

Form 1-222
12-92STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

1. Name of Applicant Blackfoot Farms LC Phone (801) 584-5700Mailing Address 97 Hwy 33, Driggs, ID 83422

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: Applicant purchased 45.2 ac of water right and proposes to transfer to a new place of use and point of diversion

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

1. Right Number Priority Amount Nature of Use Period of Use

22-13812	10/31/1977	0.90 cfs	Irrigation	4/01 to 11/01
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2. Total amount of water being transferred 0.90 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Ground water tributary to NA

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local Name for Diversion
	NE	NE	NW	11	4N	45E	TETON	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	45E	11					38	7.2											45.2

Total Acres 45.2

PART 1

8. General Information:

- a. Description of diversion system: Well to pump to pipeline
- 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:
45.2 acres will be dried up
- d. Remarks: This transfer in addition to the transfer submitted by Mike Stears will change the place of use of 65.2 ac of the water right 22-13812, leaving only 12.8 ac irrigated on the original place of use. The applicant's new place of use has shares in the Garden Water Company, as well as an additional water right 22-4096 from Springs that overlaps the new place of use.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Right No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20__

for the Director

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

1. Amount 0.90 cfs for Irrigation purposed from 4/01 to 11/01
 2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local Name for Diversion
	SW	NE	NW	12	4N	45E	TETON	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	45E	12					19			26.2									45.2

Total Acres 45.2

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT

1. Amount 0.66 cfs for Irrigation purposed from 4/01 to 11/01
 2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local Name for Diversion
	SW	NE	NW	12	4N	45E	TETON	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	45E	12					20		5	7.8									32.8

Total Acres 32.8

Form 1-222
12-92**APPLICATION FOR TRANSFER OF WATER RIGHT****PART 2**

Remarks: The following Part "C" reflects the remaining unchanged portion of water right 22-13812 that will remain on the original place of use after the companion transfers for Blackfoot Farms LLC and Mike Stears are processed.

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT

1. Amount 0.26 cfs for Irrigaion purposes from 04/01 to 11/01

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local Name for Diversion
	SW	NE	NW	12	4N	45E	TETON	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	45E	12							5	7.8									12.8

Total Acres 12.8

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

WATER RIGHT NO. 22-13812

Owner Type Name and Address

Current Owner TETON VENTURES LLC
153 N 4663 E
RIGBY, ID 83442
(208)390-4676

Priority Date: 10/31/1977

Basis: License

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

IRRIGATION 04/01 11/01 1.56 CFS 234 AFA

Total Diversion 1.56 CFS

Location of Point(s) of Diversion:

GROUND WATER SWNENW Sec. 12 Township 04N Range 45E TETON County

Place of Use Legal Description: IRRIGATION TETON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	45E	12		NENW 39			SWNW 5			SEnw 34				

Total Acres: 78

Conditions of Approval:

- Use of this right is combined with water from Garden Water Company
- C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
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
- C18 by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Application for Transfer Water Right No. 22-13812 Blackfoot Farms LLC

74834



2006 NAIP Photography

Legend

-  New Point of Diversion
-  New Place of Use
-  Township and Range
-  Section
-  QQ

0 250 500 1,000 Feet



74834

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Application for Transfer Water Right No. 22-13812 Acres to be Transferred

74834



2006 NAIP Photography

Legend

-  Stears Transfer
-  Blackfoot Farms Transfer
-  Township and Range
-  Section
-  QQ

