STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES

## TRANSFER OF WATER RIGHT
## TRANSFER NO. 86880

This is to certify that: ANGELA BUCKLAND AND
DANNY BUCKLAND
989 N 575 E
FIRTH, ID 83236

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

### Summary of Water Rights Before the Proposed Changes

| Water Right | Origin/Basis | Priority Date | Diversion Rate | Diversion Volume | Acre Limit | Total Acres | Source |
|---|---|---|---|---|---|---|---|
| 25-14200 | WR/DECREED | 8/3/1978 | 0.020 cfs | 0.9 af | N/A | N/A | SPRING |

### Purpose of Transfer (Changes Proposed)

| Current Number | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|---|---|---|---|---|---|---|
| 25-14200 | NO | YES | YES | NO | NO | NO |

### Summary Of Water Rights After the Approved Change

| Existing Right | New No. (Changed Portion) | Transfer Rate | Transfer Volume | Acre Limit | Total Acres | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|---|---|---|---|---|---|---|---|---|---|---|
| 25-14200 | 25-14200 | 0.020 cfs | 0.9 af | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| **COMBINED TOTALS** | | **0.020 cfs** | **0.9 af** | **N/A** | **N/A** | | **N/A** | **N/A** | **N/A** | **N/A** |

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 13th day of October, 2022.

Regional Manager

Transfer No. 86880

SCANNED
OCT 14 2022

# WATER RIGHT NO. 25-14200

## As Modified by Transfer No. 86880

In accordance with the approval of Transfer No. 86880, Water Right No. 25-14200 is now described as follows:

**Right Holder:** DANNY BUCKLAND AND
ANGELA BUCKLAND
989 N 575 E
FIRTH, ID 83236

**Priority Date:** 8/3/1978

**Source:** SPRING **Tributary:** SELLARS CREEK

| BENEFICIAL USE | From | | To | Diversion Rate | Diversion Volume |
|---|---|---|---|---|---|
| STOCKWATER | 01/01 | to | 12/31 | 0.020 cfs | 0.9 af |
| | | | | 0.020 cfs | 0.9 af |

**LOCATION OF POINT(S) OF DIVERSION**

SPRING SESE Sec 34 Twp 01S Rge 39E BINGHAM County

**PLACE OF USE: STOCKWATER**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 01S | 39E | 34 | | | | | | | | | | | | | | | | X | |

**CONDITIONS OF APPROVAL**

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
2. The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. The quantity of water under this right shall not exceed 13,000 gallons per day.
4. Point of diversion and place of use are located within Lot 5, Blk. 1, Double W Estates Subdivision.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 86880

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OCT 14 2022

## WATER RIGHT NO. 25-14200

## As Modified by Transfer No. 86880

**CONDITIONS OF APPROVAL**

7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

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OCT 14 2022

# Attachment to Transfer Approval 86880

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.




**Legend**

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 75 150 300 Feet

N
W E
S

SCANNED
OCT 14 2022

Date: 10/13/2022

Rev. 07/18

RECEIVED

SEP 15 2022

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT
## PART 1

Name of Applicant(s) Danny & Angela Buckland Phone 208-520-4406

Mailing address 989 N 575 E, Firth, ID 83236 Email concrete@ida.net

☐ 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 _____ Phone _____

Mailing address _____ Email _____

☐ 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 | Danny Buckland<br>Print Name and Title if applicable | 8-30-22<br>Date |
| Angie Buckland<br>Signature of Applicant or Authorized Representative | Angie Buckland<br>Print Name and Title if applicable | 8-30-22<br>Date |

## A. PURPOSE OF TRANSFER

1. ☑ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. 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 **Part1A.2.**

3. 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.**

   Correct legal description that was licensed incorrectly on parent right (25-7155). There is no physical change to the right.



86880

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SEP 28 2022

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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. | All or Part | Right Number | Amount (cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|---|---|---|---|---|---|---|
| ☑ | ☐ | 25-14200 | 0.02 cfs | Stockwater | 01/01 to 12/31 | Spring - Sellars Creek |
| ☐ | ☐ | | | | to | |
| ☐ | ☐ | | | | to | |
| ☐ | ☐ | | | | to | |
| ☐ | ☐ | | | | to | |
| ☐ | ☐ | | | | to | |
| ☐ | ☐ | | | | to | |
| ☐ | ☐ | | | | to | |
| ☐ | ☐ | | | | to | |

Total authorized under rights 0.02 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.02 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 # |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | SE | SE | 34 | 01S | 39E | Bingham | Spring | |
| | | | | | | | | | | |
| | | | | | | | | | | |
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| | | | | | | | | | | |

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.)

| 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 | |
| 01S | 39E | 34 | | | | | | | | | | | | | | | | X | |
| | | | | | | | | | | | | | | | | | | | |
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**Total Acres** (for irrigation use)



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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:
Natural flow from a spring collected in a pond.
No measuring device is required

b. Who owns the property at the point(s) of diversion? Applicant, Danny & Angel Buckland
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NO
**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:

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:

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:
n/a

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:



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT
## PART 2

### A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

### B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: ______________

1. amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
   amount ______________ (cfs/ac-ft) for ______________________ purposes from __________ to __________
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

| 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 | |
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| | | | | | | | | | | | | | | | | | | **Total Acres (for irrigation use)** | |



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86880

Rev. 07/18

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 (Water Balance)

☐ 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:

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**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid 50.00 Date 9-15-22 Receipted by M. Pettis Receipt # E04845

