

\$250.00

Transfer No. 75515
Receipt No. EC34942

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

1. Applicant Information FLOYD WILCOX & SONS INC
1110 GOLDEN BEAUTY DR
REXBURG ID 83440-3702
(208)356-7563

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
31-2307B	WR/License	1.29	510.7	145.9	421.7	GROUND WATER
31-2408B	WR/License	1.63	510.7	145.9	421.7	GROUND WATER
31-7095B	WR/License	5.74	1,003.8	286.8	421.7	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
31-2307B	NO	NO	YES	NO	NO	NO
31-2408B	NO	NO	YES	NO	NO	NO
31-7095B	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Applicant would like to adjust the place of use authorized by his water rights to match actual irrigation practices.

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
31-2307B	1.29 cfs	145.9	421.7	510.7 af
31-2408B	1.63 cfs	145.9	421.7	510.7 af
31-7095B	5.74 cfs	286.8	421.7	1,003.8 af
TOTAL	6.95 cfs	421.7	421.7	1,476.0 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.

Jerry Wilson
(Signature of Applicant)

Secretary
(Title of Office)

Transfer No. 75515

Receipt No. _____

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

Current Water Right No. 31-2307B

Priority Date: March 24, 1952

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	04/01 11/01	1.29 CFS	510.7 AFA	
Total Diversion		1.29 CFS	510.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 31 Twp 07N	Rge 36E	JEFFERSON County
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GROUND WATER	SWNENW	Sec. 32 Twp 07N	Rge 36E	JEFFERSON County
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GROUND WATER	SWNESW	Sec. 32 Twp 07N	Rge 36E	JEFFERSON County
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PLACE OF USE: IRRIGATION

<u>Twp Rge Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
07N 36E 31													33.0	40.0	40.0	33.0	146.0
07N 36E 32					37.0	39.0	33.8	35.0	27.0	32.4	37.0	34.5					275.7

Total Acres: 421.7

Conditions/Remarks:

- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 421.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-2307B, 31-2408B, 31-7095B.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-2307B, 31-2408B.

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3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 510.65 AF. COMBINED RIGHT NOS.: 31-2307B, 31-2408B.
4. 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 THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.95 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1476.0 AF. COMBINED RIGHT NOS.: 31-2307B, 31-2408B, 31-7095B.

Documentation of Ownership of the Current Place of Use
Warranty Deeds & Tax Lot Data

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

It will be dry.

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. 75515

Receipt No. _____

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

Current Water Right No. 31-2408B

Priority Date: November 27, 1963

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	04/01 11/01	1.63 CFS	510.7 AFA	
Total Diversion		1.63 CFS	510.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 31 Twp 07N	Rge 36E	JEFFERSON County
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GROUND WATER	SWNENW	Sec. 32 Twp 07N	Rge 36E	JEFFERSON County
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GROUND WATER	SWNESW	Sec. 32 Twp 07N	Rge 36E	JEFFERSON County
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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	
07N	36E	31													33.0	40.0	40.0	33.0	146.0
07N	36E	32					37.0	39.0	33.8	35.0	27.0	32.4	37.0	34.5					275.7

Total Acres: 421.7

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.

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2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.95 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1476.0 AF. COMBINED RIGHT NOS.: 31-2307B, 31-2408B, 31-7095B.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-2307B, 31-2408B.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 510.65 AF. COMBINED RIGHT NOS.: 31-2307B, 31-2408B.
5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 421.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-2307B, 31-2408B, 31-7095B.

Documentation of Ownership of the Current Place of Use
Warranty Deeds & Tax Lot Data

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

It will be dry.

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. 75515

Receipt No. _____

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

Current Water Right No. 31-7095B

Priority Date: April 22, 1974

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	5.74 CFS	1,003.8 AFA	
Total Diversion		5.74 CFS	1,003.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 31 Twp 07N	Rge 36E	JEFFERSON County
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GROUND WATER	SWNENW	Sec. 32 Twp 07N	Rge 36E	JEFFERSON County
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GROUND WATER	SWNESW	Sec. 32 Twp 07N	Rge 36E	JEFFERSON County
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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	
07N	36E	31													33.0	40.0	40.0	33.0	146.0
07N	36E	32					37.0	39.0	33.8	35.0	27.0	32.4	37.0	34.5					275.7

Total Acres: 421.7

Conditions/Remarks:

- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 286.8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 421.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-2307B, 31-2408B, 31-7095B.

