

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 73370

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant T.R.S. Farms Inc. Phone 208-709-3508
 Post Office address P.O. Box 671 Rexburg, ID 83440

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 I need to transfer water right from
non irrigated corners to a piece of ground that I can water
Rearranging water Moving 16.7 acres from corners to sec 24
 $16.66 \text{ cfs} \div 1288.2 \times 16.7 = .22 \text{ cfs} = \250^{00}

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>22-2182</u>	<u>11-29-1960</u>	<u>9.6</u>	<u>Irrigation</u>	<u>April 1 to Nov 1</u>
<u>22-7040</u>	<u>10-21-1970</u>	<u>16.66</u>	<u>Irrigation</u>	<u>May 1 to Nov 1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Ground tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	26	5N	40E	Madison	#2
		SE	NE	35	5N	40E	Madison	#1
		SW	SE	23	5N	40E	Madison	#3

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	
4N	40E	2					39.4	37	36.1	39.8									152.3
5N	40E	23	19	2.1	6.4	39.2								39.2	7.2	10.8	40		163.9
5N	40E	24					1.2	7.5			36.6	39.5	7.8						86.6
5N	40E	26	28			28.8	14.6	37.8	37.7	18.3	18.5	39.3	36	19.1	29.1			28.7	335.9
5N	40E	35	27.9	9.8	40	40	19	36.6	37.4	40	40	35	35.8	39.3	40	40	39	38.7	549.5

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Total acres 1288.2

PART 1

6. General Information:

a. Description of diversion system Deep well pumps with electric motors.
Underground main line

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:

The land was originally irrigated with wheel lines. When the center pivots went in the corners were not irrigated and have been dry.

d. Remarks:

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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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-2182 V1

WATER RIGHT NUMBER: 22-2182 V1

Owner Type Name and Address
Current Owner T R WEBSTER & SONS INC
309 YALE AVE
REXBURG, ID 83440
(208)356-3244

Priority Date: 11/29/1960

Basis: License

Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	9.600 CFS	1,680.00 AF
	<u>Total Diversion:</u>	9.600 CFS	1,680.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4SE1/4	Sec. 23, Twp 05N, Rge 40E, B.M.
MADISON County		
GROUND WATER	NW1/4NE1/4SW1/4	Sec. 26, Twp 05N, Rge 40E, B.M.
MADISON County		
GROUND WATER	SE1/4SE1/4NE1/4	Sec. 35, Twp 05N, Rge 40E, B.M.
MADISON 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	
04N	40E	2					39.0	40.0	38.0	40.0									157.0
							L 3	L 4											
05N	40E	23	19.0	2.1	6.4	39.0									39.0	7.2	11.0	40.0	163.7
05N	40E	24						1.2	7.5		30.0	29.0							67.7
05N	40E	26	28.0			29.0	15.0	39.0	39.0	18.0	18.0	39.0	39.0	19.0	29.0			29.0	341.0
05N	40E	35	28.0	.8	40.0	40.0	19.0	38.0	39.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	39.0	39.0	558.8

Total Acres: 1288.2

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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 22-2182 V1

Conditions of Approval:

1. E55 Right Nos. 22-2182 and 22-7040 are limited to the irrigation of a combined total of 1288.2 acres in a single irrigation season.
2. 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.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. K06 This right is limited to the irrigation of 480.0 acres within the place of use described above in a single irrigation season.
5. F06 The following rights are also diverted through point of diversion described above: 22-2182, 22-7040.
6. E60 Right Nos. 22-2182 and 22-7040 are limited to a total combined diversion rate of 16.66 cfs and to a total combined annual diversion volume of 4508.7 AF.
7. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:

Comments:

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Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-7040 V1

WATER RIGHT NUMBER: 22-7040 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	T R WEBSTER & SONS INC 309 YALE AVE REXBURG, ID 83440 (208)356-3244

