

RECEIVED

MAY 10 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

89351

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) The Decker Springs West Diversion Water CompanyCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right to be transferred as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B. Part 2B is required for each water right for which a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☒ ☐ #10 Other. Please describe: Photos documenting resumed use of the entirety of Right Nos. 37-791B and 37-20490 during the 2023 irrigation season. See also necessary easements attached.

RECEIVED

MAY 10 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) The Decker Springs West Diversion Water Company Phone (208) 948-5000
 Mailing address 525 River Road, Bliss, Idaho 83314 Email e.gladewood@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

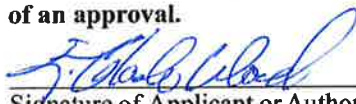
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Andrew J. Waldera, Sawtooth Law Offices, PLLC Phone 208-629-7447
 Mailing address 1101 W. River Street, Suite 110, Boise, ID 83702 Email andy@sawtoothlaw.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.


 Signature of Applicant or Authorized Representative

Evan G. Wood, Director
 Print Name and Title if applicable

4/30/2024
 Date

 Signature of Applicant or Authorized Representative

 Print Name and Title if applicable

 Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use
 ☒ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Please see attached narrative seeking to add a second point of diversion (original to also remain) and create an overall, uniform company-based permissible place of use ("PPU") served by a company-owned, operated, and maintained centralized pressurized irrigation system.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 13 2024

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

DEPT. OF WATER RESOURCES
SOUTHERN REGION

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ ☐	37-791A	0.34 cfs	Irrigation	3/15 to 11/15	Springs/Snake River
☒ ☐	37-791B	0.28 cfs	Irrigation	3/15 to 11/15	Springs/Snake River
☒ ☐	37-20490	0.32 cfs	Irrigation	3/15 to 11/15	Springs/Snake River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.94 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.94 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No		SE	NW	SE	21	6S	13E	Gooding	Spring	Upper Decker POD
Yes		SW	NW	SE	21	6S	13E	Gooding	Spring	redirection from stream
Yes		SE	NW	SE	21	6S	13E	Gooding	Spring	injection to stream
* NO		NW	NW	SE	21	6S	13E	Gooding	spring	Lower Decker POD

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

* Right 37-20490 only

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	13E	21									37			2.6		1.1			40.7
Total Acres (for irrigation use)																			40.7

7/13/24
Andrew Waldern

AMENDED

89351

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ ☐	37-791A	0.34 cfs	Irrigation	3/15 to 11/15	Springs/Snake River
☒ ☐	37-791B	0.28 cfs	Irrigation	3/15 to 11/15	Springs/Snake River
☒ ☐	37-20490	0.32 cfs	Irrigation	3/15 to 11/15	Springs/Snake River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.94 cfs and/or acre-feet.

2. Total amount of water proposed to be transferred or changed 0.94 cubic feet per second and/or acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
No		SE	NW	SE	21	6S	13E	Gooding	Springs	
Yes		SW	NW	SE	21	6S	13E	Gooding	Springs	

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	13E	21									37			2.6		1.1			40.7
Total Acres (for irrigation use)																			40.7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Spring collection boxes to existing pipeline to be modified to spring flow to natural drainage, pumped from sump at end of aqua culture raceways and pressured and conveyed by pipeline to place of use. Pumping plant to include flow meter if/as necessary.

- b. Who owns the property at the point(s) of diversion? Leo and Judith Ray
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Express easement -- Gooding County Instrument Nos. 280163 and 283215 (copies attached).

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A original decreed lands irrigated remain irrigated; transfer creates a larger, uniform PPU served by central pump station.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete [Attachment WSB](#).
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A; same lands continue to be irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Individual places of use under Right Nos. 37-791A, 37-791B, and 37-20490 to be combined into larger overall 40.7-acre PPU.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|-------------------------------------|-------------------------------------|---|
| ☒ | ☐ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

Portions of Right Nos. 37-791B and 37-20490 went unused while portions of those places of use were mined as a gravel operation. However, full use of Right Nos. 37-791B and 37-20490 (and their respective places of use) was resumed during the 2023 irrigation season after the land was leveled/filled, fertilized, tilled and sown with oats (please see attached photographs).

ATTACHMENT TO APPLICATION FOR TRANSFER OF WATER RIGHT

For The Decker Springs West Diversion Water Company

Part 1A.3

The owners of Water Right Nos. 37-791A, 37-791B, and 37-20490 (the “Rights”) (and the irrigation places of use of each of the water rights) have formed The Decker Springs West Diversion Water Company (“Company”) to pool their water rights and construct a pressurized irrigation water distribution system. Historically, the Rights are collected through the same spring collection boxes and antiquated and dilapidated water conveyance pipeline from the east side of River Road to the west side of River Road. The existing pipeline system is in need of replacement, and the Rights owners have encountered difficulty with neighboring landowners through whose property the existing pipeline traverses. Thus, the Rights owners seek add an alternative, additional point of diversion closer to the irrigation place of use on land owned by a cooperative landowner from whom they have secured an easement.

Because the Rights owners used a common/communal spring water diversion and conveyance system historically, they were by statutory default an unincorporated lateral water users association under Idaho Code Title 42, Chapter 13. Over the course of 2023 and early 2024, the Rights owners chose to formally incorporate the Company as the statutory “association” to further pool their resources, improve their collective irrigation diversion and distribution system, and take advantage of the benefits of formally incorporating. Attached for reference are the Company’s Articles of Incorporation. As part of this incorporation, the Rights owners deeded the entirety of the Rights to the Company, together with the easements necessary to build a Company pump station and pressurized conveyance pipeline to the lands served by the Rights.

The proposed alternative, additional point of diversion for the Rights is near/at the downstream end of fish ponds owned and operated by Leo Ray. If left to flow uncaptured (*i.e.*, un-diverted into the existing, antiquated pipeline), the Springs source of the Rights would otherwise flow into an unnamed stream/drainage channel culverted under River Road and from which Ray diverts water into his fish ponds/raceways. The Company has secured the necessary right to construct a concrete sump at the end of the aquaculture structure, equip the sump with a pump, and construct a pressurized mainline to a common point where the Rights owners’ properties come together at a common corner as depicted on the attached maps. From that point, the individual shareholders of the Company (the Rights owners) will connect to the Company pressurized pipeline and construct their own private sprinkler-based irrigation systems on their respective portions of the overall irrigation place of use.

Because of the historically commingled conveyance of water from the springs, and because the Company now owns the Rights and intends to deliver them to an overall, combined permissible place of use (lands owned by the Company’s shareholders), this Application also seeks the creation of a Company-wide permissible place of use for the formerly separate water rights limited to the irrigation of the aggregate acreage served by the Rights in any given irrigation season. For example, Right No. 37-791A has an 11-acre place of use, but the aggregate place of use of all of the Rights served by the proposed central pump station is 40.7 acres. Consequently, one of the purposes of this transfer is to create the same overall permissible place of use for each of the Rights of 40.7 acres, with a single season irrigable place of use for each right matching the acreage historically irrigated (11 acres of the 40.7-acre PPU for Right No. 37-791A; 13.5 acres of the 40.7-acre PPU for Right No. 37-791B; and 16.5 acres of the 40.7-acre PPU for Right No. 37-20490).

ATTACHMENT TO APPLICATION FOR TRANSFER OF WATER RIGHT

For The Decker Springs West Diversion Water Company

Part 2A

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

Current Water Right No.: 37-791A

Current Owner: G & M LAND & LIVESTOCK LLC
Priority Date: 4/1/1888
Origin: Water Right
Status: Active
Basis: Decreed

<u>Source</u>		<u>Tributary</u>	
SPRING		SNAKE RIVER	
<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.34 CFS	
DOMESTIC	01/01 to 12/31	0.04 CFS	
	<u>Total Diversion</u>	0.34 CFS	

Location of Point(s) of Diversion

SPRING SE1/4NW1/4SE1/4 Sec. 21, Twp 06S, Rge 13E B.M.
GOODING County

Place of Use

IRRIGATION Within GOODING County

T06S R13E S21 Lot 2 NESW 11.00
Total Acres: 11

Place of Use: DOMESTIC same as IRRIGATION

Conditions of Approval:

1. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
2. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
3. 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.
4. B01 Source is also known as Montana Mining Company Ditch Spring No. 3 or Upper Decker Spring.

Decreed Date: 6/12/2008

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

Current Water Right No.: 37-791B

Current Owner: BRENT J SMITH
BONNIE SMITH
PATRICIA GRAY

Priority Date: 4/1/1888

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRING

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.28 CFS

Annual Volume

Total Diversion

0.28 CFS

Location of Point(s) of Diversion

SPRING

SE1/4NW1/4SE1/4

Sec. 21, Twp 06S, Rge 13E B.M.

GOODING County

Place of Use

IRRIGATION Within GOODING County

T06S R13E S21

Lot 2

NESW

12.40

T06S R13E S21

NWSE

1.10

Total Acres: 13.5

Conditions of Approval:

1. B01 Source is also known as Montana Mining Company Ditch Spring No. 3 or Upper Decker Spring.
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.

Decreed Date: 6/12/2008

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

Current Water Right No.: 37-20490

Current Owner: HARRY W KNOX II

Priority Date: 4/1/1888

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRINGS

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.32 CFS

Annual Volume

Total Diversion

0.32 CFS

Location of Point(s) of Diversion

SPRINGS

NW1/4NW1/4SE1/4

Sec. 21, Twp 06S, Rge 13E B.M.

GOODING County

SPRINGS

SE1/4NW1/4SE1/4

Sec. 21, Twp 06S, Rge 13E B.M.

GOODING County

Place of Use

IRRIGATION Within GOODING County

T06S R13E S21	Lot 2	NESW	13.90	T06S R13E S21	Lot 2	SESW	2.60
---------------	-------	------	-------	---------------	-------	------	------

Total Acres: 16.5

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.
2. B01 Sources are also known as Montana Mining Company Ditch Spring No. 3 or Upper Decker Spring and Montana Mining Company Ditch Spring No. 4 or Lower Decker Spring.
3. P21 This right is a split from former right 37-791D.

Decreed Date: 4/16/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (WaterBalance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by DM Date 5-10-2024 Preliminary check by _____ Date _____

Fee paid \$375- Date 5-10-2024 Received by DM Receipt # 5040214

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

ATTACHMENT TO APPLICATION FOR TRANSFER OF WATER RIGHT
For The Decker Springs West Diversion Water Company

ATTACHMENT #2a.

Instrument # 283217
GOODING COUNTY, GOODING, IDAHO
03-21-2024 12:58:36 No. of Pages: 4
Recorded for: SAWTOOTH LAW OFFICES
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JG
Electronically Recorded by Simplifile

WATER RIGHT QUITCLAIM DEED

This Water Right Quitclaim Deed is made on the 21st day of March, 2024,
by and between:

G&M LAND AND LIVESTOCK, LLC, an Idaho limited liability company, whose address is 535 River Road, Bliss, Idaho 83314; and **JOSEPH AND KRISTAL KENDALL**, husband and wife, whose address is 525 River Road, Bliss, Idaho 83314 (collectively "**GRANTORS**"); and

THE DECKER SPRINGS WEST DIVERSION WATER COMPANY, an Idaho non-profit water diversion and distribution corporation, whose address is 525 River Road, Bliss, Idaho 83314 ("**GRANTEE**");

GRANTORS, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, by these presents remise, release, and forever quitclaim to **GRANTEE** all of **GRANTORS'** right, title, and interest whatsoever in/to irrigation Water Right No. 37-00791A (and any portion thereof) described in **Exhibit A** attached hereto and incorporated by this reference herein;

To have and to hold, all and singular, the described irrigation water right (37-00791A) to **GRANTEE** and to **GRANTEE'S** heirs, successors and assigns forever.

In witness of the above, **GRANTORS** have set **GRANTORS'** hands on the date first written above.

Signature Pages Follow

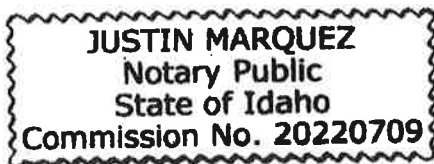
G&M LAND AND LIVESTOCK, LLC

By: *E. Clark Wood* Managing Member
Evan Clark Wood (print name)
Its _____

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 1 day of February, 2024, before me, the undersigned Notary Public in and for said state, personally appeared Evan Wood known or identified to me to be the MANAGING MEMBER of G&M LAND AND LIVESTOCK, LLC, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such company 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.



Justin Marquez
NOTARY PUBLIC FOR IDAHO
Residing at 5330 S. 15 E. IDAHO FALLS, ID 83404
My Commission Expires 02/15/2028

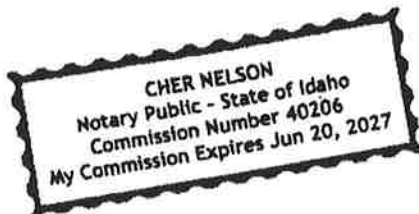
JOSEPH AND KRISTAL KENDALL

By [Signature]
Joseph Kendall
By [Signature]
Kristal Kendall

STATE OF IDAHO)
County of IDAHO) ss.

On this 5th day of FEBRUARY, 2024, before me, the undersigned Notary Public in and for said state, personally appeared JOSEPH KENDALL and KRISTAL KENDALL, husband and wife, 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.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Twin Falls, ID
My Commission Expires JUNE 20, 2027

EXHIBIT A

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 37-00791A

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 12 2008

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: JAMES T TALBOTT
VERNITA TALBOTT
917 JUSTICE GRADE
HAGERMAN, ID 83332

SOURCE: SPRING TRIBUTARY: SNAKE RIVER

QUANTITY: 0.34 CFS

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1888

POINT OF DIVERSION: T06S R13E S21 SENWSE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.34 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Irrigation Within Gooding County
T06S R13E S21 LOT 2 (NESW) 11.0
11.0 Acres Total

Domestic Within Gooding County
Same as Irrigation

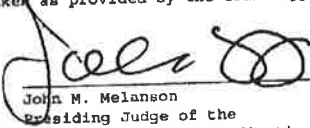
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic
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).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 37-00791A File Number: 00634

PAGE 1
Apr-09-2008

Instrument # 283218
GOODING COUNTY, GOODING, IDAHO
03-21-2024 12:58:36 No. of Pages: 6
Recorded for: SAWTOOTH LAW OFFICES
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JG
Electronically Recorded by Simplifile

WATER RIGHT QUITCLAIM DEED

This Water Right Quitclaim Deed is made on the 21st day of March, 2024,
by and between:

PATRICIA ANN SMITH-GRAY, a married woman, whose address is 547 Bishop Court, Rio Communities, NM 87002; **BONNIE ANN SMITH**, an unmarried woman, whose address is 331 High Street, Box 2, Bliss, Idaho 83314; **JANET L. MILLER**, a married woman, whose address is 6836 Country Road 104, Dinosaur, CO 81610; and **CLARK McCROREY**, an unmarried man, whose address is 764 East 2700 South, Hagerman, Idaho 83332 (collectively "**GRANTORS**"); and

THE DECKER SPRINGS WEST DIVERSION WATER COMPANY, an Idaho non-profit water diversion and distribution corporation, whose address is 525 River Road, Bliss, Idaho 83314 ("**GRANTEE**");

GRANTORS, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, by these presents remise, release, and forever quitclaim to **GRANTEE** all of **GRANTORS'** right, title, and interest whatsoever in/to irrigation Water Right No. 37-00791B (and any portion thereof) described in **Exhibit A** attached hereto and incorporated by this reference herein;

To have and to hold, all and singular, the described irrigation water right (37-00791B) to **GRANTEE** and to **GRANTEE'S** heirs, successors and assigns forever.

In witness of the above, **GRANTORS** have set **GRANTORS'** hands on the date first written above.

Signature Pages Follow

PATRICIA ANN SMITH-GRAY

By

Bonnie Ann Smith
Bonnie Ann Smith, Attorney in Fact for Patricia
Ann Smith-Gray

STATE OF IDAHO

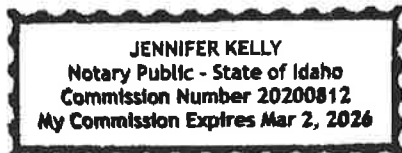
County of

Gooding

) ss.

On this 5th day of February, 2024, before me, the undersigned Notary Public in and for said state, personally appeared BONNIE ANN SMITH, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of PATRICIA ANN SMITH-GRAY, and acknowledged to me that she subscribed the name of PATRICIA ANN SMITH-GRAY thereto as principal, and her own name as attorney in fact.

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



Jennifer Kelly
NOTARY PUBLIC FOR IDAHO

Residing at

1 Wm Falls

My Commission Expires

March 2, 2026

BONNIE ANN SMITH

By Bonnie Ann Smith
Bonnie Ann Smith

STATE OF IDAHO

County of Groveland) ss.

On this 5th day of FEBRUARY, 2024, before me, the undersigned Notary Public in and for said state, personally appeared **BONNIE ANN SMITH**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.



