

Transfer No. 75510

Receipt No. E034963

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

1. Applicant Information PLACE FARMS LTD
1646 N 2200 E
HAMER ID 83425
(208)662-5218

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
31-2423	WR/License	4.67	951.0	317.0	380.3	GROUND WATER
31-7098	WR/License	1.38	207.0	69.0	380.3	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
31-2423	NO	NO	YES	NO	NO	NO
31-7098	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Applicant proposes to adjust his place of use to reflect 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
31-2423	4.67 cfs	317.0	380.3	951.0 af
31-7098	1.38 cfs	69.0	380.3	207.0 af
TOTAL	6.05 cfs	380.3	380.3	1,158.0 af

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APR 21 2009

Department of Water Resources
Eastern Region

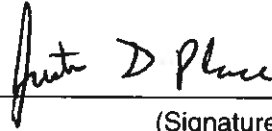
75510

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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)

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

Current Water Right No. 31-2423

Priority Date: February 21, 1966

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	4.67 CFS	951.0 AFA	
Total Diversion		4.67 CFS	951.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENWNE Sec. 12 Twp 06N Rge 35E JEFFERSON
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		
06N 35E 12	12.0	3.3	40.0	39.0				25.0	39.0			40.0	40.0	40.0	40.0	40.0	22.0	380.3

Total Acres: 380.3

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 31-07098 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 380.3 ACRES IN A SINGLE IRRIGATION SEASON.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 317 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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.

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Documentation of Ownership of the Current Place of Use

Tax Lot Information.

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. 75510

Receipt No. _____

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

Current Water Right No. 31-7098

Priority Date: February 11, 1974

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	1.38 CFS	207.0 AFA	
	Total Diversion	1.38 CFS	207.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENWNE Sec. 12 Twp 06N Rge 35E JEFFERSON
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					
06N 35E 12	12.0	3.3	40.0	39.0					25.0	39.0			40.0	40.0			40.0	40.0	40.0	22.0	380.3

Total Acres: 380.3

Conditions/Remarks:

1. 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.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 69 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH RIGHT NO. 31-02423 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 380.3 ACRES IN A SINGLE IRRIGATION SEASON.

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Documentation of Ownership of the Current Place of Use

Tax Lot Information.

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

Proposed Water Right No. 31-2423

Status: Active

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	4.67 CFS	951.0 AFA	
	Total Diversion	4.67 CFS	951.0 AFA	

GROUND WATER SENWNE Sec. 12 Twp 06N Rge 35E JEFFERSON
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		
06N	35E	12	15.0	2.7	40.0	37.2	2.6			34.2	39.8			33.6	36.0	38.8	40.0	38.4	22.0	380.3

Total Acres: 380.3

Transfer No. 75510

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

Proposed Water Right No. 31-7098

Priority Date: February 11, 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	04/01 11/01	1.38 CFS	207.0 AFA	
Total Diversion		1.38 CFS	207.0 AFA	

Source and Point(s) of Diversion:

