

RECEIVED

Page 1 of 7

NOV 0 2006

STATE OF IDAHO

Transfer No. 73788DEPARTMENT OF WATER RESOURCES
WATER RESOURCES
WESTERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant EISENMAN FAMILY TRUST Phone (208) 344-2772Post Office address 2988 S. OWYHEE ST., BOISE, IDAHO 83706

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
- TRANSFER OF EXISTING WATER RIGHT
-
- NUMBER 61-7283A TO JUNIPER STATION FARM, LP, WHICH IS OWNED
-
- BY THE EISENMAN FAMILY TRUST. WATER TO BE UTILIZED
-
- FOR IRRIGATION PURPOSES.

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

1. Right Number 61-7283A Priority 8/23/76 Amount (cfs/ac-ft) NE 1.0 Nature of Use IRRIGATION Period of Use 3/15 to 11/15
225
 to
 to
 to

2. Total amount of water being transferred NE 1.0 cubic feet per second and/or 337.5 acre-feet per annum.3. Source of water WELL - GROUNDWATER tributary to N/A

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
				15	T1S	R4E	ELMORE	
				22	T1S	R4E	ELMORE	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
T1S	R4E	15	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
T1S	R4E	22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640

50 Acres in → Total Acres 1280

Transfer # 73788

Pg 2 of 7

Transfer Point of Diversion Addendum
(New)

1S-4E Sec 15

NW'NW	NE'NW	SW'NW	SE'NW	SW'NE
SE'NE	NW'SW	NE'SW	SW'SW	NW'NE
NE'NE	SE'SW	SW'SE	NW'SE	

1S-4E Sec 22

NW'NW	NW'NE
~~SW'SE~~	~~NW'SE~~

Mike Eisen
8/12/2008

PART 1

6. General Information:

- a. Description of diversion system GROUNDWATER WELL(S) EQUIPPED WITH PUMP(S). WILL INCLUDE TRANSMISSION AND DISTRIBUTION PIPELINES.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 _____ Yes X 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:
WE ARE PROPOSING TO TAKE THE ⁵⁰~~75~~ ACRES COVERED UNDER WATER RIGHT 61-7283A (SECTION 23, T.2S., R.4E.) OUT OF SERVICE AND TRANSFER WATER RIGHT TO ~~75~~⁵⁰ ACRES ON THE JUNIPER STATION FARMS, LP, PROPERTY FOR IRRIGATION
- d. Remarks: PURPOSES. TOTAL ACREAGE WATER COULD BE USED ON IS 1,280 ACRES.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

 For the Director

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 SEE ATTACHED WATER RIGHT 61-7283A

1. Right as evidenced by:

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

2. Attach 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 or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ 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

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above 61-11966 & 61-12133
in same or portion of same ppn but not changed by this appl.

PART 2

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 151.0 for Irrigation purposes from 3/1 to 11/15
 (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
		SW	NW	11	2S	4E	Elmore	
See Addendum Attached.								

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
* 2S	4E		see water right 61-7283A PPU																

* PPU 50 irrigated acres

Total Acres _____

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

1. amount 0.50 for Irrigation purposes from 3/1 to 11/15
 (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
		SW	NW	11	02S	04E	Elmore	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
* 2S	4E		see water right 61-7283A PPU																

