

Should questions arise during the processing of this application please contact:
Steven Hannula ERO Resources Corp. (208) 373-7983

RECEIVED

JUN 30 2005

WATER RESOURCES
WESTERN REGION

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

2 of 2
"Farm #1"

AMSMO

Name of applicant Gregory and/or Joyce Troost

Phone (208) 722-7325

Post Office address 30540 Sabin Rd, Parma ID 83660

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 the reason for the proposed changes To define a Permissible Place of Use and to move the water rights from retired land to new land.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
SEE ATTACHMENT #2-A _____ to _____

2. Total amount of water being transferred 14.14* cubic feet per second and/or 3280.3* acre-feet per annum.

3. Source of water Ground Water tributary to N/A

*The actual amount changed in this transfer involves 87 acres, which is 1.57 cfs and is the basis for determining the filing fee.

4. Point(s) of Diversion:

9-10-04

BRH see remarks

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		<u>NW</u> <u>SE</u>	<u>SE</u> <u>SW</u>	36	6N	5W	PAYETTE	2 wells for Dairy
		<u>SW</u> <u>SE</u>	SW	36	6N	5W	PAYETTE	Well near the scale
		NE	NE	35	6N	5W	PAYETTE	Irrigation well
		SW	SE	25	6N	5W	PAYETTE	Well #3

SW NE 36 6N 5W PAYETTE

Irrigation well per transfer 74917

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	5W	25 ✓									40	40	40	40			40	40	240
		25 ✓									c	c		c			c	c	
		35 ✓				40									40	18	24		122
		36 ✓	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		36 ✓			s					s	s			s		s	s		
		36 ✓	c	c	c	c	c	c	c	c	c	c	c	c	c	c	c	c	

Total acres 640.1 acres in a 1002-acre PPU

PART 1

6. General Information:

- a. Description of diversion system ^{four} ~~Three~~ existing irrigation wells, pipelines, and a series of pivots. Two existing dair wells supply the dairy through pipelines, stock tanks, and other dairy equipment.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: A portion of this land was retired with the development of the dairy. A portion of this land was retired to have just the pivots provide irrigation, i.e. no hand lines or corner guns.
- d. Remarks: See Remarks – Attachment #2 - B - *This transfer includes a record correction to show the 2 dairy wells are in the SESW and the Scale well is in the SESW, No new wells are being sought.*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-3065 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 5546 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purpose:

Amount _____ for _____

(cfs/ac-ft)

Amount _____ for _____

(cfs/ac-ft)

Amount _____ for _____

(cfs/ac-ft)

SEE ATTACHED COPY OF TRANSFER 5546 AND
ACCOMPANYING APPLICATION FOR TRANSFER (#1
of 2).

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 63-3315, 63-3547, 63-3581, 63-9279

PART 2 – 63-3065

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-13315 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 5546 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purpose:

Amount _____ for _____

(cfs/ac-ft)

Amount _____ for _____

(cfs/ac-ft)

Amount _____ for _____

(cfs/ac-ft)

SEE ATTACHED COPY OF TRANSFER 5546.

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 63-3065, 63-3547, 63-3581, 63-9279

PART 2 – 63-3315

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-3547 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 5546 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purpose:

Amount _____ for _____

(cfs/ac-ft)

Amount _____ for _____

(cfs/ac-ft)

Amount _____ for _____

(cfs/ac-ft)

SEE ATTACHED COPY OF TRANSFER 5546.

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 63-3315, 63-3065, 63-3581, 63-9279

PART 2 – 63-3547

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-3581 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 5546 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purpose:

Amount _____ for _____

(cfs/ac-ft)

Amount _____ for _____

(cfs/ac-ft)

Amount _____ for _____

(cfs/ac-ft)

SEE ATTACHED COPY OF TRANSFER 5546.

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 63-3315, 63-3547, 63-3065, 63-9279

PART 2 – 63-3581

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-9279 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 5546 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purpose:

Amount _____ for _____
(cfs/ac-ft)

Amount _____ for _____
(cfs/ac-ft)

Amount _____ for _____
(cfs/ac-ft)

SEE ATTACHED COPY OF TRANSFER 5546 and
ACCOMPANYING APPLICATION FOR TRANSFER (#1
OF 2)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 63-3315, 63-3547, 63-3581, 63-3065

PART 2 – 63-9279

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SCALE: 2 inches equals 1 mile. Draw plan in ink.