Jennifer Kelly
NOTARY PUBLIC FOR IDAHO
Residing at TWIN FALLS
My Commission Expires MARCH 2, 2026

JANET L. MILLER

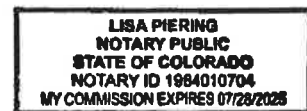
By Janet L. Miller
Janet L. Miller

STATE OF Colorado)
IDAHO) ss.
County of Rio Blanco)

On this 20th day of February, 2024, before me, the undersigned Notary Public in and for said state, personally appeared JANET L. MILLER, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.

Lisa K. Piering
NOTARY PUBLIC FOR IDAHO
Residing at 1298 Le May, Rangely, Co
My Commission Expires 7-28-2025



CLARK MCCROREY

By

Clark McCrorey

STATE OF IDAHO)

County of

Gooding

) ss.

On this 20th day of FEB, 202 4, before me, the undersigned Notary Public in and for said state, personally appeared CLARK MCCROREY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.



Kathleen J. Crist
NOTARY PUBLIC FOR IDAHO
Residing at HAGERMAN, ID.
My Commission Expires 6-2-24

EXHIBIT A

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 37-00791B



NAME AND ADDRESS: BONNIE SMITH
BRENT J SMITH
PATRICIA GRAY
543 RIVER RD
BLISS, ID 83314

SOURCE: SPRING TRIBUTARY: SNAKE RIVER

QUANTITY: 0.36 CFS

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1888

POINT OF DIVERSION: T06S R13E S21 SENWSE Within Gooding County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	0.36 CFS
Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Irrigation Within Gooding County
T06S R13E S21 LOT 2 (NESW)13.0 NWSE 4.2
17.2 Acres Total
Domestic Within Gooding County
Same as Irrigation

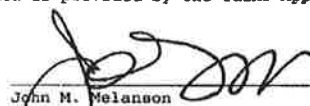
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic
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).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

Instrument # 283216
GOODING COUNTY, GOODING, IDAHO
03-21-2024 12:58:36 No. of Pages: 3
Recorded for: SAWTOOTH LAW OFFICES
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JG
Electronically Recorded by Simplifile

WATER RIGHT QUITCLAIM DEED

This Water Right Quitclaim Deed is made on the 5th day of February, 2024,
by and between:

HARRY W. KNOX II, whose address is 3420 N. Knox Drive, King Hill, Idaho 83633
(collectively "**GRANTOR**"); and

THE DECKER SPRINGS WEST DIVERSION WATER COMPANY, an Idaho non-profit
water diversion and distribution corporation, whose address is 525 River Road,
Bliss, Idaho 83314 ("**GRANTEE**");

GRANTOR, for good and valuable consideration, the receipt and sufficiency of which is
hereby acknowledged, by these presents remises, releases, and forever quitclaims to **GRANTEE**
all of **GRANTOR'S** right, title, and interest whatsoever in/to irrigation Water Right No. 37-20490
(and any portion thereof) described in **Exhibit A** attached hereto and incorporated by this reference
herein;

To have and to hold, all and singular, the described irrigation water right (37-20490) to
GRANTEE and to **GRANTEE'S** heirs, successors and assigns forever.

In witness of the above, **GRANTOR** has set **GRANTOR'S** hand on the date first written
above.

HARRY W. KNOX II

By 
Harry W. Knox II

STATE OF IDAHO)
) ss.
County of elmore)

On this 5th day of February, 202 4, before me, the undersigned Notary Public in and for said state, personally appeared **HARRY W. KNOX II**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.



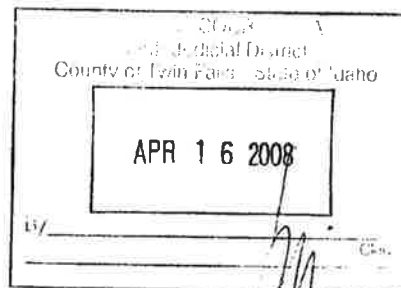
[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at glennsferry Idaho
My Commission Expires 08/06/2021

EXHIBIT A

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 37-20490



NAME AND ADDRESS: LAURENCE SMITH ESTATE
C/O TED TALBOTT
917 JUSTICE GRADE
HAGERMAN, ID 83332

SOURCE: SPRINGS TRIBUTARY: SNAKE RIVER

QUANTITY: 0.32 CFS

PRIORITY DATE: 04/01/1888

POINT OF DIVERSION: T06S R13E S21 NWNWSE Within Gooding County
SENWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.32 CFS

PLACE OF USE: Irrigation Within Gooding County
T06S R13E S21 LOT 2 (NESW) 13.9 LOT 2 (SESW) 2.6
16.5 Acres Total

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).

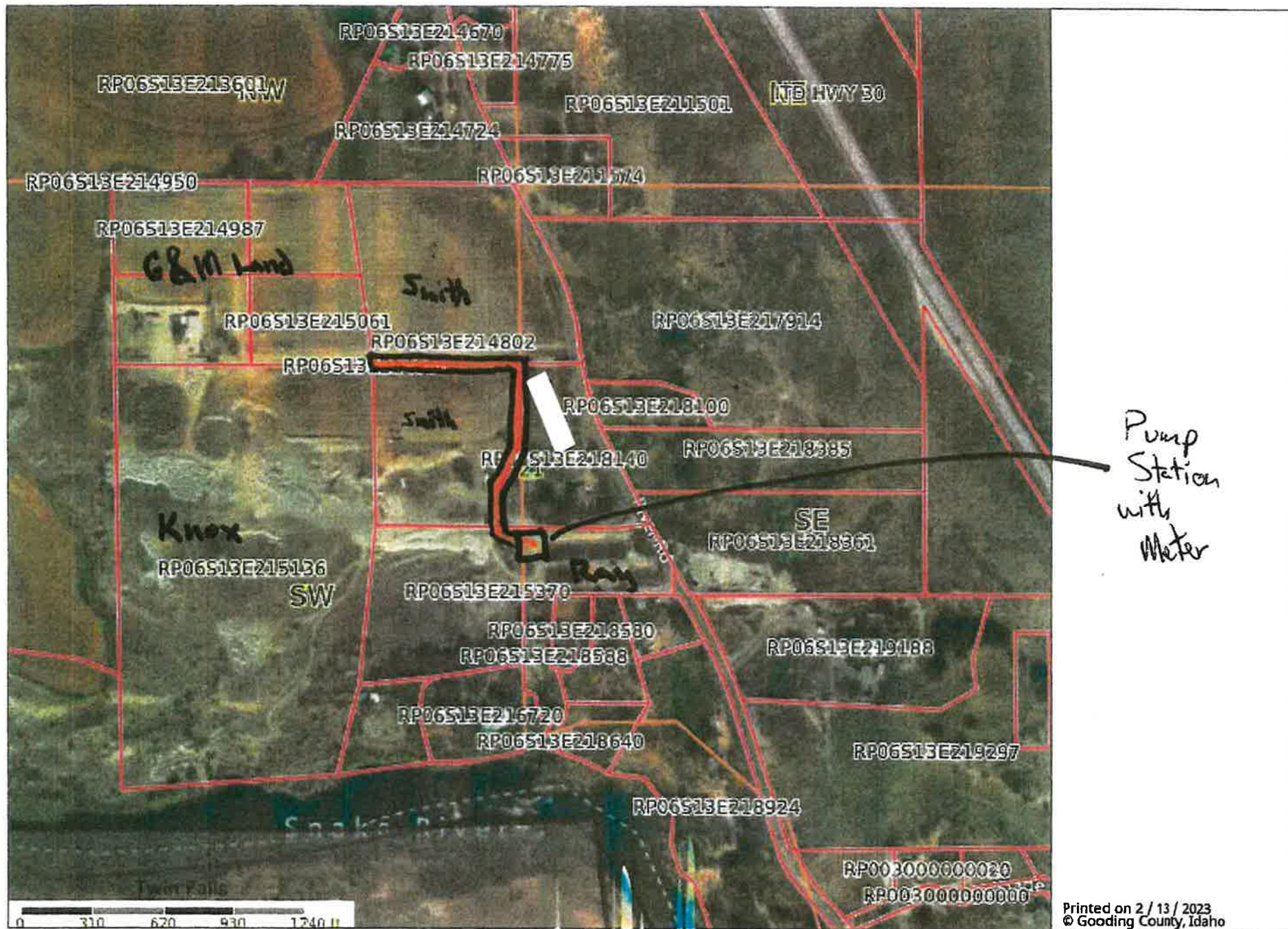
RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

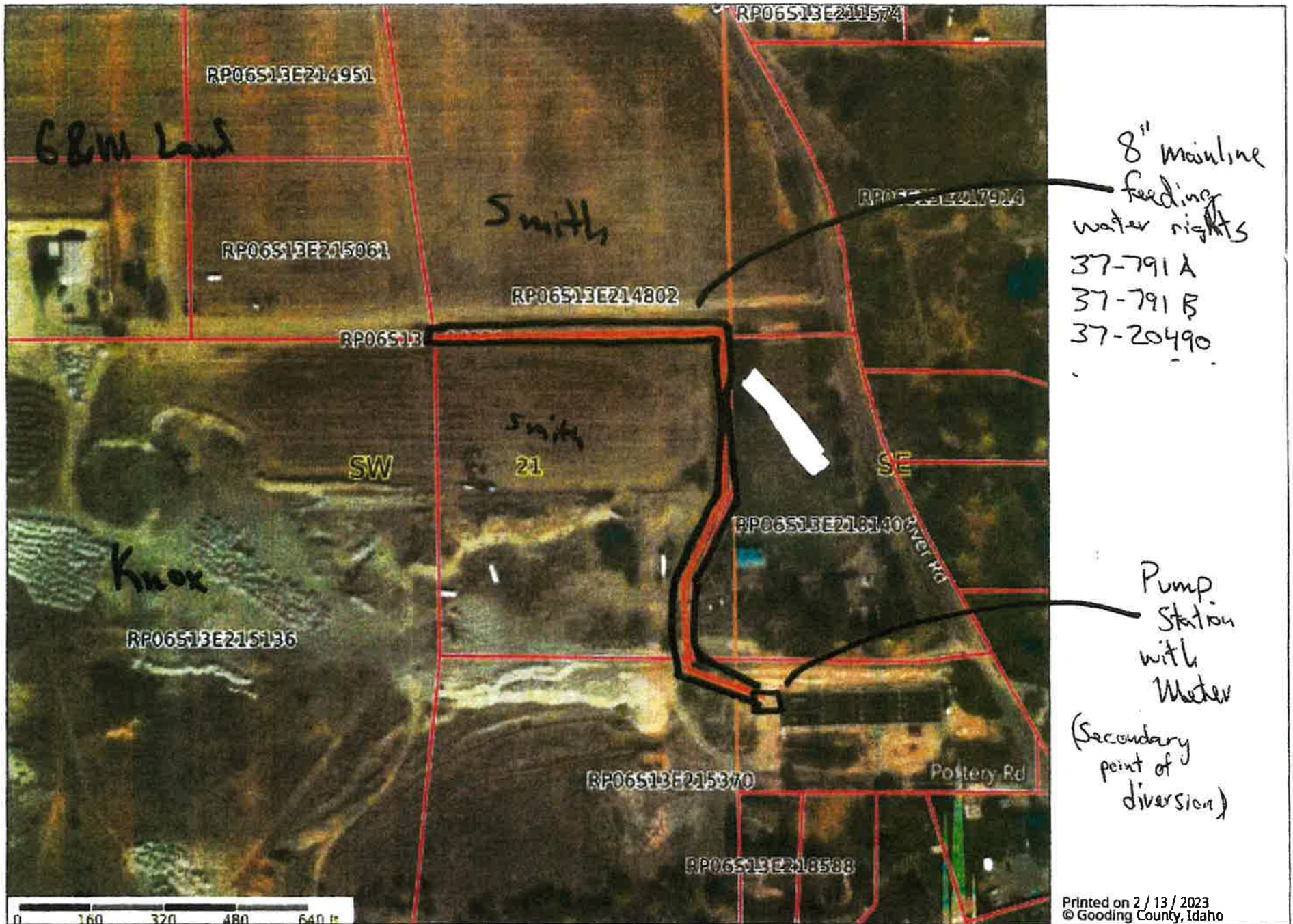
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

**ATTACHMENT TO APPLICATION FOR TRANSFER OF WATER RIGHT
For The Decker Springs West Diversion Water Company**

ATTACHMENT #7a.



89359



89359

RECEIVED

SEP 13 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
Department of Water Resources

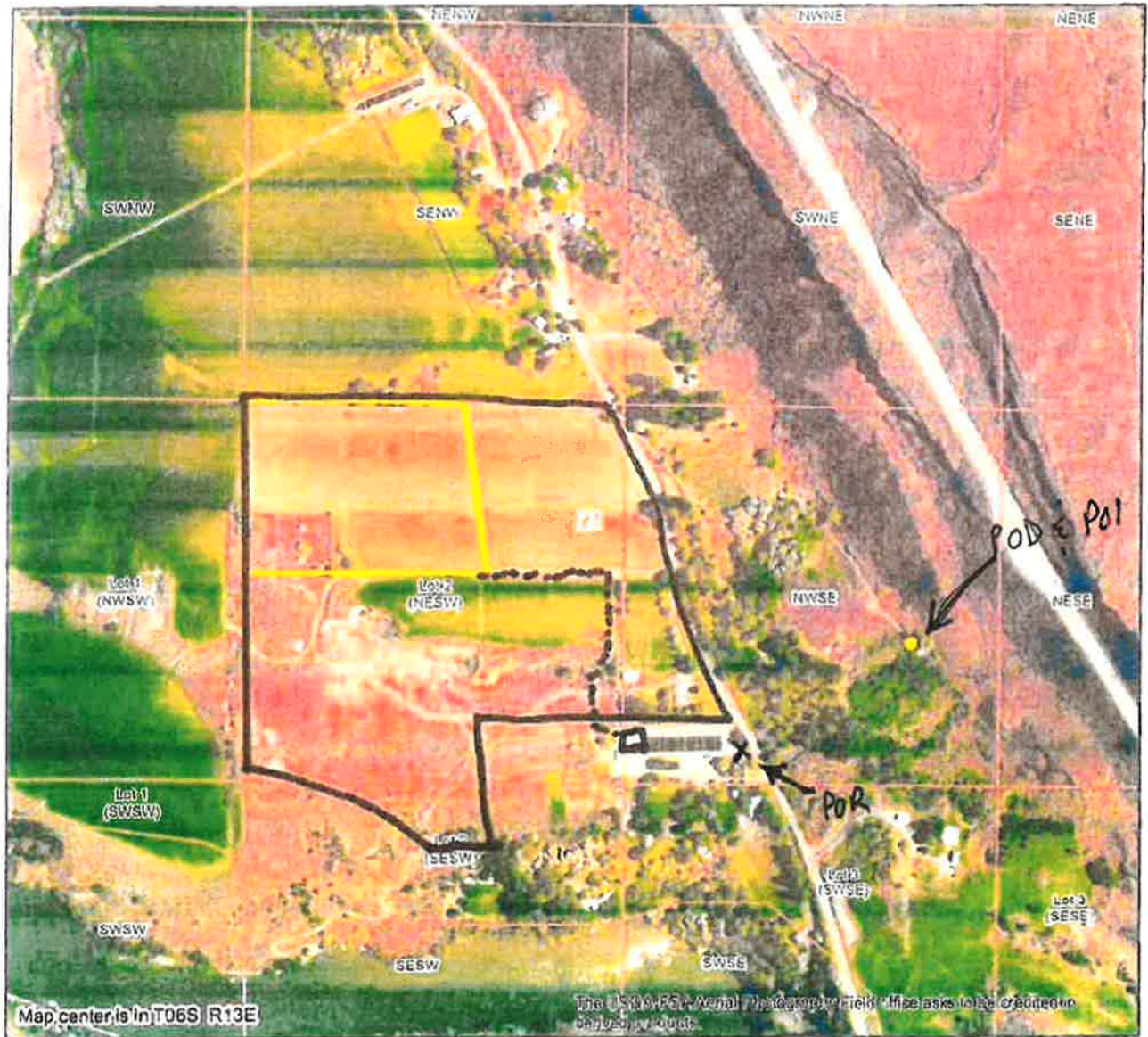
Water Right

37-791A

IRRIGATION

GLM

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



Date created: 2/13/2023

AMENDED

89351

Julie 9/13/24
Andrew Waldern

RECEIVED

SEP 13 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
Department of Water Resources

Water Right

37-791B

IRRIGATION

Smith

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Map center is in T08S R13E



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

N

Date created: 2/13/2023

AMENDED

89351

7/13/24
Andrew Waldern

RECEIVED

SEP 13 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
Department of Water Resources

Water Right

37-20490

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Legend**
- Point of Diversion
 - Place of Use Boundary
 - Townships
 - PLS Sections
 - Quarter Quarters

Date created: 2/13/2023

Andrew Walden 9/13/24
Andrew Walden

AMENDED

89351

Water Right

37-791A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 2/13/2023



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



Water Right

37-791B

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

N



Date created: 2/13/2023

State of Idaho
Department of Water Resources
Water Right
37-20490
IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 2/13/2023

ATTACHMENT TO APPLICATION FOR TRANSFER OF WATER RIGHT
For The Decker Springs West Diversion Water Company

ATTACHMENT #7b.

