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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 75052

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

AUG 27 2008

Name of applicant Peter Trust, LPPhone (208) 625-0111 DEPT. OF WATER RESOURCES
SOUTHERN REGIONPost Office address c/o Peter M. Thomas, 2300 West Sahara Avenue, Box 1, Las Vegas, NV 89102

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To add a supplementary point of diversion from the Big Wood River.

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 |
|-----------------|-----------------|--------------------|-------------------|----------------------------|
| <u>37-22255</u> | <u>5/1/1883</u> | <u>2.85 cfs</u> | <u>Irrigation</u> | <u>4/1</u> to <u>11/1</u> |
| <u>37-22255</u> | <u>5/1/1883</u> | <u>0.04 cfs</u> | <u>Domestic</u> | <u>1/1</u> to <u>12/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 2.85 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Big Wood River tributary to Malad River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SE	NE	5	2N	18E	Blaine	Original POD
	SE	SW	NE	5	2N	18E	Blaine	New POD

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	
2N	18E	4										9.3	15.7						25.0
2N	18E	5													36			6.2	42.2

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Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system Original POD: Gravity flow to pond; New POD: Pump from
river to pond. Pump from pond to 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?
☐ 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:

None

d. Remarks:

When water is unavailable at the Original POD, sufficient water will be pumped
from the river to make up the difference.

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 _____, 19 _____.

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Transfer No. _____

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

PART 2*(Attach one copy for each right)***RECEIVED****AUG 27 2008**DEPT. OF WATER RESOURCES
SOUTHERN REGION**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

- a. Decree No. 37-862 Decreed to _____
 In case of Frost vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 37-22255 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ 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 Big Wood River tributary to Malad River4. Date of priority 5/1/1883**5. Water is used for the following purpose:**

Amount 2.85 cfs for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft)
 Amount 0.04 cfs for Domestic purposes from 1/1 to 12/31
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 2.85 cubic feet per second and/or _____ acre-feet per annum.**7. Point(s) of Diversion:**

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SE	NE	5	2N	18E	Blaine	

8. 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	
2N	18E	4										9.3	15.7						25.0
2N	18E	5													36			6.2	42.2

Total acres 67.2

9. Describe any other water rights used for the same purpose as described above _____

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PART 2

Transfer No. _____

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. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. 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	

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. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. 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	

Total acres _____



0 225 450 900 Feet

**WATER RIGHT TRANSFER
PETER TRUST, LP
37-22255
NAIP 2006 AERIAL PHOTO**

BROCKWAY ENGINEERING, PLLC
SLK - AUG. 20, 2008

Legend

- Additional 37-22255 POD, Pump
- Current 37-22255 Rec POD
- ▨ 37-22255 Rec POU
- ▬ River Grove Ranch Parcel
- ▬ New Pipeline
- ▭ Township Range
- ▭ Sections
- QQ



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PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft) _____ to _____
 _____ to _____
2. Quantity and quality of return flows and location of discharge:
Insignificant return
3. Describe the effects on other water uses resulting from the proposed change:
None

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.

Subscribed and sworn to before me this

19th

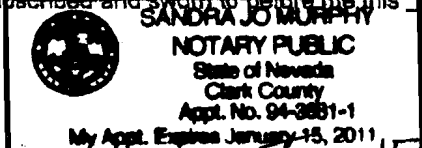
day of

(Signature of Applicant)

manager

August

2008



My commission expires

2015.2011

(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by JC Date 8/28/08

Protest filed by _____

Prelim. check by JC Fee 330.00Received by JC Date 8/28/08 #5030386

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

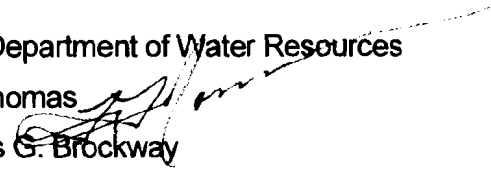
Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Thomas & Mack Co.

Memorandum

To: Idaho Department of Water Resources
From: Tom Thomas 
CC: Charles G. Brockway
Brockway Engineering
Date: August 29, 2008
Re: Peter Trust LP Water Right Transfer
for Irrigation Right 37-22255

The Peter Trust Limited Partnership has recently submitted an Application for Certificate of Authority for Foreign Limited Partnership in conjunction with an Application for Transfer of Water Right, affecting Right # 37-22255. It is my understanding that the original water right was listed under the Peter Trust, Jerome D. Mack, Trustee. The Peter Trust was an age 21 trust which vested in the beneficiaries and was converted into the Peter Trust Limited Partnership on December 29, 1989, with Thomas Management LLC as General Manager. It should also be noted that Jerome D. Mack passed away in 1998.

I have attached a copy of the Certificate of Existence, the current Annual List of General Partners and a copy of the Limited Partnership Agreement for your review. Should you need any additional information, my direct office line is 702-920-2851.

