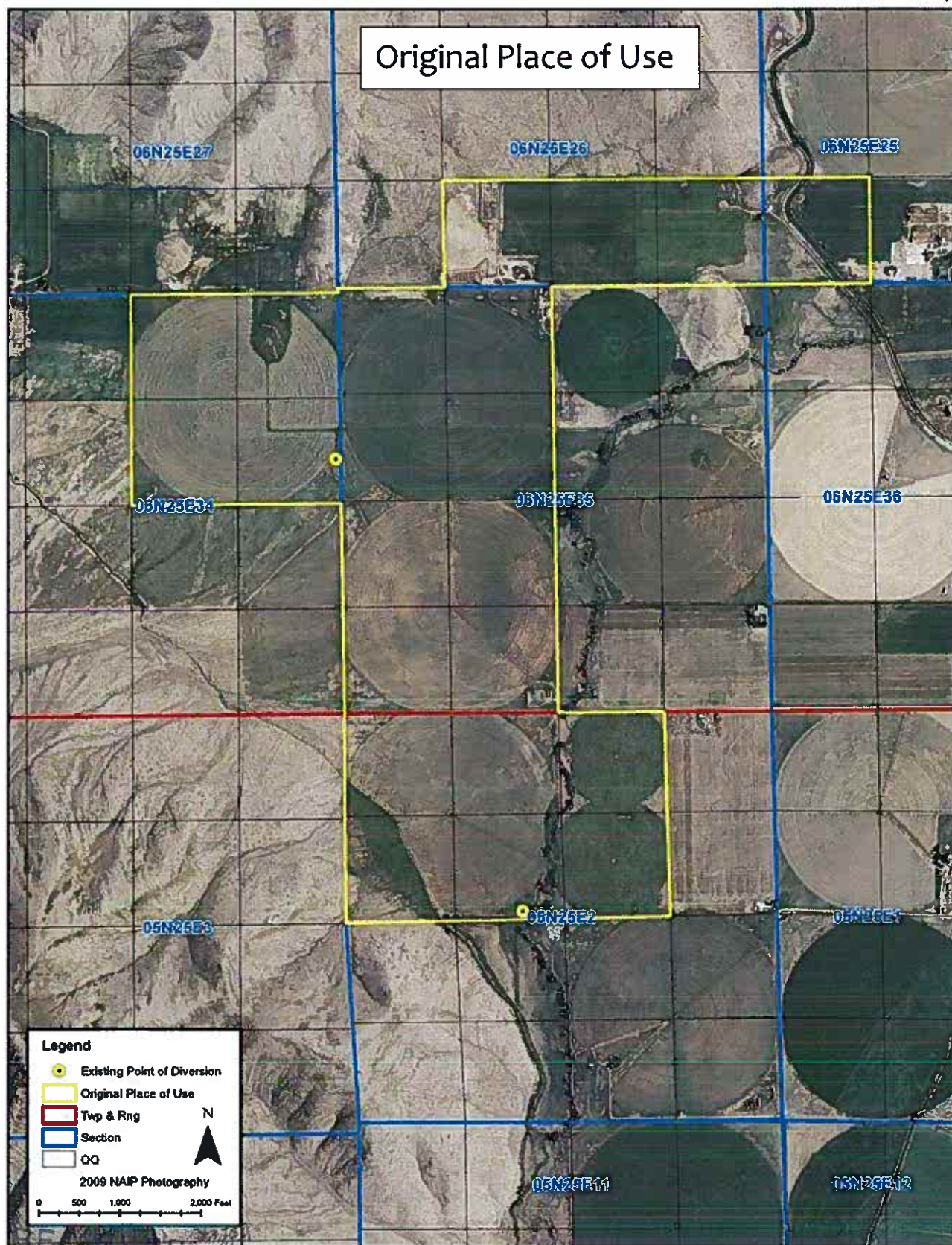
The transfer processing memo indicates that if an application for transfer proposes to move or add a point of diversion within or adjacent to the model cell for the existing point(s) of diversion an ESPA Spreadsheet Analysis is not required when the application is submitted.

Since the existing points of diversion and the new proposed point of diversion are in adjacent cells (See aerial below) an ESPA Spreadsheet Analysis is not included.



MAY 06 2010





MAY 06 2010

Rearranged Acres Table:

Ground Water Transfer

This transfer proposes to rearrange 40 acres within the original decreed place of use to accommodate the current irrigation practices. The table below shows those acres of water rights 34-2321 and 35-7015 that are being rearranged.

