

#290

Transfer No. 73911

Receipt No. EO33183

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information DOWNEY PROPERTIES LLC
3064 HIGHLAND DR
SALT LAKE CITY UT 84108

Will this transfer result in an ownership change? X Yes No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
29-2426C	WR/License	1.07	280.0		80.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
29-2426C	NO	YES	YES	YES	NO	NO

Describe the reason for the proposed changes

change the place of use and use three existing different wells

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
29-2426C	1.07 cfs		80.0	280.0 af
TOTAL	1.07 cfs		80.0	280.0 af

RECEIVED

AUG 01 2007

Department of Water Resources
Eastern Region

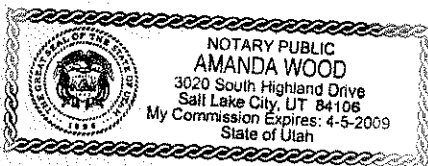
73911

Transfer No. 73911

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.



Stanley Goldberg
Stanley Goldberg
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 27 day of July, 2007.

Amanda Wood
(Notary Public)

My commission expires 4-5-2009

total pages - 6
advertisized in Idaho State Journal
attachments - 9 pages

Transfer No. 73911

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 29-2426C

Priority Date: March 02, 1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.07 CFS		
IRRIGATION	04/01 10/31	1.07 CFS	280.0 AFA	
Total Diversion		1.07 CFS	280.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESW Sec. 33 Twp 11S Rge 37E BANNOCK County

GROUND WATER SESW Sec. 33 Twp 11S Rge 37E 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	
11S 37E 33											40.0	40.0					80.0

Total Acres: 80

Conditions/Remarks:

1. 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. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

73911

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Documentation of Ownership of the Current Place of Use

Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

it will be dry

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 73911

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 29-2426C

Priority Date: March 02, 1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.07 CFS		
IRRIGATION	04/01 10/31	1.07 CFS	280.0 AFA	
Total Diversion		1.07 CFS	280.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESE Sec. 32 Twp 11S Rge 37E BANNOCK County

GROUND WATER NWSE Sec. 32 Twp 11S Rge 37E BANNOCK County

GROUND WATER SESE Sec. 32 Twp 11S Rge 37E BANNOCK County

Describe the proposed diversion system

Point of Diversion # 1 well/pump to sprinklers

Point of Diversion # 2 well/pump to sprinklers

Point of Diversion # 3 well/pump to sprinklers

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	
11S 37E 32															40.0	40.0	80.0

Total Acres: 80

73911

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OLSEN

32

4818

POU

POD



4810



POD

SE



POD

POU

4800

115

37E

73911

3-1

20703476

①

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2240 East Center
Pocatello, ID 83201

OFFICIAL RECORD BK# 892
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FEE 9 DEPUTY mw

FIRST AMERICAN TITLE

20703476

2007 FEB 14 A 11:49

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **164326-P (ts)**

Date: **February 08, 2007**

For Value Received, **Ridgedale Ranches, Inc.**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Sandra Goldberg, an unmarried person and Stanley Goldberg, an unmarried person**, hereinafter called the Grantee, whose current address is **3064 Highland Drive, Salt Lake City, UT 84106**, the following described premises, situated in **Bannock County, Idaho**, to-wit:

THE SOUTH 1/2 OF SECTION 32, TOWNSHIP 11 SOUTH, RANGE 37 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, EXCEPTING THEREFROM THE WEST 1/2 SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 11 SOUTH, RANGE 37 EAST.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the 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.

ATTACHMENT T 7394
1 OF 9

7394

20703476

Date: 02/08/2007

Warranty Deed
- continued

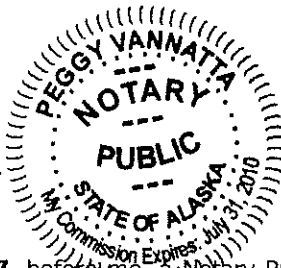
File No.: 164326-P (ts)

Ridgedale Ranches, Inc.

By: Bruce B. Hall, Secretary

By: Robert Wright, V.P./Director

STATE OF ALASKA)
THIRD SS
COUNTY OF JUNEAU DISTRICT)



On this 9th day of February 2007, before me, a Notary Public in and for said State, personally appeared **Robert Wright**, known or identified to me, to be the **Vice President/Director** of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

Notary Public of ALASKA
Residing at: Lenex
Commission Expires: 7.31.2010

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of February 2007, before me, a Notary Public in and for said State, personally appeared **Bruce B. Hall**, known or identified to me, to be the **Secretary** of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

Notary Public of _____
Residing at: _____
Commission Expires: _____

20703476

Date: 02/08/2007

Warranty Deed
- continued

File No.: **164326-P (ts)**

Ridgedale Ranches, Inc.

