

Transfer No. 76173

Receipt No. ED35499

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

1. Applicant Information PECK FARMS OF IDAHO LC
700 W GLOVER RD
ARIMO ID 83214

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

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
29-7275	WR/License	5.60	1,204.0	344.0	351.0	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
29-7275	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Applicant would like to add a wiper pivot and dry up corners.

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
29-7275	5.60 cfs	344.0	344.0	1,204.0 af
TOTAL	5.60 cfs	344.0	344.0	1,204.0 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)

Transfer No. 76173
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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 29-7275

Priority Date: July 22, 1975
 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	5.60 CFS	1,204.0 AFA	
Total Diversion		5.60 CFS	1,204.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESW Sec. 20 Twp 10S Rge 36E BANNOCK County

GROUND WATER NWNW Sec. 29 Twp 10S Rge 36E BANNOCK 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	
10S 36E 20								40.0	40.0		13.0	40.0	39.0	40.0	40.0		252.0
10S 36E 29		39.0			37.0	23.0											99.0

Total Acres: 351

Conditions/Remarks:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 344 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Page 4

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

It will be placed in the CSP program under the NRCS.

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. 29-7275

Priority Date: July 22, 1975

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	5.60 CFS	1,204.0 AFA	
	Total Diversion	5.60 CFS	1,204.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESW Sec. 20 Twp 10S Rge 36E BANNOCK County

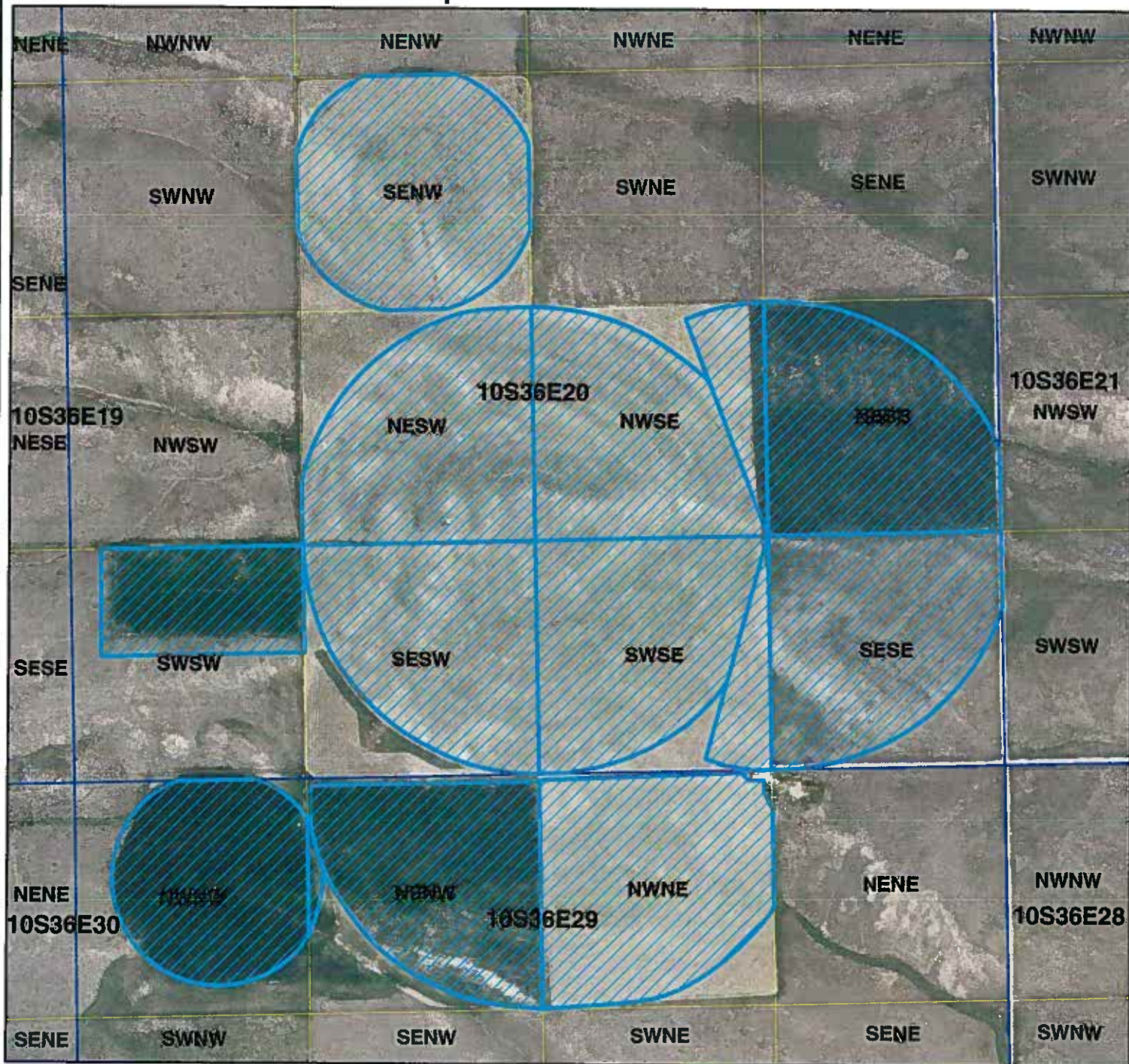
GROUND WATER NWNW Sec. 29 Twp 10S Rge 36E BANNOCK County

