

Page 9 of 9STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 72283RECEIVED
APR 21 2005
WATER RESOURCES
WESTERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Kent Kohring Phone 208 845-2926
Post Office address 28924 Davis Rd, Bruneda, Id 83604

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 Need additional source of water to fulfill Water Rights served by two other wells.

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>51-02214</u>	<u>4/11/1966</u>	<u>4.04 cfs 1560 AFY</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
<u>51-12977</u>	<u>3/15/1956</u>	<u>3.295 cfs 636 AFY</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
			<u>Stockwater</u>	<u>1-1</u> to <u>12-31</u>

2. Total amount of water being transferred 7.335 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
4	NW	NW	NW	25	6S	4E	Owyhee	Kohring well (proposed)
	SW	SW	NW	25	6S	4E	Owyhee	Existing well
	SW	SW	SW	26	6S	4E	Owyhee	Existing well
	SW	SW	SW	36	6S	4E	Owyhee	Existing well

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	
6S	4E	24																38	38.0
6S	4E	25	38	38			38	39	40	40	40								271.0
6S	5E	30					40	40	40	42									162.0

Total acres 471.0

PART 1

6. General Information:

a. Description of diversion system Well, pipeline, and/or cement ditch
and regulating pond.

X 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:

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 _____

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

PART 2

(Attach one copy for each right)

SEE ATTACHED**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right 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 a 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 Quitclaim Deed**3. Source of water** _____ tributary to _____**4. Date or priority** _____**5. Water is used for the following purpose:**

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 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	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

PART 2

Transfer No. _____

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 _____ for _____ purposes from _____ to _____
(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

3. 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	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
(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

3. 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	

Total acres _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 51-02214

2004 MAY 19 PM 2:22

100% SRBA
TWIN FALLS, IDAHO
FILED *mm*

NAME AND ADDRESS: KENT KOHRING
VIRGINIA KOHRING
HC 85 BOX 140
BRUNEAU, ID 83604

SOURCE: GROUNDWATER

QUANTITY: 4.04 CFS
1560.00 APY

PRIORITY DATE: 04/11/1966

POINT OF DIVERSION: T06S R04E S25 SWSNW Within Owyhee County
S36 SWSWSW

TWO POINTS OF DIVERSION LOCATED IN T06S, R04E, S36, SWSW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	4.04 CFS 1560.00 APY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE MARCH 15 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.

PLACE OF USE:	Irrigation	Within Owyhee County
T06S R04E S24	SESE 38.0	
S25	NENE 38.0	NWNE 36.0
	NENW 38.0	NWNW 39.0
	SWNW 40.0	SENE 40.0
	NESW 40.0	
R05E S30	NENW 40.0	LOT 1 (NWNW) 40.0
LOT 2	(SWNW) 40.0	SENE 42.0
471.0 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 312 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 471 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-12977.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 51-12977

2004 MAY 21 PM 2:32
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *mm*

NAME AND ADDRESS: KENT KOHRING
VIRGINIA KOHRING
HC 85 BOX 140
BRUNEAU, ID 83604

SOURCE: GROUNDWATER

QUANTITY: 3.295 CFS
636.00 APY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 03/15/1956

POINT OF DIVERSION: T06S R04E S25 SWSWNW Within Owyhee County
S36 SWSWSW

TWO POINTS OF DIVERSION LOCATED IN T06S, R04E, S36, SWSW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	3.18 CFS
	Stockwater	01-01 TO 12-31	0.115 CFS

PLACE OF USE:	Irrigation	SESE 38.0	Within Owyhee County
	T06S R04E S24	NENE 38.0	NWNE 36.0
	S25	NENW 38.0	NWNW 39.0
		SWNW 40.0	SENW 40.0
		NESW 40.0	
	R05E S30	NENW 40.0	LOT 1 (NWNW) 40.0
	LOT 2	(SWNW) 40.0	SENW 42.0
	471.0 Acres Total		
	Stockwater		Within Owyhee County
	Same as Irrigation		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 159 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 471 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-02214.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

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. I.C. SECTION 42-1412(6).