Determination of Number of Acres Rearranged:

TWP	RGE	SEC	NE				NW				SW				SE				Changed Acres		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
05N	25E	2		30	37		31	34	29	29											
				33	40		37	39	7	33											
	Original Acres		Changed Acres		-3	-3	-6	-5	22	-4											22/-21
06N	25E	25											9								
													9								
	Original Acres		Changed Acres		0																
06N	25E	26											14			39	32				
													17			39	30				
	Original Acres		Changed Acres		-3										0	2	2/-3				
06N	25E	34	36	35	40	39															
			28	39	40	35															
	Original Acres		Changed Acres		8	-4	0	4											12/-4		
06N	25E	35					38	37	40	40	40	40	34	35							
							37	38	40	40	37	40	40	40							
	Original Acres		Changed Acres		1										-1	0	0	3	0	-6	-5
Total Acres Rearranged =																		40/-40*			

* Positive Numbers indicate to which quarter-quarter the acres that are being rearranged.

*Negative Numbers indicate from which quarter-quarter the acres that are being rearranged.



IDAHO SECRETARY OF STATE

Viewing Business Entity

Ben Yursa, Secretary of State

CONTRARY LIMITED PARTNERSHIP

3776 W 3700 N
DARLINGTON, ID 83255

Type of Business: LIMITED PARTNERSHIP

Status: CURRENT, ANREPT SENT 03 Sep 2009

State of Origin: COLORADO

Date of Origination/Authorization: 28 Nov 2003

Initial Registered Agent: ALISON MADHAVI BRADFORD
3776 W 3700 N
DARLINGTON, ID 83255

File Number: L5119

Date of Last Annual Report: 08 Oct 2009

No. L 5119 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Due no later than Nov 30, 2009 Annual Report Form 1. Mailing Address: Correct in this box if needed. CONTRARY LIMITED PARTNERSHIP ALISON MADHAVI BRADFORD 3776 W 3700 N DARLINGTON ID 83255		2. Registered Agent and Address (NO PO BOX) ALISON MADHAVI BRADFORD 3776 W 3700 N DARLINGTON ID 83255 3. <u>New</u> Registered Agent Signature:*		
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
GENERAL PARTNER	COUNTY DIVIDE RANCH LLC	3776 W 3700 N	DARLINGTON	ID	USA	83255
5. Organized Under the Laws of: CO L 5119		6. Annual Report must be signed.* Signature: A.M.Bradford Name (type or print): A.M.Bradford Date: 10/08/2009 Title: Agent				
Processed 10/08/2009		* Electronically provided signatures are accepted as original signatures.				

231

APPLICATION FOR REGISTRATION OF FOREIGN LIMITED PARTNERSHIP

(Instructions on back of application)

STATE OF IDAHO

To the Secretary of State of Idaho:

Pursuant to the Chapter 2, Title 53, Idaho Code, the undersigned Limited Partnership hereby applies for registration to transact business in Idaho, and for that purpose submits the following statement:

1. The name of the limited partnership is Contrary Limited Partnership
2. The name which it shall use in Idaho is Contrary Limited Partnership
3. It was organized under the laws of Colorado on April 30, 2003
4. The address of its registered or principal office in the state or country under the laws of which it is organized is 1675 Broadway, Suite 12001, Denver, Colorado 80202
5. The name and street address of its proposed registered agent in Idaho are Alison Madhavi Bradford, 3776 West 3700 North, Darlington, Idaho 83255
6. The address at which a list of the names, addresses and contributions of the limited partners is kept is 3776 West 3700 North, Darlington, Idaho 83255
(The limited partnership agrees to keep the list until its registration is cancelled or withdrawn.)
7. The name and business address of each general partner are:

Name	Address
<u>County Divide Ranch, LLC</u>	<u>3776 West 3700 North Darlington, Idaho 83255</u>

Dated 11/17/03

Signature [Signature]

Typed Name COUNTY DIVIDE RANCH, LLC
Alison Madhavi Bradford, Manager

Secretary of State use only

IDAHO SECRETARY OF STATE
11/28/2003 05:00
CR: none CT: 112824 DR: 714441
1 @ 100.00 = 100.00 REG FOR LP # 2

L5119

FILED EFFECTIVE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 76509
Ground Water Transfer

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.

- | <u>Yes</u> <u>N/A</u> | * Means the item is <u>always required</u> 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 <u>for each water right</u> for which <u>only a portion</u> 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 <u>not</u> 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: <u>Diversion Rate Calculations & Results of Secretary of State Business Entity Search</u> |

MAY 06 2010
Department of Water Resources
Eastern Region

76509