

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 19 2007

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

DEPARTMENT OF
WATER RESOURCES

Name of Seller/Lessor Acres Unlimited LLC Phone 208-221-2537
Post office address 2472 S. Old Hwy. 91 Inkom, ID 83245

1. DESCRIPTION OF WATER RIGHT: See attached

Right evidenced by:

- a. Decree No. 29-294 E Decreed to Acres Unlimited
(Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water
Resources.
- c. Permit No. _____ issued by the Idaho Department of Water
Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,
show "all" on line a. below and skip the remainder of part 2.)

- a. Amount of water under right: ALL cubic feet per second &/or
_____ acre-feet per annum
- b. Point of diversion: NE 1/4 of NE 1/4 of Section 22 Township 7S Range
36E B.M. in Bannock County.
Additional points _____

c. Place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
75	36E	22													5.0				5.0

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres 5

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

I acquired the right through a purchase from Max Shaffer in Sept 04.

- b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

Water is used from a ditch on gravity flow. It was used last summer (ole water season) + every season ~~there~~ prior to then. This year our water did not last long. See attached watering schedule

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

4/01 to 10/31

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

- e. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

N/A

4. REMARKS:

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

☒ For lease for a period from 7/1/07 to indefinite
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

current rental rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

7/1/07
Date

[Signature] for Acres Unlimited
Signature llc

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

2005 WATER DELIVERY SCHEDULE

MURDOCK SUBDIVISION WATER USERS

6AM Monday – 6PM Monday	Dave and Hazel Wagner
6PM Monday – 6AM Tuesday	Dennis and Pat Turman
6AM Tuesday – 6 PM Tuesday	Del and Karen Owens
6PM Tuesday – 6AM Wednesday	Arnold and Karen Davis
6AM Wednesday – 6PM Wednesday	Ben and Lou Chavers
6PM Wednesday – 6PM Thursday	Kent and Charmain Murdock
6PM Thursday – 6PM Friday	<i>Across Undivided</i> Greg and Jamie Smedley
6PM Friday – 6PM Saturday	Monte and Shelley Lish
6PM Saturday – 12 Noon Sunday	Alan and Debbie Hatfield
12 Noon Sunday – 6 AM Monday	Charles and Helen Carpenter

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-294E

WATER RIGHT NUMBER: 29-294E

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ACRES UNLIMITED,LLC 2472 S OLD HWY 91 INKOM, ID 83245 (208)775-4575

Priority Date: 06/01/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RAPID CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

RAPID CREEK	NE1/4NE1/4NE1/4	Sec. 22, Twp 07S, Rge 36E, B.M.
BANNOCK 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		
07S	36E	22													5.0					5.0

Total Acres: 5

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.
2. E51 USE OF THIS RIGHT WITH RIGHT NO. 29-13533 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.15 CFS.
3. E55 USE OF THIS RIGHT WITH RIGHT NO. 29-13533 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.0 ACRES IN A SINGLE IRRIGATION SEASON.

Dates and Other Information:

Decreed Date: 8/20/2004

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.15		5

Combined Water Rights: 29-294E , 29-13533



A Pioneer Company
PIONEER TITLE COMPANY
 OF BANNOCK COUNTY
 135 N. Arthur / Pocatello, Idaho 83201 / (208) 233-9595

2-1
20419846

20419846

RECORDED AT REQUEST OF

FEE 6⁰⁰ DEPUTY mar
PIONEER TITLE

2004 SEP 13 AM 11 58

OFFICIAL RECORD BK# 853
LARRY W CHAN RECORDER
BANNOCK COUNTY IDAHO

Order No. 20041124 SMK LT

WARRANTY DEED

For Value Received

Max Dean Shaffer and Cindy Lee Shaffer, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Acres Unlimited, LLC

hereinafter referred to as Grantee, whose current address is

1964 North 540 East, Orem, UT 84097



the following described premises, to-wit:

LEGAL DESCRIPTION EXHIBIT "A" ATTACHED

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever

Dated: September 9, 2004

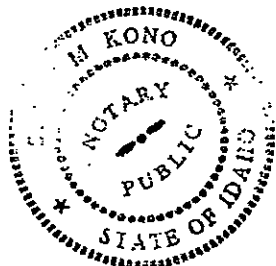
Max Dean Shaffer

Cindy Lee Shaffer

STATE OF IDAHO

COUNTY OF BANNOCK

On this 13th day of September, in the year of 2004, before me STACY M. KONO, notary public personally appeared MAX DEAN SHAFFER and CINDY LEE SHAFFER known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



STACY M. KONO
 Notary Public of IDAHO
 Residing at POCATELLO, ID
 Commission expires: February 27, 2009