* PPU 25 irrigated acres

Total Acres _____

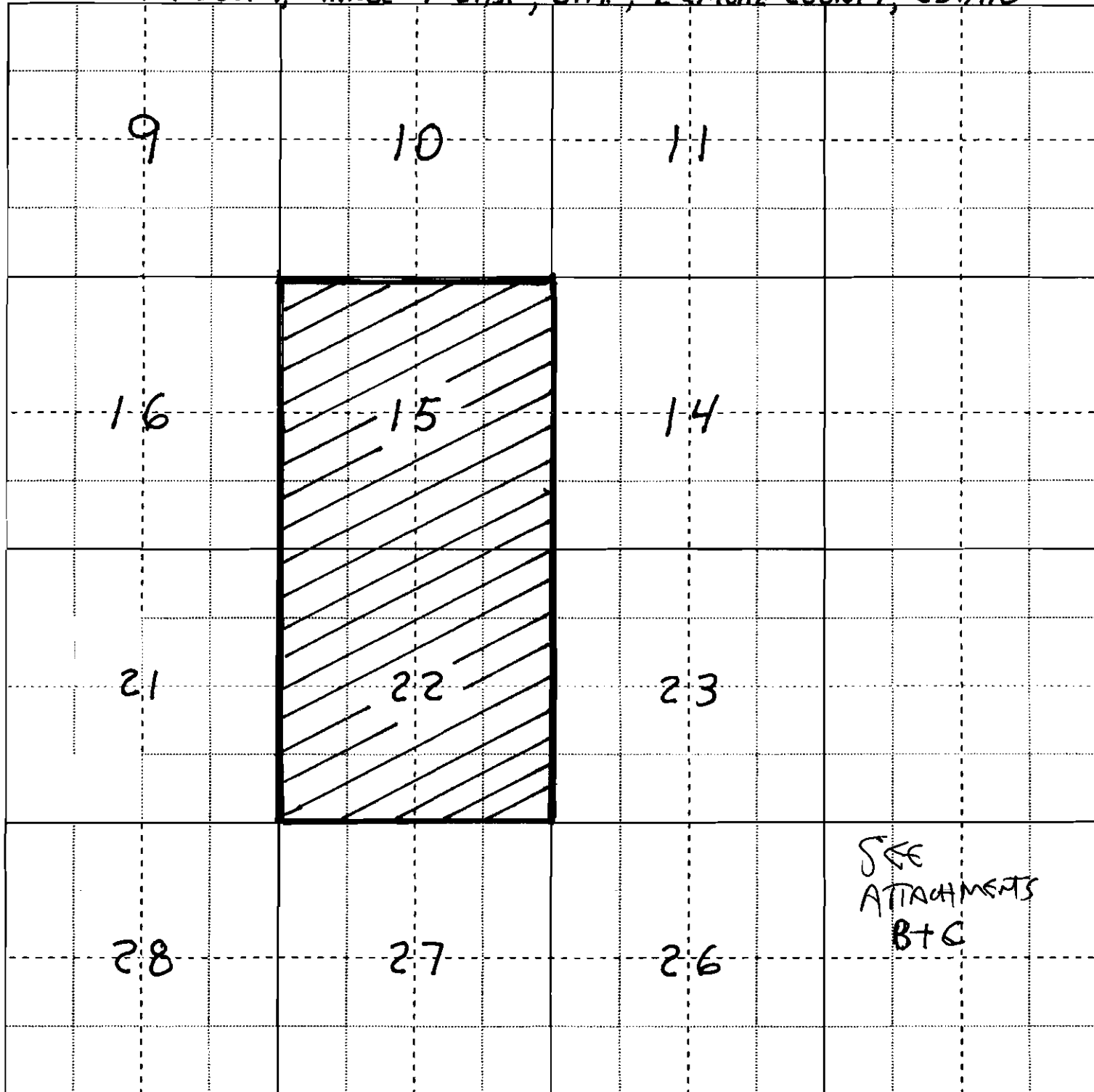

 8/12/08

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

TOWNSHIP 1 SOUTH, RANGE 4 EAST, B.M., ELMORE COUNTY, IDAHO



Scale: 2 inches equal 1 mile. Draw plan in ink.

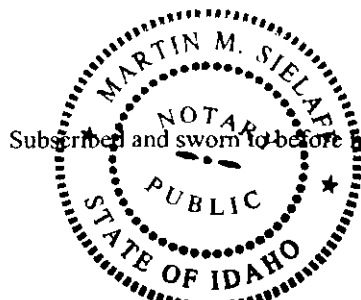
PART 3**B. CHANGES IN NATURE OF USE***N/A*

1. New Nature of Use Amount(cfs/af-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.



Subscribed and sworn to before me this _____

Patricia L. Sielaff
 (Signature of Applicant)

7TH day of NOVEMBER, 2006

Martin M. Sielaff
 (Notary Public)

My commission expires 3/15/2010

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 6 attachments

Received by DB Date 11-7-06 Protest filed by _____

Prelim. Check by SL Fee #290- _____

Recepted by DB W034858 Date 11-7-06 _____

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

This water Right has been actively used inclusively this year, 2008, Therefore I have 5 more years to put it to use so that it is not forfeited, I would like to ask for 5 years to complete the change proposed in my application, because of the current market conditions