IDAHO DEPARTMENT OF WATER RESOURCES

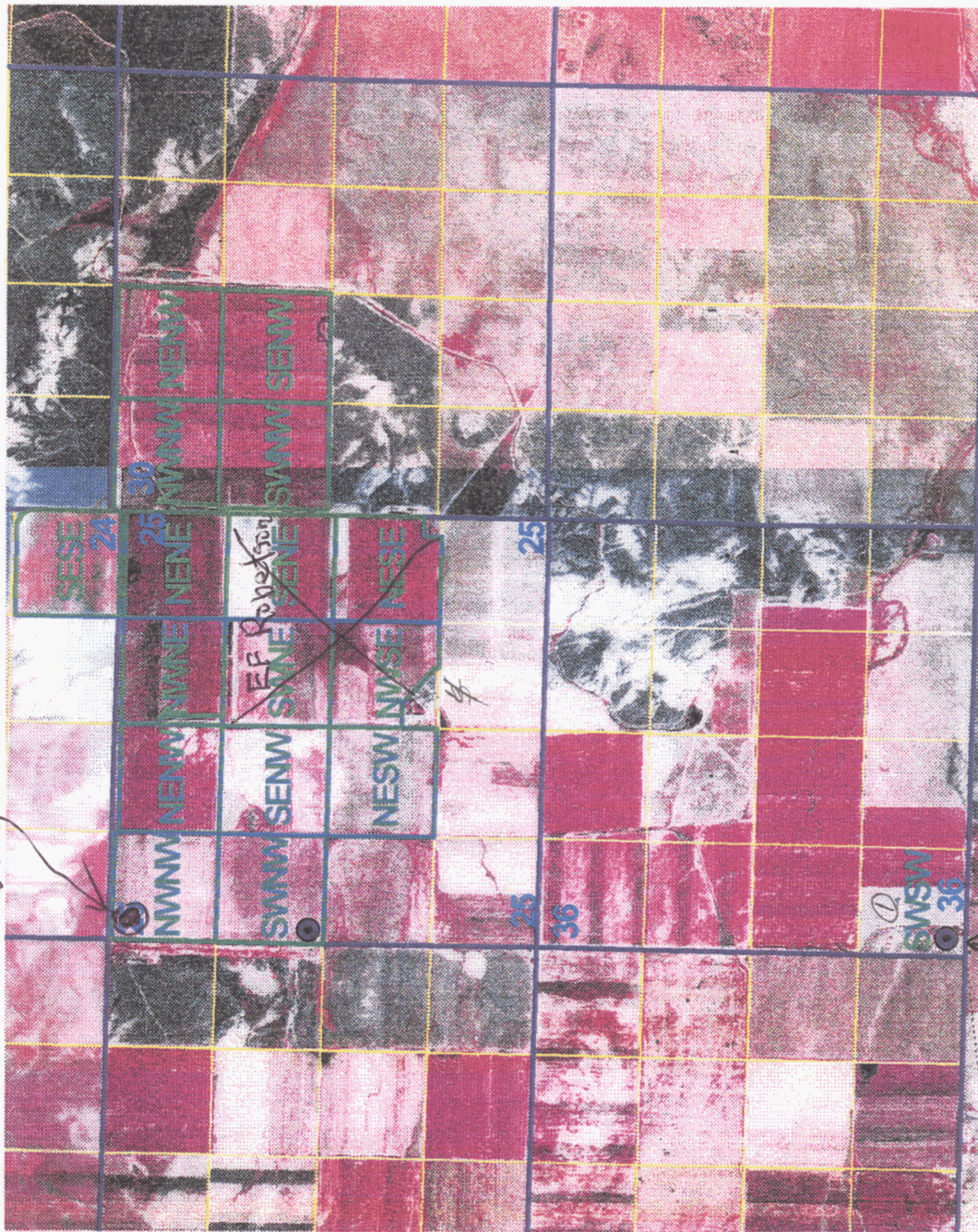
T6S, R04E, S24 & S25

T6S, R05E, S30



1987 NAPP PHOTO

New Point of Division



POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

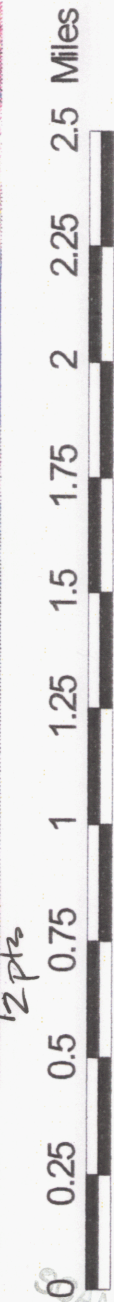
CLAIM(S): 51-12977
51-02214 & 51-04000A

OWNER(S): TRI-VIAL INC

Kent Kohring
Prepared by Mel Schulte

DATE: AUGUST 13, 1998

Page 7 of 9



12 pts

SCANNED
SEP 14 2005

Approved
July 14

See Enclosed Map

**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.

The form consists of a large grid of squares, each divided into four smaller squares by dashed lines. This grid is used for drawing a map. In the middle-right portion of the grid, there is a rectangular stamp with a decorative border. The text inside the stamp is faint and appears to be a date stamp: "JUN 10 1974".

