

(Internet)

Page 1 of 2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 71043

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Superior L & L LLC Phone _____
Post Office address 3100 W 1000 S ABERDEEN, ID 83210

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 SELLING 5 ACRES OF GW RIGHT
TO: CARL HENSEN/TINA HENSEN
PO BOX 125
ABERDEEN ID 83210 328-2461

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
35-13489	1977	0.07	IRR	4/1 to 1/01
				to
				to
				to
				to

2. Total amount of water being transferred 0.01 cubic feet per second and/or 20 acre-feet per annum.

3. Source of water (GW) tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 5AC

STERLING

Tr1042

PART 1

6. General Information:

a. Description of diversion system WELL/PUMP TO SPRINKLER

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:
IT WILL BE 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 _____

page 3 of 5

T71043

Page 1

02/05/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-13489

WATER RIGHT NUMBER: 35-13489

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RONALD R BARTHOLOMA 2893 W 2200 S ABERDEEN, ID 83210-1850 (208)226-7730
Original Owner	THOMAS R BARTHOLOMA 2891 W 2200 S ABERDEEN, ID 83210-1850 (208)226-7277
Current Owner	SUPERIOR L & L LLC 3100 W 1000 S ABERDEEN, ID 83210

Priority Date: 06/09/1977

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.070 CFS	20.00 AF
	<u>Total Diversion:</u>	0.070 CFS	20.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 29, Twp 04S, Rge 31E, B.M.
BINGHAM 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	
04S	31E	29					5.0												5.0

Total Acres: 5

Conditions of Approval:

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:

T71043

page 4 of 5

Page 2

T71043

02/05/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 35-13489

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 1/31/2002
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

T71043

PART 3

B. CHANGES IN NATURE OF USE

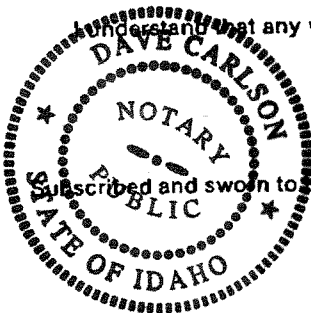
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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.



Reid S. Stunt Manager Superior Ltd.
(Signature of Applicant)

Subscribed and sworn to before me this 5 day of Feb, 2004

Dave Carlson
(Notary Public)

My commission expires 2/28/2008

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 13 attachments

Received by DC Date 2/5/2004

Protest filed by _____

Prelim. check by DC Fee \$100

E029517

Receipted by DC Date 2/5/2004

Published in Morning News

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 _____



Idaho Secretary of State
Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]

[Get a certificate of existence for SUPERIOR L & L, LLC]

SUPERIOR L & L, LLC

3100 W 1000 S
ABERDEEN, ID 83210

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING 26 Dec 2003

State of Origin: IDAHO

Date of 26 Dec 2003

Origination/Authorization:

Current Registered Agent: REID STEWART
3100 W 1000 S
ABERDEEN, ID 83210

File Number: W27550

Date of Last Annual Report: N/A

Amendments:

Amendment 0 filed 26 Dec 2003 ARTICLES OF ORGANIZATION

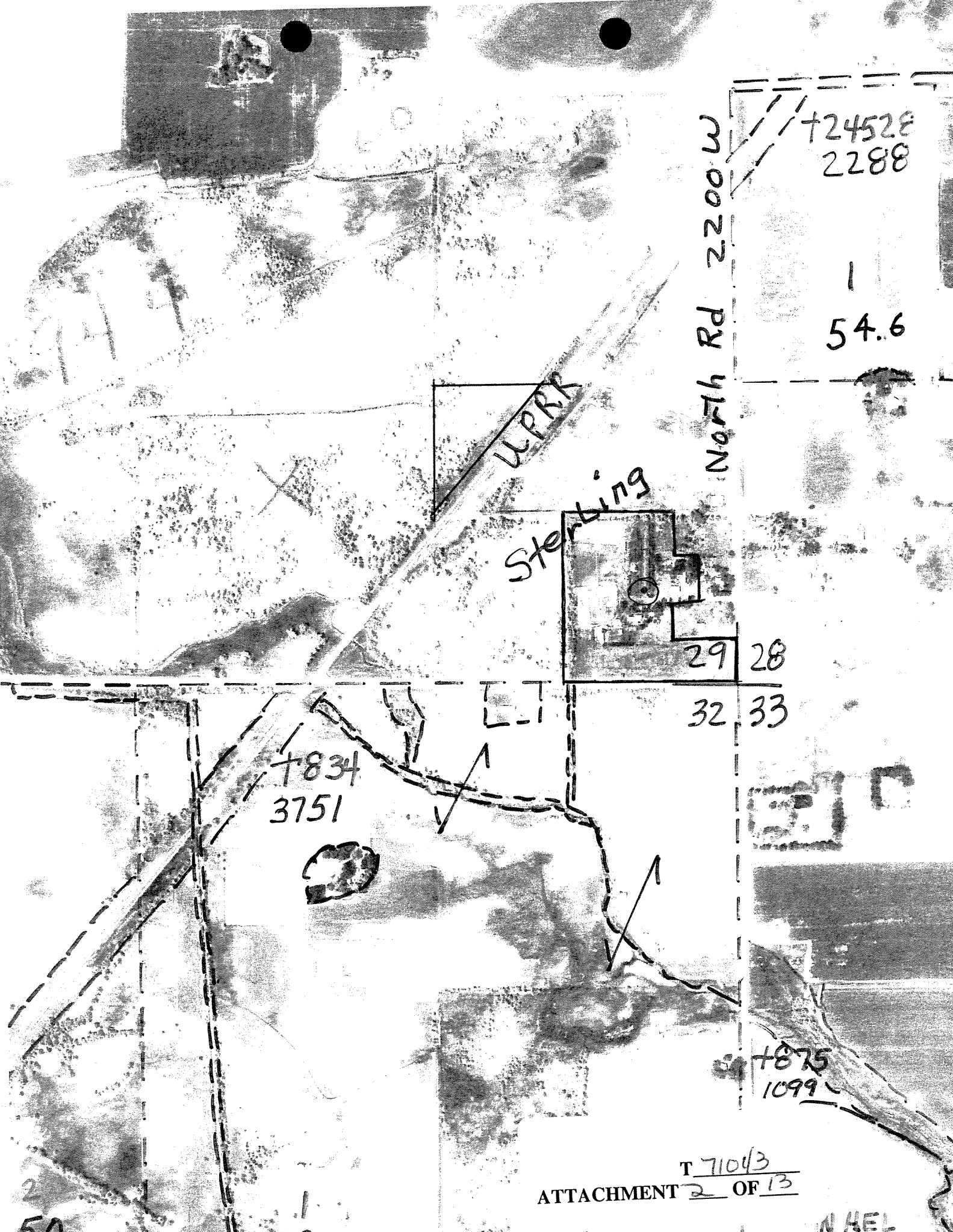
[View Document](#)
[Online](#)
[Download \(TIFF](#)
[format\)](#)

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

State of Idaho Home Page

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

ATTACHMENT 1 OF 13 T 71043



T 2452 E
2288

54.6

UPRR
Sterling

North Rd 2200 W

29 28
32 33

T 834
3751

T 875
1099

B49225

536226 WARRANTY DEED

For Value Received Ronald R. Bartholoma and Julie I. Bartholoma, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Superior L & L LLC

whose address is: 3100 West 1000 South, Aberdeen, ID 83210

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit

Township 4 South, Range 31 E.B.M., Bingham County, Idaho

Section 29: N $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 30: SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

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.

Dated: January 2, 2004

Ronald R. Bartholoma
Ronald R. Bartholoma

Julie I. Bartholoma
Julie I. Bartholoma

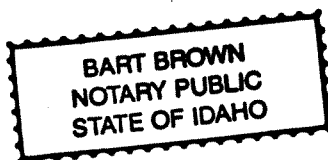
STATE OF Idaho)
COUNTY OF Power) ss.

FIRST AMERICAN TITLE COMPANY

RECORDED AT THE REQUEST OF
2004 JAN -5 PM 4:19
FEE 5.00 DEF
BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

On this 5 day of January, 2004, before me the undersigned, personally appeared Ronald R. Bartholoma, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that he executed the same.

Bart Brown
Notary Public of Idaho
Residing at: American Falls
Commission Expires: 1-5-05

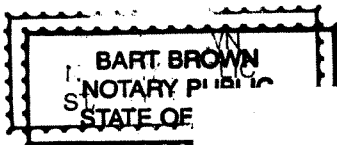


STATE OF Idaho)
COUNTY OF Power) ss.