See Attachment #2-C

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use _____ Amount (cfs/ac-ft) _____ Hours/days/year _____ Period of Use _____ to _____
 _____ to _____
2. Quantity and quality of return flows and location of discharge: _____
3. Describe effects on other water uses resulting from the proposed change: _____

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]

 Signature of Applicant)

Subscribed and sworn before me this 29 day of JUNE, 2005.

SHELLY M. HAMBY
 NOTARY PUBLIC
 STATE OF IDAHO

[Signature]

 (Notary Public)

My commission expires 3/12/09

FOR DEPARTMENT USE ONLY

Transfer contains 14 pages and 5 attachments → 2A, 2B, 2C, D, E
 Received by DB Date 6/30/05 Protest filed by _____
 Prelim. check by W032654 Fee \$250 - \$290
 Received by DB W033122 Date 6/30/05 3/4/05 *
 Published in IND. ENTERPRISE & PRESS TRIBUNE Copies of protest forwarded by _____
 Pub. Dates 11/18 & 25, 2009 & 11/19 & 26, 2009 Hearing held by _____ Date _____
 Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial
 _____ rec'd. _____ by _____
 Copy of transfer sent to lien holder _____

* Fee cover letter rec'd 6/30/05 in T. 73502.
 Fee copy of receipt W032654 " " " -SZ 9/22/09
 OK for "88 Acre / 1.76 cfs change"

Attachment #2-A - Water Right List: Part 1 Page 1 Application for Transfer (#2 of 2)

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use		
63-3065	11/1/1955	1.4/468	Irrigation	3/1	to	11/15
63-3315	10/15/1962	4.38/2250.1	Irrigation	3/1	to	11/15
		0.96/493.2	Stockwater	1/1	to	12/31
		0.96/493.2	Commercial	1/1	to	12/31
63-3547	10/4/1966	1.98/1017.2	Irrigation	3/1	to	11/15
		0.65/333.9	Stockwater	1/1	to	12/31
		0.65/333.9	Commercial	1/1	to	12/31
63-3581	2/2/1967	0.93/477.8	Irrigation	3/1	to	11/15
		0.2/102.7	Stockwater	1/1	to	12/31
		0.2/102.7	Commercial	1/1	to	12/31
63-9279	9/7/1979	2.91/1492.5	Irrigation	3/1	to	11/15
		0.74/380.2	Stockwater	1/1	to	12/31
		0.74/380.2	Commercial	1/1	to	12/31

		Before	After
Irrigation	cfs	12.28	11.59
Irrigation Vol	afa	3051.5	2880.5
Acres of Irrig	acres	678.1	640.1
Stock & Comm	cfs	2.55	2.55
Stock & Comm	afa	399.8	399.8
Total	cfs	14.83	14.14
Total	afa	3451.3	3280.3

ATTACHMENT #2-B

Remarks for Troost Application for Transfer #2 of 2

Application for Transfer (#2 of 2) redefines the Permissible Place of Use (PPU) for Farm #1 in response to changes to the water rights detailed in an accompanying Application for Transfer (#1 of 2).

The end result of these two Applications for Transfer is:

- **no change in total number of irrigated acres,**
- **no change in diversion rate,**
- **no change in annual volume.**
- **Permissible Place of Use (PPU) defined.**
- **No impact or injury to nearby water users.**

The land application of the commercial wastewater will not change from the definition in Transfer 5546.