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

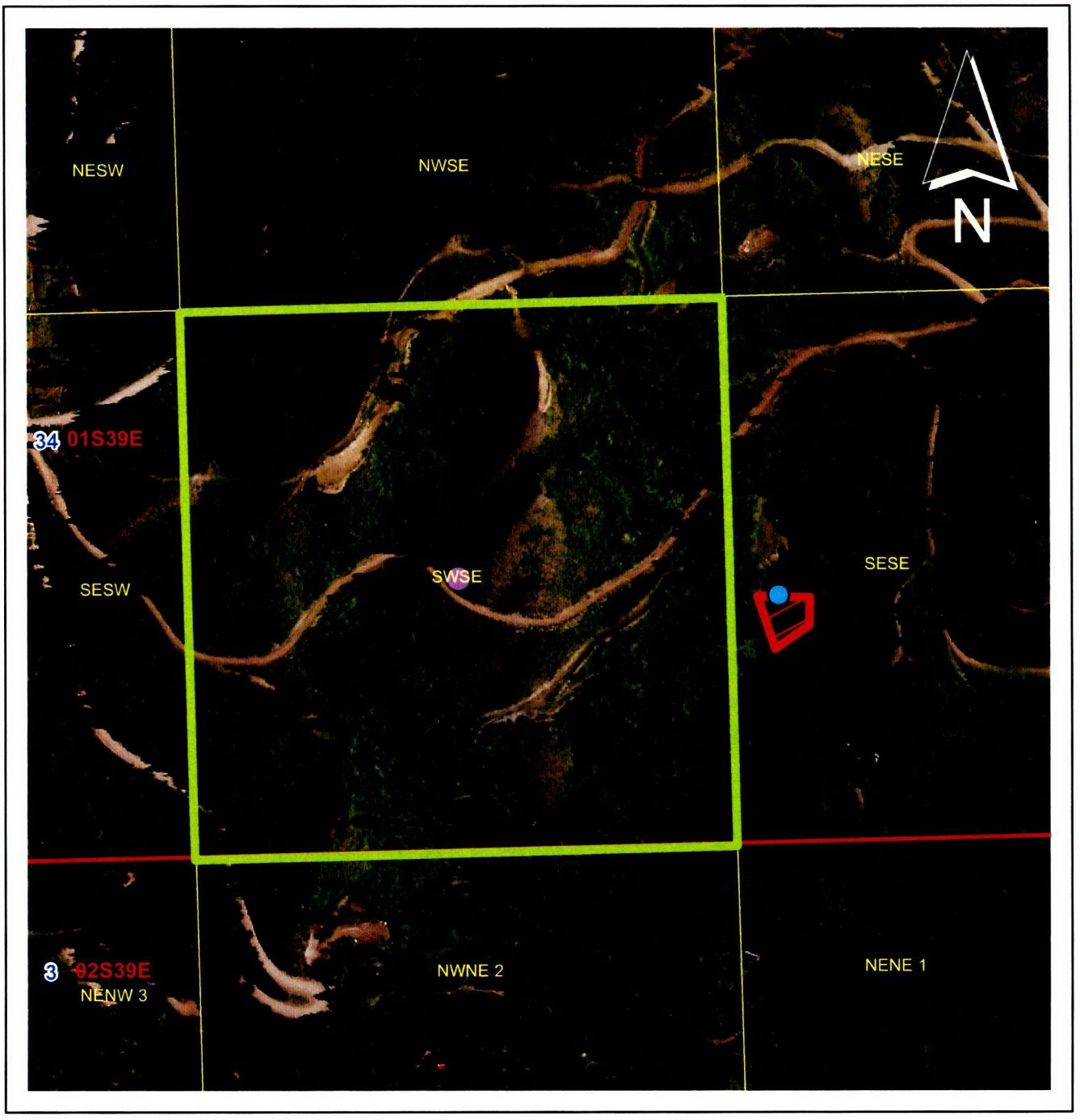
Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)



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SEP 28 2022

86880

# Water Right 25-14200




## Legend

- Proposed POD
- Current POD
- Proposed POU
- Current POU
- QQ

0 0.05 0.1 0.2 Miles

SCANNED
SEP 28 2022

# Idaho Department of Water Resources Receipt

**Receipt ID: E048545**

| | | | | | |
|---|---|---|---|---|---|
| Payment Amount | $50.00 | Date Received | 9/15/2022 | Region | EASTERN |
| Payment Type | Check | Check Number | 92 | | |
| Payer | Angela D Buckland Danny I Buckland | | | | |
| Comments | Application for Transfer of Water Right<br>Danny & Angela Buckland<br>25-14200 | | | | |

**Fee Details**

| Amount | Description | PCA | Fund | Fund Detail | Subsidiary | Object |
|---|---|---|---|---|---|---|
| $50.00 | TRANSFERS | 63105 | 0229 | 21 | | 1155 |

M. Pettis

Signature Line (Department Representative)

86880

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SEP 28 2022

**IDAHO DEPARTMENT OF WATER RESOURCES** **10/6/2022**

**Proof Report**

**Water Right 25-14200**

| **Owner Type** | **Name and Address** |
|---|---|
| Current Owner | HANSEN ENTERPRISES INC<br>12475 S 10TH E<br>IDAHO FALLS, ID 83404 |