536226

On this 5 day of January, 2004, before me the undersigned, personally appeared Julie I. Bartholoma, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that he executed the same.

Bart Brown
Notary Public of Idaho
Residing at: American Falls
Commission Expires: 1-5-05



T 71043
ATTACHMENT 3 OF 13

WATER RIGHT SALE AGREEMENT

Reid Stewart, manager, Superior L&L, LLC. (Seller)

Agrees to sell to

Carl K. Hensen and Tina M. Hensen, husband and wife, (Buyer):

15 acres of # 35-7677 together with .23 CFS

5 acres from NE NW S 29 4S 31E

5 acres from NW NW S 29 4S 31 E

2 acres from SW NW S 29 4S 31 E

2 acres from SE NE S30 4S 31E

1 acre from NE SE S 30 4S 31 E

15 Acres total @ \$500.00 per acre for a total of \$7,500.00 to be paid within TEN days of Idaho Department of Water Resources approval, if the Idaho Department of Water Resources approves said transfer within ONE year of the application. If the Idaho Department of Water Resources did not approve transfer of said rights within ONE year of the application, the parties will renegotiate this agreement, with the option to not renew.

It is agreed that payment will be made, in full, within TEN days of the approval of the transfer of said water rights. Should payment not be made as agreed, the buyer will be responsible for all costs of collection, and the cost of fees for the return of the water rights to the seller, and the sale shall be null and void. The seller will have a first mortgage position on the water rights and the land appurtenant to until paid in full.

DATED AND SIGNED this 2nd day of February, 2004

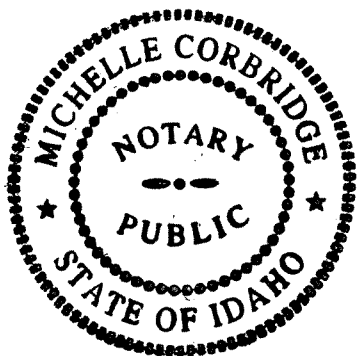
Carl K. Hensen

Carl K. Hensen

Tina M. Hensen

Tina M. Hensen

SUBSCRIBED AND SWORN to before me this 2nd day of February, 2004.



Michelle Corbridge

NOTARY PUBLIC FOR IDAHO

Residing at: Aberdeen

My commission expires: 08/28/2009

WATER RIGHT SALE AGREEMENT

Reid Stewart, manager, Superior L&L, LLC. (Seller)

Agrees to sell to

Carl K. Hensen and Tina M. Hensen, husband and wife, (Buyer):

15 acres of # 35-7677 together with .23 CFS

5 acres from NE NW S 29 4S 31E

5 acres from NW NW S 29 4S 31 E

2 acres from SW NW S 29 4S 31 E

2 acres from SE NE S30 4S 31E

1 acre from NE SE S 30 4S 31 E

15 Acres total @ \$500.00 per acre for a total of \$7,500.00 to be paid within TEN days of Idaho Department of Water Resources approval, if the Idaho Department of Water Resources approves said transfer within ONE year of the application. If the Idaho Department of Water Resources did not approve transfer of said rights within ONE year of the application, the parties will renegotiate this agreement, with the option to not renew.

It is agreed that payment will be made, in full, within TEN days of the approval of the transfer of said water rights. Should payment not be made as agreed, the buyer will be responsible for all costs of collection, and the cost of fees for the return of the water rights to the seller, and the sale shall be null and void. The seller will have a first mortgage position on the water rights and the land appurtenant to until paid in full.

DATED AND SIGNED this 5 day of Feb, 2004

Reid Stewart

Reid Stewart

SUBSCRIBED AND SWORN to before me this 5 day of Feb, 2004.