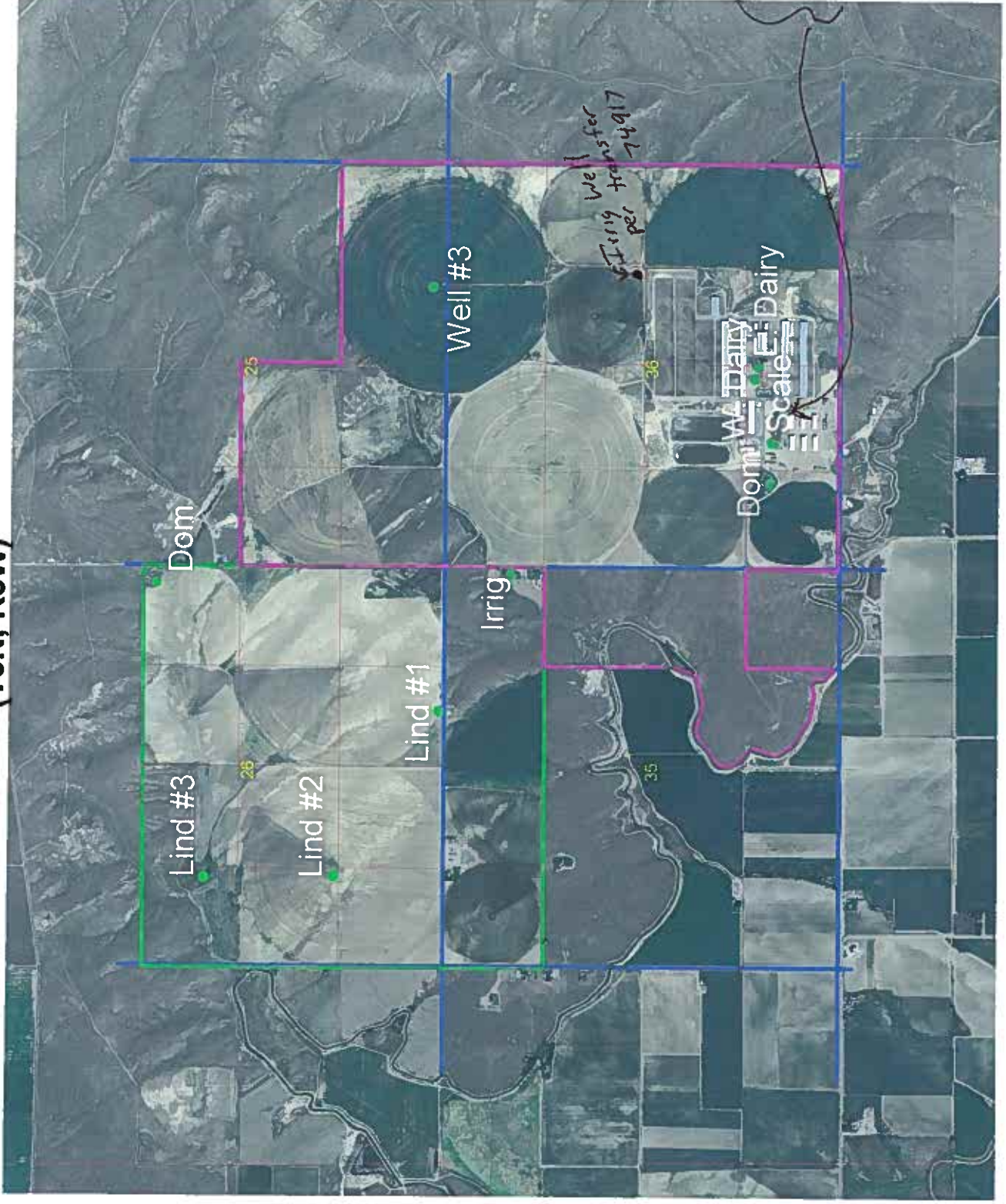
The total irrigation diversion rate for Farm #1 will be reduced from the current authorized rate of 12.28 to 11.59 cfs; the 0.69 difference is transferred to Farm #2 as defined in the accompanying Application for Transfer (#1 of 2). Similarly, the annual volume for irrigation on Farm #1 will be reduced from 3051.5 to 2880.5 af; the 171 af difference is transferred to Farm #2 as defined in the accompanying Application for Transfer (#1 of 2). The stockwater and commercial uses defined on these water rights are not modified at all.

After this transfer, Farm #1 will have a total diversion rate and annual volume authorized for irrigation, stockwater, and commercial of 14.14 cfs, and 3280.3, respectively.

Irrigation will be limited to 640.1 acres within the 1,002-acre PPU.

ATTACHMENT #2-C Troost - Farm #1 PPU for Transfer (T6N, R5W)


 Farms 1 & 2
 Dom. Wells N/A -
 NWS S. 26
 SW S. 36
 Farm 2
 3 wells =
 Lind #1-3



Both dairy wells and Scale well are in the SE SW.