**Priority Date:** 8/3/1978
**Basis:** Decreed
**Status:** Active

| **Source** | **Tributary** |
|---|---|
| SPRING | SELLARS CREEK |

| **Beneficial Use** | **From** | **To** | **Diversion Rate** | **Volume** |
|---|---|---|---|---|
| STOCKWATER | 01/01 | 12/31 | 0.020 CFS | 0.9 AF |
| | **Total Diversion** | | 0.020 CFS | 0.9 AF |

**Source and Point(s) of Diversion:**

| | | |
|---|---|---|
| SPRING | SWSE | Sec. 34, Twp 01S, Rge 39E, BINGHAM County |

**Place Of Use:**
STOCKWATER within BINGHAM County

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 01S | 39E | 34 | | | | | | | | | | | | | | | X | | |

**Conditions of Approval:**

| | | |
|---|---|---|
| 1. | N13 | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. |
| 2. | | PARCEL NO. 0575200 |
| 3. | N11 | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |

**Comments:**

1 jcrabtre 9/10/2007 POD
Updated shape

2 jcrabtre 9/26/2007 Ownership Change
Ownership change received from Alma Cram resulted in split from 25-7155 into 25-14200 (Hansen Enterprises Inc) and 25-14201 (Cram).

**Dates and Other Information:**
Decreed Date: 3/26/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 01
Mitigation Plan: False

**Combined Use Limits:**
N/A

**Verification Log**

**SubCase:**
N/A

**Water Supply Bank:**

N/A

Form 42-248/42-1409(6) Rev. 7/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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MAY 18 2022
Department of Water Resources
Eastern Region

# NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

| Water Right/Claim No. | Split? | Leased to Water Supply Bank? | Water Right/Claim No. | Split? | Leased to Water Supply Bank? |
|---|---|---|---|---|---|
| 25-14200 OK | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |
| 27-4018 OK | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |
| | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |
| | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |
| | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |

2. Previous Owner's Name: Hansen Enterprises INC
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): 4H DEVELOPING LLC
   New owner(s) as listed on the conveyance document  Name connector ☐ and ☐ or

   6885 15E
   Mailing address

   IDAHO FALLS  ID  83404
   City  State  Zip

   208.521.3379
   Telephone

   jmax208@ADL.com
   Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ☑ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: MARCH 2ND 1999.

6. Do you own the land identified as the water right place of use? Yes ☑ No ☐
   - If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ☑ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ☑ Filing fee (see instructions for further explanation):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.

   SUPPORT DATA
   IN FILE # 25-14200

   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: _____ Managing Member 5.18.22
   Signature of new owner/claimant  Title, if applicable  Date

   Dean J. Hansen
   Print name

   Signature: _____
   Signature of new owner/claimant  Title, if applicable  Date

   Print name

***For IDWR Office Use Only:***

Receipted by JB  Date 5/18/2022  Receipt No. E078157  Receipt Amt. $50.-

Active in the Water Supply Bank? Yes ☐ No ☐  If yes, forward to the State Office for processing  W-9 received? Yes ☐ No ☐

Name on W-9 _____  Approved by JB  Processed by JB  Date 10/20/2022

OCT 26 2022

**IDAHO DEPARTMENT OF WATER RESOURCES** **5/18/2022**

**Proof Report**

**Water Right 27-4018**

| **Owner Type** | **Name and Address** |
|---|---|
| Current Owner | HANSEN ENTERPRISES INC<br>12475 S 10TH E<br>IDAHO FALLS, ID 83404 |

**Priority Date:** 6/1/1939
**Basis:** Decreed
**Status:** Active

| **Source** | **Tributary** |
|---|---|
| SPRING | WOLVERINE CREEK |

| **Beneficial Use** | **From** | **To** | **Diversion Rate** | **Volume** |
|---|---|---|---|---|
| STOCKWATER | 6/01 | 10/30 | 0.020 CFS | |
| | **Total Diversion** | | 0.020 CFS | |

**Source and Point(s) of Diversion:**

| | | |
|---|---|---|
| SPRING | NESW | Sec. 34, Twp 01S, Rge 39E, BINGHAM County |

**Place Of Use:**
STOCKWATER within BINGHAM County

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 01S | 39E | 34 | | | | | | | | | X | | | | | | | | |

**Conditions of Approval:**

| | | |
|---|---|---|
| 1. | N13 | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. |
| 2. | N11 | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |
| 3. | | STOCKWATER, 100 BEEF CATTLE PARCEL NO. RP0575200 |

**Dates and Other Information:**
Decreed Date: 4/16/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 27
Mitigation Plan: False

**IDAHO DEPARTMENT OF WATER RESOURCES** **5/18/2022**

**Proof Report**

**Water Right 25-14200**

| **Owner Type** | **Name and Address** |
|---|---|
| Current Owner | HANSEN ENTERPRISES INC<br>12475 S 10TH E<br>IDAHO FALLS, ID 83404 |

**Priority Date:** 8/3/1978
**Basis:** Decreed
**Status:** Active

| **Source** | **Tributary** |
|---|---|
| SPRING | SELLARS CREEK |

| **Beneficial Use** | **From** | **To** | **Diversion Rate** | **Volume** |
|---|---|---|---|---|
| STOCKWATER | 01/01 | 12/31 | 0.020 CFS | 0.9 AF |
| | **Total Diversion** | | 0.020 CFS | 0.9 AF |

**Source and Point(s) of Diversion:**

| | | |
|---|---|---|
| SPRING | SWSE | Sec. 34, Twp 01S, Rge 39E, BINGHAM County |

**Place Of Use:**
STOCKWATER within BINGHAM County

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 01S | 39E | 34 | | | | | | | | | | | | | | | X | | |

