

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Circle B Farms and/or Ball Farms LTD Part Phone (208) 754-4651Mailing address PO Box 69, Lewisville, ID 83431 Email

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Carl M. Ball

Signature of Applicant or Authorized Representative

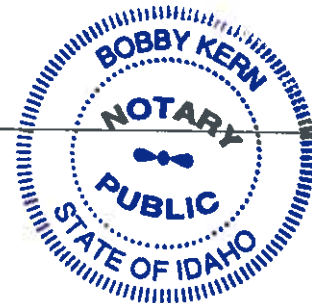
Carl M. Ball General Part.

Print Name and Title if applicable

- ☐ If signed by an authorized representative, attach Power of Attorney or documentation providing authority to sign on the applicant's behalf. Also attach documentation providing authority for others – consultants, attorneys or representatives – to act on the applicant's behalf. Label these documents **Attachment #4**.

Representative's name and mailing address Phone Email Subscribed and sworn to before me this 23rd day of January, 20 09.Bobby Kern

(Notary Public)

My commission expires 9-12-2014

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 your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. Owner proposes to adjust POU to cover area being irrigated under pivot irrigation system to avoid NOV.

75300

75386

Total Acres (for irrigation use) 105

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: Nearby well pumps water to pivot irrigation system.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☒ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

It will be dry.

- d. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: none

- e. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of waer under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 75386**APPLICATION FOR TRANSFER OF WATER RIGHT
MINIMUM REQUIREMENTS CHECKLIST**

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule and water right proof report or details report for Part 2A of the transfer application are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer. * Means the item is always required and must be included with application.

Yes N/A

- ☐ * Completed Application for Transfer of Water Right form, Part 1.
- ☐ * Notarized signature of applicant(s) or applicant's authorized representative on first page of transfer application form. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Proof Report (obtained from Department) or Details Report (obtained on website) describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (See last page of the instructions for application for transfer.)

Attachments to Application Label each attachment with the corresponding number shown below as **Attachment #1-9**.

- ☒ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Department records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/water/rights/>.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.b.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Other. Please describe: 75386

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-11418

WATER RIGHT NUMBER: 31-11418

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	REED T MICKELSEN 2424 E 2200 N HAMER, ID 83425 (208)662-5428
Original Owner	LE VAUN MICKELSEN 1814 E 1500 N TERRETON, ID 83450 (208)663-4941
Current Owner	BALL FARMS LTD PARTNERSHIP PO BOX 69 LEWISVILLE, ID 83431 (208)662-5286
Current Owner	CIRCLE B FARMS PO BOX 69 LEWISVILLE, ID 83431 (208)754-4651

Priority Date: 09/17/1956

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	1.200 CFS	210.00 AF
	<u>Total Diversion:</u>	1.200 CFS	210.00 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4SE1/4SE1/4 Sec. 31, Twp 08N, Rge 36E, B.M.
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	
08N	36E	31				14.0									21.0			12.0	47.0
08N	36E	32							13.0										13.0

Total Acres: 60

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 31-11418

Conditions of Approval:

1. C18 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.

Remarks:Comments:

1. csaxton 10/26/2000 Split Right

Comment: This right is the result of splitting 31-04015 into 31-11417 and 31-11418 to represent two separate, non-connecting systems for the convenience of the adjudication. (csaxton 9/6/00)

2. csaxton 10/26/2000 3/4 Pivot

Comment: POU is actually a 3/4 pivot. Cannot recommend entire acreage being watered. See memo in file.

3. kpickett 10/20/2005 POD

Comment: Correlated PODID 516908 from SpatialDataID 304228 to SpatialDataID 240012

4. bjordan 1/30/2009 2:54:42 PM POD

Comment: PODID 516908 correlated from SpatialDataID 304228 to SpatialDataID 304228

5. bjordan 1/30/2009 2:54:43 PM POD

Comment: PODID 516908 correlated from SpatialDataID 304228 to SpatialDataID 304228

Dates and Other Information:

Licensed Date:

Decreed Date: 2/22/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: And/Or

Water District Number: 31

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)
☐ Attach a map of the diversion area showing the location of the diversion area and the location of the diversion area.

- Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change: _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Prelim. Check by _____ Date _____

Fee Paid _____ Date _____ Received by _____ Receipt # E034737

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

75386



Idaho Department of Water Resources

7-B

Before Transfer

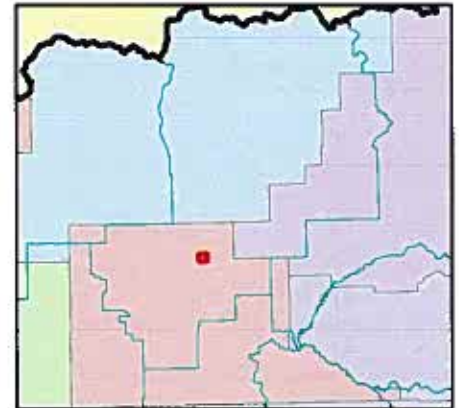
Water Right

31-11418

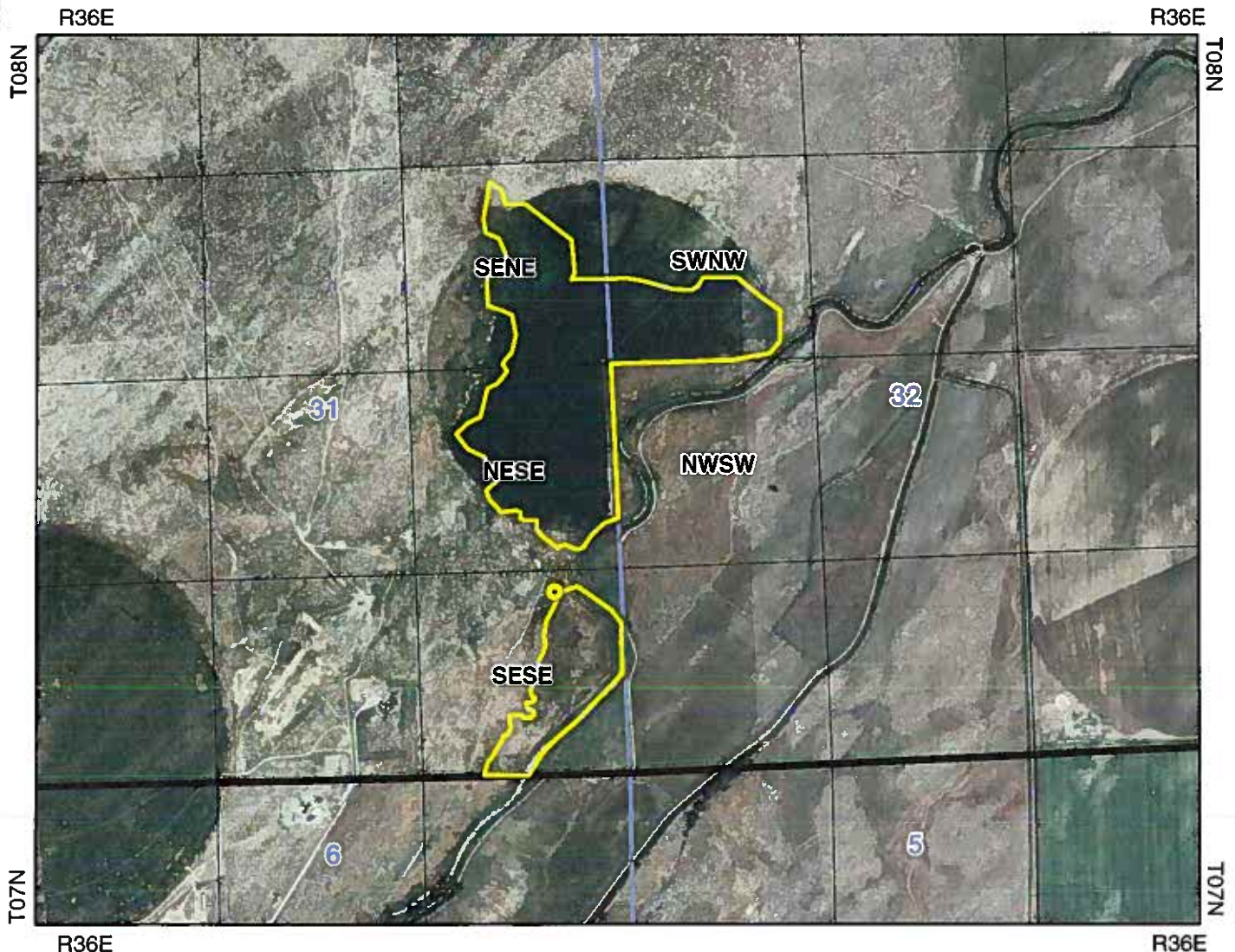
(IRRIGATION)

Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots



Jefferson County
IDWR Basin 31



Prepared by Blake Jordan
On February 02, 2009
2006 Aerial Photography

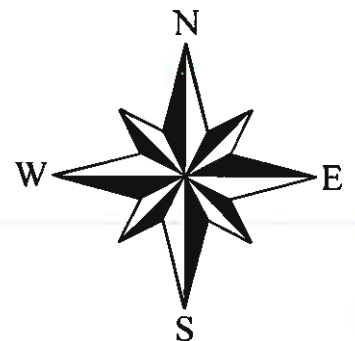
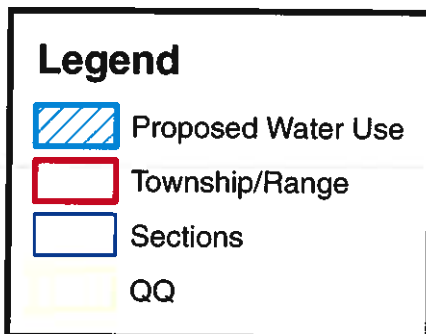
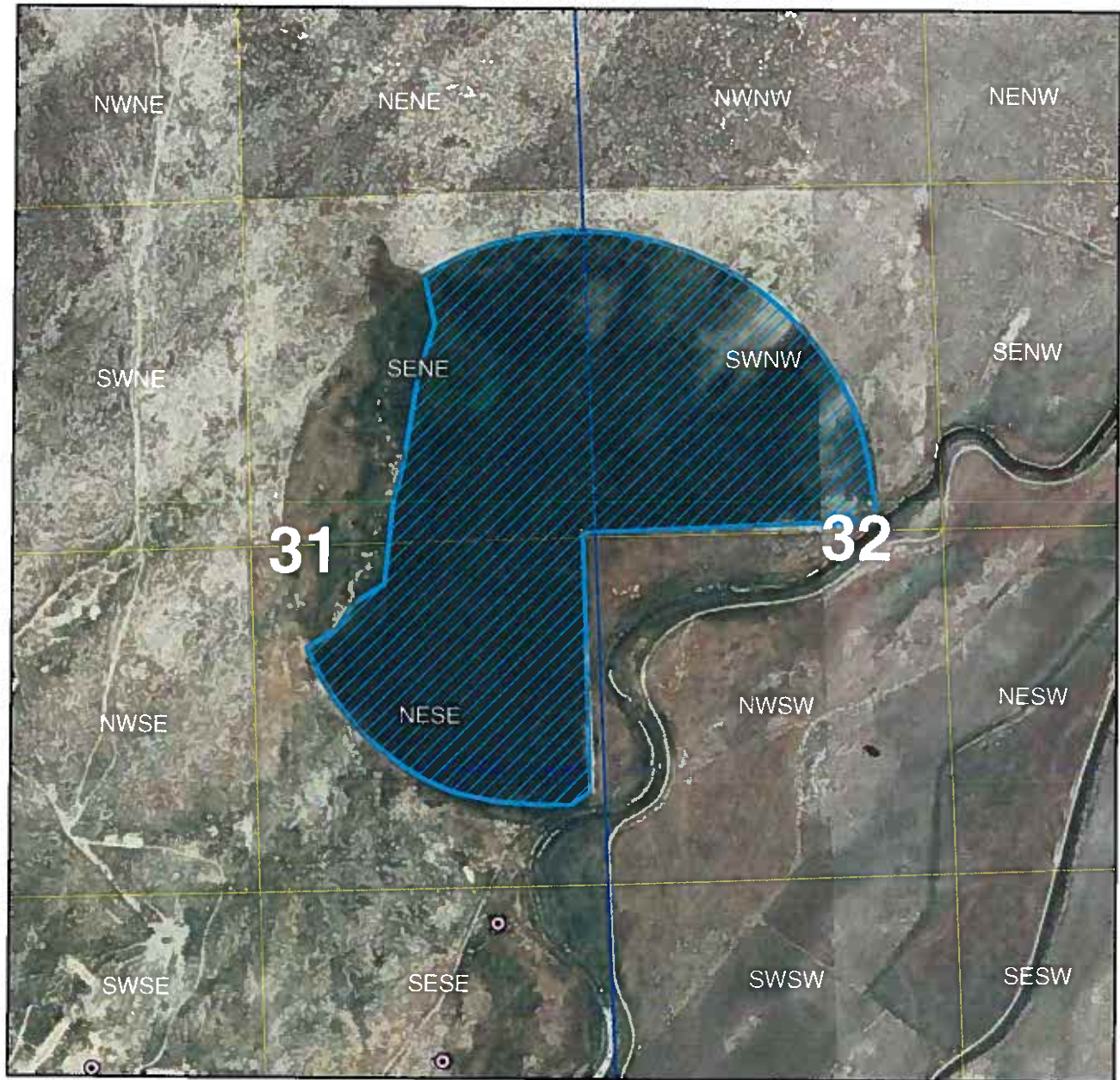
0 0.2 0.4 0.8 Miles