3. 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. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.95 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1476.0 AF. COMBINED RIGHT NOS.: 31-2307B, 31-2408B, 31-7095B.
5. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Documentation of Ownership of the Current Place of Use
Warranty Deeds & Tax Lot Data

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
It will be dry.

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. 75515

Receipt No. _____

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

Proposed Water Right No. 31-2307B

Priority Date: March 24, 1952

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	04/01 11/01	1.29 CFS	510.7 AFA	
	Total Diversion	1.29 CFS	510.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 31 Twp 07N Rge 36E	JEFFERSON County
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GROUND WATER	SWNENW	Sec. 32 Twp 07N Rge 36E	JEFFERSON County
--------------	--------	-------------------------	---------------------

GROUND WATER	SWNESW	Sec. 32 Twp 07N Rge 36E	JEFFERSON County
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Describe the proposed diversion 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	
07N 36E 31													38.0	35.6	36.0	35.0	144.6
07N 36E 32		1.2	1.0		36.8	29.6	28.9	36.3	37.8	33.1	33.0	38.6		.5	.3		277.1

Total Acres: 421.7

Transfer No. 75515

Receipt No. _____

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

Proposed Water Right No. 31-2408B

Priority Date: November 27, 1963

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	1.63 CFS	510.7 AFA	
	Total Diversion	1.63 CFS	510.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 31 Twp 07N Rge 36E	JEFFERSON County
--------------	--------	-------------------------	---------------------

GROUND WATER	SWNENW	Sec. 32 Twp 07N Rge 36E	JEFFERSON County
--------------	--------	-------------------------	---------------------

GROUND WATER	SWNESW	Sec. 32 Twp 07N Rge 36E	JEFFERSON County
--------------	--------	-------------------------	---------------------

Describe the proposed diversion 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					
07N	36E	31																	38.0	35.6	36.0	35.0	144.6
07N	36E	32		1.2	1.0		36.8	29.6	28.9	36.3	37.8	33.1	33.0	38.6		.5	.3						277.1

Total Acres: 421.7

Transfer No. 75515

Receipt No. _____

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

Proposed Water Right No. 31-7095B

Priority Date: April 22, 1974

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	5.74 CFS	1,003.8 AFA	
	Total Diversion	5.74 CFS	1,003.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 31 Twp 07N	Rge 36E	JEFFERSON County
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GROUND WATER	SWNENW	Sec. 32 Twp 07N	Rge 36E	JEFFERSON County
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GROUND WATER	SWNESW	Sec. 32 Twp 07N	Rge 36E	JEFFERSON County
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Describe the proposed diversion 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		
07N	36E	31														38.0	35.6	36.0	35.0	144.6
07N	36E	32		1.2	1.0		36.8	29.6	28.9	36.3	37.8	33.1	33.0	38.6		.5	.3			277.1

Total Acres: 421.7

ALLIANCE TITLE & ESCROW
P.O. BOX 732
REXBURG, ID 83440

36.151
Instrument # 363731
RIGBY, JEFFERSON, IDAHO
2007-11-08 08:34:00 No. of Pages: 3
Recorded for: ALLIANCE TITLE & ESCROW
CHRISTINE BOULTER
Ex-Officio Recorder Deputy UK Fee: 9.00
Index to: WARRANTY DEED

WARRANTY DEED

Order No. 3060718659HB

FOR VALUE RECEIVED

Cornelison - Olsen, LLC, an Idaho Limited Liability Company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Floyd Wilcox and Sons, Inc., an Idaho Corporation

whose current address is

1110 Golden Beauty Drive Rexburg, ID 83440

the grantee(s), the following described premises, in Jefferson County, Idaho, TO WIT:

Tract 1: Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho.

Section 32: West Half.