9/29/08

RECEIVED

SEP 29 2008

WATER RESOURCES
WESTERN REGION

SEEK 5 YRS TO COMPLETE TRANSFER

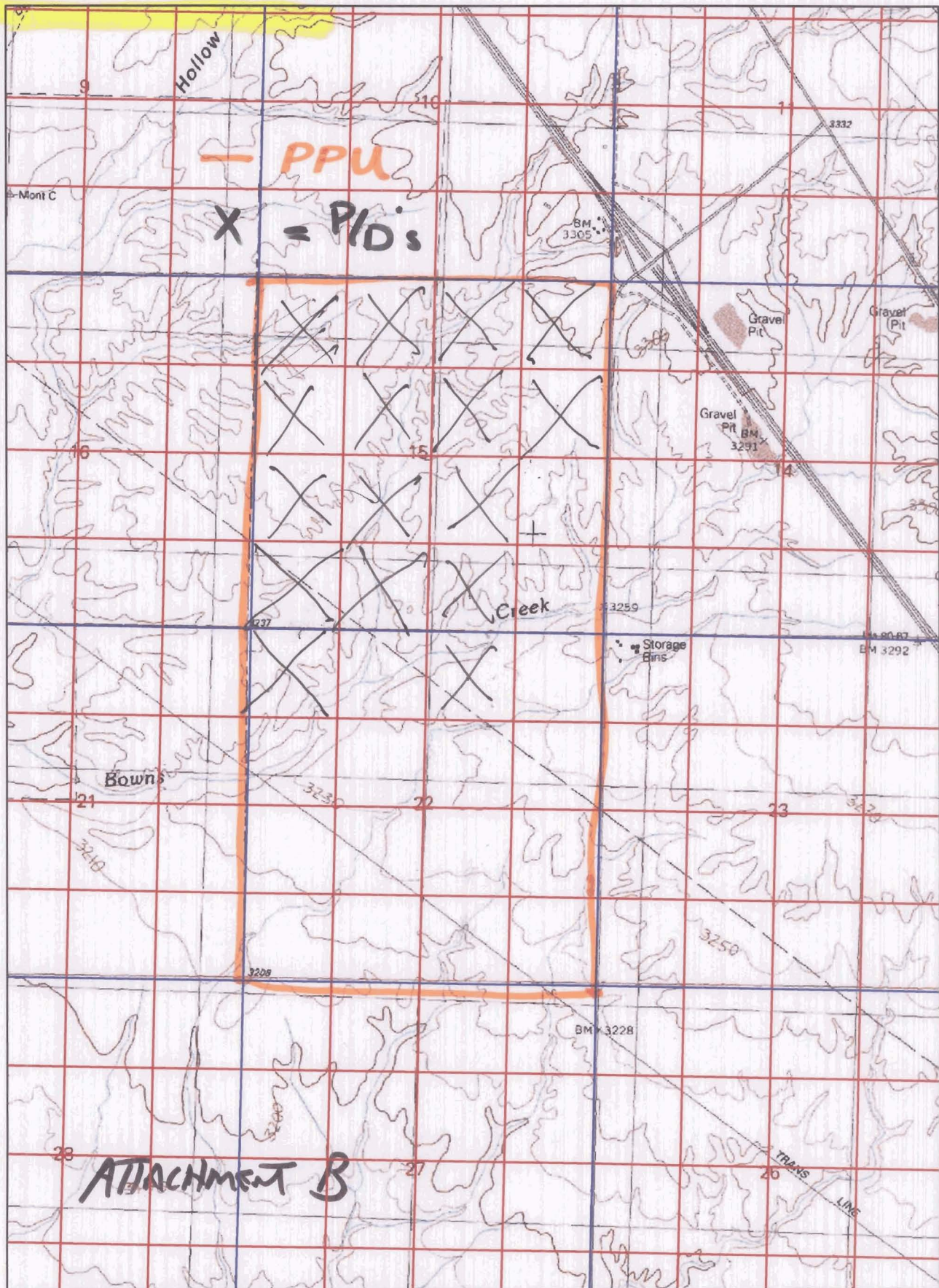
ATTACHMENT A

61-7283A

73788

Transferred Portion

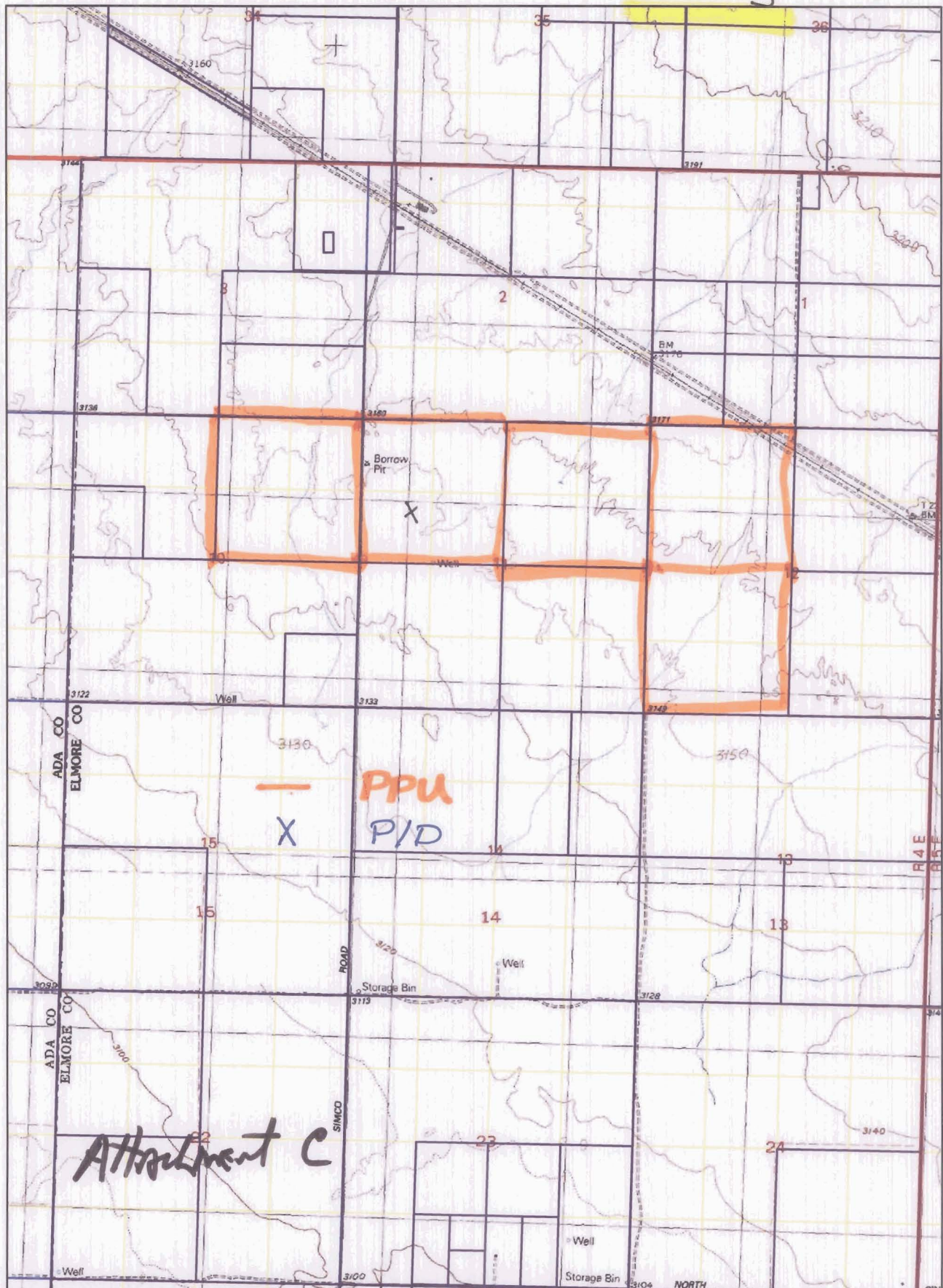
Trusi - Eisenman Family



— MOVE 50 ACRES to
 Proposed p/d's & proposed PPU —

1-7283A

Existing -



- Retain 25 acres
e Existing PPU -

WATER RIGHT NO. 61-7283A
As Modified by Transfer No. 69702

In accordance with the approval of Transfer No. 69702, Water Right No. 61-7283A is now described as follows.