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	
10S	36E	20							34.0	33.0			16.0	30.0	33.0	37.0	37.0	33.0	253.0
10S	36E	29			35.0		31.0	25.0											91.0

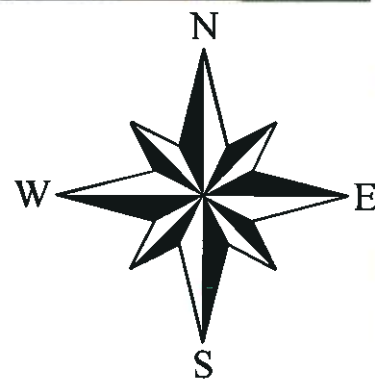
Total Acres: 344

Proposed Water Use



Legend

-  Peck_Intersect
 Township/Range
 Sections
 QQ



Imagery: NAIP 2009

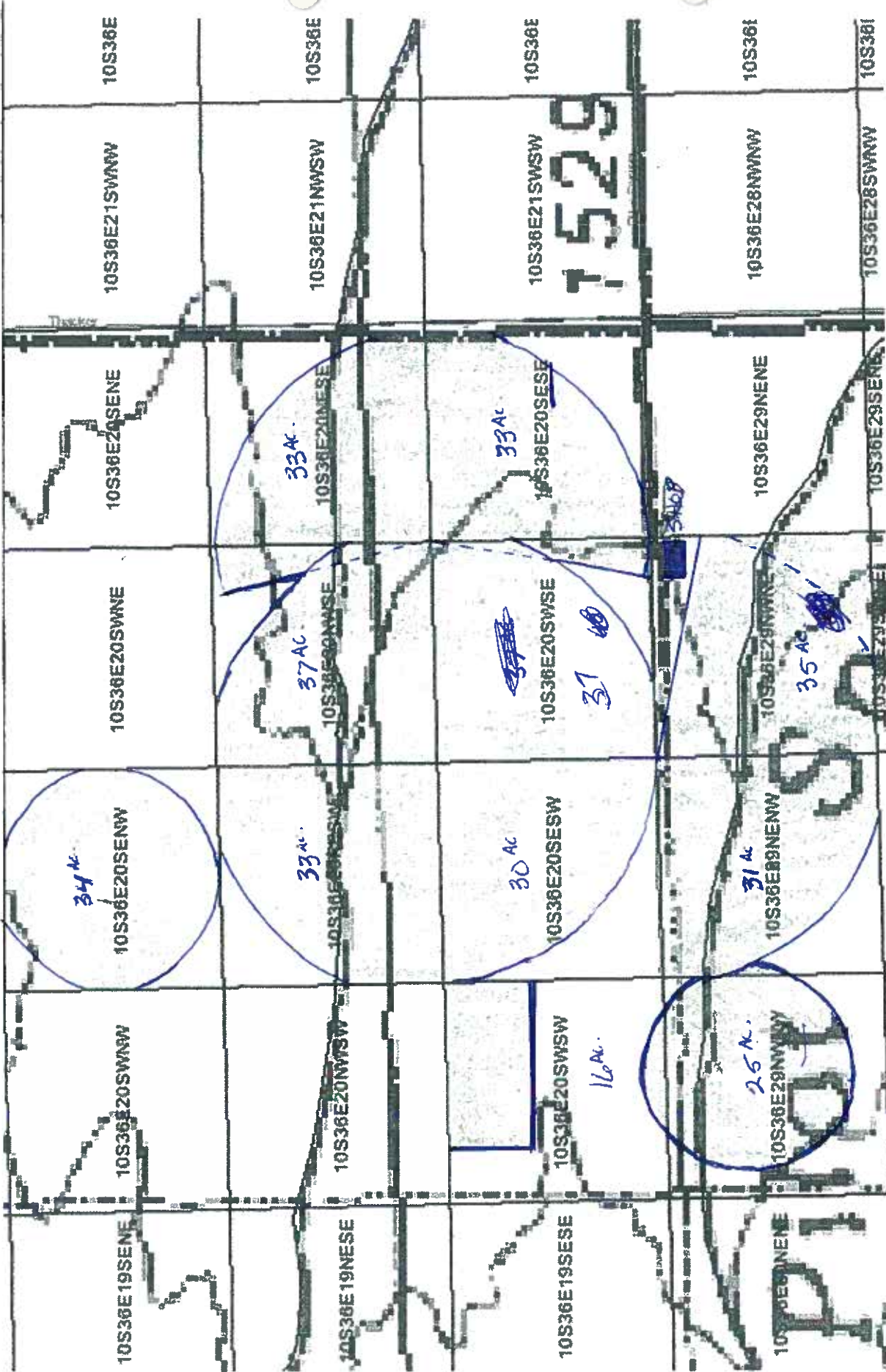
Idaho Department of Water Resources

Map Prepared by Heather Bohac, January 13, 2009

76 17 3

76173 Map Prepared by Heather Bohac, January 13, 2009

PROPOSED



26173

No. W 28345		Due later than February 28, 2009 Annual Report Form		2. Regr Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 450 NORTH FOURTH STREET PO BOX 83720 BOISE, ID 83720-0080		1. Mailing Address - Correct in this box, if applicable PECK FARMS OF IDAHO, L.C. 700 W GLOVER RD ARIMO, ID 83214		KEVIN PECK 700 GLOVER RD ARIMO, ID 83214	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Limited Liability Companies: Enter Names and Addresses of Managers.					
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
MANAGER	KEVIN PECK	700 W. GLOVER RD.	ARIMO	ID	83214
MANAGER	CARLE PECK	117			11
MANAGER	EARL PECK				
5. Organized Under the Laws of: IDAHO W 28345		6. Signature  Date 1/20/09			
		Name (Typed or Printed) KEVIN PECK Title Manager			

Issued 12/01/2008

Do Not Tape or Staple

200902005859

When Recorded Mail To:
KEVIN PECK
190 North Meadowview Drive
Arimo, ID 83214

20402024

20402024
Kevin Peck
RECORDED AT REQUEST OF
FEE 6 DEPUTY BP

2004 FEB 3 AM 8 22

WARRANTY DEED

OFFICIAL RECORD BK# 874
LARRY W CHAN RECORDER
BARNOCK COUNTY IDAHO

PECK PROPERTIES, L.C., grantor, hereby WARRANTS AND CONVEYS BAHO of its interest to PECK FARMS OF IDAHO, L.C., grantee of 190 North Meadowview Drive, Arimo, Idaho 83214, for the sum of \$10.00, and other valuable consideration, in the following described tract of land in Barnock County, State of Idaho:

See Exhibit "A", attached hereto and incorporated herein.

