

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

Transfer No. 71551

NOV 14 2003

APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 1

Department of Water Resources

Eastern Region
 Name of Applicant

The Thelma Redford Spousal Trust Phone 208-648-7767

Post Office address

2882 Nipper Road Bancroft, Idaho 83217

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 Use existing gravity flow pipeline for increased efficiency of water.

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>29-10121</u>	<u>7/06/1868</u>	<u>3.54 cfs</u>	<u>IRRIGATION</u>	<u>04/01</u> to <u>10/31</u>
<u>29-10122</u>	<u>7/06/1868</u>	<u>2.00 cfs</u>	<u>IRRIGATION</u>	<u>04/01</u> to <u>10/31</u>
<u>29-10123</u>	<u>6/17/1902 (Now)</u>	<u>1.80 cfs</u>	<u>IRRIGATION</u>	<u>04/15</u> to <u>07/01</u>
<u>29-10124</u>	<u>4/15/1885</u>	<u>.90 cfs</u>	<u>IRRIGATION</u>	<u>04/15</u> to <u>07/01</u>
<u>29-10125</u>	<u>6/17/1902 (Now)</u>	<u>2.28 cfs</u>	<u>IRRIGATION</u>	<u>04/15</u> to <u>09/15</u>
<u>29-13483</u>	<u>4/15/1886</u>	<u>.22 cfs</u>	<u>IRRIGATION</u>	<u>04/15</u> to <u>07/01</u>

2. Total amount of water being transferred 10.58 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Toponce Creek tributary to Portneuf River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SE	NW	35	06S	38E	CARIBOU	
	NW	NE	SE	34	06S	38E	CARIBOU	
	NW	NE	SW	35	06S	38E	CARIBOU	
	SW	SE	SE	33	06S	38E	CARIBOU	King Creek Pipeline

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

All places of use Remaining unchanged.
* See part 2 for Land description.

Total Acres _____

71551

i. General Information:

a. Description of diversion system Three points of diversion are for ditches and
New point of diversion is for gravity flow 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 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:
NO Change in place of use.

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 the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

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Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-10121

WATER RIGHT NUMBER: 29-10121

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROSS D REDFORD 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762
Directors Report Owner	THE THELMA REDFORD SPOUSAL TRUST 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762
Current Owner	KING CREEK GRAZING ASSN C/O WILDER HATCH, PRESIDENT 2787 KELLY TOPONCE RD BANCROFT, ID 83217

Priority Date: 07/06/1868

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
TOPONCE 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	3.536 CFS	619.50 AF
	<u>Total Diversion:</u>	3.536 CFS	619.50 AF

Location of Point(s) of Diversion

TOPONCE CREEK	SW1/4SE1/4NW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	NW1/4NE1/4SE1/4	Sec. 34, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	NW1/4NE1/4SW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU 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	38E	1	21.0	26.0	40.0	32.0	26.0	27.0	40.0	40.0	32.0	40.0	40.0	40.0	32.0	40.0	40.0	40.0	324.0
			L 1	L 2		L 5	L 3	L 4						L 6					

Total Acres: 324

Conditions of Approval:

71551

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-10121

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.

Remarks:

1. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 177 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. Explanatory THIS RIGHT IS A COMBINATION OF PART OF THE OLD RIGHT NOS.29-1, 29-2 AND 29-3; AND ALL OF RIGHTS 29-241 AND 29-242.

Comments:

1. cfritsch 4/14/2004 Data Entry Updates
Comment: Added diversion volume as required by Transfer No. 1560 at 3.5 AF per acre for a total of 619.5 AF. Updated explanatory material.
2. cfritsch 4/14/2004 Update Shapes
Comment: Shapes from Version 1 updated in SDE for PODs and POU.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-10122

WATER RIGHT NUMBER: 29-10122

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROSS D REDFORD 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762
Directors Report Owner	THE THELMA REDFORD SPOUSAL TRUST 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762
Current Owner	KING CREEK GRAZING ASSN C/O WILDER HATCH, PRESIDENT 2787 KELLY TOPONCE RD BANCROFT, ID 83217

Priority Date: 07/06/1868

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
TOPONCE 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	2.000 CFS	350.00 AF
	<u>Total Diversion:</u>	2.000 CFS	350.00 AF

Location of Point(s) of Diversion

TOPONCE CREEK	NW1/4NE1/4SW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	NW1/4NE1/4SE1/4	Sec. 34, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	SW1/4SE1/4NW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU 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	39E	6																	103.0
07S	39E	7	40.0	40.0	40.0		24.0				25.0	25.0			24.0				218.0
							L 1				L 2	L 3			L 4				

Total Acres: 321

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 29-10122

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
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.

Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 321 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-10123, 29-10125, 29-10124, 29-13483, & 29-10122.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Explanatory THIS RIGHT IS A COMBINATION OF A PORTION OF OLD RIGHT NOS. 29-1, 29-2 AND 29-3 RESULTING FROM TRANSFER NO. 1560.

Comments:

1. cfritsch 4/14/2004 Updated Shapes
Comment: Shapes from Version 1 updated in SDE for PODs and POU.
2. cfritsch 4/14/2004 Updated Data Entry
Comment: Added diversion volume required by Transfer No. 1560 at 3.5 AF per acre for a total of 350 AF. Updated or deleted various remarks to be consistent with draft SF5s.

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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 29-10123

WATER RIGHT NUMBER: 29-10123

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	ROSS D REDFORD 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762
Directors Report Owner	THE THELMA REDFORD SPOUSAL TRUST 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762
Original Owner	J A ELDREDGE
Current Owner	, ZZ KING CREEK GRAZING ASSN C/O WILDER HATCH, PRESIDENT 2787 KELLY TOPONCE RD BANCROFT, ID 83217

Priority Date: 06/17/1902

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 07/01	1.800 CFS	
	<u>Total Diversion:</u>	1.800 CFS	

Location of Point(s) of Diversion

TOPONCE CREEK CARIBOU County	SW1/4SE1/4NW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
TOPONCE CREEK CARIBOU County	NW1/4NE1/4SE1/4	Sec. 34, Twp 06S, Rge 38E, B.M.
TOPONCE CREEK CARIBOU County	NW1/4NE1/4SW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.

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	39E	6									28.0						40.0	35.0	103.0
											L 5								
07S	39E	7	40.0	40.0	40.0		24.0				25.0	25.0			24.0				218.0
							L 1				L 2	L 3			L 4				

Total Acres: 321

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 29-10123

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
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.

Remarks:

1. Priority Date This priority date is more accurately described as 6/17/1902 NOON.
2. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 321 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-10123, 29-10125, 29-10124, 29-13483, & 29-10122.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. Explanatory THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-116, 29-117, 29-118 AND 29-120.
5. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 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.

Comments:

1. cfritsch 4/14/2004 Updated Data Entry
Comment: Updated or deleted various remarks to be consistent with draft SF5s.
2. cfritsch 4/14/2004 Updated SDE
Comment: Shapes from Version 1 updated in SDE for PODs and POU.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-10124

WATER RIGHT NUMBER: 29-10124

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	ROSS D REDFORD 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762
Current Owner	KING CREEK GRAZING ASSN C/O WILDER HATCH, PRESIDENT 2787 KELLY TOPONCE RD BANCROFT, ID 83217
Original Owner	J A ELDREDGE
Directors Report Owner	, ZZ THE THELMA REDFORD SPOUSAL TRUST 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762

Priority Date: 04/15/1885

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 07/01	0.900 CFS	
	<u>Total Diversion:</u>	0.900 CFS	

Location of Point(s) of Diversion

TOPONCE CREEK	NW1/4NE1/4SW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	NW1/4NE1/4SE1/4	Sec. 34, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	SW1/4SE1/4NW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU 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	39E	6											28.0				40.0	35.0	103.0
													L 5						
07S	39E	7	40.0	40.0	40.0		24.0			25.0	25.0			24.0					218.0
							L 1			L 2	L 3			L 4					

Total Acres: 321

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-10124

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
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.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 321 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-10123, 29-10125, 29-10124, 29-13483, & 29-10122.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 45 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Explanatory THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-113 AND 29-115.
4. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 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.

Comments:

1. cfritsch 4/14/2004 Updated SDE
Comment: Shapes from Version 1 updated in SDE for PODs and POU.
2. cfritsch 4/14/2004 Updated Data Entry
Comment: Updated or deleted various remarks to be consistent with draft SF5s.