State of Idaho
Department of Water Resources

Water Right

37-791A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/25/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



89351

State of Idaho
Department of Water Resources

Water Right

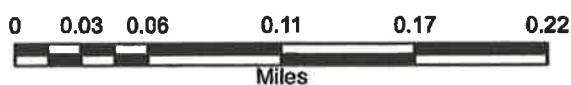
37-791B

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/25/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion

N



89351

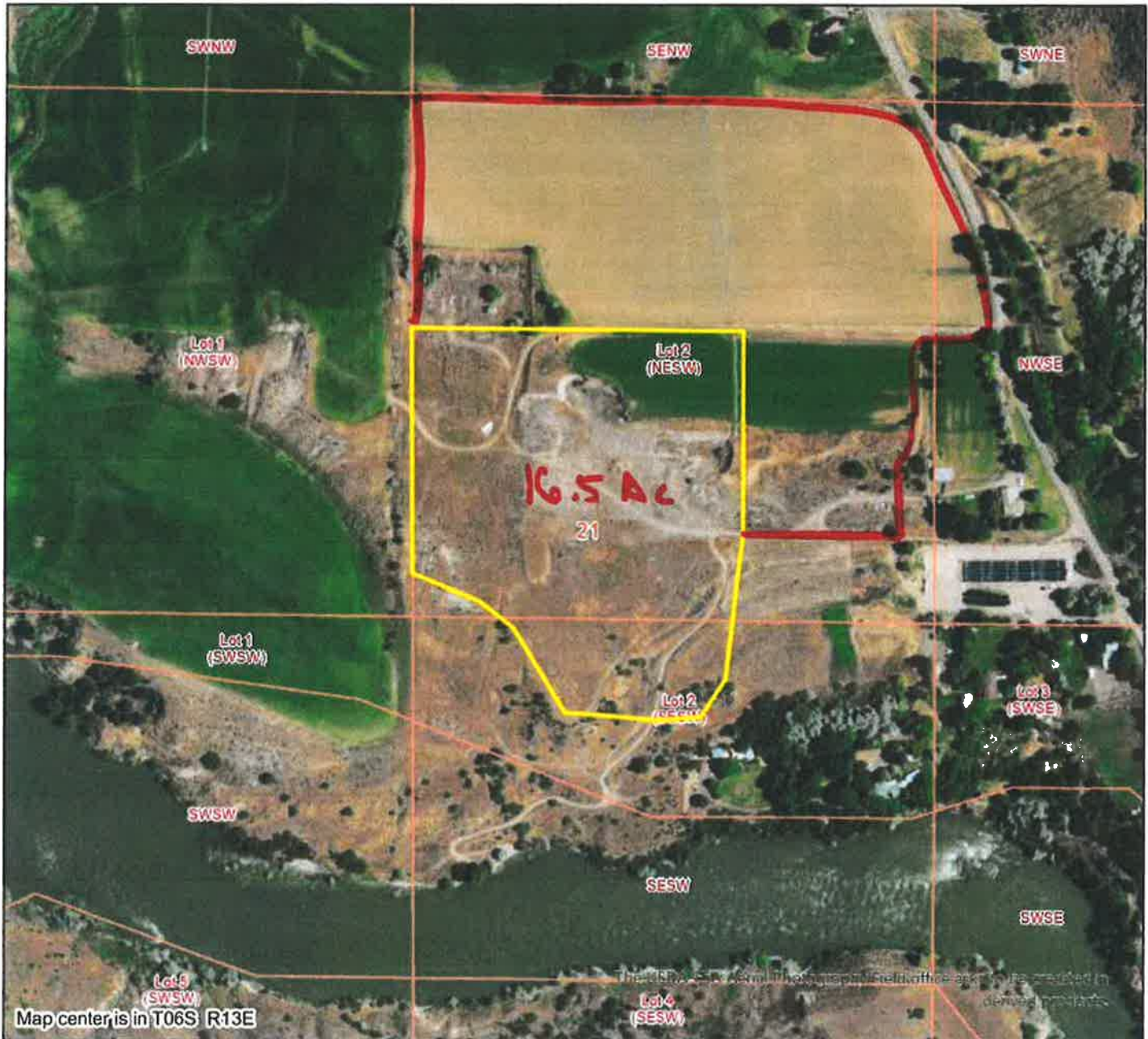
State of Idaho
Department of Water Resources

Water Right

37-20490

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/25/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary



89351

**ATTACHMENT TO APPLICATION FOR TRANSFER OF WATER RIGHT
For The Decker Springs West Diversion Water Company**

ATTACHMENT #10





ARTICLES OF INCORPORATION
OF
THE DECKER SPRINGS WEST DIVERSION WATER COMPANY

KNOW ALL MEN BY THESE PRESENTS: That we the undersigned, each of whom are of legal age and citizens of the United States of America, have this day voluntarily associated ourselves for the purpose of forming the following non-profit water diversion, distribution, and delivery corporation under Idaho Code Title 30, Chapter 30, and Idaho Code Title 42, Chapter 22:

ARTICLE I.
CORPORATION NAME AND DURATION

The name of this Idaho non-profit corporation is "THE DECKER SPRINGS WEST DIVERSION WATER COMPANY" (the "Company"). And, the duration of the Company shall be perpetual unless subsequently dissolved pursuant to law.

ARTICLE II.
PURPOSE AND POWERS

The purposes of this Company are to own, manage, operate and maintain water rights, and the real and personal property rights and entitlements necessary to divert said water rights from the Decker Springs located in Bliss, Gooding County, Idaho, and to convey, deliver, and distribute the same to the Company's members/shareholders for beneficial irrigation use on the lands owned by them. In furtherance of these water diversion, conveyance, and distribution purposes, the Company shall have the following powers to:

- A. Own, hold, manage, develop, construct, operate, and maintain a water diversion and distribution system, including diversion works, ditches, pipelines, conduits, pumps, easements and other property as may be necessary to conduct the business purposes stated herein;
- B. Enter into, make, perform and carry out all lawful contracts of any kind related to the purposes of the Company;
- C. Purchase, own, sell, lease, acquire, convey property of every kind and character relating to the purposes of the Company;
- D. Borrow money from any person, firm, financial institution, and to draw, make, accept, endorse, assign, guarantee, execute and issue notes, checks, drafts, negotiable and other instruments for the payment of money and to secure the payment thereof by any lawful manner or means;
- E. Make and levy assessments and charges against members/shareholders for water and water system facilities and infrastructure construction, operation, maintenance, repair, and

replacement, as necessary, which assessments and charges shall be disbursed by the Company only in payment for the performance of the purposes of the Company; and

F. Do and perform any and all lawful acts necessary or desirable to carry out the purposes of the Company, or which may be calculated, directly or indirectly, to advance the interests of the Company, or to enhance the value of the Company's holdings and property consistent with the provisions of Idaho law.

ARTICLE III. REGISTERED AGENT

The initial registered agent of this Company is Joseph Kendall, 525 River Road, Bliss, Idaho 83314.

ARTICLE IV. BOARD OF DIRECTORS

The initial Board of Directors of the Company shall number four (4) in total. The names and addresses of the initial Directors are:

Evan G. Wood, 535 River Road, Bliss, Idaho 83314;

Harry W. Knox II, 3420 N. Knox Drive, King Hill, Idaho 83633;

Joseph Kendall, 525 River Road, Bliss, Idaho 83314; and

Clark McCrorey, 764 East 2700 South, Hagerman, Idaho 83332.

ARTICLE V. INCORPORATORS

The names and addresses of the incorporators are:

G&M Land and Livestock, LLC, c/o Evan G. Wood, 535 River Road, Bliss, Idaho 83314;

Joseph Kendall, 525 River Road, Bliss, Idaho 83314;

Harry W. Knox II, 3420 N. Knox Drive, King Hill, Idaho 83633; and

Clark McCrorey, 764 East 2700 South, Hagerman, Idaho 83332.

**ARTICLE VI.
COMPANY MAILING ADDRESS**

The initial mailing address of the Company is: The Decker Springs West Diversion Water Company, 525 River Road, Bliss, Idaho 83314.

**ARTICLE VII.
VOTING MEMBERSHIP**

The Company has voting member shareholders, which shares number 47 total, and equal one miner's inch of water per share based on the 51 miner's inches (0.94 cfs) of water to be deeded to the Company upon its incorporation.

**ARTICLE VIII.
DISSOLUTION**

In the event of dissolution, liquidation, or winding up of the Company, after paying or adequately providing for the debts and obligations of the Company, the Board of Directors or the person in charge of liquidation shall distribute the remaining assets to a nonprofit corporation or other entity charged with the administration and management of the Company water diversion and distribution system. If there is no successor entity to take over such administration and management, then the remaining assets shall be distributed to the members in accordance with their shares owned at the time of dissolution, liquidation, or winding up.

**ARTICLE IX.
BYLAWS**

Pursuant to Idaho Code Section 30-30-206, the Board of Directors, at its option, may adopt the initial Bylaws of the Company. Should the Board of Directors not do so, the members of the corporation shall do so at a duly noticed meeting called, in whole or in part, for that purpose upon the affirmative vote of fifty-one percent (51%) of the Company's outstanding shares voting at (i.e., present) at such meeting in person or by proxy held in Bliss, Idaho.

Signature Page Follows

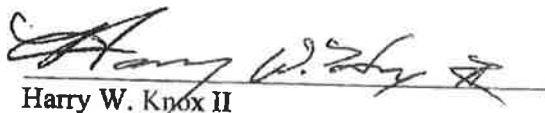
IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 31st date of
December _____, 2023.



G&M Land and Livestock, LLC
Evan G. Wood, Member



Joseph Kendall



Harry W. Knox II



Clark McCrorey

**ASSIGNMENT AND CONVEYANCE OF PUMP STATION AND
WATER RIGHT CONVEYANCE PIPELINE EASEMENT**

G&M LAND AND LIVESTOCK, LLC, PATRICIA ANN SMITH-GRAY, BONNIE ANN SMITH, CLARK McCROREY, JANET L. MILLER, HARRY W. KNOX II, JOSEPH KENDALL, and KRISTAL KENDALL (collectively "**GRANTORS**"), for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the undersigned, hereby assign, remise, release, convey and forever quitclaim to **THE DECKER SPRINGS WEST DIVERSION WATER COMPANY**, an Idaho non-profit water diversion and distribution corporation, whose address is 525 River Road, Bliss, Idaho 83314 ("**GRANTEE**"), all of **GRANTORS'** right, title, and interest in and to (individually and collectively) that certain *Pump Station and Water Right Conveyance Pipeline Easement*, dated February 15, 2023 and recorded as Gooding County Instrument No. 280163 (the "Easement"), a true and correct copy of which is attached as **Exhibit A** hereto, and incorporated by this reference herein;

To own, have, and to hold, all and singular, the Easement to **GRANTEE** and to **GRANTEE'S** heirs, successors, and assigns forever for the ongoing and perpetual benefit of the Dominant Property identified and described in the Easement.

In witness of the above, **GRANTORS** have set **GRANTORS'** hands on the date written below.

Signature Pages Follow

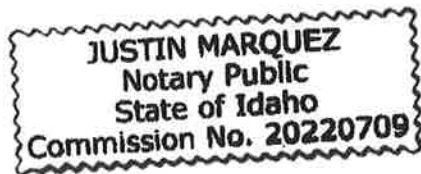
G&M LAND AND LIVESTOCK, LLC

By: Evan Wood Managing Member
Evan Stone Wood (print name)
Its _____

STATE OF IDAHO)
) ss.
County of BONNEVILLE)

On this 1 day of February, 2024, before me, the undersigned Notary Public in and for said state, personally appeared Evan Wood known or identified to me to be the MANAGING MEMBER of G&M LAND AND LIVESTOCK, LLC, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such company 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.



Justin Marquez
NOTARY PUBLIC FOR IDAHO
Residing at 3330 S 15 E IDAHO FALLS, ID 83404
My Commission Expires 02/15/2028

PATRICIA ANN SMITH-GRAY

Patricia Ann Smith-Gray

By *Bonnie Ann Smith*
Bonnie Ann Smith, Attorney in Fact for Patricia
Ann Smith-Gray

STATE OF IDAHO)

County of Gooding) ss.

On this 5th day of February, 2024, before me, the undersigned Notary Public in and for said state, personally appeared BONNIE ANN SMITH, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of PATRICIA ANN SMITH-GRAY, and acknowledged to me that she subscribed the name of PATRICIA ANN SMITH-GRAY thereto as principal, and her own name as attorney in fact.

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



Jennifer Kelly
NOTARY PUBLIC FOR IDAHO
Residing at TWIN FALLS
My Commission Expires MARCH 2, 2026

BONNIE ANN SMITH

By Bonnie Ann Smith
Bonnie Ann Smith

STATE OF IDAHO)
County of Crook) ss.

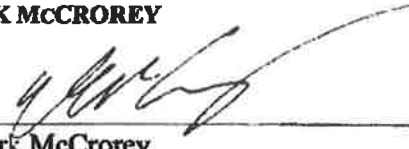
On this 5th day of February, 2024, before me, the undersigned Notary Public in and for said state, personally appeared BONNIE ANN SMITH, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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



Jennifer Kelly
NOTARY PUBLIC FOR IDAHO
Residing at Twin Falls
My Commission Expires March 2, 2026

CLARK MCCROREY

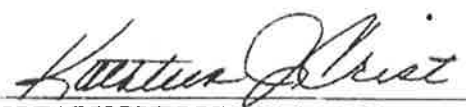
By 
Clark McCrorey

STATE OF IDAHO)
County of Gooding) ss.

On this 20th day of Feb, 2024, before me, the undersigned Notary Public in and for said state, personally appeared CLARK MCCROREY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.




NOTARY PUBLIC FOR IDAHO
Residing at HAGERMAN, ID.
My Commission Expires 6-3-24

JANET L. MILLER

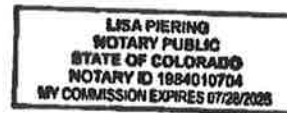
By Janet L. Miller
Janet L. Miller

STATE OF Colorado)
~~IDAHO~~) ss.
County of Rio Blanco)

On this 20th day of February, 2024, before me, the undersigned Notary Public in and for said state, personally appeared JANET L. MILLER, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.

Lisa Piering
NOTARY PUBLIC FOR IDAHO
Residing at 1298 Lemmon Ranch, Co. 87008
My Commission Expires 7/28/2025



HARRY W. KNOX II

By [Signature]
Harry W. Knox II

STATE OF IDAHO)
County of elmore) ss.

On this 5th day of February, 202 4, before me, the undersigned Notary Public in and for said state, personally appeared HARRY W. KNOX II, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Glenns Ferry, Idaho
My Commission Expires 08/06/2027

JOSEPH AND KRISTAL KENDALL

By 
Joseph Kendall
By 
Kristal Kendall

STATE OF IDAHO)
County of TWIN FALLS) ss.

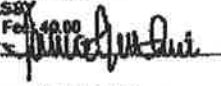
On this 5th day of FEBRUARY, 2024, before me, the undersigned Notary Public in and for said state, personally appeared JOSEPH KENDALL and KRISTAL KENDALL, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.