PART 3**B. CHANGES IN NATURE OF USE**

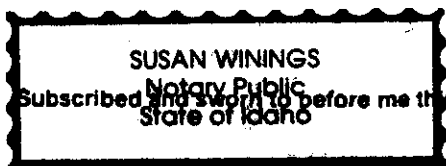
1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

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.

Kent Kohring

(Signature of Applicant)

11

day of

April19 2005Susan Winings

(Notary Public)

My commission expires 8-1-09**FOR DEPARTMENT USE ONLY**Transfer contains 9 pages and 1 attachmentsReceived by JFW Date 4/21/05

Protest filed by _____

Prelim. check by JFW Fee 100.00/430.00 Recept - W032833, W033349Received by JFW/LG Date 4/21/05

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

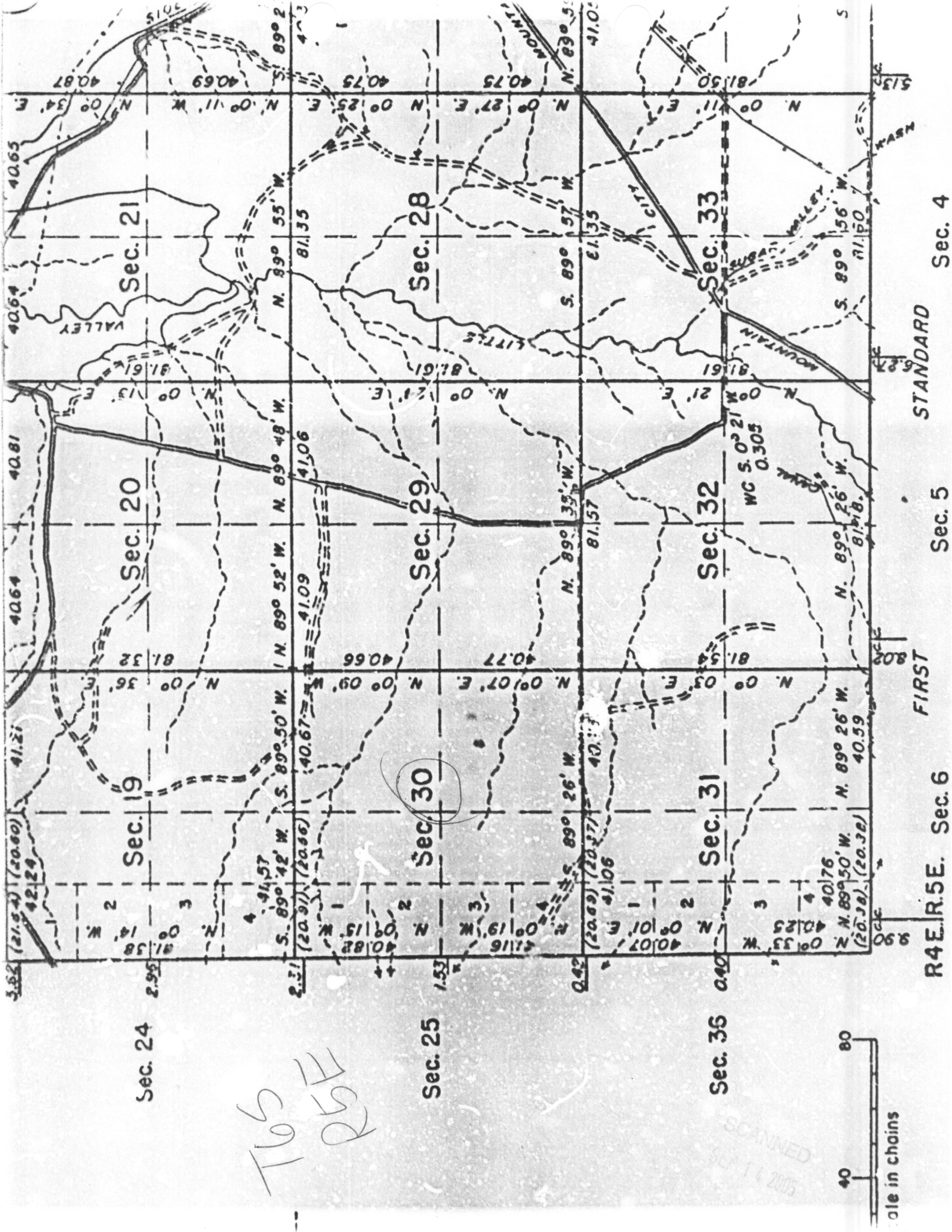
Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