 Farm #1 PPU
  Farm #2 PPU

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5546
WATER RIGHT NO(S). 63-03065/63-03315/63-03547
63-03581/63-09279

This is to certify that: **GREGORY T TROOST**
JOYCE K TROOST
6301 ARCHIBALD AVE
CORONA CA 92880

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-03065 :			
Priority: 11/01/1955			
IRRIGATION	03/01 to 11/15	1.91 CFS	639.0 AF
Right No. 63-03315 :			
Priority: 10/15/1962			
IRRIGATION	03/01 to 11/15	4.38 CFS	2250.1 AF
STOCKWATER	01/01 to 12/31	0.96 CFS	493.2 AF
COMMERCIAL	01/01 to 12/31	0.96 CFS	493.2 AF
		5.34 CFS	2743.3 AF
Right No. 63-03547 :			
Priority: 10/04/1966			
IRRIGATION	03/01 to 11/15	1.98 CFS	1017.2 AF
STOCKWATER	01/01 to 12/31	0.65 CFS	333.9 AF
COMMERCIAL	01/01 to 12/31	0.65 CFS	333.9 AF
		2.63 CFS	1351.1 AF
Right No. 63-03581 :			
Priority: 02/02/1967			
IRRIGATION	03/01 to 11/15	0.93 CFS	477.8 AF
STOCKWATER	01/01 to 12/31	0.20 CFS	102.7 AF
COMMERCIAL	01/01 to 12/31	0.20 CFS	102.7 AF
		1.13 CFS	580.5 AF
Right No. 63-09279 :			
Priority: 09/07/1979			
IRRIGATION	03/01 to 11/15	3.08 CFS	1582.2 AF
STOCKWATER	01/01 to 12/31	0.74 CFS	380.2 AF
COMMERCIAL	01/01 to 12/31	0.74 CFS	380.2 AF
		3.82 CFS	1962.4 AF
IRRIGATION:		12.28 CFS *	3051.5 AF *
STOCKWATER & COMMERCIAL:		2.55 CFS **	399.8 AF **
TOTAL:		14.83 CFS ***	3451.3 AF ***

ATTACHMENT D (4 pgs)

TRANSFER NO. 5546
 WATER RIGHT NO(S). 63-03065/63-03315/63-03547
 63-03581/63-09279

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 25, Township 06N, Range 05W
 NBNE , Sec. 35, Township 06N, Range 05W
 SWSW , Sec. 36, Township 06N, Range 05W
 NWSE , Sec. 36, Township 06N, Range 05W
 PAYETTE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
06N	05W	25	NESW 40.0	NWSW 40.0	SESW 24.5	
			SWSE 33.0	SESE 30.0		167.5
	36		NENE 30.0	NWNE 40.0	SWNE 27.5	
			SENE 40.0	NENW 40.0	NWNW 29.0	
			SWNW 40.0	SENW 31.0	NESW 21.0	
			NWSW 40.0	SWSW 39.0	SESW 36.0	
			NESE 40.0	SWSE 31.0	SESE 30.0	514.5
Total number of acres irrigated:						682.0 ****

PLACE OF USE: STOCKWATERTWN RGE SEC

06N 05W 36

SWNE
 SESW

SENW
 NWSE

NESW
 SWSE

PLACE OF USE: COMMERCIALTWN RGE SEC

06N 05W 25

NESW
 SWSE
 NENE
 SENE
 SWNW
 NWSW
 NESE
 SESE

NWSW
 SESE
 NWNE
 NENW
 SENW
 SWSW
 NWSE

SESW
 SWNE
 NWNW
 NESW
 SESW
 SWSE

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CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5546
WATER RIGHT NO(S). 63-03065/63-03315/63-03547
63-03581/63-09279

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- **** 8. Right 63-03065 is limited to the irrigation of 142.0 acres in the place of use described above in a single irrigation season.
- **** 9. Right 63-03315 is limited to the irrigation of 588.5 acres in the place of use described above in a single irrigation season.
- **** 10. Right 63-03547 is limited to the irrigation of 239.5 acres in the place of use described above in a single irrigation season.
- **** 11. Right 63-03581 is limited to the irrigation of 588.5 acres in the place of use described above in a single irrigation season.
- **** 12. Right 63-09279 is limited to the irrigation of 670.5 acres in the place of use described above in a single irrigation season.
- ** 13. Rights 63-03315, 63-03547, 63-03581 and 63-09279 when combined shall not exceed a total diversion rate of 2.55 cfs and a total annual maximum diversion volume of 399.8 af for stockwater and commercial uses at the dairy facility.
- * 14. Rights 63-03065, 63-03315, 63-03547, 63-03581 and 63-09279 when combined shall not exceed a total diversion rate of 12.28 cfs, and a total annual maximum diversion volume of 3051.5 af at the field headgate for the irrigation of 678.1 acres.
- *** 15. The total instantaneous diversion of water from all points of diversion under Transfer 5546 shall not exceed 14.83 cfs, nor a total combined annual volume of 3451.3 af for all uses.
16. The well(s) previously used under Right 63-03547 shall be abandoned in a manner which complies with Department well abandonment rules.
17. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 under Right 63-09279 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.