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-10125

WATER RIGHT NUMBER: 29-10125

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J A ELDREDGE
	, ZZ
Current Owner	KING CREEK GRAZING ASSN C/O WILDER HATCH, PRESIDENT 2787 KELLY TOPONCE RD BANCROFT, ID 83217
Previous Owner	ROSS D REDFORD 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762
Directors Report Owner	THE THELMA REDFORD SPOUSAL TRUST 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762

Priority Date: 06/17/1902

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 09/15	2.280 CFS	
	<u>Total Diversion:</u>	2.280 CFS	

Location of Point(s) of Diversion

TOPONCE CREEK	SW1/4SE1/4NW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	NW1/4NE1/4SE1/4	Sec. 34, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	NW1/4NE1/4SW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU 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	39E	6																	103.0
07S	39E	7	40.0	40.0	40.0		24.0			25.0	25.0		24.0						218.0
							L 1			L 2	L 3		L 4						

Total Acres: 321

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 29-10125

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
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.

Remarks:

1. Priority Date This priority date is more accurately described as 6/17/1902 NOON
2. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 321 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:29-10123, 29-10125, 29-10124, 29-13483, & 29-10122.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 114 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. Explanatory THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-109 AND 29-119.
5. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 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.

Comments:

1. cfritsch 4/14/2004 Updated SDE
Comment: Shapes from Version 1 updated in SDE for PODs and POU.
2. cfritsch 4/14/2004 Updated Data Entry
Comment: Updated or deleted various remarks to be consistent with draft SF5s.

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-13483

WATER RIGHT NUMBER: 29-13483

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	ROSS D REDFORD 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762
Current Owner	KING CREEK GRAZING ASSN C/O WILDER HATCH, PRESIDENT 2787 KELLY TOPONCE RD BANCROFT, ID 83217
Directors Report Owner	THE THELMA REDFORD SPOUSAL TRUST 2882 NIPPER RD BANCROFT, ID 83217 (208)648-7762

Priority Date: 04/15/1886

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 07/01	0.220 CFS	
	<u>Total Diversion:</u>	0.220 CFS	

Location of Point(s) of Diversion

TOPONCE CREEK	NW1/4NE1/4SE1/4	Sec. 34, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	NW1/4NE1/4SW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU County		
TOPONCE CREEK	SW1/4SE1/4NW1/4	Sec. 35, Twp 06S, Rge 38E, B.M.
CARIBOU 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	39E	6											28.0				40.0	35.0	103.0
													L 5						
07S	39E	7	40.0	40.0	40.0		24.0		25.0	25.0				24.0					218.0
							L 1		L 2	L 3				L 4					

Total Acres: 321

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 29-13483

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
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.