Right Holder: EISENMAN FAMILY TRUST
 2988 S OWYHEE ST
 BOISE ID 83706

Priority Date: August 23, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.50 CFS	337.5 AF
			1.50 CFS	337.5 AF

LOCATION OF POINT(S) OF DIVERSION:
 GROUND WATER NW¼ SW¼ NW¼ Sec. 11 Twp 02S Rge 04E ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 04E 10	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	160.0
02S 04E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	480.0
02S 04E 12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	320.0

Total Acres: 960

CONDITIONS OF APPROVAL

1. This partial decree is subject to such other provisions as shall be the definition of the rights or for the efficient administration of the water right 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 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.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. This right is limited to the irrigation of 75 acres within the place of use described above in a single irrigation season.

Attachment D
(2 pgs)

WATER RIGHT NO. 61-7283A
As Modified by Transfer No. 69702

6. Right 61-11966 is also diverted through the point of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 10th day of November, 2004



Chief, Water Allocation Bureau



Dz

Being re-recorded to correct legal

RE-RECORDED

Instrument # 385834
Elmore County, Idaho
02:51pm Mar. 26, 2007
For: GUARANTY TITLE INC
No. of Pages: 5 Fee: \$15.00
MARSA GRIMMETT, Recorder
Deputy: DLE

Instrument # 385636
Elmore County, Idaho
01:52pm Mar. 20, 2007
For: GUARANTY TITLE INC
No. of Pages: 5 Fee: \$15.00
MARSA GRIMMETT, Recorder
Deputy: DLE

BARGAIN AND SALE DEED

JUNIPER STATION FARM, LP, an Idaho limited partnership, herein referred to as "Grantor," for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, and sold, and does, by these presents, grant, bargain, sell, convey, and confirm unto **JUNIPER STATION PROPERTIES, LLC**, an Idaho limited liability company, whose address is 2988 South Owyhee Street, Boise, Idaho 83705, herein referred to as "Grantee," all of Grantor's interest in and to the following described real property situated in the County of Elmore, State of Idaho:

Township 1 South, Range 4 East, Boise Meridian, Elmore County, Idaho

Section 15: Southwest Quarter, Northwest Quarter

~~NE~~ East

Section 15: ~~SW~~ Half **SAVE AND EXCEPT** the following parcel:

A parcel of land being a portion of the East Half of Section 15, T.1S., R.4 E., Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at a found Aluminum Cap marking the Section Corner common to Sections 10, 11, 14 & 15, T.1S., R.4E., Boise Meridian, Elmore County, Idaho, said Aluminum Cap bears N. 89°29'03" E. 2638.27 feet from a found Aluminum Cap marking the North Quarter Corner of said Section 15 to a point; thence S. 00°01'01" W. 2639.62 feet to the Point of Beginning; thence S. 00°02'55" W. 1617.30 feet along the said east boundary of the East Half of Section 15 to a point; thence S. 90°00'00" W. 50.00 feet, thence N. 00°02'55" E. 1616.90 feet; thence N. 90°00'00" E. 50.00 feet to the Point of Beginning.

SUBJECT TO AND/OR TOGETHER WITH:

A fifty-foot wide ingress and egress, utility and drainage easement lying in the Southeast Quarter of the Northeast Quarter of Section 15, T.1S., R.4E., Boise Meridian, Elmore County, Idaho, said easement being more particularly described as follows:

Commencing at a found Aluminum Cap marking the Section Corner common to Sections 10, 11, 14 & 15, T.1S., R.4E., Boise

Attachment E (5 pgs)

Meridian, Elmore County, Idaho, said Aluminum Cap bear N. 00°01'01" E. 2639.62 feet from a found Aluminum Cap marking the East Quarter Corner of said Section 15 and N. 89°29'03" E. 2638.27 feet from a found Aluminum Cap marking the North Quarter Corner of said Section 15; thence S. 00°01'01" W. 1311.92 feet along the east boundary of the said Northeast Quarter of Section 15 and along Simco Road to a point, said point marking the Real Point of Beginning;

thence continuing S. 00°01'01" W. 50 feet along the said east boundary of the Northeast Quarter of Section 15 and along said Simco Road to a point;

thence N. 90°00'00"W. 280.00 feet to a point;

thence S. 00°01'01" W. 978.56 feet to a point;

thence N. 89° 43'43" W. 50.00 feet to a set ½" iron pin;

thence N. 00°01'01" E. 1028.35 feet to a point;

thence S. 90°00'00"E. 330.00 feet to the Point of Beginning.