Priority Date: 10/21/1970

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 11/01	16.660 CFS	2,950.50 AF
	<u>Total Diversion:</u>	16.660 CFS	2,950.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4NE1/4	Sec. 35, Twp 05N, Rge 40E, B.M.
MADISON County		
GROUND WATER	SE1/4SW1/4SE1/4	Sec. 23, Twp 05N, Rge 40E, B.M.
MADISON County		
GROUND WATER	NW1/4NE1/4SW1/4	Sec. 26, Twp 05N, Rge 40E, B.M.
MADISON 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	
04N	40E	2					39.0	40.0	38.0	40.0									157.0
							L 3	L 4											
05N	40E	23	19.0	2.1	6.4	39.0								39.0	7.2	11.0	40.0		163.7
05N	40E	24						1.2	7.5			30.0	29.0						67.7
05N	40E	26	28.0			29.0	15.0	39.0	39.0	18.0	18.0	39.0	39.0	19.0	29.0			29.0	341.0
05N	40E	35	28.0	.8	40.0	40.0	19.0	38.0	39.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	39.0	39.0	558.8

Total Acres: 1288.2

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-7040 V1

Conditions of Approval:

1. K06 This right is limited to the irrigation of 843.0 acres within the place of use described above in a single irrigation season.
2. E60 Right Nos. 22-2182 and 22-7040 are limited to a total combined diversion rate of 16.66 cfs and to a total combined annual diversion volume of 4508.7 AF.
3. S35 The use of water for irrigation under this right may begin as early as April 1, provided other elements of the right are not exceeded. The use of water before May 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. F06 The following rights are also diverted through point of diversion described above: 22-2182, 22-7040.
5. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. 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.
7. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
8. E55 Right Nos. 22-2182 and 22-7040 are limited to the irrigation of a combined total of 1288.2 acres in a single irrigation season.

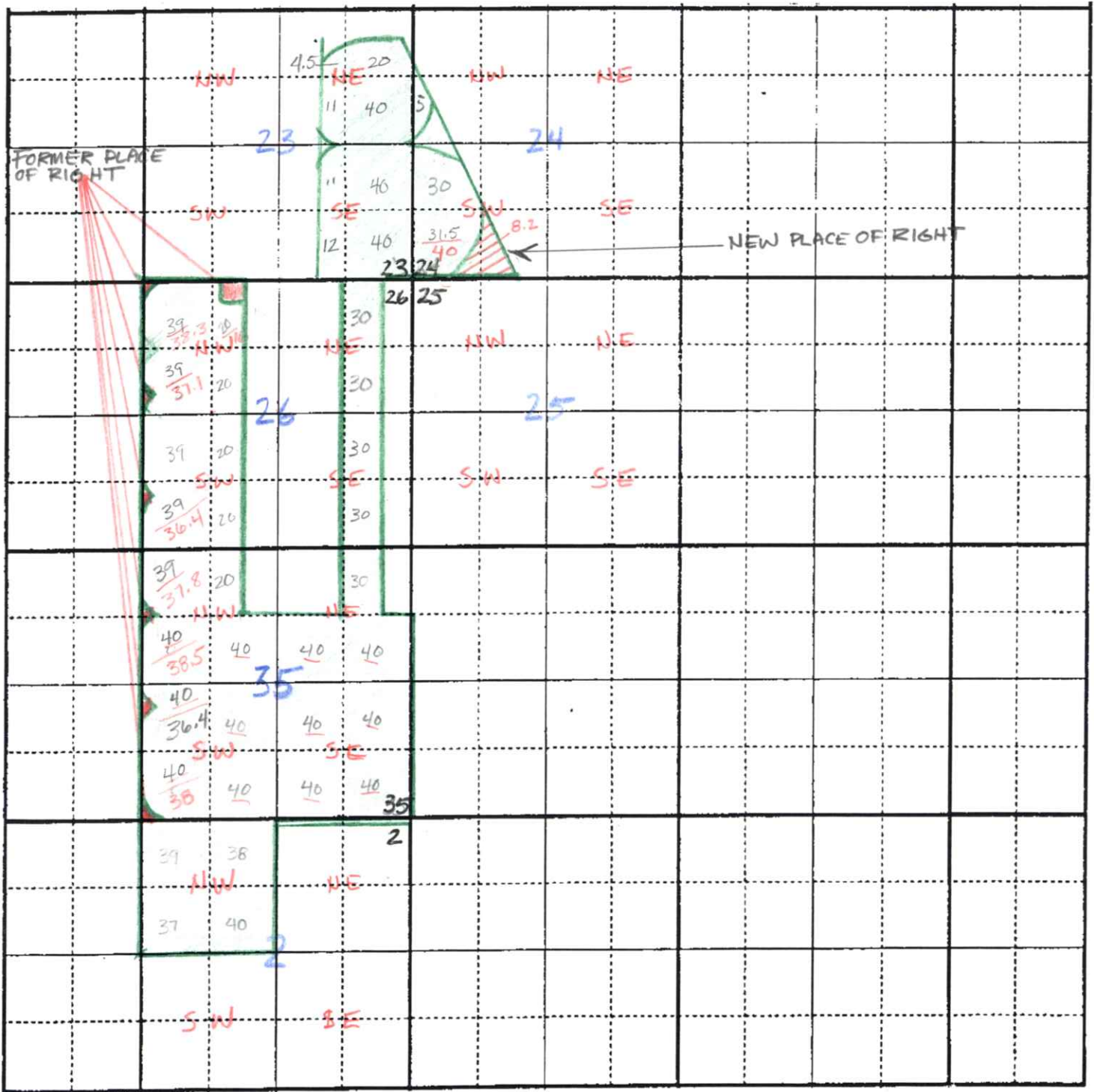
Remarks:

Comments:

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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 rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

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

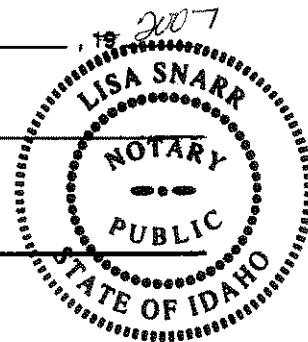
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 27th day of February, 192007

(Signature of Applicant)

Vice President

(Notary Public)

My commission expires 10/12/12

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachmentsReceived by TG Date 2-27-07

Protest filed by _____

Prelim. check by _____ Fee \$250Receipted by TG E032646 Date 2-27-07Published in Rexburg Standard Journal

Copies of protest forwarded by _____

Pub. dates _____

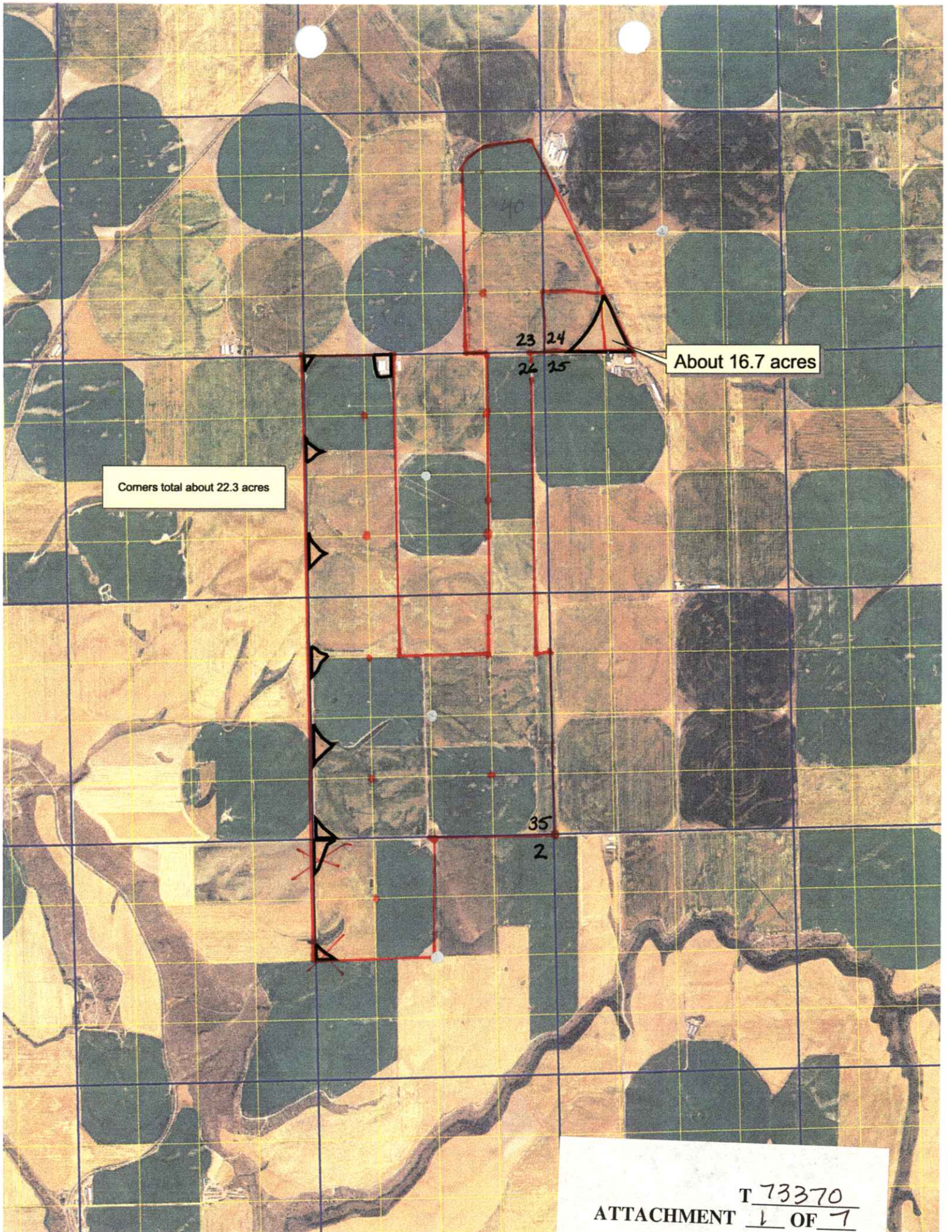
Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____



About 16.7 acres

Corners total about 22.3 acres

Corners total about 22.3 acres

23 24
26 25

About 16.7 acres

35
2

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ATTACHMENT 2 OF 7

Existing water Right

Section	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
	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	
23	20	4.5	11	40			5			30	31.5		40	11	12	40	178.5
24																	66.5