TRANSFER NO. 5546
WATER RIGHT NO(S). 63-03065/63-03315/63-03547
63-03581/63-09279

CONDITIONS OF APPROVAL AND REMARKS

18. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
19. Commercial use is for a dairy facility located in the SWNE, SENW, NESW, SESW and W1/2SE, S36, T06N, R05W.
20. Two points of diversion are located within NWSE, S36, T06N, R05W.

Dated this 19th day of

April

, 2000

J. Glen Saylor
Chief, Water Allocation Bureau

D4

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PC02414

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INSTRUMENT NO. 200502830
WARRANTY DEED

FOR VALUE RECEIVED HAROLD GENE BRUMBAUGH, also known as GENE BRUMBAUGH, dealing with his sole and separate property, the Grantor, does hereby grant, bargain, sell and convey unto GREGORY T. TROOST and JOYCE K. TROOST, TRUSTEES OF THE TROOST FAMILY LIVING TRUST u/t/a dated April 28, 1997, Grantee, whose address is 30540 Sabin Road, Parma, Idaho 83660, the following described premises, situated in Canyon County, State of Idaho, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference and identified as "Brumbaugh/Troost Property".

Together with all and singular the tenements, hereditaments and appurtenances.

Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto or in anywise appertaining.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns, in fee simple, subject to the following: all reservations in patents or state grants or in the laws authorizing the issuance thereof; the bonded debt of all taxing units; all zoning requirements and restrictions provided by any fire, building, plumbing, electrical and other similar codes imposed by any governmental unit; all repayment contracts between any irrigation district and the United States; all easements and rights of way under, over and across the premises regardless of how evidenced or acquired and whether the same appears of record or not; terms of any Agreement pursuant to which this deed was executed; and exceptions appearing in any title insurance policy applying to the real property provided by Grantor to Grantee.

Grantor does hereby covenant to and with the said Grantee that he is the owner in fee simple of said premises.

Apart from the warranty of title expressed herein, the property is sold in its present AS IS condition in all respects, including but not limited to, its title, its boundaries, water rights, environmental condition, appurtenances and improvements located thereon.

This Deed shall be binding upon and inure to the benefit of the parties hereto, and their respective heirs, administrators, personal representatives, successors and permissible assigns.

WARRANTY DEED - PAGE 1

ATTACHMENT E (3 pgs)

S. 35 p/u

Date:

1/14/05

Harold Gene Brumbaugh
Harold Gene Brumbaugh

GRANTOR

STATE OF IDAHO, County of Canyon) ss

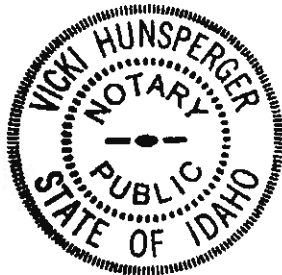
On this 14th day of January, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared HAROLD GENE BRUMBAUGH also known as GENE BRUMBAUGH, dealing with his sole and separate property, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

Vicki Hunsperger
Notary Public for Idaho

Residing at: Caldwell, ID

My commission expires: 12/2/2010



WARRANTY DEED - PAGE 2

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EXHIBIT "A"

The Southeast Quarter of the Northeast Quarter;
the Northeast Quarter of the Southeast Quarter;
all that part of the Southwest Quarter of the
Southeast Quarter, lying North and East of the
"D" Line Canal of Black Canyon Irrigation
District; and all that part of the Northwest
Quarter of the Southeast Quarter, lying South
of the "D" Line Canal of Black Canyon Irrigation
District; all in Section 35, Township 6 North,
Range 5 West, Boise Meridian, Canyon County,
Idaho

200502830

RECORDED

2005 JAN 18 PM 4 46

G NOEL HALES

CANYON CNTY RECORDER

C. J. McLaughlin

PIONEER-CALDWELL

REQUEST

TYPE *Real* FEE *9.00*