**Conditions of Approval:**

| | | |
|---|---|---|
| 1. | N11 | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |
| 2. | N13 | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. |
| 3. | | PARCEL NO. 0575200 |

**Dates and Other Information:**
Decreed Date: 3/26/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 01
Mitigation Plan: False

SCANNED
OCT 26 2022

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 9.00 DEP 8
99 MAR -2 PM 1:59
RECORDED AT THE REQUEST OF

475223

474971

# WARRANTY DEED

WARRANTY DEED made this 2 day of ~~February,~~ March 1999, between **Hansen Enterprises, Inc.**, an Idaho corporation, "Grantor," and **4H Developing, LLC**, an Idaho limited liability company, "Grantee," Address: 520 W. 15th St., Idaho Falls, ~~ID~~ 83402

**W I T N E S S E T H :**

In consideration of the sum of $10.00 (Ten and no/100 Dollars) and other good and valuable considerations Grantor does by these presents, grant, bargain, sell, convey, and confirm unto Grantee and to Grantee's successors and assigns the following described real estate located in the County of Bingham, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE.

SUBJECT TO:

1. General taxes and any water assessments for the year of conveyance and all subsequent years.
2. Further subject to and together with those certain easement rights or interests for roadways as described on Exhibit "A".

BUT OTHERWISE together with the tenements, hereditaments and appurtenances, thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF, Grantor has hereunto set its hand on the day and year first above written.

HANSEN ENTERPRISES, INC.

By: _____
Title: Dean J. Hansen, President

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 9.00 DEP 12
99 MAR 5 PM 12:52
RECORDED AT THE REQUEST OF

STATE OF IDAHO )
: ss.
County of Bonneville )

On this 2 day of ~~February~~ March, 1999, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Dean J. Hansen, known to me to be the President of the corporation that executed the instrument, and acknowledged to me that such corporation 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.

KATHRYN DABELL NOTARY PUBLIC STATE OF IDAHO (SEAL)

Kathryn Dabell
Notary Public for State of Idaho
Residing at: Idaho Falls, Id.
My Commission Expires: 10-16-2001

SCANNED
OCT 26 2022

**Mountain River, Inc.**
CONSULTING ENGINEERS AND LAND SURVEYORS

Exhibit A

**LEGAL DESCRIPTION**
**FOR**
**TRACT 19**

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ 39 DH East of the Boise Meridian; running thence West along the Section line 1320.00 feet; thence North, parallel to the East line of said Section 660.00 feet to the TRUE POINT OF BEGINNING; running thence West 330.00 feet; thence North, parallel to the East line of said Section 660.00 feet; thence East 330.00 feet; thence South, parallel to said East line 660.00 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO: a roadway access easement, 50 feet in width, the centerline of which is described as follows:

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ 39 DH East of the Boise Meridian; running thence West along the Section line 1568.18 feet; thence North, parallel with the East line of said Section 1320.00 feet to the TRUE POINT OF BEGINNING; running thence N.61°33'29"W. 93.05 feet; thence S.76°45'34"W. 248.17 feet; thence S.41°38'01"W. 47.54 feet; thence S.20°05'43"W. 216.75 feet; thence S.34°46'40"W. 224.96 feet; thence S.46°38'12"W. 254.95 feet; thence S.68°11'55"W. 171.13 feet; thence West 98.15 feet; thence N.53°07'48"W. 104.55 feet; thence N.70°20'46"W. 150.50 feet; thence N.45°00'00"W. 111.09 feet; thence N.15°56'43"W. 145.17 feet; thence N.46°50'51"W. 91 feet more or less to the existing County road.

The sidelines of said easement shall be lengthened or shortened as required so as to terminate on lot lines, Right-of-Way lines and easement sidelines.

ALSO SUBJECT TO: a roadway access easement, 50 feet in width, the centerline of which is described as follows:

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ 39 DH East of the Boise Meridian; running thence West along the Section line 500.00 feet; thence North, parallel with the East line of said Section 1320.00 feet to the TRUE POINT OF BEGINNING; running thence S.45°54'34"W. 222.77 feet; thence S.59°02'10"W. 262.39 feet; thence S.66°28'04"W. 338.12 feet; thence S.49°29'05"W. 361.73 feet; thence S.64°43'20"W. 199.06 feet; thence S.75°57'50"W. 164.92 feet; thence N.81°31'44"W. 237.59 feet; thence S.71°33'54"W. 110.68 feet; thence S.39°28'21"W. 110.11 feet; thence S.49°23'55"W. 92.20 feet; thence S.73°36'38"W. 88.60 feet; thence N.85°36'05"W. 65.19 feet; thence N.66°22'14"W. 174.64 feet; thence N.56°18'36"W. 180.28 feet; thence N.40°48'54"W. 291 feet more or less to the existing County road.

The sidelines of said easement shall be lengthened or shortened as required so as to terminate on lot lines, Right-of-Way lines and easement sidelines.