Excepting therefrom: Beginning at the North Quarter corner of Section 32, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho, said point being the true point of beginning; thence South 00°53'05" East for a distance of 248.00 feet; thence South 89°56'29" West for a distance of 55.00 feet; thence North 00°53'05" West for a distance of 30.00 feet; thence South 89°56'29" West for a distance of 145.00 feet; thence North 00°53'05" West for a distance of 218.00 feet; thence North 89°56'29" East for a distance of 200.00 feet to the true point of beginning. Also excepting therefrom: Beginning at the Northwest corner of Section 32, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho; thence South 00°35'21" East for a distance of 1913.16 feet to the true point of beginning; thence North 44°37'16" East for a distance of 62.58 feet; thence South 45°35'21" East for a distance of 1074.00 feet; thence South 44°24'39" West for a distance of 1074 feet; thence North 45°35'21" West for a distance of 62.81 feet; thence North 00°35'21" West for a distance of 1430.37 feet to the true point of beginning. Also excepting therefrom: Beginning at the South Quarter corner of Section 32, Township 7 North, Range 36 East, Boise Meridian, said point also being the true point of beginning; thence North 89°37'57" West along the South line of Section 32 for a distance of 750.00 feet; thence North 44°44'30" East for a distance of 1049.01 feet to the North-South centerline of Section 32; thence South 00°53'05" East along said centerline for a distance of 750.00 feet to the true point of beginning.

Tract 2: Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho.

Section 31: Southeast Quarter

Excepting therefrom: Beginning at the Northeast corner of Section 31, Township 7 North, Range 36 East, Boise Meridian, thence South 00°35'21" East for a distance of 2628.44 feet to the true point of beginning; said point also being the East Quarter corner of Section 31; thence South 00°35'21" East for a distance of 715.09 feet; thence North 45°35'21" West for a distance of 1015.14 feet; thence North 89°37'40" East for a distance of 717.81 feet to the true point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

SCANNED

JUN 13 2008

75515

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 11/05/2007

Cornelison - Olsen, LLC

Keith Cornelison
By: Keith Cornelison, Member

State of Idaho

County of Madison

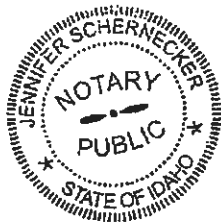
} ss.

On this 7 day of November, in the year 2007, before me, a Notary Public in and for said state, personally appeared Keith Cornelison known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

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

Jennifer Scherneck
Notary Public for the State of Idaho
Residing at
Commission Expires:

Residing in Rigby, Idaho
Commission Expires: 07-15-2009



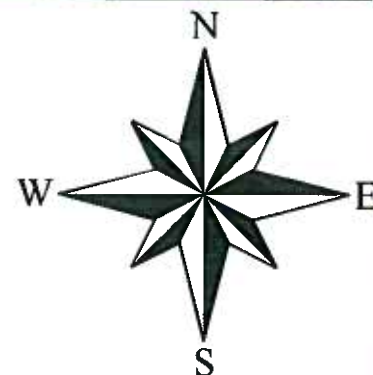
Proposed Water Use



Legend

-  Proposed Water Use 421.7 Acres
-  Township/Range
-  Sections
- QQ

0 0.05 0.1 0.2
Miles



Imagery: NAIP 2009
Idaho Department of Water Resources
Map Prepared by Heather Bohac, January 19, 2009

75515

No. C 33312		Due no later than January 31, 2005 Annual Report Form		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		1. Mailing Address - <i>Correct to this box, if applicable</i> FLOYD WILCOX & SONS, INC. LYNN WILCOX REXBURG, ID 83440		LYNN WILCOX 1110 GOLDEN BEAUTY DR REXBURG, ID 83440	
NO FILING FEE IF RECEIVED BY DUE DATE		110 Golden Beauty Dr. REXBURG, ID 83440		3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
Office held <u> </u> Name <u> </u>		Street or P.O. Address <u> </u>		City <u> </u> State <u> </u> Zip <u> </u>	
President Lynn Wilcox 1110 Golden Beauty Dr. Rexburg, ID 83440 V. President Ron Wilcox 1110 Golden Beauty Dr. Rexburg, ID 83440 Secretary Terry Wilcox 1110 Golden Beauty Dr., Rexburg, ID 83440					
5. Organized Under the Laws of:		6.			
IDAHO C 33312		Signature <u><i>Terry Wilcox</i></u>		Date <u>11-23-04</u>	
		Typed or Name Printed <u>Terry Wilcox</u>		Title <u>Secretary</u>	

Issued 11/01/2004

Do Not Tape or Staple

2.00501E+11