NOTARY PUBLIC FOR IDAHO
Residing at TWIN FALLS, ID
My Commission Expires JUNE 20, 2027

EXHIBIT A
Pump Station and Water Right Conveyance Pipeline Easement

Instrument # 280163
GOODING, GOODING, IDAHO
2-16-2023 10:13:49 AM No. of Pages: 11
Recorded for: DIANA GOOLSBY
DENISE M. GILL Feb 16 2023
Ex-Officio Recorder Deputy: 

PUMP STATION AND WATER RIGHT CONVEYANCE PIPELINE EASEMENT

LEO E. RAY AND JUDITH K. RAY, husband and wife, whose address is 4647-D River Road, Buhl, Idaho 83316 (collectively, the "Grantors"), hereby bargain, grant, and convey this Pump Station and Water Right Conveyance Pipeline Easement to **G&M LAND AND LIVESTOCK, LLC**, an Idaho limited liability company, **PATRICIA GRAY, BONNIE SMITH, BRENT SMITH, SEAN COLLINS, HARRY W. KNOX II, and JOSEPH AND KRISTAL KENDALL** (collectively, the "Grantees") as described and on the terms contained herein:

RECITALS:

A. WHEREAS, Grantors are the owners of certain real property located in Gooding County, Idaho, more particularly described in Exhibit A attached hereto and incorporated by this reference herein (the "Servient Property");

B. WHEREAS, Grantees are the owners of certain real property located in Gooding County, Idaho, more particularly described in Exhibit B attached hereto and incorporated by this reference herein (the "Dominant Property");

C. WHEREAS, domestic and irrigation water uses on the Dominant Property are sourced from springs and authorized under adjudicated water right decrees owned by the Grantees, including Water Right Nos. 37-791A (G&M Land and Livestock, LLC and Kendall), 37-791B (Smith, Smith, and Gray), 37-20490 (Knox II), and 37-22883 (Collins) (collectively, the "Water Rights");

D. WHEREAS, the Water Rights conveyance infrastructure serving the Dominant Property is antiquated and needing significant repair or replacement;

E. WHEREAS, the Grantees seek to replace and modernize the Water Rights conveyance system with a pump station and pipeline-based system;

F. WHEREAS, the Grantees desire to construct and install pump station and pipeline Water Right conveyance infrastructure on the Servient Property; and

G. WHEREAS, the Grantors desire to grant an easement to the Grantees for the purposes of constructing, installing, owning and operating the pump station and Water Right conveyance pipeline infrastructure located on the Servient property for the benefit of the Dominant Property;

NOW, THEREFORE, and in accordance with the foregoing Recitals:

GRANT OF EASEMENT

Grantors agree, and hereby grant to Grantees, to each of them in undivided and equal part, the perpetual, non-exclusive pump station and Water Right pipeline conveyance easement

PUMP STATION AND WATER RIGHT CONVEYANCE PIPELINE EASEMENT – Page 1

described and depicted as "Easement No. 1" in Exhibit C attached hereto, and incorporated by this reference herein (the "Easement"). The Easement is for the construction, installation, operation, inspection, maintenance, repair and replacement of a pump station and Water Right conveyance pipeline on the Servient Property for the benefit of the Dominant Property. The Easement includes, without limitation, Grantee rights of ingress and egress, the provision of electricity to the pump station, and water diversion and conveyance from a point located on the downstream end of Grantor's existing aquaculture raceway structure.

Grantor's existing aquaculture raceway structure shall serve as an alternative point of diversion under the Water Rights and not a replacement of the spring-based point of diversion authorized under the Water Rights.

The Easement granted herein shall be recognized, used and enforced pursuant to, and consistent with, the terms of this Instrument and with Idaho Code Title 42, Chapters 11 and 12. Further, the Easement granted herein shall run with the land and is binding upon Grantors and their heirs, successors, and assigns for the benefit of the Dominant Property, the Grantees, and the Grantees' respective heirs, successors, and assigns forever.

IN WITNESS WHEREOF, Leo E. and Judith K. Ray have executed this Pump Station and Water Right Conveyance Pipeline Easement on this 25 day of February, 2023.

LEO E. RAY AND JUDITH K. RAY

By Leo E. Ray
Leo E. Ray

By Leo E. Ray
Leo E. Ray, Attorney-in-Fact for Judith K. Ray

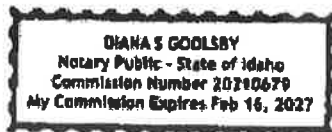
STATE OF IDAHO)

County of Gooding)

ss.

On this 15th day of February, 2023, before me, the undersigned Notary Public in and for said state, personally appeared LEO E. RAY, known or identified to me to be the person whose name is subscribed to the within instrument, both individually and as Attorney-in-Fact for JUDITH K. RAY, and acknowledged to me that he 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.



Diana S. Goolsby
NOTARY PUBLIC FOR IDAHO
Residing at 645 BRINE Rd, Bliss, ID 83314
My Commission Expires FEB 16, 2027

PUMP STATION AND WATER RIGHT CONVEYANCE PIPELINE EASEMENT – Page 3

EXHIBIT A

Servient Property

TOWNSHIP 6 SOUTH, RANGE 13, WEST OF THE ROUSE MERIDIAN,
GOODING COUNTY, IDAHO

Section 21: A tract of land located in the SW1/4 and Lot 2,
described as follows:

Beginning at the Northwest corner of the SW1/4 of
said Section 21;
Thence North 0°43'10" West a distance of 1121.20
feet measured (1121.16 feet recorded) along the
Westerly boundary of said SW1/4 to THE TRUE POINT
OF BEGINNING;
Thence North 0°43'10" West a distance of 219.07
feet along the Westerly boundary of said SW1/4 to
the Northwest corner of the SW1/4;
Thence North 89°47'55" East along the North bound-
ary of the SW1/4 a distance of 544.78 feet to
the approximate center of old Highway No. 30;
Thence North 28°01'54" West a distance of 26.07
feet along said approximate center of old
Highway No. 30;
Thence North 28°45'04" West a distance of 239.55
feet along said approximate center of old
Highway No. 30 to the center of an access
easement;
Thence South 82°56'14" West a distance of 121.08
feet along the center of said access easement;
Thence North 89°28'27" West a distance of 198.31
feet along the center of said access easement to
the Westerly boundary of said SW1/4;
Thence North 89°38'27" West a distance of 408.11
feet along the center of said access easement;
Thence South 8°00'13" West a distance of 525.36
feet;
Thence North 21°25'44" East a distance of 504.67
feet to THE TRUE POINT OF BEGINNING.

SUBJECT TO the rights of a public road which
affects the Easterly 26.00 feet and an access eas-
ment which affects the Northerly 12.00 feet
thereof.

TOGETHER WITH all water rights appurtenant to the described
real property, including, but not limited to water license
37-70821.

EXHIBIT "A"

CONSERVATOR'S GRANT DEED - 2

Felton &
Felton
Attorneys
At Law
Buhl, Idaho

EXHIBIT B

Dominant Property

EXHIBIT B

A parcel of land located in Lot 2, and the NW¼SE¼, Section 21, T.6S., R.13E., E.M.1, Gooding County, Idaho and being more specifically described as follows:

Commencing at the center Quarter Corner of Section 21, T.6S., R.13E., E.M.1; thence N 89°45'34" W 23.52 feet along the northerly boundary of Lot 2 said Section 21 to the REAL POINT OF BEGINNING

thence N 89°45'34" W 332.16 feet along the northerly boundary of Lot 2 said Section 21;

thence S 8°32'48" E 399.14 feet;

thence S 0°43'18" E 312.23 feet;

thence S 89°45'27" E 782.42 feet;

thence N 82°56'14" E 122.69 feet to a point on the centerline of Old U.S.

30;

thence northwesterly along the centerline of Old U.S. 30 the following place (9) courses and distances:

N 18°48'04" W 210.66 feet,

N 26°56'24" W 125.00 feet,

N 23°01'21" W 23.00 feet;

N 16°19'40" W 120.23 feet;

N 11°28'37" W 91.48 feet;

N 5°56'34" W 100.58 feet;

N 15°32'16" W 108.00 feet;

N 22°46'27" W 92.70 feet;

N 28°26'38" W 106.93 feet to the REAL POINT OF BEGINNING.

The gross area contained in this land as described above is 16.21 acres.

TOGETHER WITH An access roadway easement 6 feet (15) feet wide, being adjacent to the northerly boundary.

The above described parcel of land is subject to a twenty-five (25) foot wide easement along the northerly boundary.

AND, an access roadway easement thirty (30) feet wide or as required by the local Highway District for public road standard being located on the following described centerline:

COMMENCING at the center Quarter Corner of Section 21, T.6S., R.13E., E.M.1, Gooding County, Idaho; thence N 89°45'34" W 332.16 feet along the northerly boundary of said Section 21; thence S 8°32'48" E 399.14 feet; thence S 0°43'18" E 312.23 feet; thence S 89°45'30" W 40.00 feet to the POINT OF BEGINNING.

thence 62.03 feet northwesterly along a curve to the right having a central angle of 90°00' and a radius of 40.00 feet;

thence N 89°45'34" E 681.74 feet to the centerline of Old U.S. 30, said point being the POINT OF BEGINNING.

AND, an access roadway easement 6 feet (15) feet wide, along the northerly boundary.

EXHIBIT B

PARCEL 1:

TOWNSHIP 6 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN, GOSWOLD COUNTY, IDAHO

Section 21: That part of Lot 2 and the MAYSELY described as follows:

Commencing at a 5/8-inch iron pin with a yellow plastic cap impressed PLS 884 marking the Center N. corner of said Section 21, and from which a 1/2-inch iron pin with a yellow plastic cap impressed PLS 883B marking the West N. corner of said Section 21 bears North 89° 12' 30" West, at a distance of 265.195 feet.

Thence along the Northern side of said Lot 2, North 89° 12' 30" West (North 89° 46' 34" West, Recently a distance of 18.81 feet (15.57 feet, rounded to a point in the center of River Road, also known as old 215 30 and being located known as the Idaho Pacific Highway.

Thence along the center of said River Road the following bearings and distances:

South 28° 55' 24" East, a distance of 123.87 feet.

Thence South 28° 49' 15" East, a distance of 61.65 feet to the beginning of a curve concave to the West having a radius of 1047.48 feet, a central angle of 20° 16' 47" and being subtended by a chord which bears South 18° 41' 11" East 356.21 feet.

Thence Southwesterly and Southerly along said curve, a distance of 376.74 feet.

Thence South 08° 04' 17" East, a distance of 57.42 feet to the beginning of a curve tangent to said line.

Thence Southeasterly a distance of 13.28 feet along the curve concave to the East, having a radius of 857.06 feet, a central angle of 0° 50' 23" and being subtended by a chord which bears South 08° 58' 43" East 13.28 feet to the POINT OF BEGINNING of this land description. Thence along the line of an East-West fence intended as necessary, South 08° 11' 17" West, a distance of 25.28 feet to a 1/2-inch rubber with an orange plastic cap impressed PLS 9856.

Thence along said fence and said fence extended, South 89° 11' 17" West, a distance of 177.45 feet to a 1/2-inch rubber with an orange plastic cap impressed PLS 9858 near a fence corner.

Thence along a fence, South 08° 22' 22" East, a distance of 252.13 feet to a 1/2-inch rubber with an orange plastic cap impressed PLS 9858.

Thence South 20° 35' 31" West, a distance of 11.85 feet to a 1/2-inch rubber with an orange plastic cap impressed PLS 9858.

Thence South 25° 37' 58" West, a distance of 82.72 feet to a 1/2-inch rubber with an orange plastic cap impressed PLS 9858.

Thence South 04° 28' 22" East, a distance of 125.50 feet to a 1/2-inch rubber with an orange plastic cap impressed PLS 9858.

Thence South 88° 55' 45" East, a distance of 306.06 feet to an acre.

Thence North 83° 25' 21" East, a distance of 121.27 feet to a 1/2-inch iron pin with an orange plastic cap impressed PLS 8877 at the center of said River Road.

Thence along the center of said River Road the following bearings and distances:

North 28° 04' 31" West, a distance of 112.06 feet.

Thence North 28° 02' 55" West, a distance of 95.42 feet.

Thence North 28° 21' 20" West, a distance of 125.05 feet.

Thence North 22° 27' 41" West, a distance of 52.95 feet.

Thence North 17° 45' 37" West, a distance of 50.00 feet to the beginning of a curve tangent to said line.

Thence Northeasterly a distance of 150.59 feet along the curve concave to the East, having a radius of 897.06 feet, a central angle of 8° 20' 27" and being subtended by a chord which bears North 13° 35' 23" West 130.47 feet to the POINT OF BEGINNING.

PARCEL 2

EXHIBIT B

A non-exclusive easement for water pipeline, utility, ingress and egress for the benefit of Parcel No. 1, A-01231001 by Grant of Easement by and between Bernice Ann Smith, individually and in her capacity as Attorney in Fact for Brent J. Smith and Patricia Ann Smith Gray, ("Grantor") and Ted Talbot, Conservator of the Estate of Lawrence J. Smith ("Grantee"), dated May 14, 2012, recorded May 14, 2012, as Instrument Number 241153, Gooding County records, described as follows:

TOWNSHIP 6 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 21: Part of Lot 2 and Part of the NW 1/4 Sec. 21, being a fifteen (15) foot wide strip of land along the South line of a parcel of land conveyed to Bernice Ann Smith and Patty Gray by Quitclaim Deed recorded in the Gooding County Recorder's Office as Instrument Number 240456 and being more particularly defined as follows:

Commencing at a BLM brass cap marking the South Quarter corner of said Section 21, from which a 5/8" rebar with cap stamped PLS 884 marking the center of said Section 21 bears North 00° 08' 30" West at a distance of 2670.83 feet;

Thence North 00° 08' 30" West, a distance of 1556.56 feet (North 00° 48' 15" West, 1556.23 feet, Record) to the South line of said Smith/Gray parcel, being also the North line of a parcel of land conveyed to Lee E and Judith K. Ray by Conservator's Grant Deed recorded as Instrument Number 181482 in the Gooding County Recorder's Office, being also the POINT OF BEGINNING;

Thence along the common line between said Smith/Gray and Ray parcels, North 88° 55' 45" West, a distance of 488.15 feet (North 89° 25' 27" West, 488.11 feet, Record) to a 1/2-inch rebar with cap stamped PLS 8858 marking a point on the Easterly boundary of a parcel of land described in a Conservator's Grant Deed for the Estate of Lawrence J. Smith and recorded as Instrument Number 222243 in the Gooding County Recorder's Office, Thence along the common line between said Smith and Smith/Gray parcels, North 00° 05' 18" West, a distance of 15.02 feet;

Thence along a line parallel to and fifteen (15) feet distant from the common line between said Smith/Gray and Ray parcels, South 88° 55' 45" East, a distance of 787.22 feet;

Thence continuing along a line parallel to and fifteen (15) feet distant from said Smith/Gray and Ray common line, North 83° 28' 31" East, a distance of 114.34 feet to the corner of River Road, also known as Old Highway 30;

Thence along the center line of said road, South 28° 53' 40" East, a distance of 16.13 feet to the common line between said Smith/Gray and Ray parcels;

Thence along said common line between Smith/Gray and Ray parcels, South 83° 28' 31" West, a distance of 171.25 feet (South 82° 55' 14" West, 122.09 feet, Record) to a 1/2-inch rebar;

Thence continuing along said common line between the Smith/Gray and Ray parcels, North 88° 55' 45" West, a distance of 299.76 feet (North 89° 25' 17" West, 299.31 feet, Record) to the POINT OF BEGINNING.

EXHIBIT B

**RIVERSIDE RANCHES, INC.
Parcel "E"**

A parcel of land located in Lot 2, Section 21, T.6S., R.13E., S.M. Gooding County, Idaho and being more specifically described as follows:

Commencing at the center Quarter Corner of Section 21, T.6S., R.13E., S.M. then N.89°45'34"W. 568.88 feet along the northerly boundary of said Lot 2 to the REAL POINT OF BEGINNING:

then S.8°23'48"E. 599.14 feet,
then S.89°43'56"W. 836.35 feet to a point on the westerly boundary of said Lot 2;

then N.0°52'11"W. 599.68 feet along the westerly boundary of said Lot 2 to the northwest corner thereof;
then S.89°46'34"E. 757.96 feet along the northerly boundary of said Lot 2 to the REAL POINT OF BEGINNING:

The gross area contained in this land as described above is 10.91 acres.

TOGETHER WITH and also SUBJECT TO an access roadway easement thirty (30) foot wide, or as required by the local Highway District for public road standard and being centered on the following described centerline:

COMMENCING at the center Quarter Corner of Section 21, T.6S., R.13E., S.M. Gooding County, Idaho then N.89°46'34"W. 568.88 feet along the northerly boundary of said Section 21; then S.8°23'48"E. 599.14 feet; then S.0°43'18"E. 14.92 feet; then S.89°40'30"W. 40.00 feet to the POINT OF BEGINNING.

then 62.83 feet northeasterly along a curve to the right having a central angle of 90°00' and a radius of 40.00 feet;

then N.89°40'30"E. 665.74 feet to the centerline of Old U.S. 30, said point being the POINT OF ENDING.