ALSO SUBJECT TO: a roadway access easement, 50 feet in width, the centerline of which is described as follows:

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ 39 DH East of the Boise Meridian; running thence West along the Section line 990.00 feet; thence North, parallel with the East line of said Section 2565.00 feet to the TRUE POINT OF BEGINNING; running thence N.37°52'30"E. 57.01 feet; thence N.75°57'50"E. 20.62 feet; thence S.75°57'50"E. 41.23 feet;

1020 East Lincoln Road • Idaho Falls, Idaho 83401
Phone: (208) 524-6175
Fax: (208) 524-6181

SCANNED
OCT 26 2022

thence S.56°18'36"E. 72.11 feet; thence S.29°44'42"E. 80.62 feet; thence S.08°07'48"E. 35.36 feet; thence S.30°15'23"W. 69.46 feet; thence S.15°01'01"W. 82.76 feet; thence S.06°20'25"W. 45.28 feet; thence S.51°20'25"E. 32.02 feet; thence East 40.00 feet; thence N.48°21'59"E. 60.21 feet; thence N.42°08'15"E. 141.60 feet; thence N.34°30'31"E. 194.16 feet; thence N.56°18'36"E. 36.06 feet; thence S.71°33'54"E. 31.62 feet; thence S.23°11'55"E. 38.08 feet; thence S.09°09'44"W. 157.00 feet; thence S.37°58'18"W. 260.05 feet; thence S.28°10'43"W. 158.82 feet; thence S.13°23'33"W. 215.87 feet; thence N.69°32'28"E. 133.42 feet; thence S.69°32'28"W. 133.42 feet; thence S.32°44'07"W. 83.22 feet; thence S.63°26'06"W. 89.44 feet; thence S.45°00'00"W. 42.43 feet; thence S.26°33'54"E. 33.54 feet; thence S.71°04'31"E. 185.00 feet; thence S.58°34'14"E. 105.48 feet; thence S.59°02'10"E. 173.97 feet; thence S.14°12'10"E. 42.71 feet; thence S.30°37'49"W. 67.61 feet; thence S.45°54'34"W. 217.01 feet; thence S.59°02'10"W. 253.39 feet; thence S.66°28'04"W. 342.34 feet; thence S.49°29'05"W. 362.51 feet; thence S.64°43'20"W. 187.45 feet; thence S.75°57'50"W. 150.05 feet; thence N.81°31'44"W. 239.60 feet; thence S.71°33'54"W. 137.02 feet; thence S.39°28'21"W. 120.15 feet; thence S.49°23'55"W. 77.13 feet; thence S.73°36'38"W. 68.70 feet; thence N.85°36'05"W. 47.55 feet; thence N.66°22'14"W. 161.77 feet; thence N.56°18'36"W. 169.07 feet; thence N.40°48'54"W. 380 feet more or less to the existing County Road.
The sidelines of said easement shall be lengthened or shortened as required so as to terminate on lot lines, Right-of-Way lines and easement sidelines.
ALSO SUBJECT TO: easements of record.

474971

475223

SCANNED
OCT 26 2022

5000-19

475208 BINGHAM COUNTY RECORDER BLACKFOOT, IDAHO

FEE 6.00 DEP

474956 **WARRANTY DEED** 99 MAR -2 PM 1:56

RECORDED AT THE REQUEST OF

WARRANTY DEED made this 2 day of ~~February~~ MARCH, 1999, between **Hansen Enterprises, Inc.**, an Idaho corporation, "Grantor," and **4H Developing, LLC**, an Idaho limited liability company, "Grantee," Address: 520 W. 15th St., Idaho Falls, ID 83402

**W I T N E S S E T H :**

In consideration of the sum of $10.00 (Ten and no/100 Dollars) and other good and valuable considerations Grantor does by these presents, grant, bargain, sell, convey, and confirm unto Grantee and to Grantee's successors and assigns the following described real estate located in the County of Bingham, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE.

SUBJECT TO:

1. General taxes and any water assessments for the year of conveyance and all subsequent years.
2. Further subject to and together with those certain easement rights or interests for roadways as described on Exhibit "A".

BUT OTHERWISE together with the tenements, hereditaments and appurtenances, thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF, Grantor has hereunto set its hand on the day and year first above written.

BINGHAM COUNTY RECORDER BLACKFOOT, IDAHO
FEE 6.00 DEP
99 MAR -5 PM 12:50
RECORDED AT THE REQUEST OF

HANSEN ENTERPRISES, INC.

By: _____
Title: Dean J. Hansen, President

STATE OF IDAHO )
: ss.
County of Bonneville )

On this 2 day of ~~February~~ MARCH, 1999, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Dean J. Hansen, known to me to be the President of the corporation that executed the instrument, and acknowledged to me that such corporation 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.

KATHRYN DABELL NOTARY PUBLIC STATE OF IDAHO (SEAL)

Kathryn Dabell
Notary Public for State of Idaho
Residing at: Idaho Falls, Id.
My Commission Expires: 10-16-2001