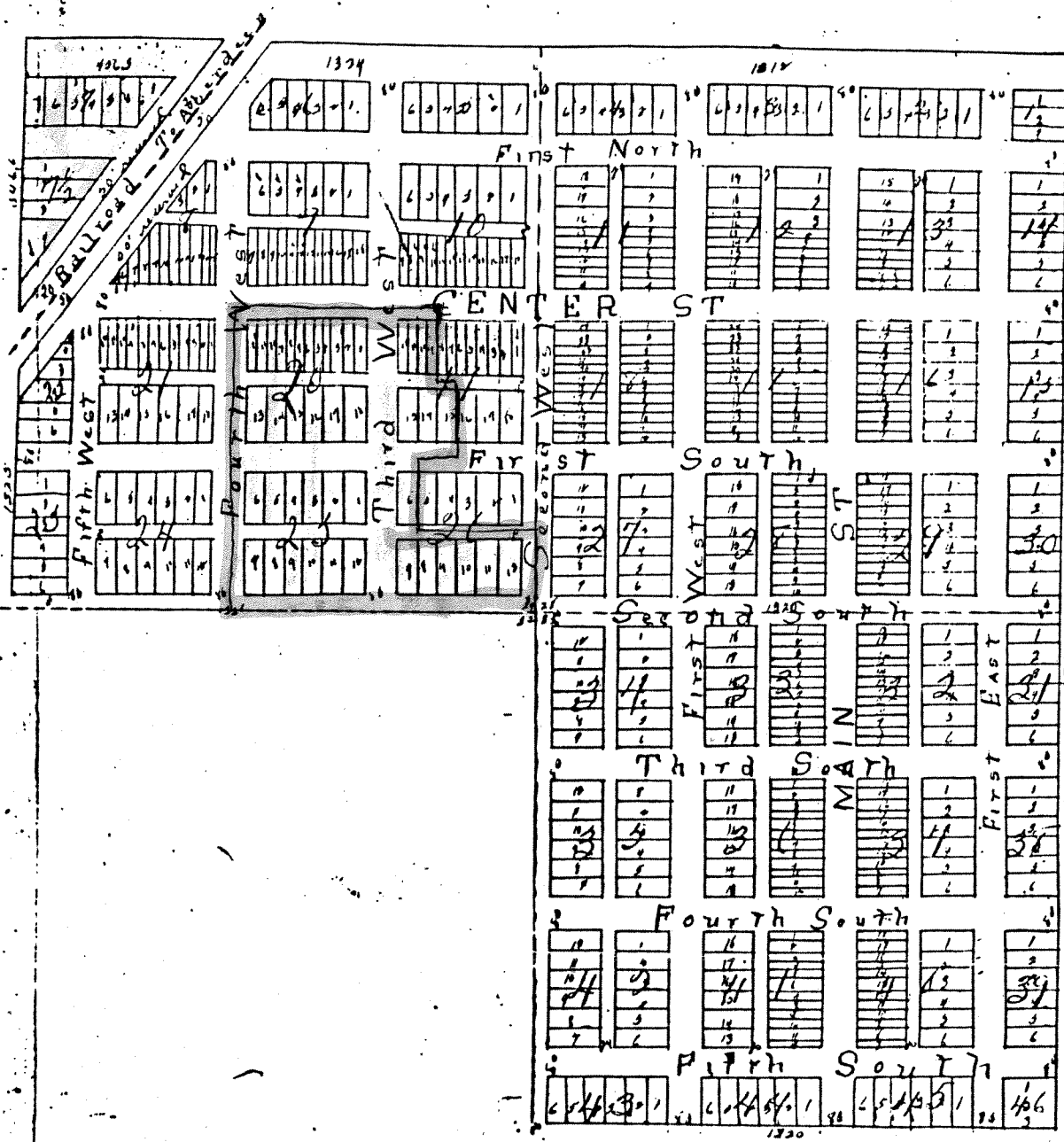


Dave Carlson

NOTARY PUBLIC FOR IDAHO

Residing at: Rigby, Id

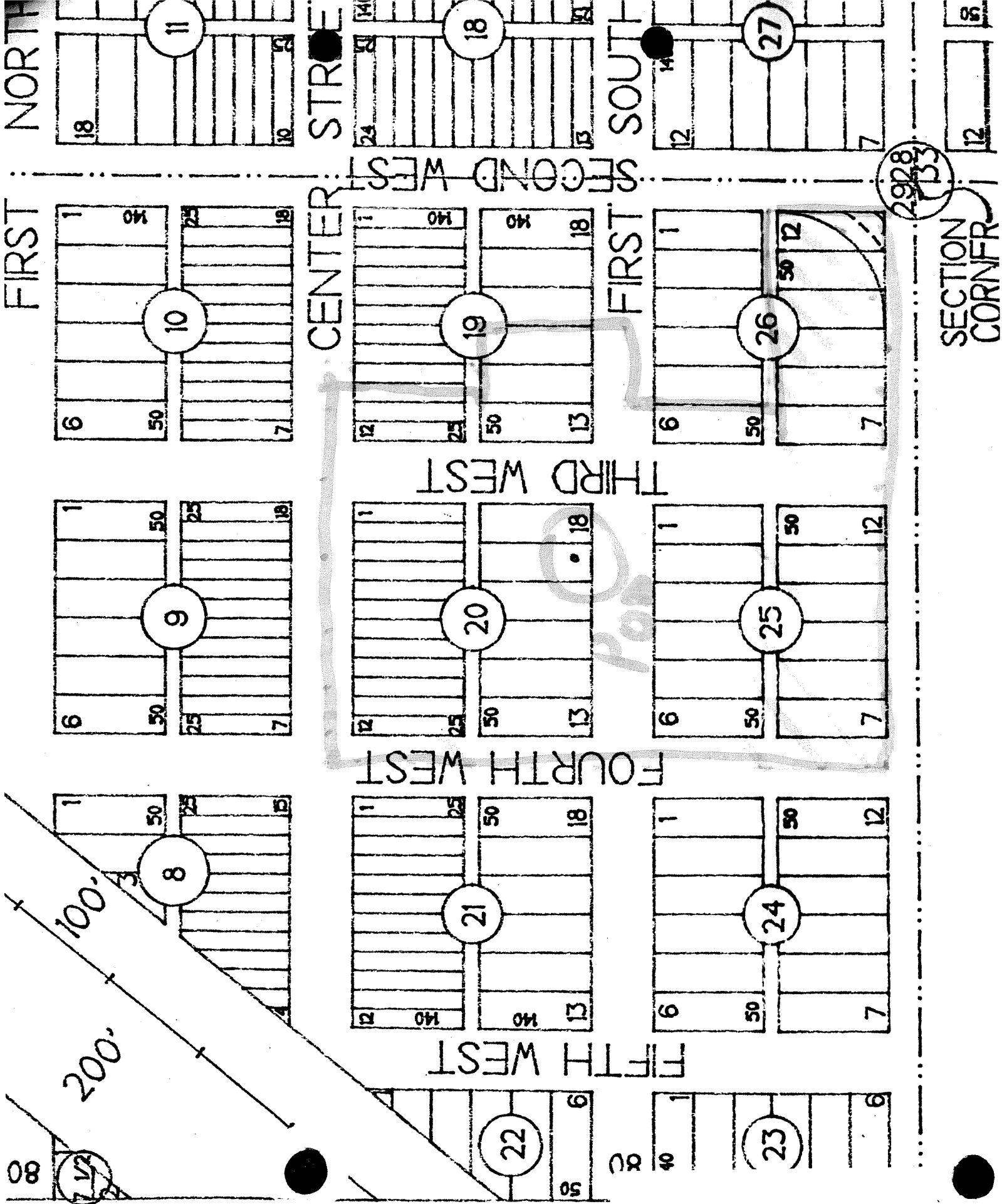
My commission expires: 2/28/2008



PLAT OF
TOWNSHIP OF STERLING
SCALE 200 FT. TO INCH.

Located in the NW 1/4 of the NW Sec. 17, T. 4 N., R. 4 E., S. 1.
I do hereby certify that the above copy of the survey as made by me.
James Young.
Subscribed and sworn to before me this
Seal W. H. Stuffle.

Surveyed and plotted July 25 to July 26, 1910.
Business lots 23x 140 Feet.
Residence lots 50x 140 Feet.
Recorded at the request of
A. Y. Butterfield Sept 14th, 1910
at 1:30 P M
P. W. Jordan, Recorder
By James Young



On this 9th day of 1900, personally before me, a notary public in and for said State, personally appeared

ATTACHMENT T 71043 7 OF 13

WARRANTY DEED

For Value Received STEVEN GLARBORG and PHYLLIS GLARBORG, husband and wife,
(known of record as Steven Glargorg)

the grantor^s , do hereby grant, bargain, sell and convey unto

CARL K. HENSEN and TINA HENSEN, husband and wife
whose current address is Box 125, Aberdeen, ID 83210

the grantee^s , the following described premises, in Bingham County Idaho, to wit:

Lots 1 to 6, Block 20 Sterling Townsite

All Block Seven and Block Seven and one-half, Sterling Townsite

Subject to taxes and assessments for the year 1987 and thereafter, to roads, easements and rights of way, to building and zoning ordinances and use regulations and restrictions and to liens and encumbrances suffered, assumed or occasioned by the grantees.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee^s, their heirs and assigns forever. And the said Grantor^s do hereby covenant to and with the said Grantee^s that they are the owner^s in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 2, 1987