WITNESS the hand of said grantors, this 24 day of January, 2004.

PECK PROPERTIES, L.C.

By:

Earl L. Peck, manager
EARL L. PECK, Manager

By:

Carole S. Peck, manager
CAROLE S. PECK, Manager

STATE OF UTAH)

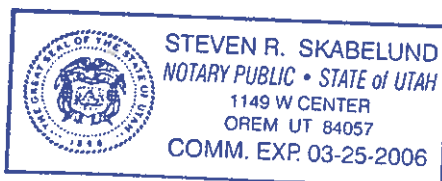
)

: ss.

COUNTY OF UTAH)

)

On the 24 day of January, 2004, personally appeared before me, EARL L. PECK and CAROLE S. PECK, Managers, PECK PROPERTIES, L.C., the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.



Notary Public

N^v
"EXHIBIT A"

20402024

PARCEL 2: *Robins*

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, THENCE NORTH 0°9' WEST, ALONG THE WEST LINE OF SECTION 3, 808.5 FEET; THENCE NORTH 89°51' EAST 33 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF JENSEN ROAD SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE CONTINUING NORTH 89°51' EAST, 1039.50 FEET, THENCE SOUTH 0°09' EAST 513.50 FEET; THENCE DUE EAST, 264.05 FEET; THENCE DUE SOUTH 247.50 FEET TO A POINT ON THE NORTHERLY R.O.W. LINE OF GLOVER ROAD, SAID POINT BEING 33 FEET NORTH OF THE WEST 1/16 CORNER ON THE SOUTH LINE OF SAID SECTION 3; THENCE NORTH 89°16' EAST, ALONG SAID NORTHERLY R.O.W. LINE OF GLOVER ROAD 1335.91 FEET TO A POINT ON THE MERIDIONAL CENTERLINE OF SAID SECTION 3, SAID POINT BEING NORTH 0°11' WEST AND 33 FEET DISTANT FROM THE SOUTH 1/4 CORNER OF SAID SECTION 3; THENCE NORTH 0°11' WEST, ALONG THE MERIDIONAL CENTERLINE, 2614.55 FEET TO THE CENTER 1/4 CORNER OF SAID SECTION 3; THENCE SOUTH 89°17' WEST, ALONG THE LATITUDINAL CENTERLINE OF SAID SECTION 3, 1648.89 FEET; THENCE SOUTH 0°09' EAST, 1378.60 FEET; THENCE SOUTH 89°51' WEST, 989.00 FEET TO A POINT ON THE EASTERLY R.O.W. LINE OF JENSEN ROAD. THENCE SOUTH 0°09' EAST, ALONG SAID EASTERLY R.O.W. LINE OF JENSEN ROAD, 471.50 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3: *Main Farm*

TOWNSHIP 10 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO,

SECTION 20: *SWAR* SE¹/₄NW¹/₄, *Big Tel* E¹/₂SW¹/₄, *KSE* W¹/₂SE¹/₄, NE¹/₄SE¹/₄

SECTION 29: *Sweep* NE¹/₄NW¹/₄, NW¹/₄NE¹/₄, BEGINNING AT THE NORTHEAST CORNER OF NW¹/₄NW¹/₄ OF SAID SECTION, THENCE SOUTH 330 FEET, THENCE AT RIGHT ANGLES WEST 132 FEET, THENCE AT RIGHT ANGLES NORTH 330 FEET, THENCE 132 FEET EAST TO THE POINT OF BEGINNING. *strip 5. we*