Page 4 of 5

EXHIBIT B to PUMP STATION AND WATER RIGHT CONVEYANCE PIPELINE EASEMENT - Page 8

EXHIBIT B

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 21: That part of Government Lot 2 described as follows:

Commencing at a BLM brass cap marking the South Quarter corner of said Section 21, from which a 5/8" rebar with cap stamped PLS 9884 marking the center of said Section 21 bears North 00 Degrees 08 Minutes 30 Seconds West at a distance of 2670.83 feet;

Thence North 00 Degrees 08 Minutes 30 Seconds West, a distance of 1556.56 feet (North 00 Degrees 48 Minutes 16 Seconds West, 1556.23 feet, Record) to the center of a 30 foot wide easement described in a Conservator's Grant Deed recorded as Instrument Number 222243 in the Gooding County Recorder's Office;

Thence along the center of said easement, North 88 Degrees 55 Minutes 45 Seconds West, a distance of 458.17 feet (North 89 Degrees 25 Minutes 27 Seconds West, 468.11 feet, Record) to a 1/2-inch rebar with cap stamped PLS 9858 marking the terminus of said easement, and being also the **POINT OF BEGINNING**;

Thence along the Westerly boundary of a parcel of land conveyed to Leo E and Judith K. Ray by Conservator's Grant Deed recorded as Instrument Number 181483 in the Gooding County Recorder's Office, South 06 Degrees 54 Minutes 21 Seconds West, a distance of 524.71 feet (South 06 Degrees 00 Minutes 13 Seconds West, 525.26 feet, Record) to a 1/2-inch rebar with cap stamped PLS 9858;

Thence along the Westerly boundary of a parcel of land conveyed to Sarah Bowler, Anthony C Bowler and Belinda May Bowler by Gift Grant Deed recorded as Instrument Number 194969 in the Gooding County Recorder's Office as Instrument Number 194969, South 14 Degrees 05 Minutes 45 Seconds West, a distance of 319.56 feet (South 13 Degrees 52 Minutes 57 Seconds West, 303.77 feet, Record) to the right bank of the Snake River, and from which a copper survey marker set in a boulder and stamped PLS 9858 bears North 14 Degrees 08 Minutes 45 Seconds East at a distance of 59.0 feet;

Thence along the right bank of the Snake River the following bearings and distances (North 69 Degrees 43 Minutes 56 Seconds East, 695.79 feet, Record):

South 88 Degrees 05 Minutes 56 Seconds West, a distance of 465.25 feet;

Thence South 65 Degrees 24 Minutes 03 Seconds West, a distance of 86.25 feet;

Thence South 87 Degrees 53 Minutes 33 Seconds West, a distance of 146.53 feet to 1/2-inch rebar with cap stamped PLS 9858 marking the intersection with the Westerly line of said Government Lot 2;

Thence along the Westerly line of said Government Lot 2, North 00 Degrees 16 Minutes 16 Seconds West, a distance of 1411.51 feet (North 00 Degrees 52 Minutes 11 Seconds West, 1280.32 feet, Record) to a 5/2-inch rebar with cap stamped PLS 3030;

Thence along the Southerly boundary of a parcel of land conveyed to Vernita A and James T Talbot by Quitclaim Deed recorded as Instrument Number 182175 in the Gooding County Recorder's Office, South 89 Degrees 41 Minutes 09 Seconds East, a distance of 836.89 feet (North 89 Degrees 43 Minutes 56 Seconds East, 836.35 feet, Record) to a 1/2-inch rebar with cap stamped PLS 3030;

Thence along the Westerly boundary of a parcel of land conveyed to Bonnie Ann Smith by Quitclaim Deed recorded in the Gooding County Recorder's Office as Instrument Number 240460, South 06 Degrees 05 Minutes 30 Seconds East, a distance of 579.56 feet (South 00 Degrees 43 Minutes 18 Seconds East, Record) to the **POINT OF BEGINNING**;

According to a survey by GradeTek, PLLC, Gooding, Idaho and containing 25.127 ACRES, more or less

EXHIBIT C

Easement

November 7, 2022
JOB # 15493-22C1
GLADE WOOD EASEMENT SURVEY



EASEMENT NO. 1

LEGAL DESCRIPTION

Part of the NW1/4 and Part of Gov't Lot 2 of Section 21 in Township 6 South, Range 13 East of the Boise Meridian, Gooding County, State of Idaho.

Commencing at the Center 4 Corner of Section 21 in T.6 S., R.13 E., B.M. said corner marked by a 4" rebar; Thence North 89 degrees 50 minutes 32 seconds West along the north line of Gov't Lot 2 for a distance of 568.00 feet to a 4" rebar; Thence South 08 degrees 29 minutes 55 seconds East for a distance of 599.06 feet to a 4" rebar; Thence South 00 degrees 43 minutes 23 seconds East for a distance of 519.56 feet to a 4" rebar; Thence South 89 degrees 13 minutes 38 seconds East for a distance of 408.82 feet to the Point of Beginning;

THENCE South 89 degrees 13 minutes 38 seconds East for a distance of 173.87 feet to a 4" rebar;

THENCE South 01 degrees 47 minutes 12 seconds East for a distance of 77.27 feet;

THENCE North 91 degrees 05 minutes 08 seconds West for a distance of 177.53 feet to a 4" rebar;

THENCE North 01 degrees 05 minutes 14 seconds West for a distance of 51.07 feet to the Point of Beginning.

Said property contains 0.26 acres more or less.

PREPARED BY:
Desert West Land Surveys
2020 Overland Ave.
Burley, Idaho 83318

**ASSIGNMENT AND CONVEYANCE OF PUMP STATION AND
WATER RIGHT CONVEYANCE PIPELINE EASEMENT – Page 19**

WATER RIGHT CONVEYANCE PIPELINE EASEMENT

BONNIE ANN SMITH, an unmarried woman, whose address is 331 High Street, Box 2, Bliss, Idaho 83314; **PATRICIA ANN SMITH-GRAY**, a married woman, whose address is 457 Bishop Court, Rio Communities, NM 87002; **CLARK McCROREY**, an unmarried man, whose address is 764 East 2400 South, Hagerman, Idaho 83332; and **JANET L. MILLER**, a married woman, whose address is 6836 Country Road 104, Dinosaur, CO 81610-9714 (collectively, the "**GRANTORS**"), hereby bargain, grant, and convey this Water Right Conveyance Pipeline Easement to **THE DECKER SPRINGS WEST DIVERSION WATER COMPANY**, an Idaho non-profit water diversion and distribution company, whose address 525 River Road, Bliss, Idaho 83314 ("**GRANTEE**") as described and on the terms contained herein:

RECITALS:

A. WHEREAS, **GRANTORS** are the owners of certain real property located in Gooding County, Idaho, more particularly described in **Exhibit A** attached hereto and incorporated by this reference herein (the "Servient Property");

B. WHEREAS, **GRANTEE** is a water diversion and distribution company benefitting and serving **GRANTORS'** real property (the "Servient Property") in addition to the lands more particularly described in **Exhibit B** attached hereto and incorporated by this reference herein (the "Dominant Property");

C. WHEREAS, irrigation water uses on the Dominant Property are sourced from springs and authorized under adjudicated water right decrees, including Water Right Nos. 37-00791A and 37-20490 (the "Water Rights");

D. WHEREAS, the Water Rights conveyance infrastructure serving the Dominant Property is antiquated and needing significant repair or replacement;

E. WHEREAS, the **GRANTEE** was incorporated, in part, to replace and modernize the Water Rights conveyance system with a pump station and pipeline-based system for the benefit of both the Servient Property and the Dominant Property;

F. WHEREAS, the parties secured the rights to construct and install pump station and pipeline Water Right conveyance infrastructure on neighboring property south of and adjacent to the Servient Property;

G. WHEREAS, a portion of the pump station pipeline needs to continue across the Servient Property in order to reach and serve the Dominant Property;

H. WHEREAS, the **GRANTEE** desires to construct, install, and continue the Water Right conveyance pipeline across the Servient Property for the benefit of the Dominant Property as described herein; and

I. WHEREAS, the **GRANTORS** desire to grant an easement to the **GRANTEE** for the purposes of constructing, installing, owning and operating the Water Right conveyance pipeline on the Servient Property for the benefit of the Dominant Property;

NOW, THEREFORE, and in accordance with the foregoing Recitals:

GRANT OF EASEMENT

GRANTORS agree, and hereby grant to **GRANTEE** the perpetual, non-exclusive Water Right conveyance pipeline easement described and depicted as "Easement No. 2" in **Exhibit C** attached hereto, and incorporated by this reference herein (the "Easement"). The Easement is for the construction, installation, operation, inspection, maintenance, repair and replacement of a Water Right conveyance pipeline on the Servient Property for the benefit of the Dominant Property. The Easement includes, without limitation, **GRANTEE** rights of ingress and egress, and irrigation water conveyance across the Servient Property.

The Easement granted herein shall be recognized, used and enforced pursuant to, and consistent with, the terms of this Instrument and with Idaho Code Title 42, Chapters 11 and 12. Further, the Easement granted herein shall run with the land and is binding upon **GRANTORS** and their heirs, successors, and assigns for the benefit of the Dominant Property, the **GRANTEE**, and **GRANTEE'S** respective heirs, successors, and assigns forever.

IN WITNESS WHEREOF, Bonnie Ann Smith, Patricia Ann Smith-Gray, Clark McCrorey, and Janet L. Miller have executed this Water Right Conveyance Pipeline Easement on this 21st day of March, 2024.

Signature Pages Follow

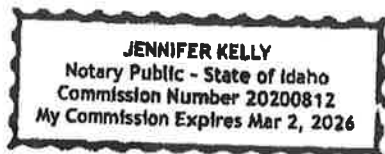
BONNIE ANN SMITH

By Bonnie Ann Smith
Bonnie Ann Smith

STATE OF IDAHO)
County of Gooding) ss.

On this 5th day of FEBRUARY, 2024, before me, the undersigned Notary Public in and for said state, personally appeared BONNIE ANN SMITH, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.



Jennifer Kelly
NOTARY PUBLIC FOR IDAHO
Residing at TWIN FALLS
My Commission Expires MARCH 2, 2026

PATRICIA ANN SMITH-GRAY

Patricia Ann Smith-Gray
By *Bonnie Ann Smith*

Bonnie Ann Smith, Attorney in Fact for Patricia
Ann Smith-Gray

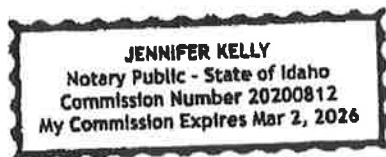
STATE OF IDAHO)

County of Gooding)

ss.

On this 5th day of February, 2024, before me, the undersigned
Notary Public in and for said state, personally appeared BONNIE ANN SMITH, known or identified
to me to be the person whose name is subscribed to the within instrument as the attorney in fact of
PATRICIA ANN SMITH-GRAY, and acknowledged to me that she subscribed the name of PATRICIA
ANN SMITH-GRAY thereto as principal, and her own name as attorney in fact.

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



Jennifer Kelly
NOTARY PUBLIC FOR IDAHO
Residing at Twin Falls
My Commission Expires March 2, 2026

CLARK McCROREY

By 
Clark McCrorey

STATE OF IDAHO)
County of Banding) ss.

On this 20th day of FEB, 2024, before me, the undersigned Notary Public in and for said state, personally appeared CLARK McCROREY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.




NOTARY PUBLIC FOR IDAHO
Residing at Hagerman, ID
My Commission Expires 6-2-24

JANET L. MILLER

By Janet L. Miller
Janet L. Miller

STATE OF Colorado)
~~IDAHO~~) ss.
County of Rio Blanco)

On this 20th day of February, 2024, before me, the undersigned Notary Public in and for said state, personally appeared JANET L. MILLER, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.

Janet L. Miller
NOTARY PUBLIC FOR IDAHO
Residing at 1298 La Mesa, Rangely Co 81048
My Commission Expires 7-28-2025

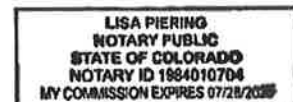


EXHIBIT A

Servient Property

Exhibit "A"

PARCEL 1

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 21: That part of Lot 2 and the Northwest 1/4 of the Southeast 1/4 described as follows:

Commencing at a 5/8-inch iron pin with a yellow plastic cap imprinted PLS 884 marking the Center 1/4 corner of said Section 21, and from which a 1/2-inch iron pin with a yellow plastic cap imprinted PLS 8806 marking the West 1/4 corner of said Section 21 bears North 89 Degrees 12 Minutes 39 Seconds West at a distance of 2651.95 feet:

Thence along the Northerly line of said Lot 2, North 89 Degrees 12 Minutes 39 Seconds West (*N 89°46'34"W, Record*), a distance of 18.06 feet (*15.32', Record*) to a point at the center of River Road, also known as old U.S. 30 and being formerly known as the Idaho Pacific Highway, said point being the POINT OF BEGINNING of this land description;

Thence continuing along the Northerly line of said Lot 2, North 89 Degrees 12 Minutes 39 Seconds West (*N 89°46'34"W, Record*), a distance of 549.88 feet (*552.56', Record*) to a 1/2-inch iron pin with a yellow plastic cap imprinted PELS 3030;

Thence South 07 Degrees 50 Minutes 37 Seconds East (*S 8°23'48"E, Record*), a distance of 599.01 feet (*599.14', Record*) to a 1/2-inch iron pin with a yellow plastic cap imprinted PELS 3030;

Thence South 00 Degrees 05 Minutes 30 Seconds East (*S 0°43'18"E, Record*), a distance of 519.56 feet (*518.23', Record*) to a 1/2-inch rebar with an orange plastic cap imprinted PLS 9858;

Thence South 88 Degrees 55 Minutes 45 Seconds East (*S 89°25'27"E, Record*), a distance of 418.82 feet to a 1/2-inch rebar with an orange plastic cap imprinted PLS 9858;

Thence North 00 Degrees 22 Minutes 22 Seconds West, a distance of 123.50 feet to a 1/2-inch rebar with an orange plastic cap imprinted PLS 9858;

Thence North 25 Degrees 37 Minutes 58 Seconds East, a distance of 82.62 feet to a 1/2-inch rebar with an orange plastic cap imprinted PLS 9858;

Thence North 23 Degrees 35 Minutes 31 Seconds East, a distance of 81.98 feet to a 1/2-inch rebar with an orange plastic cap imprinted PLS 9858 near a North/South fence;

Thence along said North/South fence, North 00 Degrees 22 Minutes 22 Seconds West, a distance of 252.13 feet to a 1/2-inch rebar with an orange plastic cap imprinted PLS 9858 near a fence corner;

Thence along a fence and along said fence as extended, North 89 Degrees 11 Minutes 12 Seconds East, a distance of 177.45 feet to a 1/2-inch rebar with an orange plastic cap imprinted PLS 9858;

Thence continuing North 89 Degrees 11 Minutes 12 Seconds East, a distance of 25.28 feet to a point at the center of said River Road, being also a point of cusp on a curve concave to the east having a radius of 897.06 feet, a central angle of 0 Degrees 50 Minutes 53 Seconds and being subtended by a chord which bears North 08 Degrees 59 Minutes 43 Seconds West 13.28 feet;

Thence along the center of said River Road the following bearings and distances:

-continued-

Exhibit "A"

Northerly along said curve, a distance of 13.28 feet;

Thence North 08 Degrees 34 Minutes 17 Seconds West tangent to said curve, a distance of 57.42 feet to the beginning of a curve concave to the west having a radius of 1047.44 feet, a central angle of 20 Degrees 16 Minutes 47 Seconds and being subtended by a chord which bears North 18 Degrees 41 Minutes 11 Seconds West 368.81 feet;

Thence northerly and northwesterly along said curve, a distance of 370.74 feet;

Thence North 28 Degrees 49 Minutes 15 Seconds West, a distance of 65.55 feet;

Thence North 28 Degrees 55 Minutes 24 Seconds West, a distance of 123.87 feet to the POINT OF BEGINNING.

According to a 2014 survey by GradeTek, P.L.C., and containing 14.256 ACRES, more or less.

EXHIBIT B

Dominant Property

EXHIBIT A

LEGAL DESCRIPTION OF THE PREMISES

PARCEL 1:

TOWNSHIP 6 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 21: That part of Lot 2 and the NW¼SE¼ described as follows:

Commencing at a 5/8-inch iron pin with a yellow plastic cap imprinted PLS 884 marking the Center ¼ corner of said Section 21, and from which a ½-inch iron pin with a yellow plastic cap imprinted PLS 8808 marking the West ¼ corner of said Section 21 bears North 89°12'39" West at a distance of 2651.95 feet;
Thence along the Northerly line of said Lot 2, North 89°12'39" West (North 89°46'34" West, Record), a distance of 18.06 feet (15.52 feet, Record) to a point at the center of River Road, also known as old U.S. 30 and being formerly known as the Idaho Pacific Highway;
Thence along the center of said River Road the following bearings and distances:
South 28°55'24" East, a distance of 123.87 feet;
Thence South 28°49'15" East, a distance of 65.55 feet to the beginning of a curve concave to the West having a radius of 1047.44 feet, a central angle of 20°16'47" and being subtended by a chord which bears South 18°41'11" East 368.81 feet;
Thence Southeasterly and Southerly along said curve, a distance of 370.74 feet;
Thence South 08°34'17" East, a distance of 57.42 feet to the beginning of a curve tangent to said line;
Thence Southerly a distance of 13.28 feet along the curve concave to the East, having a radius of 897.06 feet, a central angle of 0°50'53" and being subtended by a chord which bears South 08°59'43" East 13.28 feet to the POINT OF BEGINNING of this land description; Thence along the line of an East/West fence extended as necessary, South 89°11'12" West, a distance of 25.28 feet to a ½-inch rebar with an orange plastic cap imprinted PLS 9858;
Thence along said fence and said fence extended, South 89°11'12" West, a distance of 177.45 feet to a ½-inch rebar with an orange plastic cap imprinted PLS 9858 near a fence corner;
Thence along a fence, South 00°22'22" East, a distance of 252.13 feet to a ½-inch rebar with an orange plastic cap imprinted PLS 9858;
Thence South 23°35'31" West, a distance of 81.98 feet to a ½-inch rebar with an orange plastic cap imprinted PLS 9858;
Thence South 25°37'58" West, a distance of 82.62 feet to a ½-inch rebar with an orange plastic cap imprinted PLS 9858;
Thence South 00°22'22" East, a distance of 129.50 feet to a ½-inch rebar with an orange plastic cap imprinted PLS 9858;
Thence South 88°55'45" East, a distance of 369.09 feet to an axle;
Thence North 83°29'31" East, a distance of 121.27 feet to a 5/8-inch iron pin with an orange plastic cap imprinted PLS 8077 at the center of said River Road;
Thence along the center of said River Road the following bearings and distances:
North 28°04'31" West, a distance of 112.08 feet;
Thence North 28°02'55" West, a distance of 98.42 feet;
Thence North 28°21'20" West, a distance of 125.05 feet;
Thence North 22°27'14" West, a distance of 52.95 feet;
Thence North 17°45'37" West, a distance of 50.09 feet to the beginning of a curve tangent to said line;
Thence Northerly a distance of 130.59 feet along the curve concave to the East, having a radius of 897.06 feet, a central angle of 8°20'27" and being subtended by a chord which bears North 13°35'23" West 130.47 feet to the POINT OF BEGINNING.