Steven Glarborg
Steven Glarborg

Phyllis Glarborg
Phyllis Glarborg

STATE OF IDAHO, COUNTY OF Bingham
On this 2nd day of Feb., 1987,
before me, a notary public in and for said State, personally appeared

Steven Glarborg and Phyllis Glarborg

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Clarence E. Neff
Notary Public
Residing at Blackfoot, Idaho
Comm. Expires 11/16/91

357979

CHANDLER COUNTY RECORDER
BLACKFOOT, IDAHO
FEB 2ND 1987

1987 FEB -2 PM 2:15
Carl K. Hensen
RECORDED AT THE REQUEST OF

Furnished by the AMERICAN LAND TITLE CO., Blackfoot, Idaho

52704

451522

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

QUITCLAIM DEED

For Value Received

FKA. *Charlene D. Hansen CK.*WAYNE KNIGHT and ~~CHARLAINE KNIGHT~~, husband and wife
CHARLENE - WPK.

do hereby convey, release, remise and forever quit claim unto

CARL HENSEN and TINA HENSEN, husband and wife

whose current address is

P O BOX 125

ABERDEEN ID 83210

the following described premises, to-wit:

Lots 13, 14, and 15 in Block 19 of the Townsite of Sterling,
Bingham County, Idaho, according to the recorded plat thereof...FEE 300 DEP 217

97 FEB 13 AM 10:38

RECORDED AT THE REQUEST OF

*Carl Hansen**P.O. Box 125**Aberdeen, Id**83210*BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 300 DEP 217
97 APR - 1 PM 2:16
RECORDED AT THE REQUEST OF
Carl Hansen

together with their appurtenances.

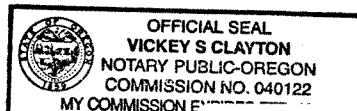
Dated: JANUARY 10, 1997

Wayne Knight
WAYNE KNIGHTFKA. *Charlene D. Hansen*
Charlene Knight CK.
CHARLAINE KNIGHT
CHARLENE - WPK.

STATE OF IDAHO, COUNTY OF BINGHAM

On this 23rd day of JANUARY, 19 97,
before me, a notary public in and for said State, personally
appearedWAYNE KNIGHT and ~~CHARLAINE KNIGHT~~*CHARLENE WPK.*known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.*Vickey S. Clayton*

Notary Public

Residing at *Evos Bay 02*Comm. Expires *2-10-99**Idaho*
Oregon

452704

Furnished by the

ALLIANCE
TITLE & ESCROW CORP.T 71043
ATTACHMENT 9 OF 13

3-11218

WARRANTY DEED

For Value Received PAUL HINKLE and ANITA HINKLE, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto CARL K. HENSEN and TINA M. HENSEN, husband and wife

whose current address is P.O. Box 125 Aberdeen, Idaho 83210

the grantees, the following described premises, in Bingham County Idaho, to wit:

Lots 3,4,5,6,7,8,9,10,11, and 12 in Block 19; Lots 7,8,9,10,11,12, 13,14,15,16,17, and 18 in Block 20; Lots 1,2,3,4,5,6,7,8,9,10,11, and 12 in Block 25; and Lots 7,8,9,10,11, and 12 in Block 26 of the Townsite of Sterling, Bingham County, Idaho, according to the recorded plat thereof.

Subject to taxes and assessments for the year 1986 and thereafter, to roads, easements and right of way, to building and zoning ordinances and use regulations and restrictions and to liens and encumbrances suffered, assumed or occasioned by the grantees...