26	30			30	20	39	39	20	20	39	39	20	30			30	356
35	30	40	40		20	39	40	40	40	40	40	40	40	40		40	569
2					38	39	37	40									154
																	1324

Proposed Transfer

Section	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
	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	
23	20	4.5	11	40			5			30	40	8.2	40	11	12	40	178.5
24																	83.2
26	30			30	16	38.3	37.1	20	20	39	36.4	20	30			30	346.8
35	30		40	40	20	37.8	38.5	40	40	36.4	38	40	40	40		40	560.7
2					38	39	37	40									154
																	1323.2

No. C 40676

Due no later than March 31, 2007

Return to:

SECRETARY OF STATE
700 WEST JEFFERSON
PO BOX 83720
BOISE, ID 83720-0080

Annual Report Form

1. Mailing Address - Correct in this box, if applicable

TRS FARMS, INC.
THOMAS G WEBSTER
PO BOX 671
REXBURG, ID 83440

2. Registered Agent and Office

R SHANE WEBSTER
1370 S 2ND EAST
REXBURG, ID 83440

3. New Registered Agent Sign

NO FILING FEE IF
RECEIVED BY DUE DATE

4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

Office held	Name	Street or P.O. Address	City	State	Zip
President	Rob Webster	430 Yale Ave	Rexburg	ID	83440
V.P.	Shane Webster	1370 S. 2nd E.	Rexburg	ID	83440
Director	Tom Webster	309 Yale Ave	Rexburg	ID	83440

