

Transfer No. 75325

Receipt No. E034998

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

1. Applicant Information TEENA LORD
 RT 1 BOX 447
 ARCO ID 83213
 (208)527-3133

And

Eastern Region

CHRIS LORD
 RT 1 BOX 447
 ARCO ID 83213
 (208)527-3133

RECEIVED
MAY 04 2009

Department of Water Resources
 Eastern Region

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
34-2467	WR/Decreed	1.82	318.5		91.0	GROUND WATER
34-304	WR/Decreed	3.20			91.0	BIG LOST RIVER

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
34-2467	NO	NO	YES	NO	NO	NO
34-304	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Applicants have installed a half pivot and altered their 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
34-2467	1.82 cfs	91.0	91.0	318.5 af
34-304	3.20 cfs	91.0	91.0	
TOTAL	3.20 cfs	91.0	91.0	

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

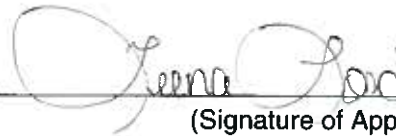
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application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



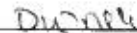
(Signature of Applicant)



(Title or Office)



(Signature of Applicant)



(Title or Office)

Transfer No. 75325

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

Current Water Right No. 34-2467**Priority Date:** September 28, 1965**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	5/10 9/15	1.82 CFS	318.5 AFA	
	Total Diversion	1.82 CFS	318.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNW Sec. 11 Twp 04N Rge 26E BUTTE 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	
04N	26E	10	30.0			26.0												56.0	
04N	26E	11					12.0	23.0										35.0	

Total Acres: 91

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 34-00304 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.20 CFS.
2. 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 MAY 10 AND AFTER SEPTEMBER 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.
3. USE OF THIS RIGHT WITH RIGHT NO. 34-00304 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 91 ACRES IN A SINGLE IRRIGATION SEASON.

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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.

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 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

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

Current Water Right No. 34-304

Priority Date: October 22, 1887

Origin: Water Right

Basis: Decreed

Status: Active

Source: BIG LOST RIVER**Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/01 10/15	3.20 CFS		
	Total Diversion	3.20 CFS		

Source and Point(s) of Diversion:

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE 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	
04N 26E 10	30.0			26.0													56.0
04N 26E 11						12.0	23.0										35.0

Total Acres: 91

Conditions/Remarks:

1. THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-02467 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.20 CFS.

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3. USE OF THIS RIGHT WITH RIGHT NO. 34-02467 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 91 ACRES IN A SINGLE IRRIGATION SEASON.
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. WATER IS DELIVERED THROUGH EASTSIDE DITCH.

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 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

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

Proposed Water Right No. 34-2467

Priority Date: September 28, 1965

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	05/10	09/15	1.82 CFS	318.5 AFA	
	Total Diversion		1.82 CFS	318.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNW Sec. 11 Twp 04N Rge 26E BUTTE County

Describe the proposed diversion system

Point of Diversion # 1 WELL WITH A PUMT.

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	
04N	26E	10	32.0				24.5											56.5	
04N	26E	11						2.5	32.0									34.5	

Total Acres: 91

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

Proposed Water Right No. 34-304

Priority Date: October 22, 1887

Origin: Water Right

Basis: Decreed

Status: Active

Source: BIG LOST RIVER**Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	05/01	10/15	3.20 CFS		
	Total Diversion		3.20 CFS		

Source and Point(s) of Diversion:

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE County

Describe the proposed diversion system

Point of Diversion # 1 HEADWORKS OF THE EASTSIDE CANAL

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	
04N	26E	10	32.0			24.5												56.5	
04N	26E	11					2.5	32.0										34.5	

Total Acres: 91

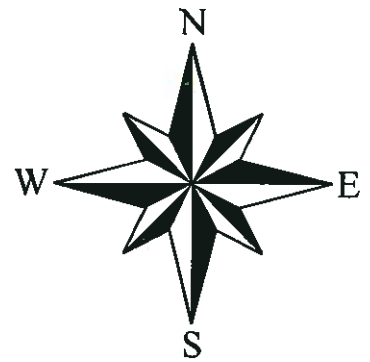
Transfer 75325

Proposed Water Use



Legend

-  Right POD
 Proposed Water Use
 Township/Range
 Sections
 QQ



Imagery: NAIP 2006

Idaho Department of Water Resources

Map Prepared by Heather Bohac, May 15, 2009

75 32 5

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED PU RANCH, A California
General Partnership, the Grantor,
does hereby grant, bargain, sell and convey unto CHRIS J. LORD and
TEENA M. LORD, Husband and Wife, the Grantee,
whose current address is Rt 1 Box 447, Arco, ID 83213,
the following described real estate situated in BUTTE County,
State of Idaho, to-wit:

See attached Exhibit A

SUBJECT TO: all easements, rights of way, covenants, restrictions,
patent reservations, applicable building and zoning ordinances and
use regulations and restrictions and accruing taxes, of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances
thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant
to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and
defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the
masculine, the feminine and neuter.

DATED: December 28, 2005

Marie Tuthill

STATE OF ~~California~~ County of San Diego
On this 28th day of December 2005
before me, Patricia M. Maggilo, a
Notary Public in and for the said State personally
appeared Marie Tuthill

Known to me to be the person whose name is
subscribed to the within instrument, and acknowl-
edges to me that she executed the same.

Patricia M. Maggilo

Residing at San Diego, CA
Comm. Expires: SEP 17, 2008



THIS SPACE FOR COUNTY RECORD'S USE ONLY.

NO. 0042683

RECORDED

JAN 06 2006

11:29 AM PM
BUTTE COUNTY RECORDER

Tully S. McAffee

IDAHO TITLE & TRUST COMPANY
Escrows • Title Insurance

P.O. Box 50367, Idaho Falls, ID 83405-0367 (208) 522-7895

Exhibit A

TRACT I:

Township 4 North, Range 26, East of the Boise Meridian, Butte County, State of Idaho.

Section 10: E $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM: the rights of way for the State Highway and Railroad.

Section 11: W $\frac{1}{2}$ NW $\frac{1}{4}$

TRACT II:

Parcel 1:

All that portion of the "Mackay Branch" right-of-way, now abandoned, of the Union Pacific Railroad Company, successor in interest to the Salmon River Railroad Company, situated in the East Half of the Northeast Quarter of Section 10, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, being that same tract or parcel of land heretofore acquired by the aforesaid railroad company by virtue of that certain instrument dated July 24, 1901 from Charles Lowe and Elena Lowe, husband and wife, said instrument having been filed for record in Blaine County, Idaho on August 3, 1901 at page 629 of Book 51, Record of Deeds, said tract or parcel of land being bounded and described therein as follows:

"A strip of land 100 feet wide being 50 feet in width on either side of the center line of the main track of the Salmon River Railroad said center line entering said East half of Northeast quarter on the South line at a point 646 feet West from the Southeast corner thereof and running thence in a direct line to a point on the West line thereof, 1002.7 feet South of the Northwest corner of said East half of the Northeast quarter."

Parcel 2:

All that portion of the "Mackay Branch" right-of-way, now abandoned, of the Union Pacific Railroad Company, successor in interest to the Salmon River Railroad Company, situated in the West Half of the Northeast Quarter of Section 10, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, being that same tract or parcel of land heretofore acquired by the aforesaid railroad company by virtue of that certain instrument dated August 16, 1901 from William I. Cummings, a single man, said instrument having been filed for record in Blaine County, Idaho on October 29, 1901 at page 62 of Book 52. Record of Deeds, said tract or parcel of land being bounded and described therein as follows:

"A strip of land 100 feet wide being 50 feet in width on either side of the center line of the main track of Salmon River Railroad, said center line entering said West half of Northeast Quarter on the East line at a point 1002.7 feet South of the Northeast Corner thereof and running thence in a direct line to a point on the North line thereof 429 feet West of the Northeast Corner of said West half of the Northeast Quarter of Section 10.

All that portion of the "Mackay Branch" right-of-way, now abandoned, of the Union Pacific Railroad Company, successor in interest to the Salmon River Railroad Company, situated in the West half of the Northeast Quarter of Section 10, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, a strip of land being 50 feet in width, more or less, parallel to and adjoining the last above-described tract or parcel of land on the Northeasterly side, and being that same tract of parcel of land heretofore acquired by the aforesaid railroad company by virtue of that certain instrument dated August 23, 1905 from Snake River Valley Sugar Company, Ltd., said instrument having been filed for record in Blaine County, Idaho on August 31, 1905 at page 94 of Book 54, Record of Deeds.