0 375 750 1,500 Feet



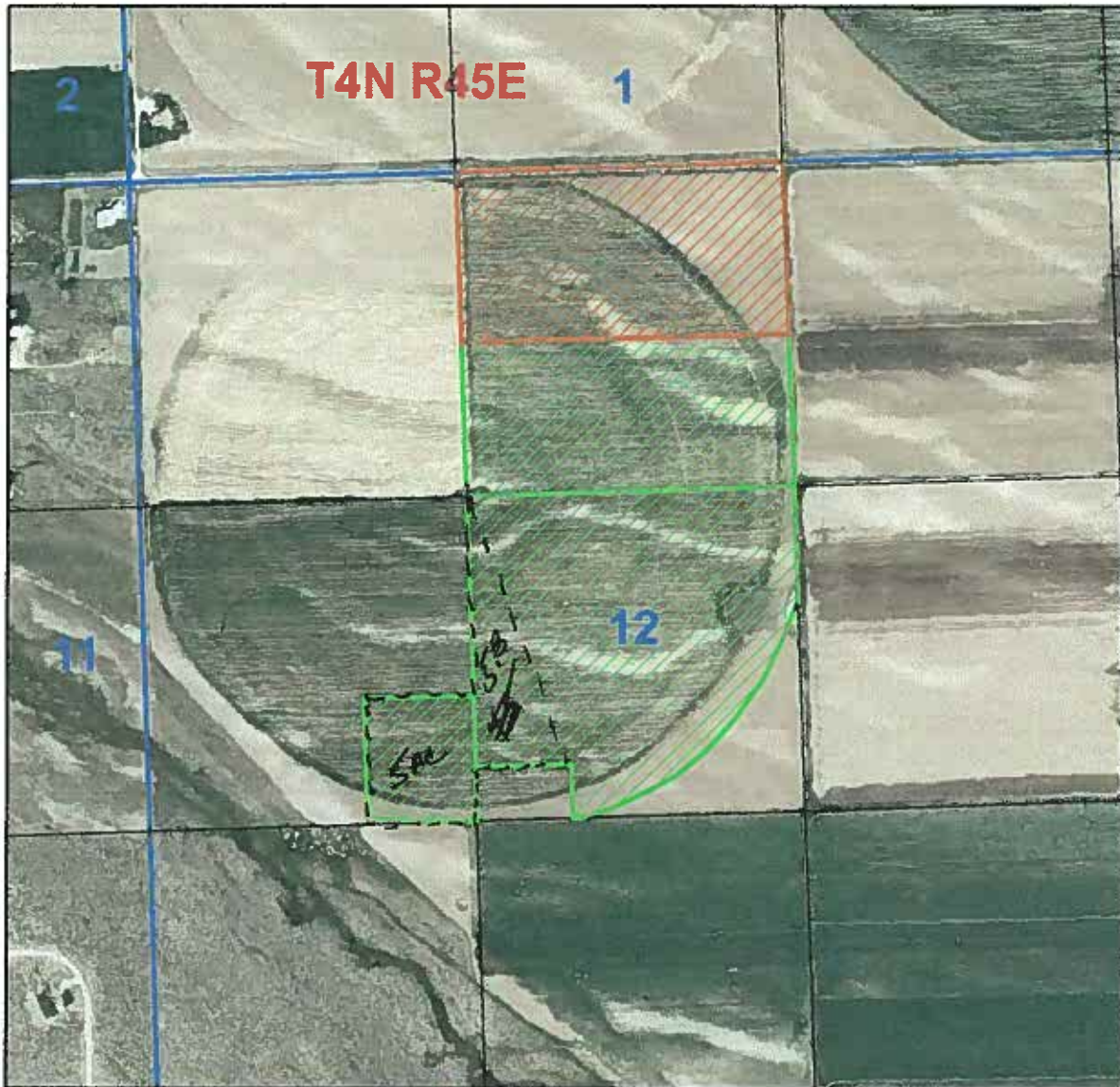
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Application for Transfer

Water Right No. 22-13812

Acres to be Transferred

74834



2006 NAIP Photography

Legend

-  Stears Transfer
-  Blackfoot Farms Transfer
-  Township and Range
-  Section
-  QQ

0 375 750 1,500 Feet



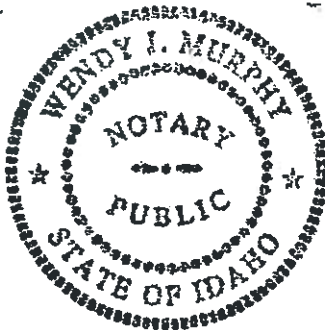
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I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

H. Walker P.O.A.
(Signature of Applicant) (Office or Position of Authority)
Young H. Walker
(Printed Name)

Subscribed and sworn to before me this 29th day of May, 2008



Wendy J. Murphy
Notary Public
My Commission expires:

FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and 7 attachments
Received by _____ Date _____ Protest filed by _____
Prelim check by _____ Fee 290-
Receipted by _____ Date 5/29/08 E034093
Published in Teton Valley 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 _____

LIMITED POWER OF ATTORNEY

BLACKFOOT FARMS, LLC, WILLIAM E. REID, CEO, of 97 North Highway 33, Driggs, Idaho 83422, designate and appoint HARVEY WALKER of 2338 North 2930 West, Arco, ID 83213, as our attorney in fact and agent (subsequently called "agent") to act in our name and for our benefit. We grant to our agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as we might or could do if personally present and fully competent, hereby ratifying and confirming all that our agent shall lawfully do or cause to be done by virtue of this power of attorney and the powers herein granted.

Specific Powers

Our agent shall have and may exercise the following specific power:

- a. To handle all affairs and do all that needs done, including signing of documents, pertaining to water rights, wells and all water issues.

Revocability

This power of attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by us or our agent and delivered to such person or institution.

Interpretation

This instrument is to be construed and interpreted as a limited power of attorney.

Disability of Principal

This Limited Power of Attorney shall not be affected by disability of the principal.

Third-Party Reliance

Third parties may rely upon the representations of our agent as to all matters relating to any power granted to our agent, and no person who may act in reliance upon the representations of our agent or the authority granted to our agent shall incur any liability to us or our estate as a result of permitting our agent to exercise any power.

Expiration

Unless sooner revoked in the manner above provided, this Limited Power of Attorney shall expire at midnight on April 30, 2008.

Governing Law

This Limited Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

IN WITNESS WHEREOF, we have executed this Limited Power of Attorney this 26 day of October, 2006.

BLACKFOOT FARMS, LLC, Principal

By William E. Reid
WILLIAM E. REID, CEO

STATE OF IDAHO)
) ss.
County of Teton)

On this 26 day of October, 2006, personally appeared before me WILLIAM E. REID, who, being by me first duly sworn, declared that he is the CEO of BLACKFOOT FARMS, LLC, that he signed the foregoing document as CEO of the corporation, and that the statements therein contained are true.



Pauline Bagley
Notary Public for Idaho
My Commission Expires: 8/2011

LIMITED POWER OF ATTORNEY
1006 Blackfoot-Walker-POA

Submitted by: Rocky Mountain Environmental Association

January 17, 2008

Based on conversations with Garden Water Company 1 Share/Acre

Garden Water Company

Shares of Water as of March 2007

John Allen (Lynn Larsen)	76
Ken Beard (Virgil Beard)	76
Randy Beard (Virgil Beard)	40
Blackfoot Farms	271 $\frac{3}{4}$
(Terry Brattain 35 $\frac{1}{2}$, Stan Hansen 38 $\frac{1}{4}$, James Price 120, Charles Weiss 38, Tom Winger 40)	
Larry Boothe	74
Boyd Bowles	380
Steve Boyer	7
Lenace Burnside	80
Leo Burr	10
Darby Water Association	72 $\frac{1}{4}$
Paul Delaney Children	81
P.A. Davenport (Shayne Hill)	40
Del Fullmer	40
John Fullmer- Iron wood (Teton Ventures/Penfold Farms)	# 1 Original Place of Use 160
Paul Gilroy	73

#1 Paris & Janet Penfold 160 Shares/160 ac = 1 Share/Acre.

Only 146 acres irrigated @ 1 Share/Ac = 146 Shares transferable.