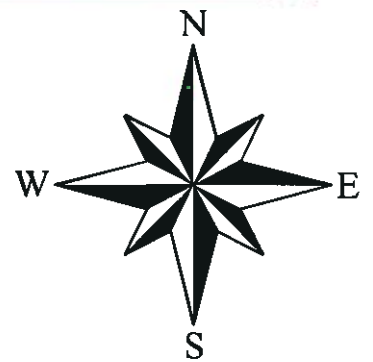
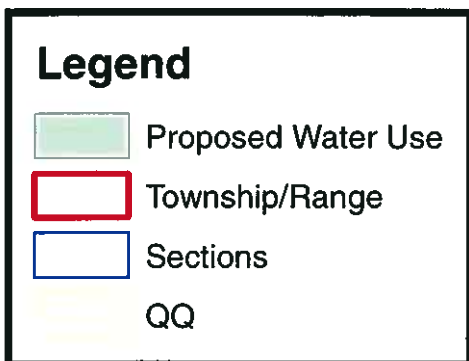
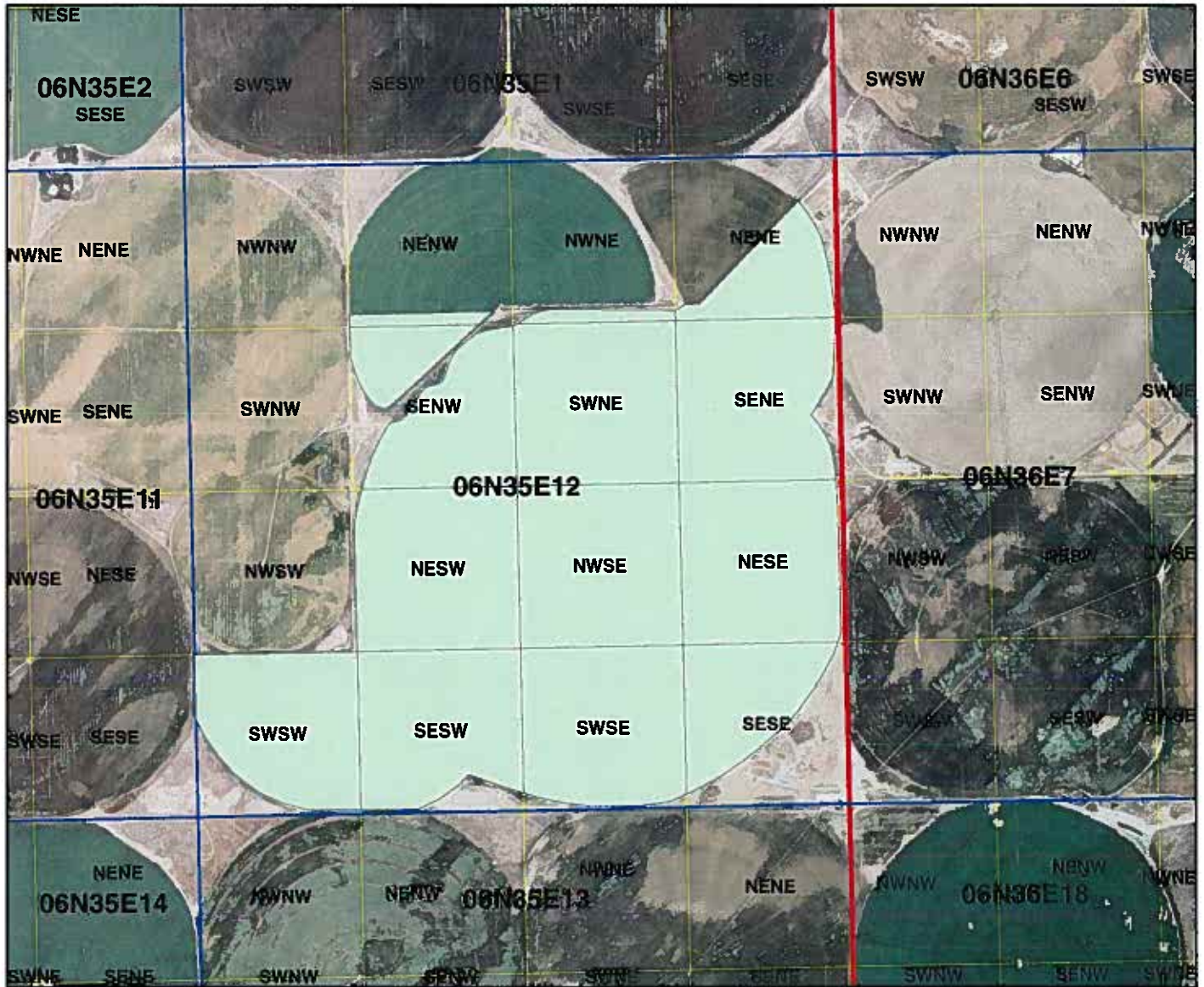
GROUND WATER SENWNE Sec. 12 Twp 06N Rge 35E JEFFERSON
County