PARCEL 2:

A non-exclusive easement for water pipeline, utilities, ingress and egress for the benefit of Parcel No. 1, as created by Grant of Easement by and between Bonnie Ann Smith, individually and in her capacity as Attorney in Fact for Brent J. Smith and Patricia Ann Smith Gray, ("Grantor") and Ted Talbott, Conservator of the Estate of Laurence J. Smith ("Grantee"), dated May 14, 2012, recorded May 14, 2012, as Instrument Number 241153, Gooding County records, described as follows:

TOWNSHIP 6 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 21: Part of Lot 2 and Part of the NW¼SE¼, being a fifteen (15) feet wide strip of land along the South line of a parcel of land conveyed to Bonnie Ann Smith and Patty Gray by Quitclaim Deed recorded in the Gooding County Recorder's Office as Instrument Number 240460, and being more particularly defined as follows:

Commencing at a BLM brass cap marking the South Quarter corner of said Section 21, from which a 5/8" rebar with cap stamped PLS 884 marking the center of said Section 21 bears North 00°08'30" West at a distance of 2670.83 feet;

Thence North 00°08'30" West, a distance of 1556.56 feet (North 00°48'18" West, 1556.23 feet, Record) to the South line of said Smith/Gray parcel, being also the North line of a parcel of land conveyed to Leo E and Judith K. Ray by Conservator's Grant Deed recorded as Instrument Number 181482 in the Gooding County Recorder's Office, being also the POINT OF BEGINNING;

Thence along the common line between said Smith/Gray and Ray parcels, North 88°55'45" West, a distance of 488.15 feet (North 89°25'27" West, 488.11 feet, Record) to a ½-inch rebar with cap stamped PLS 9858 marking a point on the Easterly boundary of a parcel of land described in a Conservator's Grant Deed for the Estate of Laurence J. Smith and recorded as Instrument Number 222243 in the Gooding County Recorder's Office;

Thence along the common line between said Smith and Smith/Gray parcels, North 00°05'18" West, a distance of 15.00 feet;

Thence along a line parallel to and fifteen (15) feet distant from the common line between said Smith/Gray and Ray parcels, South 88°55'45" East, a distance of 787.22 feet;

Thence continuing along a line parallel to and fifteen (15) feet distant from said Smith/Gray and Ray common line, North 83°29'31" East, a distance of 114.34 feet to the center of River Road, also known as Old Highway 30;

Thence along the center line of said road, South 28°03'40" East, a distance of 16.13 feet to the common line between said Smith/Gray and Ray parcels;

Thence along said common line between Smith/Gray and Ray parcels, South 83°29'31" West, a distance of 121.26 feet (South 82°56'14" West, 122.09 feet, Record) to a ½-inch rebar;

Thence continuing along said common line between the Smith/Gray and Ray parcels, North 88°55'45" West, a distance of 299.76 feet (North 89°25'17" West, 299.31 feet, Record) to the POINT OF BEGINNING.

EXHIBIT B

RIVERSIDE RANCHES, INC.

Parcel "E"

A parcel of land located in Lot 2, Section 21, T.6S., R.13E., B.M. Gooding County, Idaho and being more specifically described as follows:

Commencing at the center Quarter Corner of Section 21, T.6S., R.13E., B.M. then N.89°46'34"W. 568.08 feet along the northerly boundary of said Lot 2 to the REAL POINT OF BEGINNING:

then S.8°23'48"E. 599.14 feet,
then S.89°43'56"W. 836.35 feet to a point on the westerly boundary of said Lot 2;

then N.0°52'11"W. 599.68 feet along the westerly boundary of said Lot 2 to the northwest corner thereof;
then S.89°46'34"E. 757.96 feet along the northerly boundary of said Lot 2 to the REAL POINT OF BEGINNING:

The gross area contained in this land as described above is 10.91 acres.

TOGETHER WITH and also SUBJECT TO an access roadway easement thirty (30) foot wide, or as required by the local Highway District for public road standard and being centered on the following described centerline:

COMMENCING at the center Quarter Corner of Section 21, T.6S., R., 13E., B.M. Gooding County, Idaho then N.89°46'34"W. 568.08 feet along the northerly boundary of said Section 21; then S.8°23'48"E. 599.14 feet; then S.0°43'18"E. 14.99 feet; then S.89°40'30"W. 40.00 feet to the POINT OF BEGINNING.

then 62.83 feet northeasterly along a curve to the right having a central angle of 90°00' and a radius of 40.00 feet;

then N.89°40'30"E. 685.74 feet to the centerline of Old U.S. 30, said point being the POINT OF ENDING.

EXHIBIT B

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 21: That part of Government Lot 2 described as follows:

Commencing at a BLM brass cap marking the South Quarter corner of said Section 21, from which a 5/8" rebar with cap stamped PLS 884 marking the center of said Section 21 bears North 00 Degrees 08 Minutes 30 Seconds West at a distance of 2670.83 feet;

Thence North 00 Degrees 08 Minutes 30 Seconds West, a distance of 1556.56 feet (North 00 Degrees 48 Minutes 18 Seconds West, 1556.23 feet, Record) to the center of a 30 foot wide easement described in a Conservator's Grant Deed recorded as Instrument Number 222243 in the Gooding County Recorder's Office;

Thence along the center of said easement, North 88 degrees 55 Minutes 45 Seconds West, a distance of 488.15 feet (North 89 Degrees 25 minutes 27 Seconds West, 488.11 feet, Record) to a 1/2-inch rebar with cap stamped PLS 9858 marking the terminus of said easement, and being also the POINT OF BEGINNING;

Thence along the Westerly boundary of a parcel of land conveyed to Leo E. and Judith K. Ray by Conservator's Grant Deed recorded as Instrument Number 181482 in the Gooding County Recorder's Office, South 06 Degrees 54 Minutes 21 Seconds West, a distance of 524.71 feet (South 06 Degrees 00 Minutes 13 Seconds West, 525.26 feet, Record) to a 1/2-inch rebar with cap stamped PLS 9858;

Thence along the Westerly boundary of a parcel of land conveyed to Sarah Bowler, Anthony C. Bowler and Belinda May Bowler by Gift Grant Deed recorded as Instrument Number 194969 in the Gooding County Recorder's Office as Instrument Number 194969, South 14 Degrees 08 Minutes 45 Seconds West, a distance of 319.50 feet (South 13 Degrees 52 Minutes 57 Seconds West, 303.77 feet, Record) to the right bank of the Snake River, and from which a copper survey marker set in a boulder and stamped PLS 9858 bears North 14 Degrees 08 Minutes 45 Seconds East at a distance of 39.0 feet;

Thence along the right bank of the Snake River the following bearings and distances (North 89 Degrees 43 Minutes 56 Seconds East, 695.79 feet, Record):

South 88 Degrees 05 Minutes 56 Seconds West, a distance of 465.25 feet;

Thence South 65 Degrees 24 Minutes 03 Seconds West, a distance of 86.25 feet;

Thence South 87 Degrees 55 Minutes 53 Seconds West, a distance of 146.53 feet to 1/2-inch rebar with cap stamped PLS 9858 marking the intersection with the Westerly line of said Government Lot 2;

Thence along the Westerly line of said Government Lot 2, North 00 Degrees 16 Minutes 16 Seconds West, a distance of 1411.51 feet (North 00 Degrees 52 Minutes 11 Seconds West, 1380.32 feet, Record) to a 1/2-inch rebar with cap stamped PLS 3030;

Thence along the Southerly boundary of a parcel of land conveyed to Vernita A. and James T. Talbott by Quitclaim Deed recorded as Instrument Number 182175 in the Gooding County Recorder's Office, South 89 Degrees 41 Minutes 09 Seconds East, a distance of 836.89 feet (North 89 Degrees 43 Minutes 56 Seconds East, 836.35 feet, Record) to a 1/2-inch rebar with cap stamped PLS 3030;

Thence along the Westerly boundary of a parcel of land conveyed to Bonnie Ann Smith by Quitclaim Deed recorded in the Gooding County Recorder's Office as Instrument Number 240460, South 00 Degrees 05 Minutes 30 Seconds East, a distance of 539.56 feet (South 00 degrees 43 Minutes 18 Seconds East, Record) to the POINT OF BEGINNING;

According to a survey by GradeTek, PLLC, Gooding, Idaho and containing 25.127 ACRES, more or less

EXHIBIT C

Easement

November 7, 2022
JOB # 15483-22C1
GLADE WOOD EASEMENT SURVEY



EASEMENT NO. 2

L E G A L D E S C R I P T I O N

Part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and Part of Gov't Lot 2 of Section 21 in Township 6 South, Range 13 East of the Boise Meridian, Gooding County, State of Idaho.

Commencing at the Center $\frac{1}{4}$ Corner of Section 21 in T.6 S., R.13 E., B.M. said corner marked by a $\frac{1}{4}$ " rebar; Thence North 89 degrees 50 minutes 32 seconds West along the north line of Gov't Lot 2 for a distance of 568.00 feet to a $\frac{1}{4}$ " rebar; Thence South 08 degrees 28 minutes 55 seconds East for a distance of 599.06 feet to a $\frac{1}{4}$ " rebar; Thence South 00 degrees 43 minutes 23 seconds East for a distance of 519.56 feet to a $\frac{1}{4}$ " rebar; Thence South 89 degrees 33 minutes 38 seconds East for a distance of 408.82 feet to the Point of Beginning;

THENCE North 01 degrees 00 minutes 14 seconds West for a distance of 125.56 feet;

THENCE North 25 degrees 00 minutes 04 seconds East for a distance of 84.75 feet;

THENCE North 22 degrees 57 minutes 39 seconds East for a distance of 79.68 feet;

THENCE North 01 degrees 00 minutes 15 seconds West for a distance of 249.93 feet to the southerly boundary of an existing easement per Instrument No's. 241150-241153;

THENCE North 88 degrees 33 minutes 17 seconds East along said southerly boundary for a distance of 10.00 feet to a $\frac{1}{4}$ " rebar;

THENCE South 01 degrees 00 minutes 15 seconds East for a distance of 252.13 feet to a $\frac{1}{4}$ " rebar;

THENCE South 22 degrees 57 minutes 39 seconds West for a distance of 81.98 feet to a $\frac{1}{4}$ " rebar;

THENCE South 25 degrees 00 minutes 04 seconds West for a distance of 82.62 feet to a $\frac{1}{4}$ " rebar;

THENCE South 01 degrees 00 minutes 14 seconds East for a distance of 123.50 feet to a $\frac{1}{4}$ " rebar;

THENCE North 89 degrees 33 minutes 38 seconds West for a distance of 10.00 feet to the Point of Beginning.

Said property contains 0.12 acres more or less.

PREPARED BY:

Desert West Land Surveys 2020 Overland Ave. Burley, Idaho 83318





0005563424

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ARTICLES OF INCORPORATION (NONPROFIT)**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$30.00

*For Office Use Only***-FILED-**

File #: 0005563424

Date Filed: 1/16/2024 2:42:07 PM

B0874-1856 01/16/2024 2:43 PM Received by Office of the Idaho Secretary of State

Articles of Incorporation (Nonprofit)	
Select one: Standard, Expedited or Same Day Service (see descriptions below) Expedited (+\$40; filing fee \$70)	
Article 1: Corporation Name Entity name	THE DECKER SPRINGS WEST DIVERSION WATER COMPANY
Article 2: Effective Date The corporation shall be effective	when filed with the Secretary of State.
Article 3: Purpose The purpose for which the corporation is organized is:	General Nonprofit
Article 4: Voting Members: The corporation	has voting members.
Article 5: Asset Distribution on Dissolution Upon dissolution the assets shall be distributed:	the residual assets of the Corporation (after all creditors of the Corporation have been paid), shall be distributed to the members prorated in accordance with their respective membership interests.
Article 6: IRS Designation Does this nonprofit corporation intend to file as a 501(c)(3) with the IRS?	No
Article 7: The mailing address of the corporation shall be: Mailing Address	525 RIVER RD BLISS, ID 83314-5129
Article 8: Registered Agent Name and Address Registered Agent	Registered Agent JOSEPH KENDALL Physical Address: 525 RIVER ROAD BLISS, ID 83314 Mailing Address: 525 RIVER RD BLISS, ID 83314-5129
☒ I affirm that the registered agent appointed has consented to serve as registered agent for this entity.	
Article 9: Incorporator Name(s) and Address(es)	
Name	Incorporator Address
G&M LAND AND LIVESTOCK, LLC	EVAN G. WOOD 535 RIVER ROAD BLISS, ID 83314
JOSEPH KENDALL	525 RIVER ROAD BLISS, ID 83314



HARRY W. KNOX II	3420 N. KNOX DRIVE KING HILL, ID 83633
CLARK McCROREY	764 EAST 2700 SOUTH HAGERMAN, ID 83332

Article 10: Director Name(s) and Address(es)

Name	Title	Director Address
EVAN G. WOOD	Director	535 RIVER ROAD BLISS, ID 83314
HARRY W. KNOX II	Director	3420 N. KNOX DRIVE KING HILL, ID 83633
JOSEPH KENDALL	Director	525 RIVER RD BLISS, ID 83314-5129
CLARK McCROREY	Director	764 EAST 2700 SOUTH HAGERMAN, ID 83332

The Articles of Incorporation must be signed by at least one Incorporator.

<i>EVAN G. WOOD</i>	<i>01/16/2024</i>
G&M LAND AND LIVESTOCK, LLC	Date
<i>JOSEPH KENDALL</i>	<i>01/16/2024</i>
JOSEPH KENDALL	Date
<i>HARRY W. KNOX II</i>	<i>01/16/2024</i>
HARRY W. KNOX II	Date
<i>CLARK McCROREY</i>	<i>01/16/2024</i>
CLARK McCROREY	Date



0005588528

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0005588528

Date Filed: 2/6/2024 1:45:08 PM

Entity Name and Mailing Address:

Entity Name: French Quarter Farms, LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0004172540
Address: PETER J. MERLONE
PO BOX 9160
KETCHUM, ID 83340-7140

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:

The registered agent on record is:

Registered Agent: PETER J. MERLONE
Registered Agent
Physical Address
160 TELEMAR ROAD
KETCHUM, ID 83340
Mailing Address
PO BOX 9160
KETCHUM, ID 83340-7140

Agent or Address Change

☐ Select if you are appointing a new agent.

Limited Liability Company Managers and Members

Name	Title	Business Address
PETER J. MERLONE	Member	160 TELEMAR ROAD KETCHUM, ID 83340

The annual report must be signed by an authorized signer of the entity.

Job Title: Registered Agent

Brian Barsotti

Sign Here

02/06/2024

Date

DUPLICATE OF ORIGINAL FILED IN OFFICE OF THE SECRETARY OF STATE



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 11, 2024

DECKER SPRINGS WEST DIVERSION WATER COMPANY
525 RIVER RD
BLISS, ID 83314-5129

RE: Transfer No. 89351
Water Right No(s). 37-20490, 37-791A, 37-791B

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 10/17/2024 and 10/24/2024**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **November 4, 2024**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

c: Andy Waldera, attorney



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 11, 2024

COREY KING
WATER DISTRICT 130
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

Re: Application for Transfer No. 89351 (Decker Springs West Diversion Water Co)
Water Right No. 37-791A, 37-791B, & 37-20490

Dear Corey:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)



OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Magic Valley Times-News** on the dates indicated below. If changes are needed, please contact us prior to deadline at help@column.us

Notice ID: P87yvQLhFJequfn3QsSg | **Proof Updated: Oct. 10, 2024 at 02:30pm MDT**
Notice Name: Legal Notice for Transfer(s) 89268 & 89351 | Publisher ID: COL-NV-0670

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

ID DEPARTMENT OF WATER
RESOURCES Southern Region
denise.maline@idwr.idaho.gov
(208) 736-3033

FILING FOR

Magic Valley
Times-News

Columns Wide: 2

Ad
Class: Legals

10/17/2024: General Legal Notice	68.29
10/24/2024: General Legal Notice	59.75
Affidavit Fee	9.00

Total \$137.04

See Proof on Next Page

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89268**

G+ RANCHES INC, 2564 S SWALLOWTAIL LN, BOISE, ID 83706 has filed Application No. 89268 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-195, 47-197, 47-2191. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new point of diversion (POD) to three unnamed stream (tributary to Mud Creek) irrigation water rights (5.0 cfs and 383.7 acres when combined) to serve as a third point of diversion for the water rights. Proposed POD will be located approximately 2.8 miles north and 0.6 miles west of the intersection of Broadway Ave N. and Main St in Buhl.