T65
R5E



SCANNED
SEP 14 2005

QUITCLAIM DEED

FOR VALUE RECEIVED, TRI-VIAL, INC., an Idaho corporation, and EUGENE FRANK ROBERTSON and SUSAN GAIL ROBERTSON, husband and wife, hereinafter called the Grantors, hereby sell, assign, transfer and convey unto KENT G. KOHRING and VIRGINIA KOHRING, husband and wife, hereinafter called the Grantee, whose current address is HC 85, Box 140, Bruneau, Idaho 83604, all of the right, title and interest of Grantors in and to that certain real property situated in Owyhee County, Idaho, described in Exhibit 2, which is attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the same premises, with their appurtenances, unto the said Grantee and to the Grantee's successors and assigns, forever.

DATED this 10TH ^{Sept.} day of July, 2002.

TRI-VIAL, INC.

By: Susan Gail Robertson
SUSAN GAIL ROBERTSON, President

ATTEST: Eugene Frank Robertson
EUGENE FRANK ROBERTSON, Secretary

Eugene Frank Robertson
EUGENE FRANK ROBERTSON

Susan Gail Robertson
SUSAN GAIL ROBERTSON

Instrument # 240924

MURPHY, OWYHEE, IDAHO

2002-09-13 02:31:31 No. of Pages: 3

Recorded for: JIM JONES

CYNTHIA A. EATON

Ex-Officio Recorder Deputy

Index to: DEED, QUIT-CLAIM

Fee: 9.00

CALLAHAN

STATE OF IDAHO)
County of Canyon) ss.
County of Ada)

On the 10th day of Sept., 2002, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared SUSAN GAIL ROBERTSON and EUGENE FRANK ROBERTSON, known or identified to me to be the President and Secretary, respectively, of Tri-Vial, Inc., an Idaho corporation whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same in such capacity.

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

(seal)

[Signature]
Notary Public for Idaho
Residing at: [Signature]
My Commission Expires: 9.30.03

STATE OF IDAHO)
County of Canyon) ss.
County of Ada)

On the 10th day of Sept., 2002, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared EUGENE FRANK ROBERTSON and SUSAN GAIL ROBERTSON husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

(seal)

[Signature]
Notary Public for Idaho
Residing at: [Signature]
My Commission Expires: 9.30.02

EXHIBIT 2

The following-described real property located in Township 6 South, Ranges 4 and 5 East, Boise Meridian, Owyhee County, Idaho:

Parcel 1:

Section 25: NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, T6S, R4E.

Section 24: SE $\frac{1}{4}$ SE $\frac{1}{4}$, T6S, R4E.

Section 30: E $\frac{1}{2}$ NW $\frac{1}{4}$ and Government Lot Nos. 1 and 2, T6S, R5E.

Parcel 2:

Section 25: NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Parcel 3: (Residence)

That portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 6 South, Range 4 East, Boise Meridian, Owyhee County, Idaho described as follows:

Commencing at the Southwest corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, thence East a distance of 189 feet; thence North a distance of 132 feet to the TRUE POINT OF BEGINNING; thence North a distance of 306 feet; thence East a distance of 142 feet; thence South 40° East a distance of 232 feet; thence South 52°39'25" West a distance of 211.48 feet; thence West a distance of 123 feet to the TRUE POINT OF BEGINNING;

TOGETHER with an easement for ingress, egress and utilities over the East 20 feet of the West 209 feet of the South 132 feet of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25.

TOGETHER with all water and water rights appurtenant to the above-described parcels.

TOGETHER with and subject to existing rights of way for ditches, irrigation works, and irrigation maintenance roads for the above-described parcels and adjoining properties of Eugene Frank Robertson and Gail Robertson.

Susan