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		
06N 35E 12	15.0	2.7	40.0	37.2	2.6			34.2	39.8			33.6	36.0	38.8	40.0	38.4	22.0	380.3

Total Acres: 380.3

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Imagery: NAIP 2006

Idaho Department of Water Resources

Map Prepared by Heather Bohac, May 4, 2009

0 0.1 0.2 0.3 0.4 Miles

75 51 0

AMENDED AND RESTATED CERTIFICATE OF LIMITED PARTNERSHIP

(Instructions on back of application)

FILED/EFFECTIVE
2 AH
STATE OF IDAHO



The existing name of the limited partnership is: PLACE FARMS LIMITED PARTNERSHIP

The date on which its certificate of limited partnership was filed with the Secretary of State was: September 16, 1985

The certificate of limited partnership is amended and restated to read:

1. The name of the limited partnership is:

PLACE FARMS LIMITED PARTNERSHIP

(must include "Limited Partnership" or an acceptable abbreviation thereof)

2. The name and business address of the registered agent are:

EUGENE I. PLACE HC 69 BOX 2080 HAMER ID 83425

(not a P.O. Box)

3. The name and business address of each general partner are:

Name

Address

Eugene I. Place

1646 N. 2200 E., Hamer, ID 83425

Justin D. Place

1646 N. 2200 E., Hamer, ID 83425

(If more space is needed, continue in item 5.)

4. The latest date on which the partnership will dissolve is: December 31, 2020

5. Other matters (optional):

The purpose of this amendment is to change the general partners of PLACE FARMS LIMITED PARTNERSHIP and to extend the time when the partnership will finally dissolve to December 31, 2020.

6. Signature of at least one general partner and all new general partners:

Eugene I. Place
Justin D. Place

Secretary of State use only
IDAHO SECRETARY OF STATE

11/02/2000 09:00
CK: 14242 CT: 2552 BH: 358428

1 @ 30.00 = 30.00 RESTAT LP # 2

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g:\scorptions\CRLP pms Revised 6/97

Place Farms Ltd.

1646 N 2200 E
Hamer, Idaho 83425

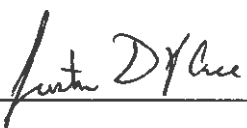
April 7, 2009

RE: Water System Use Agreement

To Whom It May Concern:

Place Farms Ltd grants **Sandy Ridge Farms, Inc.** permission to use **Place Farms #8** pump system (**Water Right No. 31-2423**) to water the **Ashcraft Family Ltd Partnership** property located in the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ Sec. 12, Township 6 N 35 E. More specific, Farm #3042, Tract #284, Field #6 of the Farm Service Agency aerial maps.

This permission is in effect as long both parties agree to continue with the land use exchange involving this parcel of land owned by Sid Ashcraft and a parcel at the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Township 6N 35 E owned by Place Farms Ltd.



Justin D. Place
General Partner
Place Farms Ltd.

Date: 4/9/2009

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Department of Water Resources
Eastern Region

**Sandy Ridge Farms, Inc.
2104 E 1800 N
Terreton, Id. 83450**

April 9, 2009

RE: Water System Use Agreement

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APR 21 2009

Department of Water Resources
Eastern Region

To Whom It May Concern:

Sandy Ridge Farms, Inc. grants **Place Farms Ltd** permission to use **Sandy Ridge Farms, Inc.** #8 pump system (**Water Right No. 31-2402**) to water the **Place Farms Ltd** property located in the SE¹/₄ of the NW¹/₄ of Section 12, Township 6N 35 E. More specific, Farm #1636, Tract #9197, Field #10 of the Farm Service Agency aerial maps.

This permission is in effect as long both parties agree to continue with the land use exchange involving this parcel of land owned by Place Farms Ltd and a parcel at the N¹/₂ of the NE¹/₄ Sec. 12, Township 6 N 35 owned by Ashcraft Family Ltd Partnership.



Date: 4-9-09

Sidney G Ashcraft

President

Sandy Ridge Farms, Inc.

General Manager

Ashcraft Family Ltd Partnership.