SCANNED OCT 26 2022

**Mountain River, Inc.**
CONSULTING ENGINEERS AND LAND SURVEYORS
Exhibit A

**LEGAL DESCRIPTION**
**FOR**
**TRACT 4**

39 DJH

**Beginning at a point that is West along the Section line 990.00 feet from the Southeast corner of Section 34, Township 1 South, Range ~~34~~ East of the Boise Meridian; running thence West 330.00 feet; thence North, parallel to the East line of said Section 660.00 feet; thence East 330.00 feet; thence South, parallel to said East line 660.00 feet to the POINT OF BEGINNING.**
**TOGETHER WITH AND SUBJECT TO: a roadway access easement, 50 feet in width, the centerline of which is described as follows:**
**Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ 39 DH East of the Boise Meridian; running thence West along the Section line 632.80 feet; thence North, parallel with the East line of said Section 660.00 feet to the TRUE POINT OF BEGINNING; running thence S.21°39'37"E. 75.32 feet; thence South 60.00 feet; thence S.30°15'23"W. 59.54 feet; thence S.01°09'24"E. 148.60 feet; thence S.21°48'05"E. 32.31 feet; thence S.43°27'07"E. 130.86 feet; thence South 30.00 feet; thence S.45°00'00"W. 35.36 feet; thence S.60°56'43"W. 51.48 feet; thence S.71°33'54"W. 63.25 feet; thence S.74°28'33"W. 93.41 feet; thence S.81°05'06"W. 258.12 feet; thence N.87°30'38"W. 115.11 feet; thence N.62°06'10"W. 96.18 feet; thence N.29°44'42"W. 161.25 feet; thence N.66°48'05"W. 38.08 feet; thence S.77°47'58"W. 189.27 feet; thence S.85°48'54"W. 205.55 feet; thence N.80°50'16"W. 157.00 feet; thence West 60.00 feet; thence S.47°51'45"W. 141.60 feet; thence S.61°41'57"W. 73.82 feet; thence S.76°22'23"W. 169.78 feet; thence N.84°17'22"W. 50.25 feet; thence N.41°18'31"W. 219.66 feet; thence N.59°50'24"W. 428 feet more or less to the existing County road.**
**The sidelines of said easement shall be lengthened or shortened as required so as to terminate on lot lines, Right-of-Way lines and easement sidelines.**
**ALSO SUBJECT TO: easements of record.**

474956

475208

1020 East Lincoln Road • Idaho Falls, Idaho 83401
Phone: (208) 524-6175
Fax: (208) 524-6181

5000-4

SCANNED
OCT 26 2022

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 9.00 DEP
99 MAR -2 PM 1:59

474971

475223

# WARRANTY DEED

RECORDED AT THE REQUEST OF

WARRANTY DEED made this 2 day of ~~February,~~ March 1999, between **Hansen Enterprises, Inc.**, an Idaho corporation, "Grantor," and **4H Developing, LLC**, an Idaho limited liability company, "Grantee," Address: 520 W. 15th St., Idaho Falls, ID 83402

**W I T N E S S E T H :**

In consideration of the sum of $10.00 (Ten and no/100 Dollars) and other good and valuable considerations Grantor does by these presents, grant, bargain, sell, convey, and confirm unto Grantee and to Grantee's successors and assigns the following described real estate located in the County of Bingham, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE.

SUBJECT TO:

1. General taxes and any water assessments for the year of conveyance and all subsequent years.
2. Further subject to and together with those certain easement rights or interests for roadways as described on Exhibit "A".

BUT OTHERWISE together with the tenements, hereditaments and appurtenances, thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF, Grantor has hereunto set its hand on the day and year first above written.

HANSEN ENTERPRISES, INC.

By: _____
Title: Dean J. Hansen, President

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 9.00 DEP
99 MAR 5 PM 12:52
RECORDED AT THE REQUEST OF

STATE OF IDAHO )
: ss.
County of Bonneville )

On this 2 day of ~~February~~ March, 1999, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Dean J. Hansen, known to me to be the President of the corporation that executed the instrument, and acknowledged to me that such corporation 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.

KATHRYN DABELL NOTARY PUBLIC STATE OF IDAHO (SEAL)

Kathryn Dabell
Notary Public for State of Idaho
Residing at: Idaho Falls, Id.
My Commission Expires: 10-16-2001

SCANNED
OCT 26 2022

**Mountain River, Inc.**
CONSULTING ENGINEERS AND LAND SURVEYORS

Exhibit A

**LEGAL DESCRIPTION**
**FOR**
**TRACT 19**

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ 39 DH East of the Boise Meridian; running thence West along the Section line 1320.00 feet; thence North, parallel to the East line of said Section 660.00 feet to the TRUE POINT OF BEGINNING; running thence West 330.00 feet; thence North, parallel to the East line of said Section 660.00 feet; thence East 330.00 feet; thence South, parallel to said East line 660.00 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO: a roadway access easement, 50 feet in width, the centerline of which is described as follows:

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ 39 DH East of the Boise Meridian; running thence West along the Section line 1568.18 feet; thence North, parallel with the East line of said Section 1320.00 feet to the TRUE POINT OF BEGINNING; running thence N.61°33'29"W. 93.05 feet; thence S.76°45'34"W. 248.17 feet; thence S.41°38'01"W. 47.54 feet; thence S.20°05'43"W. 216.75 feet; thence S.34°46'40"W. 224.96 feet; thence S.46°38'12"W. 254.95 feet; thence S.68°11'55"W. 171.13 feet; thence West 98.15 feet; thence N.53°07'48"W. 104.55 feet; thence N.70°20'46"W. 150.50 feet; thence N.45°00'00"W. 111.09 feet; thence N.15°56'43"W. 145.17 feet; thence N.46°50'51"W. 91 feet more or less to the existing County road.