75 38 6

T8N R36E Sections 31 & 32

Owner: Circle B Farms

7-B After



0 0.075 0.15 0.225 0.3 Miles

Image: NAIP 2006

Idaho Department of Water Resources

Map Prepared by Heather Bohac, January 23, 2009

75 386

Attachment 1-4

No. L 1902		Due no later than December 31, 2008		2. Registered 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 BALL FARMS LIMITED PARTNERSHIP CARL M. BALL 2812 E 2300 N HAWER, ID 84325		CARL M BALL 2812 E 2300 N HAWER, ID 84325 BOISE, ID 83720-0080 2008 OCT 14													
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature													
4. Limited Partnerships: Enter Names and Business Addresses of General Partners.																	
<table border="1"><thead><tr><th>Office held</th><th>Name</th><th>Street or P.O. Address</th><th>City</th><th>State</th><th>Zip</th></tr></thead><tbody><tr><td>General Part.</td><td>Carl M. Ball</td><td>2812 E 2300 N</td><td>Hawer</td><td>ID</td><td>84325</td></tr></tbody></table>						Office held	Name	Street or P.O. Address	City	State	Zip	General Part.	Carl M. Ball	2812 E 2300 N	Hawer	ID	84325
Office held	Name	Street or P.O. Address	City	State	Zip												
General Part.	Carl M. Ball	2812 E 2300 N	Hawer	ID	84325												
5. Organized Under the Laws of: IDAHO L 1902		6. Signature <i>Carl M. Ball</i>		Date 14 Oct 2008													
		Name Printed Carl M. Ball		Title Gen. Part.													

Issued 10/01/2008 Do Not Tape or Staple 200812005031

PROPERTY MASTER

02/02/2009

Year 2009 Parcel # RP08N36E311800 Parcel Status Active Property Type Real Reappraisal Year 2009
 Location Code 037000 Code Area 037000 Parcel Type JB Appraiser JB Physical Inspection 09/24/2008

Physical Location

Address ID
 Group Type SECT
 Group #
 Description T08N R36E SEC
 Zoning
 Township/Range/Section 08N 36E

Primary Owner/Contact Information

Name CIRCLE B FARMS LIMITED PRTSH
 2583 E 2100 N
 HAMER ID 83425-0000

Additional Owners/Contacts

BALL FARMS LIMITED PRTSH

Legal SE4NE4; E2SE4;
 SEC 31 TWP 8 NORTH RGE 36 EBM
 Deed Reference No: 315842 08/12/2008

Solid Waste
 Unit Type

Photo & Map
 Photo:
 Map:

Property Values

Status	State Cat. Code	Quantity	Assessed Value	Assessment Roll	Property Occupancy	Valuation Method
Active	1	60.000	10,800	Primary	Non-Occupancy	LAND BASE
Active	5	56.650	1,700	Primary	Non-Occupancy	LAND BASE
Active	19	3.350	0	Primary	Non-Occupancy	INCOME
Totals		120.000	12,500	Total Values		
			0	Less Homeowner's Exemption		
			12,500	Taxable Value		

Land Base Cost

Value Classification		Sq. Ft. / Acres	Value Per Acre	Market Value
Cat	Loc			
1	054H	60.000	180.00	10,800.00
5	DRY	56.650	30.00	1,700.00
Totals		116.650	210.00	12,500.00

Attn: Blake Jordan

PROPERTY MASTER

02/02/2009

Year 2009 Parcel # RP08N36E321801 Parcel Status Active Property Type Real Reappraisal Year 2009
 Location Code 037000 Code Area 037000 Parcel Type JB Appraiser JB Physical Inspection 06/24/2008

Physical Location

Address ID
 Group Type SECT
 Group #
 Description T08N R36E SEC
 Zoning
 Township/Range/Section 08N 36E

Primary Owner/Contact Information

Name CIRCLE B FARMS LMTD PRITSH &
 2563 E 2100 N
 HAMER ID 83425-0000

Additional Owners/Contacts

BALL FARMS LMTD PRITSH

Legal

SW4NW4 LESS TAX 1; SE4; SE4NE4
 SEC 32 TWP 8 NORTH RGE 36 EBM

Deed Reference No: 315842 08/12/2008

Solid Waste
 Unit Type

Photo & Map

Photo:
 Map:

Property Values

Status	State Cat. Code	Quantity	Assessed Value	Assessment Roll	Property Occupancy	Valuation Method
Active	1	198.600	95,725	Primary	Non-Occupancy	LAND BASE
Active	5	40,000	1,200	Primary	Non-Occupancy	LAND BASE
Totals		238.600	96,925	Total Values		
			0	Less Homeowner's Exemption		
			96,925	Taxable Value		

Land Base Cost

Value Classification		Class/Type	Sq. Ft. / Acres	Value Per Acre	Market Value
Cat	Loc				
1	053C	Adl 0%	198.600	482.00	95,725.00
5	DRY	0000	40,000	30.00	1,200.00
Totals			238.600	512.00	96,925.00