PARCEL 4: *Main Upper*

TOWNSHIP 10 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO,

SECTION 19: SE¹/₄SE¹/₄ *15 AC & CRP*

SECTION 20: SW¹/₄SW¹/₄ *New Pict CRP*

SECTION 29: NW¹/₄NW¹/₄, EXCEPT, BEGINNING AT NORTHEAST CORNER OF NW¹/₄NW¹/₄ OF SECTION 29, THENCE RUNNING SOUTH 330 FEET, THENCE AT RIGHT ANGLES WEST 132 FEET; THENCE AT RIGHT ANGLES NORTH 330 FEET; THENCE 132 FEET EAST TO THE TRUE POINT OF BEGINNING.

SECTION 30: NE¹/₄ *160 AC CRP*

PARCEL 5:

TOWNSHIP 10 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, SECTION 30: NE¹/₄NW¹/₄. *4 AC CRP*

QUIT CLAIM DEED

Linell Kent Lowe and Linda Lee Lowe
of County of Bannock State of Idaho

GRANTOR(S)

QUIT CLAIMS to

KAP Properties LLC @ 700 W. Glover Rd. Arimo ID. 83214

GRANTEE(S)

of County of Bannock STATE OF Idaho

FOR THE SUM OF TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, THE FOLLOWING DESCRIBED TRACT OF LAND IN COUNTY, STATE OF IDAHO, to-wit:

PARCELL 1. T.10S., R. 36 E. OF BOISE MERIDIAN, BANNOCK COUNTY, ID. SE1/4 OF SE 1/4 OF SECTION 20.

PARCELL 2. T.10S. R.36E. OF BOISE MERIDIAN, BANNOCK COUNTY, ID. NW1/4 OF NM1/4 OF SECTION 28.

WITNESS, THE HAND(S) OF SAID GRANTOR(S), on: _____

RECEIVED

JAN 15 2010

Department of Water Resources
Eastern Region

STATE OF Idaho

Florida

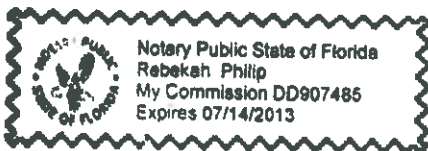
COUNTY OF Orange

On 8-6-2009

personally appeared before me

Linell Kent Lowe and Linda Lee Lowe

signers of the within instrument, who duly acknowledged to me that they executed the same.



[Signature]
NOTARY PUBLIC
Rebekah Philip

JUL-31-2009 01:02PM From: 12082549269

ID:

Page:003 R=95%

OFFICIAL RECORD BK # 217
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE 3.00 DEPUTY [Signature]

Kap Properties

21000531

361

2010 JAN 12 P 1:11



ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

FILED EFFECTIVE
08 MAY 22 AM 8:43
SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

KAP PROPERTIES, LLC

2. The street address of the initial registered office is:

700 West Glover Rd., Arimo, Idaho 83214

and the name of the initial registered agent at the above address is:

Kevin Peck

3. The mailing address for future correspondence is:

700 West Glover Rd., Arimo, Idaho 83214

4. Management of the limited liability company will be vested in:

Manager(s) ☒ or Member(s) ☐ (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.

Name	Address
Kevin Peck	700 West Glover Rd., Arimo, Idaho 83214

6. Signature of at least one person responsible for forming the limited liability company:

Signature: *Kevin Peck*

Typed Name: Kevin Peck

Capacity: Manager

Signature: _____

Typed Name: _____

Capacity: _____

Secretary of State use only

W745-35

IDAHO SECRETARY OF STATE
05/22/2008 05:00
CK: 580 CT: 95787 BH: 1116324
1 @ 100.00 = 100.00 ORGAN LLC # 2

g:\corp\forms\LLC\formstartstoorganization.p65
Revised 07/2002

Web Form