By: Bruce B. Hall, Secretary

By: Robert Wright, V.P./Director

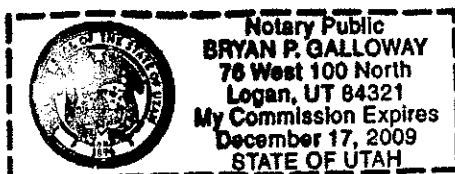
STATE OF _____)
)
) SS.
COUNTY OF _____)

On this _____ day of February 2007, before me, a Notary Public in and for said State, personally appeared **Robert Wright**, known or identified to me, to be the **Vice President/Director** of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

Notary Public of _____
Residing at: _____
Commission Expires: _____

STATE OF UTAH)
) SS.
COUNTY OF CACHE)

On this 9th day of **February 2007**, before me, a Notary Public in and for said State, personally appeared **Bruce B. Hall**, known or identified to me, to be the **Secretary** of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.



Notary Public of _____
Residing at: _____
Commission Expires: _____

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2240 East Center
Pocatello, ID 83201

3-1
20708556
OFFICIAL RECORD BK# 894
BANNOCK COUNTY IDAHO

2
RECORDED AT REQUEST OF
FEE 92 DEPUTY m

FIRST AMERICAN TITLE

20708556

2001 APR 12 P 1:39

Space Above This Line for Recorder's Use Only

WARRANTY DEED

80 acre - Olsen Property

File No.: 206877-P (ts)

Date: April 03, 2007

For Value Received, **Ridgedale Ranches, Inc., an Idaho Corporation**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Downey Properties, LLC**, hereinafter called the Grantee, whose current address is **3064 Highland Drive, Salt Lake City, UT 84108**, the following described premises, situated in **Bannock County, Idaho**, to-wit:

TOWNSHIP 11 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO

SECTION 33: W $\frac{1}{2}$ SW $\frac{1}{4}$

TOGETHER WITH ALL WATER RIGHTS APPURTENANT TO OR USED IN CONNECTION WITH ABOVE DESCRIBED REAL ESTATE, INCLUDING BUT WITHOUT LIMITATION TO LIC NUMBER 29-02426C.

TOGETHER WITH ALL MINERAL RIGHTS

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the 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.

T 73911
ATTACHMENT 4 OF 9

Date: 04/03/2007

Warranty Deed
- continued

File No.: 206877-P (ts)

20708556

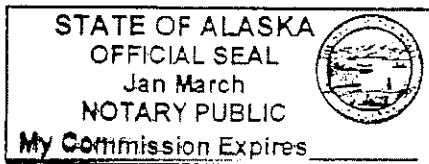
Ridgedale Rances, Inc., an Idaho Corporation

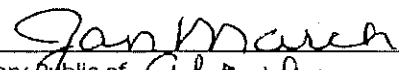

By: Robert Wright, V.P. Director

By: Bruce B. Hall, Secretary

STATE OF Alaska)
SS.
COUNTY OF Juneau)

On this 5th day of **April, 2007**, before me, a Notary Public in and for said State, personally appeared Richard Wright, known or identified to me, to be the **V.P./Director** of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.




Notary Public of Alaska
Residing at: Juneau
Commission Expires: 10/31/10

STATE OF _____)
SS.
COUNTY OF _____)

On this _____ day of **April, 2007**, before me, a Notary Public in and for said State, personally appeared **Bruce B. Hall**, known or identified to me to be the **Secretary** of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public for the State of _____
Residing at: _____
My Commission Expires: _____

Date: 04/03/2007

33
Warranty Deed
- continued

File No.: 206877-P (ts)

Ridgedale Rances, Inc., an Idaho Corporation

20708556

By: Robert Wright, V.P. Director



X By: Bruce B. Hall, Secretary

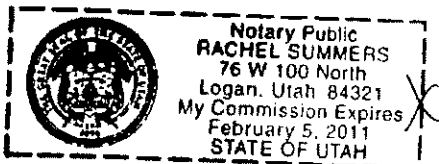
STATE OF _____)
ss. _____)
COUNTY OF _____)

On this _____ day of April, 2007, before me, a Notary Public in and for said State, personally appeared **Richard Wright**, known or identified to me, to be the **V.P./Director** of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

Notary Public of _____
Residing at: _____
Commission Expires: _____

STATE OF UTAH)
ss. _____)
COUNTY OF CACHE)

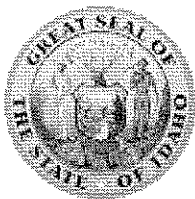
On this 11 day of April, 2007, before me, a Notary Public in and for said State, personally appeared **Bruce B. Hall**, known or identified to me to be the **Secretary** of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.