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: July 9, 1986

Paul Hinkle
PAUL HINKLE

Anita Hinkle
ANITA HINKLE

STATE OF ~~Idaho~~ ^{Oregon} COUNTY OF ~~Bingham~~ ^{Todd}
On this ~~9th~~ ^{14th} day of July, 1986,
before me, a notary public in and for said State, personally
appeared

PAUL HINKLE and ANITA HINKLE

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

C. T. Gould
Notary Public

Residing at Blackfoot, Idaho
Comm. Expires 4/3/91 11/3/86

C. T. GOULD
NOTARY PUBLIC - OREGON

0350541

RECORDED AT THE REQUEST OF

1986 JUL 17 PM 3:03

RECORDED AT THE REQUEST OF

T 71043
ATTACHMENT 10 OF 13

Furnished by the AMERICAN LAND TITLE CO., Blackfoot, Idaho

QUITCLAIM DEED

For Value Received

Harley G. Adams
10 Edgewater Way Desert Aire
Mattawa, Washington 99344

do hereby convey, release, remise and forever quit claim unto

Carl K. Hensen
Box 125
Aberdeen, Idaho 83210

the following described premises, to-wit:

T4S R32E Sec 29
Sterling BLK 20
Lots 1 to 6

T4S R32 Sec 28
Sterling BLK 16 *sold to M.B.*
Lots 1 to 3

together with their appurtenances.

Dated: 10-12-83

Harley G. Adams

STATE OF IDAHO, COUNTY OF *Blaine*
On this *12th* day of *October* 19 *83*
before me, a notary public in and for said State, personally appeared *Harley G. Adams*

known to me to be the person whose name
is subscribed to the within instrument, and acknowledged to me that
the same.

Residing at *Blaine, Idaho* Notary Public
Comm. Expires *1984*, Idaho

RECORDING DATA:

SINCHAM COUNTY RECORDER
BLAKEFOOT, IDAHO
R. NO. *47* FEE *20* DEPT

'83 OCT 12 PM 1 09
312000

RECORDED AT THE REQUEST OF
Carl Hensen

532571

Warranty Deed

For Value Received

Holland R Robinson

the grantor, do hereby grant, bargain, sell and convey unto

Carl R. Hensen and
Tina Hensen

whose current address is 1090S. 2200W. Sterling ID. 83210

the grantee, the following described premises, in

County Idaho, to wit: Bingham

T4S R32E SEC 29
Sterling BLK 26
LOT. 6

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
heirs and assigns forever. And the said Grantor do hereby covenant to and with the said
Grantee, that he the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated:

9/26/03

Holland R Robinson / Holland R Robinson

STATE OF IDAHO, COUNTY OF

On this 26th day of September, 192003

before me, a Notary Public, and for said State, personally appeared

Holland R Robinson

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to me that
executed the same.

Carl R. Hensen

Residing at Blackfoot, ID Notary Public
Comm. Expires 4-21-09, Idaho

532571

2003 SEP 26 PM 1:53
RECORDED AT THE REQUEST OF
Carl R. Hensen
FEE 3-DEP
SINGAM COUNTY RECORDER
BLACKFOOT, IDAHO

52704

451522

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

QUITCLAIM DEED

FEE 300 DEP 227

97 FEB 13 AM 10:38

RECORDED AT THE REQUEST OF

Carl Hensen
P.O. Box 125
Aberdeen, ID
83210

For Value Received

FKA. Charleine D. Hensen CK.

WAYNE KNIGHT and CHARLAINE KNIGHT, husband and wife

CHARLEINE - W.B.K.

do hereby convey, release, remise and forever quit claim unto

CARL HENSEN and TINA HENSEN, husband and wife

whose current address is

P O BOX 125

ABERDEEN ID 83210

the following described premises, to-wit:

Lots 13, 14, and 15 in Block 19 of the Townsite of Sterling,
Bingham County, Idaho, according to the recorded plat thereof...BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 300 DEP 210
97 APR - 1 PM 2:16
RECORDED AT THE REQUEST OF
Carl Hensen

together with their appurtenances.

Dated: JANUARY 10, 1997

Wayne Knight
WAYNE KNIGHTFKA. Charleine D. Hensen
Charleine Knight CK.
CHARLAINE KNIGHT
CHARLEINE - W.B.K.

STATE OF IDAHO, COUNTY OF BINGHAM

On this 23rd day of JANUARY, 19 97,
before me, a notary public in and for said State, personally
appeared

WAYNE KNIGHT and CHARLAINE KNIGHT

CHARLEINE - W.B.K.

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Vickey S. Clayton

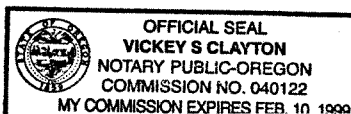
Notary Public

Residing at 6005 Bay 02

Comm. Expires 2-10-99

Idaho

Oregon



452704

Furnished by the

ALLIANCE
TITLE & ESCROW CORP.T 71043
ATTACHMENT 13 OF 13