Sincerely,

Thomas A. Thomas, Managing Member
Thomas Management, LLC

Thomas & Mack Company
2300 West Sahara Ave., Suite 530
Las Vegas, Nevada 89102
702-920-2800

SECRETARY OF STATE



CERTIFICATE OF EXISTENCE WITH STATUS IN GOOD STANDING

I, ROSS MILLER, the duly elected and qualified Nevada Secretary of State, do hereby certify that I am, by the laws of said State, the custodian of the records relating to filings by corporations, non-profit corporations, corporation soles, limited-liability companies, limited partnerships, limited-liability partnerships and business trusts pursuant to Title 7 of the Nevada Revised Statutes which are either presently in a status of good standing or were in good standing for a time period subsequent of 1976 and am the proper officer to execute this certificate.

I further certify that the records of the Nevada Secretary of State, at the date of this certificate, evidence, **PETER TRUST LIMITED PARTNERSHIP**, as a limited partnership duly organized under the laws of Nevada and existing under and by virtue of the laws of the State of Nevada since December 29, 1989, and is in good standing in this state.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on September 4, 2008.



ROSS MILLER
Secretary of State

By

Kamlesh Shandwa
Certification Clerk

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APPLICATION FOR CERTIFICATE OF AUTHORITY FOR FOREIGN LIMITED PARTNERSHIP

(Instructions on back of application)

The undersigned limited partnership applies for a Certificate of Authority and states as follows:

1. The name of the limited partnership is:

PETER TRUST LIMITED PARTNERSHIP

2. The name which it shall use in Idaho is: PETER TRUST LIMITED PARTNERSHIP

3. It is formed under the laws of: NEVADA and its date of formation is 12/29/1989

4. The business address of the office located in its jurisdiction of domicile:

2300 WEST SAHARA AVE., SUITE 530, LAS VEGAS, NEVADA. 89102

5. The address of its principal office in Idaho is:

200 ASPEN LAKES DRIVE (PO BOX 606), HAILEY, ID. 83333

6. The address to which correspondence should be addressed, if different from item 5, is:

TOM THOMAS - 2300 WEST SAHARA AVE., SUITE 530, LAS VEGAS, NEVADA. 89102

7. The name and physical street address of the registered agent in Idaho is:

PETER STURDIVANT, 200 ASPEN LAKES DRIVE, (PO BOX 606), HAILEY, ID. 83333

8. This limited partnership [☐ is] [☒ is not] a limited liability limited partnership.

9. The names and respective business and mailing addresses of its general partners:

Name	Street Address	Mailing Address
THOMAS MANAGEMENT, LLC	2300 WEST SAHARA AVE., SUITE 530, LAS VEGAS, NEVADA. 89102	2300 WEST SAHARA AVE., SUITE 530, LAS VEGAS, NEVADA. 89102

Dated: 9-3-08

Signature: THOMAS A. THOMAS

Typed Name: THOMAS MANAGEMENT, LLC

Capacity: MANAGER OF GENERAL PARTNER
The signor must be a general partner of the limited partnership.

Customer Acct #:

(if using pre-paid account)

Secretary of State use only

I hereby certify the correctness of authority
 for the limited partnership. Revised 07/2006
 foreign lp.pmd

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APPLICATION FOR CERTIFICATE OF AUTHORITY FOR FOREIGN LIMITED PARTNERSHIP

(Instructions on back of application)

The undersigned limited partnership applies for a Certificate of Authority and states as follows:

- The name of the limited partnership is:
PETER TRUST LIMITED PARTNERSHIP
- The name which it shall use in Idaho is: PETER TRUST LIMITED PARTNERSHIP
- It is formed under the laws of: NEVADA and its date of formation is 12/29/1989
- The business address of the office located in its jurisdiction of domicile:
2300 WEST SAHARA AVE., SUITE 530, LAS VEGAS, NEVADA. 89102
- The address of its principal office in Idaho is:
200 ASPEN LAKES DRIVE (PO BOX 606), HAILEY, ID. 83333
- The address to which correspondence should be addressed, if different from item 5, is:
TOM THOMAS - 2300 WEST SAHARA AVE., SUITE 530, LAS VEGAS, NEVADA. 89102
- The name and physical street address of the registered agent in Idaho is:
PETER STURDIVANT, 200 ASPEN LAKES DRIVE, (PO BOX 606), HAILEY, ID. 83333
- This limited partnership ☐ is ☒ is not a limited liability limited partnership.
- The names and respective business and mailing addresses of its general partners:

Name	Street Address	Mailing Address
THOMAS MANAGEMENT, LLC	2300 WEST SAHARA AVE., SUITE 530, LAS VEGAS, NEVADA. 89102	2300 WEST SAHARA AVE., SUITE 530, LAS VEGAS, NEVADA. 89102

Dated: 9-3-08

Signature:

THOMAS A. THOMAS

Typed Name:

THOMAS MANAGEMENT, LLC

Capacity:

MANAGER OF GENERAL PARTNER

The signer must be a general partner of the limited partnership.

Customer Acct #:

(if using pre-paid account)

Secretary of State use only

If Corporation, limited liability partnership, foreign limited partnership, or foreign limited liability partnership, Revised 07/2006