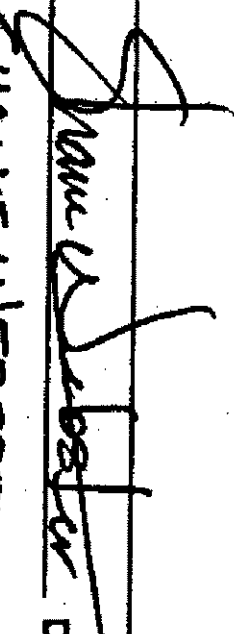
5. Organized Under the Laws of:

IDAHO
C 40676

6.

Signature

Name (Typed or Printed)


SHANE WEBSTER Title VICE PRESIDENT

Date 1-22-07

Issued 01/02/2007

Do Not Tape or Staple

200703000284

T 73370
ATTACHMENT 4 OF 7

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
22-7040					
22-2182					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

T R Webster + Sons Inc
309 Yale Ave Rexburg ID 83440

4. New Owner/Claimant(s)

TRS Farms

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

BOX 671

City, State and ZIP Code

Rexburg, ID 83440

New Telephone Number

(208) 359-1717, 709-3508

5. Date you acquired the property

FILED EFFECTIVE

2003 JUN 30 PM 2:22

SECRETARY OF STATE
STATE OF IDAHO

ARTICLES OF AMENDMENT
TO THE
ARTICLES OF INCORPORATION
OF
T. R. WEBSTER & SON, INC.

IDAHO SECRETARY OF STATE
07/01/2003 05:00
CK: 1161 CT: 66017 BH: 66027
1 38.00 = 38.00 AMEND PROF # 2

Pursuant to the provisions of Section 30-1-1001 et seq. of the Idaho Business Corporation Act, the undersigned corporation adopts the following Articles of Amendment to its Articles of Incorporation:

FIRST: The name of the corporation is T. R. Webster & Son, Inc.

SECOND: The following amendments of the Articles of Incorporation were adopted by the shareholders of the corporation on June 3, 2003, in the manner prescribed by the Idaho Business Corporation Act:

A. Article First is amended to read as follows:

The name of this corporation is TRS Farms, Inc.

B. Article Fifth of the Articles of Incorporation is amended to read as follows:

The total authorized stock of this corporation shall be 100,000 shares of voting common stock at no par value and 100,000 shares of nonvoting common stock at no par value. The only differences in the voting common stock and the nonvoting common stock shall be in their voting rights.

THIRD: The amendment shall be implemented in the following manner:

- A. Each stockholder holding shares of A preferred stock shall be issued 1.9 shares of voting common stock of the corporation for each share of A preferred stock.
- B. Each stockholder holding B preferred stock shall receive 2.9 shares of nonvoting common stock for each share of B preferred stock.
- C. Each stockholder holding common stock shall receive 2.9 shares of voting common stock for each share of common stock.

FOURTH: The Articles of Amendment were unanimously adopted by the shareholders and directors on June 3, 2003. Thirty Thousand (30,000) shares were entitled to vote on the amendment and all thirty thousand shares voted in the affirmative.

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ATTACHMENT 6 OF 7

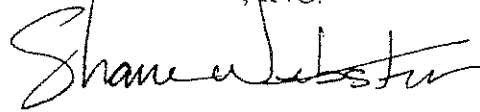
C 40676

FIFTH: The original Articles of Incorporation are confirmed in all other respects.

Dated this 27 day of June, 2003.

T. R. WEBSTER & SON, INC.

By:



Roy Shane Webster, Secretary

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