Notary Public for the State of UTAH
Residing at: 76 W. 100 N.
My Commission Expires: 2/5/11

Page 2 of 2

T 73911
ATTACHMENT 6 OF 9



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for DOWNEY PROPERTIES, LLC](#)]

DOWNEY PROPERTIES, LLC

3064 HIGHLAND DR
SALT LAKE CITY, UT 84106

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING 01 Mar 2007

State of Origin: UTAH

Date of 01 Mar 2007

Origination/Authorization:

Current Registered Agent: REBECCA FALCON
3600 E ELIASON RD
DOWNEY, ID 83234

File Number: W59861

Date of Last Annual Report:

Amendments:

[[Help Me Print/View TIFF](#)]

Amendment filed 01 Mar 2007 REG. OF FOREIGN

[View Image \(TIFF format\)](#)

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@sos.idaho.gov

861-466-8118
231-4997

T 7394
ATTACHMENT 7 OF 9

FILED EFFECTIVE



APPLICATION FOR REGISTRATION OF FOREIGN LIMITED LIABILITY COMPANY

(Instructions on back of application)

2007 MAR -1 AM 9:05

SECRETARY OF STATE
STATE OF IDAHO

- The name of the limited liability company is:
DOWNEY PROPERTIES, LLC
- If the name of the limited liability company is not permissible or is not available in Idaho, the name the foreign limited liability company will use in Idaho is:
GOLDBERG IDAHO PROPERTIES, LLC
- The jurisdiction under whose laws the limited liability company is organized is: UTAH
and the date of its formation was: MAY 22, 2006
- The name and address of the registered agent in Idaho is:
REBECCA FALCON, 3600 EAST ELIASON ROAD, DOWNEY, IDAHO 83234
- The address of the limited liability company's office in the jurisdiction under whose laws it is organized is:
3064 HIGHLAND DRIVE, SALT LAKE CITY, UTAH 84106
- The address of the limited liability company's principal office, if other than the address in #5 above, is:
SAME- 3064 HIGHLAND DRIVE, SALT LAKE CITY, UTAH 84106
- The address to which correspondence should be addressed is:
3064 HIGHLAND DRIVE, SALT LAKE CITY, UTAH 84106
- Signature of a manager, if any, or a member if there are no managers.

Signature

Typed Name

SANDRA GOLODBERG

Manager ☒ Member ☐

Secretary of State use only

IDAHO SECRETARY OF STATE
03/01/2007 05:00
CK: 3973 CT: 210384 DH: 1836577
1 @ 100.00 = 100.00 REGFORGLLC # 2

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Revised 09/2002

Web Form

W59861

T 73911

ATTACHMENT 8 OF 9



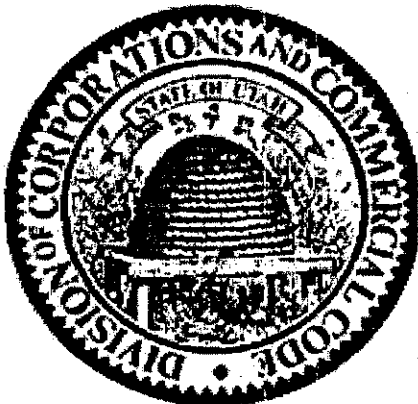
Utah Department of Commerce
Division of Corporations & Commercial Code
160 East 300 South, 2nd Floor, PO Box 146705
Salt Lake City, UT 84114-6705
Service Center: (801) 530-4849
Toll Free: (877) 526-3994 Utah Residents
Fax: (801) 530-6438
Web Site: <http://www.commerce.utah.gov>

01/23/2007
6223995-016001232007-484567

CERTIFICATE OF EXISTENCE

Registration Number: 6223995-0160
Business Name: DOWNEY PROPERTIES, LLC
Registered Date: May 22, 2006
Entity Type: LLC - Domestic
Current Status: Good Standing

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah. The Division also certifies that this entity has paid all fees and penalties owed to this state; its most recent annual report has been filed by the Division; and, that Articles of Dissolution have not been filed.



Kathy Berg

Kathy Berg
Director
Division of Corporations and Commercial Code