Ironwood Land LLC. = 60 acres X 1 Share/Ac = 60 Shares

Teton Ventures = 86 acres X 1 Share/Ac = 86 Shares

Jack Hansen	209
Ray Heilesen (Charles D'Angelo, Blackfoot Farms)	5
Hibbert Farms	160
Beth Hicks	73
Delmar Hill	100
Clair Hillman	376
Jim Jenkins (Shayne Hill)	80
George Jensen	110
Dave Johnson (sold to Kirk Woolf)	40
Cary Lindley	40
W.C. Lusardi (Virginia Price)	147 1/4
McClellan (Shayne Hill)	40
Mountain Meadows Subdivision	40
Murdock Tracts Water Association	40
Nelson - O'Connor Water Users Association	40
Joann Oleson	3
Padahia Meadows Subdivision	43
Penfold Farms	645
Schiess Family Association # 2 New Place of Use	72

#2 Schiess Family Association 72 Shares/72 Acres = 1 Share/Ac
John Lawless owns 10.2 acres of 72 acres @ 1 Share/Ac = 10.2 Shares
Transfer for irrigation of 8 Acres = Applicant has 2.2 Shares in
excess of the 8 Shares needed to irrigate the 8.0 acres.

Wayne Schiess	194
Opal Smith - Craig and Sandy Stewart	7
Reed Smith	97
Leon Weston	242
Mike Whitfield	7
W— Ranch	180
4473¼	Total Shares

WATER RIGHTS DEED

TO ALL CONCERNED:

On this 13 of day of June, 2008, for TEN Dollars (\$10.00) and other valuable consideration, Teton Ventures, LLC, 153 N 4663 E Rigby, ID 83442, do hereby convey to Blackfoot Farms, LLC, 97 North Highway 33, Driggs, ID 83422, certain rights described below of the Grantor to divert the water appurtenant to land situated in the County of Teton, State of Idaho, bearing Idaho Water Right Number #22-13812,

Grantor(s) does hereby represent said water rights to be free and clear of all liens and encumbrances. The terms of this deed shall be binding upon the heirs, successors and assigns of the signatory parties hereto.

From Water Right Number #22-13812, with Priority date 10/31/1977, the amount to be transferred with said deed is 1.12 cfs or 45.2 acres of water, to be used for irrigation purposes between 4/01-11/01.

The point of diversion shall be NE ¼ NE ¼ NW ¼ Section 11, Township 4 North, Range 45 East in Teton County, Idaho.

Grantor has hereunto set its hand on the day and year first above written.



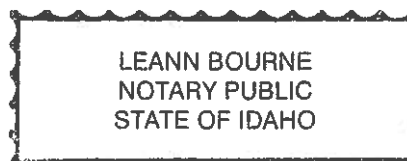
Darrin Teeter, Grantor
Managing Member, Teton Ventures, LLC

STATE OF IDAHO)
 : ss.
County of Teton)

On this 13th day of June, in the year of 2008, before me, a Notary Public in and for said State, personally appeared Darrin Teeter, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

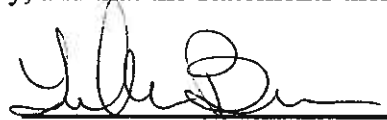
Notary Public for Idaho

Residing at: Ammon ID 83406



STATE OF IDAHO)
 :SS
County of Teton)

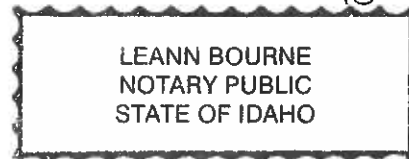
On this 13 day of June, in the year 2008, before me, a Notary Public in and for said State, personally appeared before me Harvey Walker, who, being by me first duly sworn, declared that he is a Representative of Blackfoot Farms, LLC, that he signed the foregoing document as a Representative of the entity, and that the statements therein contained are true.



Notary Public for Idaho

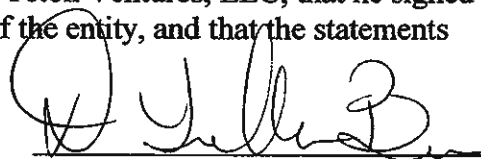
Residing at: Amman ID

My Commission Expires: 12-18-12



STATE OF IDAHO)
 :SS
County of Teton)

On this 13 day of June, in the year 2008, before me, a Notary Public in and for said State, personally appeared before me Darrin Teeter, who, being by me first duly sworn, declared that he is a Managing Member of Teton Ventures, LLC, that he signed the foregoing document as a Managing Member of the entity, and that the statements therein contained are true.



Notary Public for Idaho

Residing at: Amman ID

My Commission Expires: 12-18-12