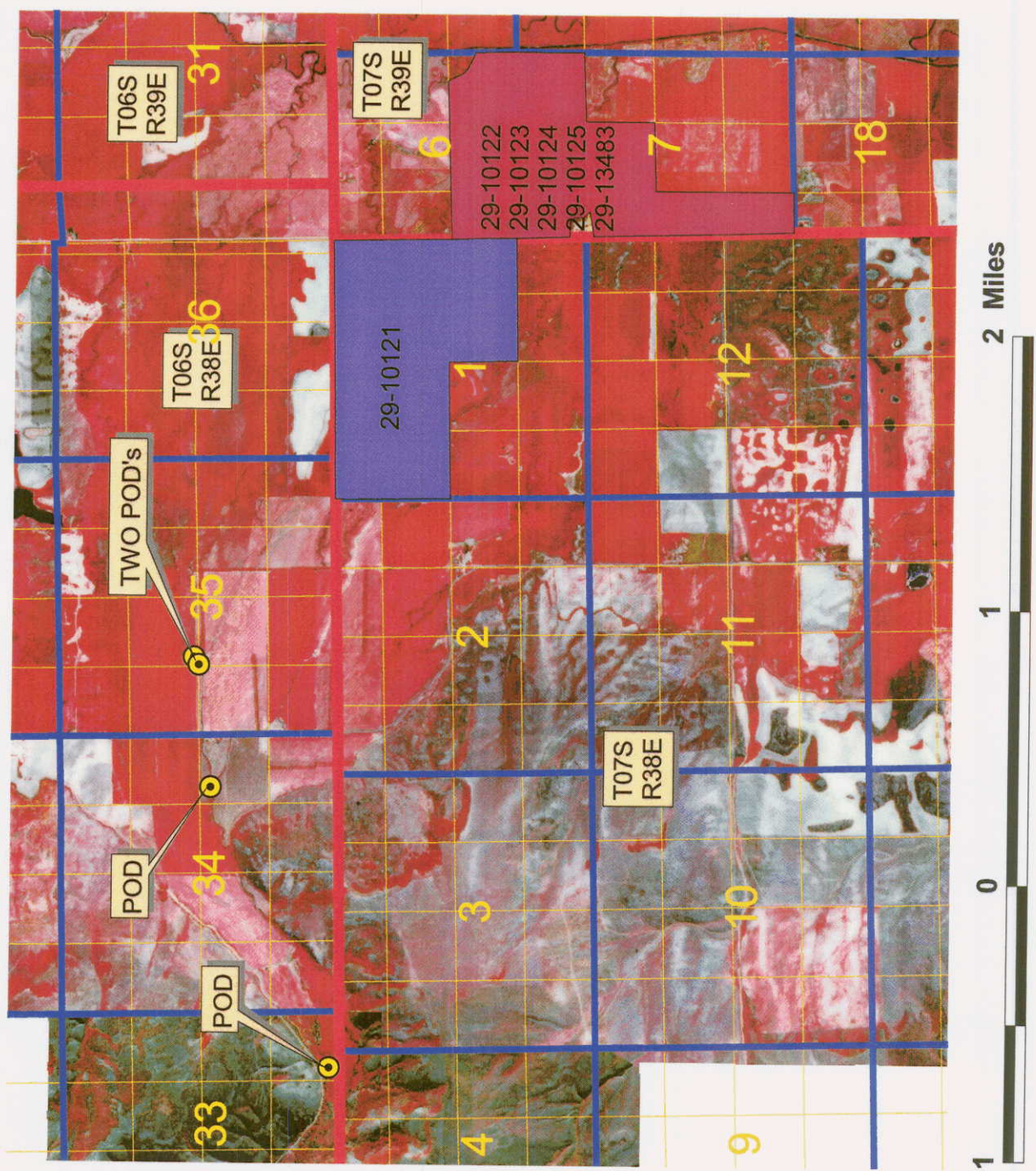
Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO TE IRRIGATION OF A COMBINED TOTAL OF 321 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-10122, 29-10123, 29-10124, 29-10125 AND 29-13483.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 11 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-114.
4. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 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.

Comments:

1. cfritsch 4/14/2004 Updated Data Entry
Comment: Updated or deleted various remarks to be consistent with draft SF5s.
2. cfritsch 4/14/2004 Updated SDE
Comment: Shapes from Version 1 updated in SDE for PODs and POU

Redford/King Creek Grazing



PART 3

4. CHANGES IN NATURE OF USE

1.

New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
<u>No changes.</u>			to _____ to _____
2. Quantity and quality of return flows and location of discharge:
N/A
3. Describe effects on other water uses resulting from the proposed change:
Based upon priority dates - no effects.

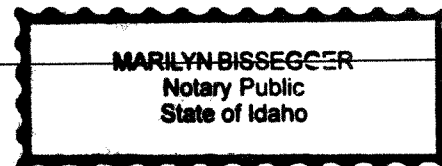
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

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

Richard W. Redford
(Signature of Applicant)

Subscribed and sworn to before me this 13th day of November, 20 03.

M. Bissegger
(Notary Public)



My commission expires 04/08/08

FOR DEPARTMENT USE ONLY

Transfer contains 16 pages and 5 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee _____

Receipted by Se Date 11/17/03 EO29363 + EO30439 11/29/04

Published in Caribou Co. Sun Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

THE ROSS AND THELMA REDFORD FAMILY TRUST

This Trust Agreement, dated this 11 day of August, 2000, is made by Ross D. Redford and Thelma V. Redford, hereinafter referred to collectively as "the grantors" or individually as "the grantor", and Ross D. Redford and Thelma V. Redford, hereinafter referred to collectively or individually as "the trustee."

CREATION OF TRUST

By execution of this Agreement, the grantors transfer to the trustee the property described in Schedule A attached hereto and the trustee accepts such property as the initial trust estate. The trust estate shall also include all property hereafter transferred to this trust. Property transferred to this trust shall not lose its character as the community or the separate property of the grantors. All property transferred to the trust is community property unless such property is identified as the separate property of either grantor.