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ALSO SUBJECT TO: a roadway access easement, 50 feet in width, the centerline of which is described as follows:

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1020 East Lincoln Road • Idaho Falls, Idaho 83401
Phone: (208) 524-6175
Fax: (208) 524-6181



OCT 26 2022

thence S.56°18'36"E. 72.11 feet; thence S.29°44'42"E. 80.62 feet; thence S.08°07'48"E. 35.36 feet; thence S.30°15'23"W. 69.46 feet; thence S.15°01'01"W. 82.76 feet; thence S.06°20'25"W. 45.28 feet; thence S.51°20'25"E. 32.02 feet; thence East 40.00 feet; thence N.48°21'59"E. 60.21 feet; thence N.42°08'15"E. 141.60 feet; thence N.34°30'31"E. 194.16 feet; thence N.56°18'36"E. 36.06 feet; thence S.71°33'54"E. 31.62 feet; thence S.23°11'55"E. 38.08 feet; thence S.09°09'44"W. 157.00 feet; thence S.37°58'18"W. 260.05 feet; thence S.28°10'43"W. 158.82 feet; thence S.13°23'33"W. 215.87 feet; thence N.69°32'28"E. 133.42 feet; thence S.69°32'28"W. 133.42 feet; thence S.32°44'07"W. 83.22 feet; thence S.63°26'06"W. 89.44 feet; thence S.45°00'00"W. 42.43 feet; thence S.26°33'54"E. 33.54 feet; thence S.71°04'31"E. 185.00 feet; thence S.58°34'14"E. 105.48 feet; thence S.59°02'10"E. 173.97 feet; thence S.14°12'10"E. 42.71 feet; thence S.30°37'49"W. 67.61 feet; thence S.45°54'34"W. 217.01 feet; thence S.59°02'10"W. 253.39 feet; thence S.66°28'04"W. 342.34 feet; thence S.49°29'05"W. 362.51 feet; thence S.64°43'20"W. 187.45 feet; thence S.75°57'50"W. 150.05 feet; thence N.81°31'44"W. 239.60 feet; thence S.71°33'54"W. 137.02 feet; thence S.39°28'21"W. 120.15 feet; thence S.49°23'55"W. 77.13 feet; thence S.73°36'38"W. 68.70 feet; thence N.85°36'05"W. 47.55 feet; thence N.66°22'14"W. 161.77 feet; thence N.56°18'36"W. 169.07 feet; thence N.40°48'54"W. 380 feet more or less to the existing County Road.
The sidelines of said easement shall be lengthened or shortened as required so as to terminate on lot lines, Right-of-Way lines and easement sidelines.
ALSO SUBJECT TO: easements of record.

474971

475223

SCANNED
OCT 26 2022

475207

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 9.00 DEP

# WARRANTY DEED

99 MAR -2 PM 1:55

474955

RECORDED AT THE REQUEST OF

WARRANTY DEED made this 2 day of ~~February~~ March, 1999, between **Hansen Enterprises, Inc.**, an Idaho corporation, "Grantor," and **4H Developing, LLC**, an Idaho limited liability company, "Grantee," Address: 520 W. 15th St., Idaho Falls, ID 83402

**W I T N E S S E T H :**

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SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE.

SUBJECT TO:

1. General taxes and any water assessments for the year of conveyance and all subsequent years.
2. Further subject to and together with those certain easement rights or interests for roadways as described on Exhibit "A".

BUT OTHERWISE together with the tenements, hereditaments and appurtenances, thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF, Grantor has hereunto set its hand on the day and year first above written.

HANSEN ENTERPRISES, INC.

By: _____
Title: Dean J. Hansen, President

BINGHAM COUNTY REC...DER
BLACKFOOT, IDAHO
FEE 9.00 DEP
99 MAR -5 PM 12:50
RECORDED AT THE REQUEST OF

STATE OF IDAHO )
: ss.
County of Bonneville )

On this 2 day of ~~February~~ March, 1999, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Dean J. Hansen, known to me to be the President of the corporation that executed the instrument, and acknowledged to me that such corporation 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.

KATHRYN DABELL NOTARY PUBLIC STATE OF IDAHO (SEAL)

Kathryn Dabell
Notary Public for State of Idaho
Residing at: Idaho Falls, Id.
My Commission Expires: 10-16-2001

SCANNED
OCT 26 2022

**Mountain River, Inc.**
CONSULTING ENGINEERS AND LAND SURVEYORS

Exhibit A

**LEGAL DESCRIPTION**
**FOR**
**TRACT 3**

39 E DH

Beginning at a point that is West along the Section line 1320.00 feet from the Southeast corner of Section 34, Township 1 South, Range ~~34~~ East of the Boise Meridian; running thence West 330.00 feet; thence North, parallel to the East line of said Section 660.00 feet; thence East 330.00 feet; thence South, parallel to said East line 660.00 feet to the POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO: a roadway access easement, easement 50 feet in width, the centerline of which is described as follows:

39 DH

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ East of the Boise Meridian; running thence West along the Section line 1320.00 feet; thence North, parallel with the East line of said Section 296.16 feet to the TRUE POINT OF BEGINNING; running thence S.77°47'58"W.196.58 feet; thence S.85°48'54"W. 196.19 feet; thence N.80°50'16"W. 155.16 feet; thence West 83.27 feet; thence S.47°51'45"W. 154.79 feet; thence S.61°41'57"W. 61.32 feet; thence S.76°22'23"W. 154.82 feet; thence N.84°17'22"W. 22.04 feet; thence N.41°18'31"W. 208.13 feet; thence N.59°50'24"W. 508 feet more or less to the existing County road.

The sidelines of said easement shall be lengthened or shortened as required so as to terminate on lot lines, Right-of-Way lines and easement sidelines.