TRANSFER NO. 89351

THE DECKER SPRINGS WEST DIVERSION WATER COMPANY, 525 RIVER RD, BLISS, ID 83314 has filed Application No. 89351 for changes to the following water rights within GOODING County(s): Right No(s). 37-20490, 37-791A, 37-791B. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding an injection point (POI) and a rediversion (POR) to three Upper Decker Spring water rights (0.94 cfs combined), so that water can be diverted from an unnamed stream (locally known as Decker Creek). Application also proposes combining the three water rights to create a 40.7 acre permissible place of use (PPU). POI, POR and PPU will be located approximately 4.5 to 4.9 miles north and 0.8 to 1.2 miles west of the intersection of Main St. & Hwy 30 in Hagerman.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **November 4, 2024**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: October 17, 24, 2024
#####



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 10, 2024

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

Submitted online @ column.us

RE: Transfer No. 89268
Water Right No(s). 47-195, 47-197, 47-2191

RE: Transfer No. 89351
Water Right No(s). 37-20490, 37-791A, 37-791B

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before November 4, 2024. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89268**

G+ RANCHES INC, 2564 S SWALLOWTAIL LN, BOISE, ID 83706 has filed Application No. 89268 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-195, 47-197, 47-2191. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new point of diversion (POD) to three unnamed stream (tributary to Mud Creek) irrigation water rights (5.0 cfs and 383.7 acres when combined) to serve as a third point of diversion for the water rights. Proposed POD will be located approximately 2.8 miles north and 0.6 miles west of the intersection of Broadway Ave N. and Main St in Buhl.

TRANSFER NO. 89351

THE DECKER SPRINGS WEST DIVERSION WATER COMPANY, 525 RIVER RD, BLISS, ID 83314 has filed Application No. 89351 for changes to the following water rights within GOODING County(s): Right No(s). 37-20490, 37-791A, 37-791B. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding an injection point (POI) and a rediversion (POR) to three Upper Decker Spring water rights (0.94 cfs combined), so that water can be diverted from an unnamed stream (locally known as Decker Creek). Application also proposes combining the three water rights to create a 40.7 acre permissible place of use (PPU). POI, POR and PPU will be located approximately 4.5 to 4.9 miles north and 0.8 to 1.2 miles west of the intersection of Main St. & Hwy 30 in Hagerman.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **November 4, 2024**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on October 17th & 24th, 2024

MEMORANDUM

Date: September 30, 2024

To: Transfer 89351 File

From: William Mills

Re: Transfer Proposal

Application for transfer proposes adding an injection point (POI) and a rediversion (POR) to three Upper Decker Spring water rights (0.94 cfs combined), so that water can be diverted from an unnamed stream (locally known as Decker Creek). Application also proposes combining the three water rights to create a 40.7 acre permissible place of use (PPU). POI, POR and PPU will be located approximately 4.5 to 4.9 miles north and 0.8 to 1.2 miles west of the intersection of Main St. & Hwy 30 in Hagerman.

PPU, POI & POR are located in Water District 130. Watermaster comments will be solicited.

M E M O R A N D U M

Date: September 30, 2024

To: Transfer 89351

From: Bill Mills

Re: Fee Evaluation

Filing fees charged for transfer application #89351 were based on the current transfer fee schedule and included \$500.00 for the 0.94 cfs being transferred in the application and \$75.00 for processing change of ownership through the transfer process for the three water rights in the transfer application (\$575.00, Receipt No.S040214).

Skinner, Corey

From: Andy Waldera <andy@sawtoothlaw.com>
Sent: Tuesday, September 24, 2024 8:42 AM
To: Skinner, Corey; E. Glade Wood
Subject: RE: Upper Decker Springs West Diversion

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Yes please, Corey.

Thank you.

Andy

Andrew J. Waldera

SAWTOOTH LAW OFFICES, PLLC

andy@sawtoothlaw.com

www.sawtoothlaw.com

Telephone: (208) 629-7447 ext. 216

Facsimile: (208) 629-7559

P.O. Box 7985, Boise, Idaho, 83707



SAWTOOTH LAW
OFFICES, PLLC

NOTICE: This e-mail, including attachments, constitutes a confidential attorney-client communication. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this communication in error, do not read it. Please delete it from your system without copying it, and notify the sender by reply e-mail or by calling (208) 629-7447, so that our address record can be corrected. Thank you.

From: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Sent: Tuesday, September 24, 2024 8:27 AM
To: E. Glade Wood <e.gladewood@gmail.com>; Andy Waldera <andy@sawtoothlaw.com>
Subject: RE: Upper Decker Springs West Diversion

Gentlemen,

Thank you for the additional information. With this information, and everything else that has been submitted since my August 9th letter, are you wanting us to go ahead and proceed with processing of the application (prepare the public notice advertisement)?

Corey

From: E. Glade Wood <e.gladewood@gmail.com>

Sent: Monday, September 23, 2024 8:42 PM

To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; Andy Waldera <andy@sawtoothlaw.com>; E. Glade Wood <e.gladewood@gmail.com>

Subject: Upper Decker Springs West Diversion

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Corey,

Once again, thank you for your time. Please see attached a map labeled Exhibit C that references my former place of residence highlighted in yellow. Also please see my statement below of having ample water year round delivered.

Corey,

In follow-up to the Department's pipeline delivery question and as we discussed over the phone, attached is a map identifying my former home and domestic place of use under Right No. 37-22902. My former home is the second to last user on the northerly segment of pipeline exiting the water box located on the Wayne Smith property. In the middle of the home's driveway is a (water) shed where the end of the pipeline splits water between the home and French Quarter Farm located on the west side of River Road. I sold the home in 2022.

Between 2014 and 2022 (the period of my ownership of the home), My family experienced ample water supply in the home during both the irrigation and non-irrigation season. During the non-irrigation season, the home still received more than enough water for domestic use (routinely at approximately 10 psi of pressure in the driveway shed connection due to the fall in the pipeline alone). And at all times, regardless of season, extra water (more than my former home could use) exited the driveway shed connection crossing under River Road to the west for downstream use.

Glade Wood

208-948-5000 cell

e.gladewood@gmail.com

Skinner, Corey

From: Andy Waldera <andy@sawtoothlaw.com>
Sent: Thursday, September 19, 2024 12:00 PM
To: Skinner, Corey
Cc: e.gladewood@gmail.com
Subject: Maps For 130 Call Reference
Attachments: ExhibitAExistingDiversion.jpg; ExhibitBProposedPointofDiversion.jpg; Upper Decker Springs - Aug 14 2024 - 1-38 PM.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

These might be helpful during our upcoming call.

Thanks,
Andy

Andrew J. Waldera

SAWTOOTH LAW OFFICES, PLLC

andy@sawtoothlaw.com

www.sawtoothlaw.com

Telephone: (208) 629-7447 ext. 216

Facsimile: (208) 629-7559

P.O. Box 7985, Boise, Idaho, 83707



NOTICE: This e-mail, including attachments, constitutes a confidential attorney-client communication. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this communication in error, do not read it. Please delete it from your system without copying it, and notify the sender by reply e-mail or by calling (208) 629-7447, so that our address record can be corrected. Thank you.

Exhibit A Existing Diversion
Upper Decker Springs location, diversion point, and water flow.

Evan Glade Wood water right
37-22902

Concrete line ends
inside water shed and
French Quarter Farm's
2" poly pipe begins.

Open water box
on Wayne Smith
property

Upper Decker
Springs

Decker Creek

Google

Imagery ©2024 Airbus, Maxar, Terra

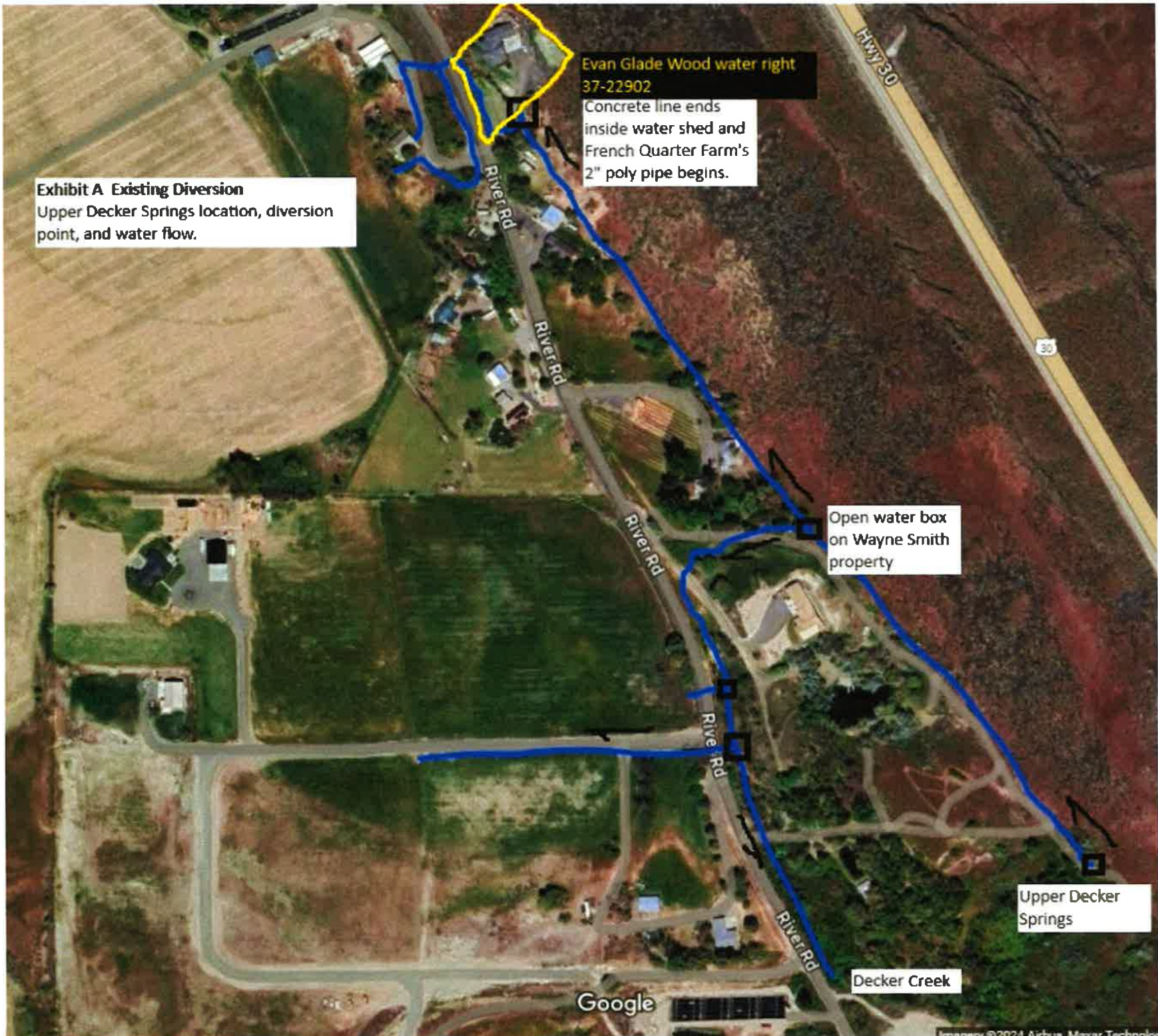


Exhibit A Existing Diversion

Upper Decker Springs location, diversion point, and water flow.

Concrete line ends
inside water shed and
French Quarter Farm's
2" poly pipe begins.

Open water box
on Wayne Smith
property

Upper Decker
Springs

Decker Creek

Google

Imagery ©2024 Airbus, Maxar, Terra

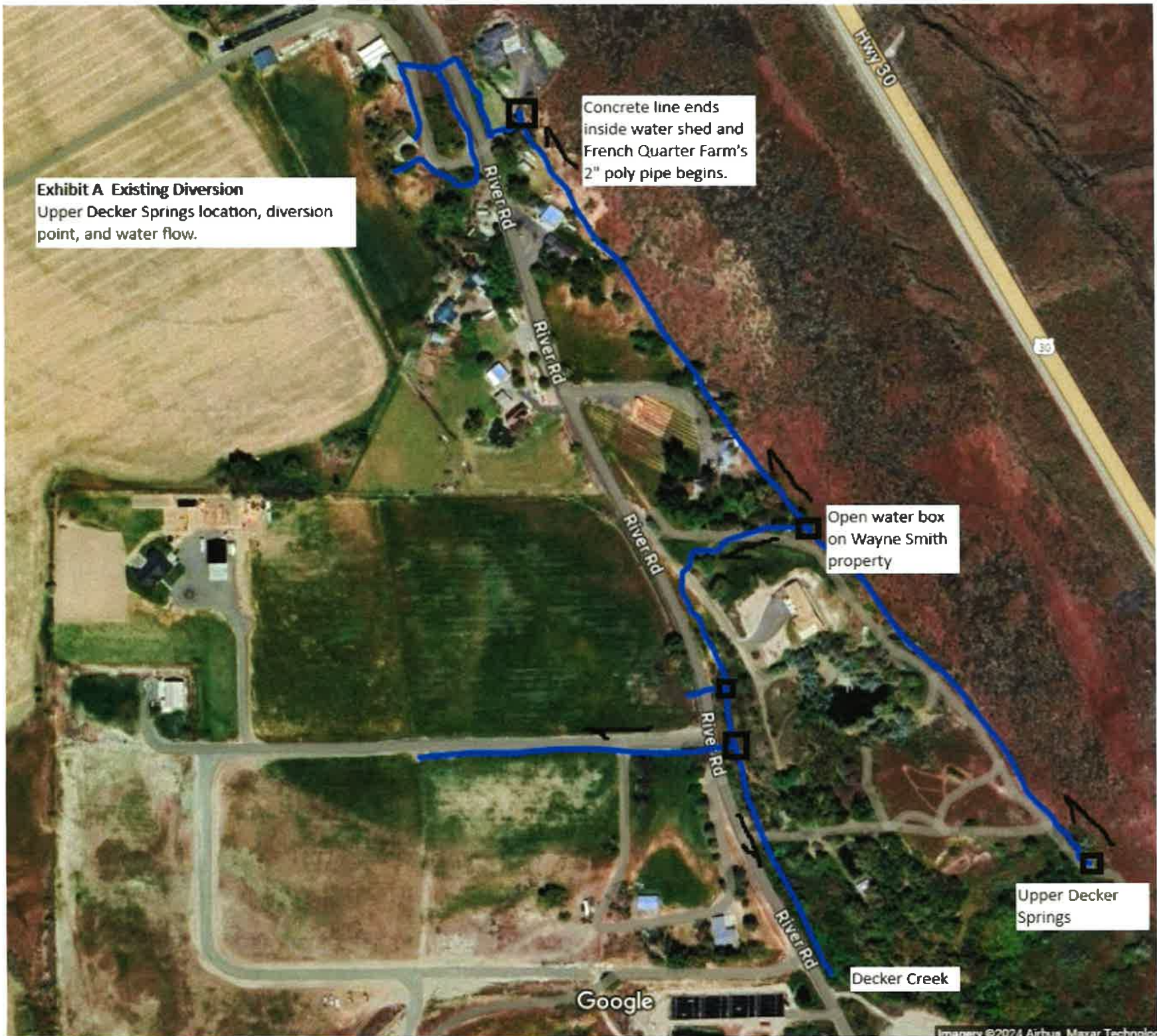


Exhibit B Proposed new point of diversion
Water Rights that will use the new point of diversion:

GNM Land & Livestock Water Right # 37-791A

Bonnie Smith Water Right # 37-791B

Harry W Knox II Water Right # 37-20490

Total diversion flow of 0.94 cfs



buried pipeline

Diversion Headgate

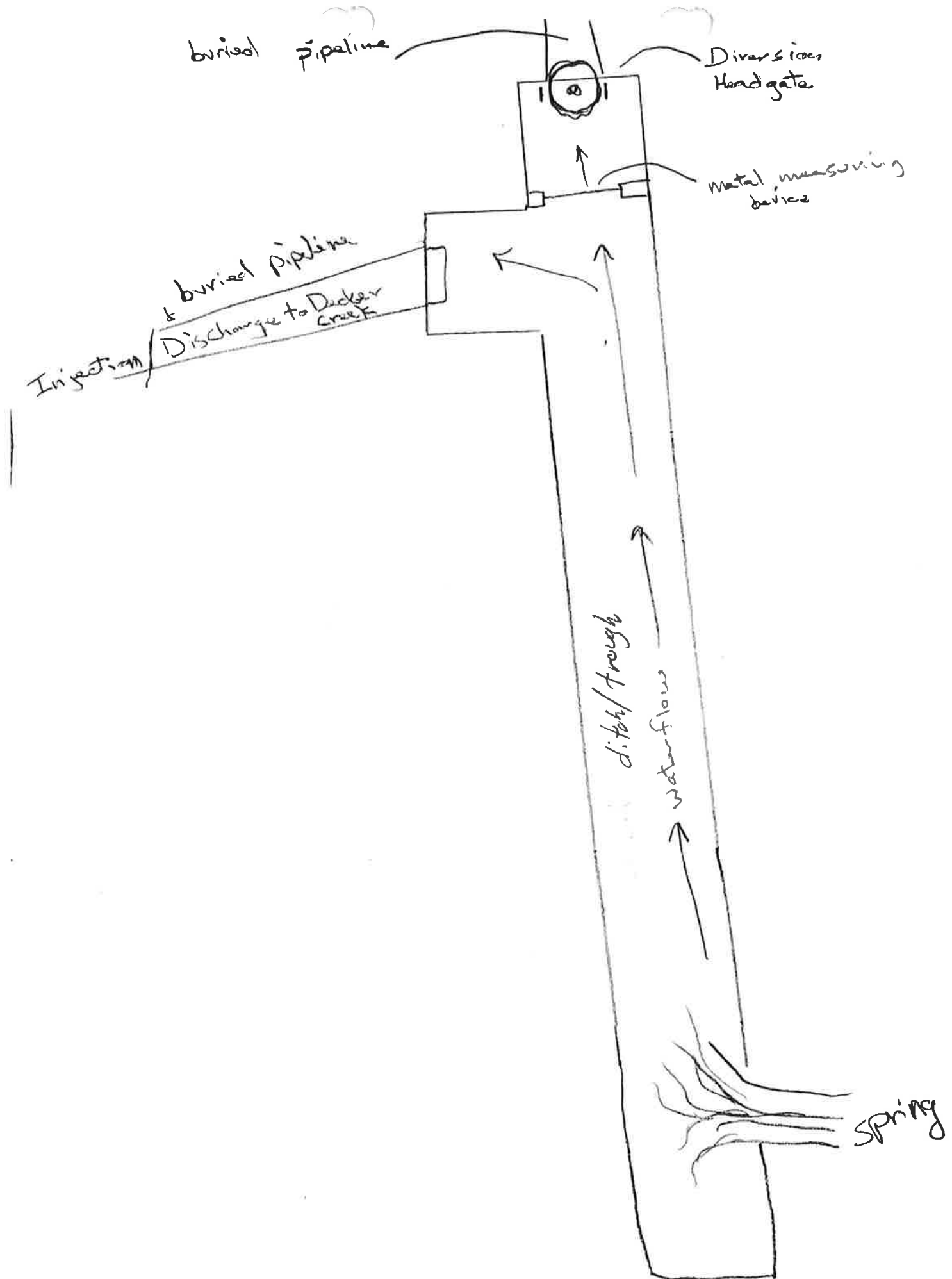
metal measuring device

Injection & buried pipeline
Discharge to Duck Creek

ditch/trough

water flow

spring



Skinner, Corey

From: Andy Waldera <andy@sawtoothlaw.com>
Sent: Friday, September 13, 2024 5:45 PM
To: Skinner, Corey; e.gladewood@gmail.com
Subject: RE: Letter RE: The Decker Springs West Diversion Water Company Transfer
Attachments: SKM_C45824091317240.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good evening, Corey and Glade.

Attached is the initialed/signed amended transfer application that you put together Corey. Thank you again for your suggestions. Signature and date appears at the bottom of each page.

Relatedly, Glade and I would like to have a follow-up conversation regarding the pipeline question narrative sought to further support the application. Can you please provide some available dates and times on the 18th and 19th (next Wednesday and Thursday) that work for you? I am currently wide open those days.

Thanks again, and have a good weekend.

Regards,
Andy

Andrew J. Waldera

SAWTOOTH LAW OFFICES, PLLC

andy@sawtoothlaw.com

www.sawtoothlaw.com

Telephone: (208) 629-7447 ext. 216

Facsimile: (208) 629-7559

P.O. Box 7985, Boise, Idaho, 83707



SAWTOOTH LAW
OFFICES, PLLC

NOTICE: This e-mail, including attachments, constitutes a confidential attorney-client communication. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this communication in error, do not read it. Please delete it from your system without copying it, and notify the sender by reply e-mail or by calling (208) 629-7447, so that our address record can be corrected. Thank you.

From: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Sent: Thursday, August 15, 2024 8:53 AM
To: e.gladewood@gmail.com; Andy Waldera <andy@sawtoothlaw.com>
Subject: RE: Letter RE: The Decker Springs West Diversion Water Company Transfer

Gentlemen,

See attached possible amendment(s) to transfer.

Corey

Skinner, Corey

From: Andy Waldera <andy@sawtoothlaw.com>
Sent: Friday, August 30, 2024 11:11 AM
To: Skinner, Corey; e.gladewood@gmail.com
Subject: RE: Letter RE: The Decker Springs West Diversion Water Company Transfer
Attachments: 20240815074732.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good morning, Corey. And, thank you for speaking with me and Glade about these matters at length to date.

It is our understanding (Glade and mine) that Peter Merlone of French Quarter Farms sent (or is in the process of sending) "no objection" comment correspondence addressed to you regarding the pending transfer application. We were waiting on that update from Peter before pinging you again regarding the proposed application amendments.

Regarding the proposed application amendments (attached), the Company agrees with them. While you suggested that Glade might be able to stop by your office to initial and finalize, he is currently out of state with no immediate plans of returning (he will be back and forth, just not at the moment). Because the water rights and application are Company-owned, and because I represent the Company in these matters, are you willing to accept my initials and signature to finalize the amendments?

If you are willing to accept my initials, are you willing to accept scans via email? If not, I can print, initial, and mail back to you next week and still likely beat Glade's turnaround time from southern Utah.

Please confirm your successful receipt of Peter's "no objection" comment correspondence, and please advise how you would like us to proceed for finalizing the application for publication.

Thanks again for your time and help, Corey.

Regards,
Andy

Andrew J. Waldera

SAWTOOTH LAW OFFICES, PLLC

andy@sawtoothlaw.com

www.sawtoothlaw.com

Telephone: (208) 629-7447 ext. 216

Facsimile: (208) 629-7559

P.O. Box 7985, Boise, Idaho, 83707



Skinner, Corey

From: Peter Merlone <peter@merlone.com>
Sent: Friday, August 30, 2024 8:51 AM
To: Skinner, Corey
Cc: King, Corey; Peter Merlone; E. Glade Wood
Subject: FW: comments/edits attached
Attachments: UpperDeckerSpringsditchtroughheadgate.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Copying Corey King as Bliss Watermaster.

Peter Merlone
peter@merlone.com
415.269.5370

Re: The Decker Springs West Diversion Water Company Proposed Water Right Transfer (WR Nos. 37-791A, 37-791B, and 37-20490)

Dear Mr. Skinner:

I am the Managing Member of P/K Farms, LLC, which in turn is the Managing Member of French Quarter Farms, LLC ("FQF"). I write you regarding the above-referenced, proposed water right transfer under which the Decker Springs West Diversion Water Company ("Company") proposes to transfer irrigation water out of the existing concrete conveyance pipeline conveying water from the Upper Decker Spring to users along the pipeline system.

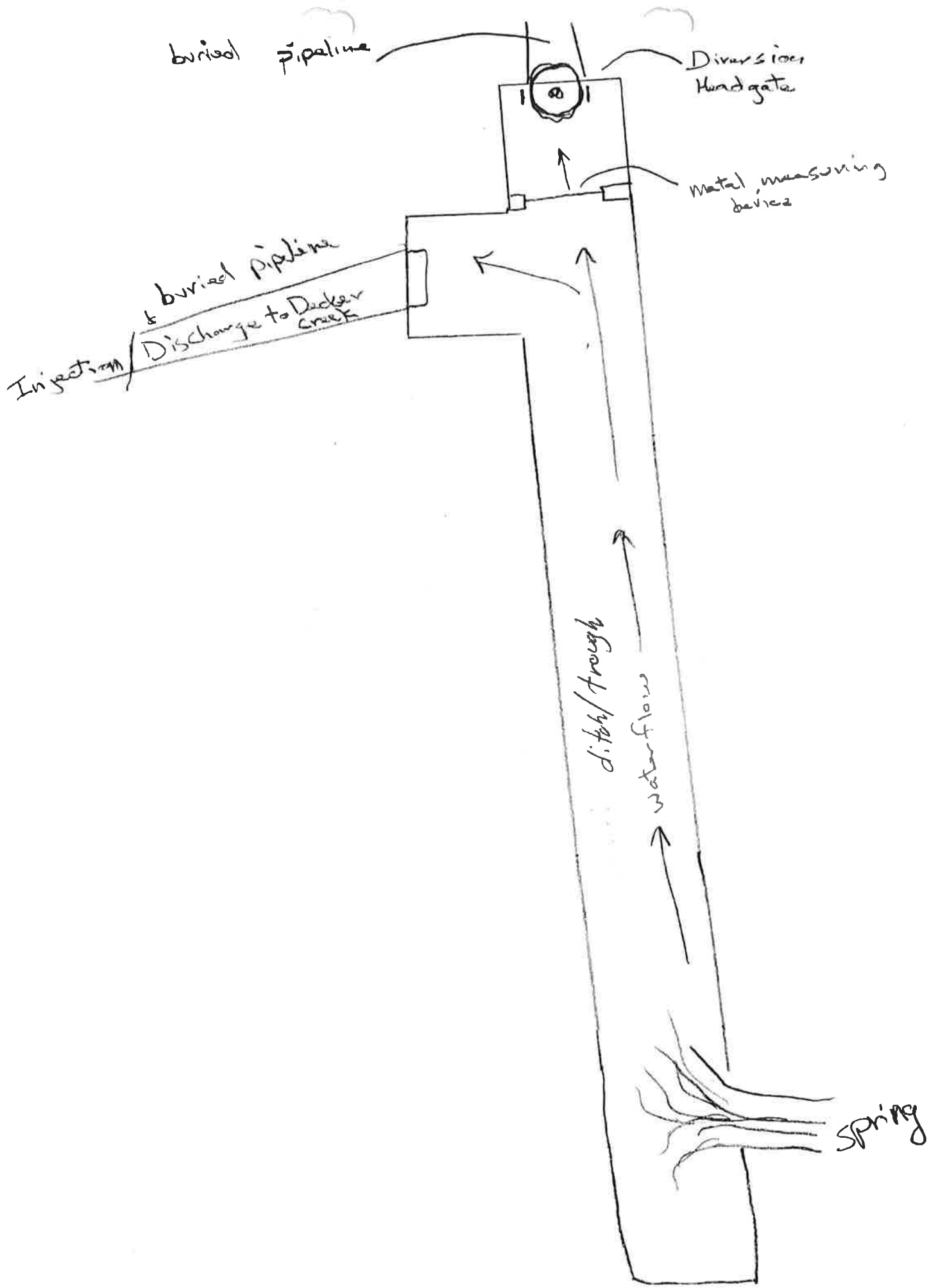
Provided that the Company's transfer maintains the status quo of spring flow collection and conveyance to the inlet of the concrete pipeline serving FQF at the existing, hillside headgate structure, FQF has no objection. In other words, conveyance improvements originating in Upper Decker Springs and conveying water via gravity to the headgate serving FQF and via gravity to Decker Creek shall remain unchanged (please see attached sketch of the existing spring collection and conveyance "trough" and concrete headgate structure to remain unchanged).

Sincerely,

Peter J. Merlone

Managing Member, P/K Farms, LLC

As Managing Member of FQF



Skinner, Corey

From: Skinner, Corey
Sent: Friday, August 9, 2024 10:41 AM
To: e.gladewood@gmail.com; andy@sawtoothlaw.com
Cc: Mills, Bill; King, Corey
Subject: Letter RE: The Decker Springs West Diversion Water Company Transfer
Attachments: 20240809093239.pdf

Gentlemen,

The attached letter regarding The Decker Springs West Diversion Water Company Transfer went out in the mail today.

Corey



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

August 9, 2024

The Decker Springs West Diversion Water Company
525 River Road
Bliss, ID 83314

Dear Applicant:

As you recall, you filed a water right transfer application with the Idaho Department of Water Resources (IDWR) in May of 2024. The application proposes adding an additional point of diversion to water rights 37-791A, 37-791B, and 37-20490. These three water rights currently allow for the diversion of up to 0.94 cfs of water from a spring (locally known as Upper Decker Spring). Currently, this water is diverted into a pipeline system that is shared with several other water right holders. Additionally, water right 37-20490, owned by Harry W Knox II, also currently allows for the potential diversion from an additional spring (locally known as Lower Decker Spring). Note that this allows for water right 37-20490 to be diverted from either spring (Upper Decker Spring or Lower Decker Spring).

The transfer appears to attempt to describe a new proposed pump station that will divert water to a combined irrigation system. The pump station will apparently be located at the end of fish raceways owned by Leo Ray. Water right 37-7082 allows for the diversion of water from an unnamed stream (locally known as Decker Creek) for use in Mr. Ray's fish facility. I assume the idea is to allow for the opportunity to let water that would otherwise be diverted from Upper Decker Spring into the shared pipeline to remain undiverted and injected into the unnamed stream and then redivert this water from the unnamed stream, through Mr. Ray's fish facility to the new pump station.

If this is the case, then the application needs to be amended to describe the original point of diversion from Upper Decker Spring (to allow for continued possible diversion into the shared pipeline), a point of injection into the unnamed stream (locally known as Decker Creek), and a point of rediversion from the unnamed stream (this would be the same diversion that currently serves Mr. Ray's fish facility).

Currently, the filed application only lists a proposed diversion in the SENWSE of Section 21 (this would correspond to the current Upper Decker diversion into the pipeline) and a proposed point of diversion in the SWNWSE of Section 21 (this could be the diversion that currently serves Mr. Ray's fish facility). No other diversion locations are proposed on the application. Note that this would eliminate the ability for water right 37-20490, owned by Harry W Knox II, to be diverted from Lower Decker Spring.

Once the proposed diversion issue is clarified, and the application is amended accordingly, the application could be advertised as part of the required public notice. However, there is another issue that may prevent the Department from ultimately approving the application as currently proposed.

Idaho Code 42-222 allows for the change in point of diversion, place of use, period of use, or nature of use of water under established rights. However, the change can only be approved provided no other water rights are injured, in addition to other criteria that must be considered. Since the application proposes to move water out of a delivery pipeline system that is shared with several other water right holders, there is the possibility that the proposed change could injure other water rights. The applicant has the burden of proof to show that no water rights will be injured as a result of the proposed change. No information is included with the application addressing the impact to other right holders in the currently shared pipeline as a result of the change described in the application.

According to Water District 130 records, there are twelve water rights (totaling 1.57 cfs) that could currently be diverted through the shared pipeline. The application proposes the ability to remove the three largest of the twelve water rights from the system. This would allow for the removal of up to 0.94 cfs (60%) of the water from the system. In the past, water right holders that have removed their water from shared delivery systems have either provided written consent from the remaining users in the system or provided a detailed plan to leave a portion of their rights in the original system to address the possibility of injuring other water rights.

For reference, according to Water District 130 records the twelve rights that could currently be diverted through the shared pipeline are as follows:

Water Right Number	Current Water Right Owner of Record
37-791A	G & M Land & Livestock LLC
37-791B	Brent J Smith, Bonnie Smith, and Patricia Gray
37-20490	Harry W Knox II
37-22883	1999 Collins Family Revocable Trust
37-22902	Evan Glade Wood & Misty Ann Wood
37-10996	Charles Smith
37-4322A	Lloyd D Hammond & Nellie P Hammond
37-4322B	Danny Hammond & Diane Hammond
37-4020	Kim Wood
37-11160	French Quarter Farms LLC
37-8871	Kent Heady & Celia Heady
37-791C	Wayne Marshall Smith & Kassandra Joneese Slazas

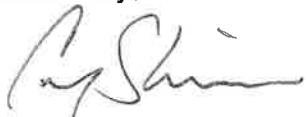
Page 3

The Decker Springs West Diversion Water Co Letter
August 9, 2024

In closing, as currently filed, IDWR cannot ascertain whether your application will injure existing rights in the currently shared pipeline. **If information is not submitted to adequately address this issue, IDWR will issue a preliminary order to reject the application.** As an alternative, you may formally withdraw the application. If a written request asking for a refund of your filing fee is submitted with the signed withdrawal IDWR will refund your filing fee. However, if IDWR rejects your application, a refund of your filing fee will not be granted.

If you have any questions, or want to discuss this matter further, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Skinner", written over a horizontal line.

Corey Skinner, PE
IDWR Southern Region Manager

cc: Andrew J Waldera – Sawtooth Law Offices