The trustee shall hold and dispose of the trust estate upon the terms set forth in this Agreement. This trust shall be known as The Ross and Thelma Redford Family Trust.

PART ONE

ADMINISTRATION AND DISPOSITION OF TRUST ESTATE DURING THE JOINT LIVES OF THE GRANTORS

ARTICLE 1-1: DISPOSITION OF INCOME AND PRINCIPAL

1-1.1: Direction From the Grantors. As long as both of the grantors are living, the trustee shall (i) hold, manage, and invest the trust estate, and (ii) distribute income and principal as either grantor may specify, except that one grantor may not direct the trustee with respect to property transferred to the trustee which constitutes the separate property of the other grantor.

1-1.2: Absence of Direction. In the absence of effective direction from either grantor, as long as both of the grantors are living, the trustee shall pay to the grantors, or apply for their benefit, all, none or such part of the income and principal as the trustee shall from time to time determine to be advisable to provide for their health, maintenance, support and reasonable comfort in their accustomed manner of living. In the trustee's absolute discretion, the trustee may also pay to or apply for the benefit of any one or more of the

PART TWO

DISPOSITION OF TRUST ESTATE UPON DEATH OF THE FIRST GRANTOR TO DIE

The provisions of this Part Two shall apply upon the death of the first of the grantors to die.

ARTICLE 2-1: TRUST IRREVOCABLE

Upon the death of the grantor who dies first (hereafter referred to as the "deceased spouse"), the trust hereby created shall become irrevocable except as to The Spousal Trust and the surviving grantor (hereafter referred to as the "surviving spouse") shall thereafter have no power to amend the provisions of this instrument (except The Spousal Trust).

ARTICLE 2-2: PAYMENT OF DEBTS, EXPENSES AND TAXES

2-2.1: Direction to Pay Debts, Expenses and Taxes. Upon the deceased spouse's death, the trustee may pay (a) the expenses of the deceased spouse's last illness, funeral and burial, and any other debts incurred by, or for the support of, the deceased spouse, (b) all inheritance, estate and other death taxes that become payable by reason of the deceased spouse's death, and all unpaid income and gift taxes of the deceased spouse, including interest and penalties on all such taxes, and (c) the expenses of administering the deceased spouse's estate, if any. The trustee shall first apply to the payment of federal estate taxes any United States Treasury bonds held in the trust estate of the kind commonly referred to as discount bonds, redeemable at par in payment of such taxes.

2-2.2: Allocation of Debts, Expenses and Taxes. All such debts, expenses and taxes incurred at the first death shall be charged against and deducted from the portion of the trust estate that is allocated to The Sheltered Trust under the provisions of section 2-3.2. The trustee may make such payments from income of The Sheltered Trust.

ARTICLE 2-3: CREATION OF SEPARATE TRUSTS

2-3.1: Creation of Separate Trusts. Upon the death of the deceased spouse, the trustee shall divide the portion of the trust estate not effectively disposed of under the previous provisions herein, including any additions thereto received under the terms of the deceased spouse's will or as proceeds of insurance on the life of the deceased spouse or otherwise, into three separate trusts, designated The Spousal Trust, The Marital Trust and The Sheltered Trust. Such trusts shall be held as separate trusts and administered and distributed in accordance with the following provisions.

2-3.2: Allocation of Assets.

(a) The Spousal Trust. The Spousal Trust shall consist of the following:

- (1) The surviving spouse's share of the community estate.
- (2) The property comprising the surviving spouse's separate property, including the proceeds of any insurance policy on the life of the deceased spouse payable to the trustee and which was the surviving spouse's separate property.
- (3) Any property specifically designated as property of The Spousal Trust received by the trustee under the terms of the deceased spouse's will or under any other document.
- (4) Jewelry, clothing, household furniture, appliances, furnishings, books, paintings, heirlooms and other tangible personal property of a similar nature (other than money, evidences of indebtedness, documents of title, securities, motor vehicles, recreation vehicles, and property used in a trade or business).

(b) The Marital Trust.