ALSO SUBJECT TO AND/OR TOGETHER WITH:

Any additional easements or rights of way of record or in use.

SAVE AND EXCEPT the following two tracts:

Tract 1: A parcel of land being a portion of the Southeast Quarter of the Northeast Quarter of Section 15, T.1S., R.4E., Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at a found Aluminum Cap marking the Section Corner common to Sections 10, 11, 14 & 15, T.1S., R.4E., Boise Meridian, Elmore County, Idaho, said Aluminum Cap bears N. 00°01'01" E. 2639.62 feet from a found Aluminum Cap marking the East Quarter Corner of said Section 15 and N. 89°29'03" E. 2638.27 feet from a found Aluminum Cap marking the North Quarter Corner Section 15; thence S. 00°01'01" W. 1743.99 feet along the east boundary of the said Northeast Quarter of Section 15 and along Simco Road to a point; thence N. 89°43'43" W.

305.00 feet to a point, said point being witnessed by a set ½" iron pin which bears N. 89°43'43" W. 25.00 feet, said point marking the Real Point of Beginning;

Thence S. 00°01'01"W. 300.00 feet to a point, said point being witnessed by a set ½" iron pin which bears N. 89°43'43" W. 25.00 feet;

Thence N. 89°43'43" W. 445.00 feet to a set ½ iron pin;

Thence N. 00°01'01"E. 300.00 feet to a set ½ iron pin;

Thence S. 89°43'43" E. 445.00 feet to the Point of Beginning.

and

Tract 2:

A parcel of land being a portion of the East Half of Section 15, T.1S., R.4E., Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at a found Aluminum Cap marking the Section Corner common to Sections 10, 11, 14 and 15, T.1S., R.4E., Boise Meridian, Elmore County, Idaho, said Aluminum Cap bears N.89°29'03" E. 2638.72 feet from a found Aluminum Cap marking the North Quarter Corner of said Section 15; thence S. 00°01'01" W. 1296.92 feet along the east boundary of the East Half of Section 15 to a point, said point marking the Real Point of Beginning; thence S. 00°01'01"W. 1342.70 feet; thence S. 90°00'00" W. 50.00 feet; thence N. 00°00'00" E. 1343.10 feet; thence S.90°00'00" E. 50.00 feet to the Point of Beginning.

Section 22: Northeast Quarter

Section 25: South Half of the Northwest Quarter and the North Half of the Northwest Quarter

Township 2 South, Range 4 East, Boise Meridian, Elmore County, Idaho

Section 10: Northeast Quarter

Section 11: Northwest Quarter

Subject to liens, encumbrances, restrictions, and easements of record or appearing on the premises.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantee and its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has hereunto set its hand this 16th day of March, 2007.

JUNIPER STATION FARM, LP, an Idaho limited partnership,

By: Patricia L. Eisenman
Patricia L. Eisenman, General Partner

STATE OF IDAHO)
 : ss.
 County of Ada)

On this 16th day of March, 2007, before me, a Notary Public in and for the state of Idaho, personally appeared PATRICIA L. EISENMAN, known or identified to me to be the General Partner of the partnership of JUNIPER STATION FARM, LP, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

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



George Z. Langlois
 Notary Public for Idaho
 Residing at: Boise, ID
 My Commission Expires: _____

MY COMMISSION EXPIRES
 March 2, 2012
 BONDED THIRD NOTARY PUBLIC UNDERWRITERS

Idaho Department of Water Resources Receipt

Receipt ID W034858

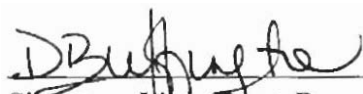
Payment Amount \$290.00 Date Received 11/7/2006 3:50:19 PM Region Western Status
Payment Type Check Check Number 435

Payer WALKER, ROBERT P

Comment APPLICATION FOR TRANSFER: EISENMAN FAMILY TRUST

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$290.00	TRANSFERS	0229	21	62105	1155



Signature Line (Dept. Representative)

Attachment F