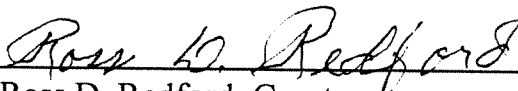
- (1) The Marital Trust shall consist of property in a pecuniary amount equal to the maximum marital deduction available to the deceased spouse's estate for federal estate tax purposes, reduced by the aggregate amount allowed as a marital deduction for interests passing or that have passed to the surviving spouse otherwise than by the terms of this subsection 2-3.2(b).
- (2) Taking into consideration the state death tax credit to the extent it does not increase the amount of taxes payable by reason of the deceased spouse's death and taking into consideration all other credits, exclusions, exemptions and other deductions available to the deceased spouse's estate, if the marital deduction available by virtue of the foregoing transfer to The Marital Trust and other qualifying transfers is more than necessary to eliminate the federal estate tax payable by reason of the deceased spouse's death, the foregoing transfer shall be reduced so that, when added to other qualifying transfers, the aggregate amount of the foregoing and other qualifying transfers is equal to the marital deduction necessary to eliminate such federal estate tax, or if other qualifying transfers are more than necessary to eliminate the federal estate tax, the foregoing transfer shall be reduced to zero. The transfer to The Marital Trust is not to be reduced by the potential personal liability of the surviving spouse on recapture of additional estate tax due on early disposition of the property or cessation to use it for qualified use or by the lien imposed on the property for the recapture tax under §2032A of the Code.

4-4.7: Code. All references in this Agreement or in amendments to this Agreement to the Code shall mean the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any subsequent federal tax law.

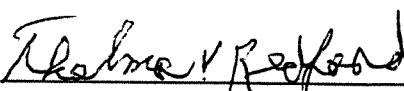
4-4.8: Other Principles of Construction. Words in any gender shall be deemed to include the other genders; the singular shall be deemed to include the plural and vice versa; the word "give" shall also mean devise and bequeath but shall not mean appoint; the words "pay" and "distribute" shall also mean assign and convey; and the table of contents, headings and underlined section titles are for guidance only and shall have no significance in the interpretation of this Agreement.

4-4.9: The Grantors' Family. For all purposes of this Agreement, the grantors have five (5) children whose names are: Edith Janice Thompson, Robert Van Redford, Shirley DeHart, Barry Kent Redford, and Ross Craig Redford. The grantors have one (1) deceased child, Robert Van Redford. For all purposes, his spouse, Lucille E. Redford, is to be treated as a child of the grantors. As used in this trust, the term children shall include the above named children and any other children lawfully born to or legally adopted by the grantors.

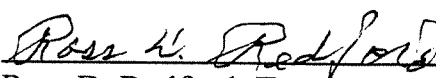
IN WITNESS WHEREOF, the grantors and the trustee have hereunto affixed their hands and seals, and the trustee has executed this Agreement consisting of thirty-three (30) pages (exclusive of the index and any attached Schedules) all as of the day and year first above written.



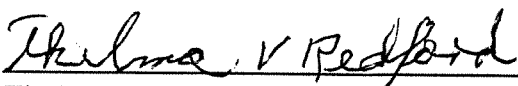
Ross D. Redford, Grantor



Thelma V. Redford, Grantor



Ross D. Redford, Trustee

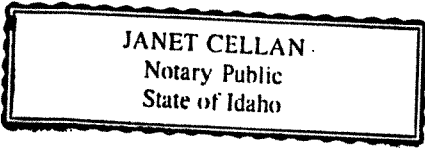


Thelma V. Redford, Trustee

STATE OF IDAHO)
)ss.
County of Caribou)

On the 11 day of August, 2000, before me, the undersigned, a notary public in and for said State, personally appeared Ross D. Redford and Thelma V. Redford, 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.

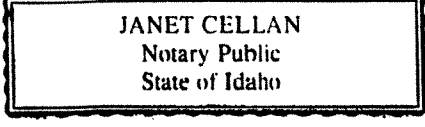
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(seal)  Janet Cellan
Notary Public for Idaho
Residing at Soda Springs, ID
My Commission Expires: 1-10-06

STATE OF IDAHO)
)ss.
County of Caribou)

On the 11 day of August, 2000, before me, the undersigned, a notary public in and for said State, personally appeared Ross D. Redford and Thelma V. Redford, known or identified to me to be the persons whose names are subscribed to the within instrument as trustee of and acknowledged to me that they executed the same as such trustee.

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

(seal)  Janet Cellan
Notary Public for Idaho
Residing at Soda Springs, ID
My Commission Expires: 1-10-06

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