ALSO SUBJECT TO: a roadway access easement, 50 feet in width, the centerline of which is described as follows:

39 DH

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ East of the Boise Meridian; running thence West along the Section line 632.80 feet; thence North, parallel with the East line of said Section 660.00 feet to the TRUE POINT OF BEGINNING; running thence S.21°39'37"E. 75.32 feet; thence South 60.00 feet; thence S.30°15'23"W. 59.54 feet; thence S.01°09'24"E. 148.60 feet; thence S.21°48'05"E. 32.31 feet; thence S.43°27'07"E. 130.86 feet; thence South 30.00 feet; thence S.45°00'00"W. 35.36 feet; thence S.60°56'43"W. 51.48 feet; thence S.71°33'54"W. 63.25 feet; thence S.74°28'33"W. 93.41 feet; thence S.81°05'06"W. 258.12 feet; thence N.87°30'38"W. 115.11 feet; thence N.62°06'10"W. 96.18 feet; thence N.29°44'42"W. 161.25 feet; thence N.66°48'05"W. 38.08 feet; thence S.77°47'58"W. 189.27 feet; thence S.85°48'54"W. 205.55 feet; thence N.80°50'16"W. 157.00 feet; thence West 60.00 feet; thence S.47°51'45"W. 141.60 feet; thence S.61°41'57"W. 73.82 feet; thence S.76°22'23"W. 169.78 feet; thence N.84°17'22"W. 50.25 feet; thence N.41°18'31"W. 219.66 feet; thence N.59°50'24"W. 428 feet more or less to the existing County road.

The sidelines of said easement shall be lengthened or shortened as required so as to terminate on lot lines, Right-of-Way lines and easement sidelines.

ALSO SUBJECT TO: a roadway access easement, 50 feet in width, the centerline of which is described as follows:

39 DH

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ East of the Boise Meridian; running thence West along the Section line 500.00 feet; thence North, parallel with the East line of said Section 1320.00 feet to the TRUE POINT OF BEGINNING; running thence S.45°54'34"W. 222.77 feet; thence S.59°02'10"W. 262.39 feet; thence S.66°28'04"W. 338.12

1020 East Lincoln Road • Idaho Falls, Idaho 83401
Phone: (208) 524-6175
Fax: (208) 524-6181



OCT 26 2022

feet; thence S.49°29'05"W. 361.73 feet; thence S.64°43'20"W. 199.06 feet; thence S.75°57'50"W. 164.92 feet; thence N.81°31'44"W. 237.59 feet; thence S.71°33'54"W. 110.68 feet; thence S.39°28'21"W. 110.11 feet; thence S.49°23'55"W. 92.20 feet; thence S.73°36'38"W. 88.60 feet; thence N.85°36'05"W. 65.19 feet; thence N.66°22'14"W. 174.64 feet; thence N.56°18'36"W. 180.28 feet; thence N.40°48'54"W. 291 feet more or less to the existing County road.

The sidelines of said easement shall be lengthened or shortened as required so as to terminate on lot lines, Right-of-Way lines and easement sidelines.

ALSO SUBJECT TO: a roadway access easement, 50 feet in width, the centerline of which is described as follows:

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ 33 DH East of the Boise Meridian; running thence West along the Section line 990.00 feet; thence North, parallel with the East line of said Section 2565.00 feet to the TRUE POINT OF BEGINNING; running thence N.37°52'30"E. 57.01 feet; thence N.75°57'50"E. 20.62 feet; thence S.75°57'50"E. 41.23 feet; thence S.56°18'36"E. 72.11 feet; thence S.29°44'42"E. 80.62 feet; thence S.08°07'48"E. 35.36 feet; thence S.30°15'23"W. 69.46 feet; thence S.15°01'01"W. 82.76 feet; thence S.06°20'25"W. 45.28 feet; thence S.51°20'25"E. 32.02 feet; thence East 40.00 feet; thence N.48°21'59"E. 60.21 feet; thence N.42°08'15"E. 141.60 feet; thence N.34°30'31"E. 194.16 feet; thence N.56°18'36"E. 36.06 feet; thence S.71°33'54"E. 31.62 feet; thence S.23°11'55"E. 38.08 feet; thence S.09°09'44"W. 157.00 feet; thence S.37°58'18"W. 260.05 feet; thence S.28°10'43"W. 158.82 feet; thence S.13°23'33"W. 215.87 feet; thence N.69°32'28"E. 133.42 feet; thence S.69°32'28"W. 133.42 feet; thence S.32°44'07"W. 83.22 feet; thence S.63°26'06"W. 89.44 feet; thence S.45°00'00"W. 42.43 feet; thence S.26°33'54"E. 33.54 feet; thence S.71°04'31"E. 185.00 feet; thence S.58°34'14"E. 105.48 feet; thence S.59°02'10"E. 173.97 feet; thence S.14°12'10"E. 42.71 feet; thence S.30°37'49"W. 67.61 feet; thence S.45°54'34"W. 217.01 feet; thence S.59°02'10"W. 253.39 feet; thence S.66°28'04"W. 342.34 feet; thence S.49°29'05"W. 362.51 feet; thence S.64°43'20"W. 187.45 feet; thence S.75°57'50"W. 150.05 feet; thence N.81°31'44"W. 239.60 feet; thence S.71°33'54"W. 137.02 feet; thence S.39°28'21"W. 120.15 feet; thence S.49°23'55"W. 77.13 feet; thence S.73°36'38"W. 68.70 feet; thence N.85°36'05"W. 47.55 feet; thence N.66°22'14"W. 161.77 feet; thence N.56°18'36"W. 169.07 feet; thence N.40°48'54"W. 380 feet more or less to the existing County Road.

The sidelines of said easement shall be lengthened or shortened as required so as to terminate on lot lines, Right-of-Way lines and easement sidelines.

ALSO SUBJECT TO: easements of record.

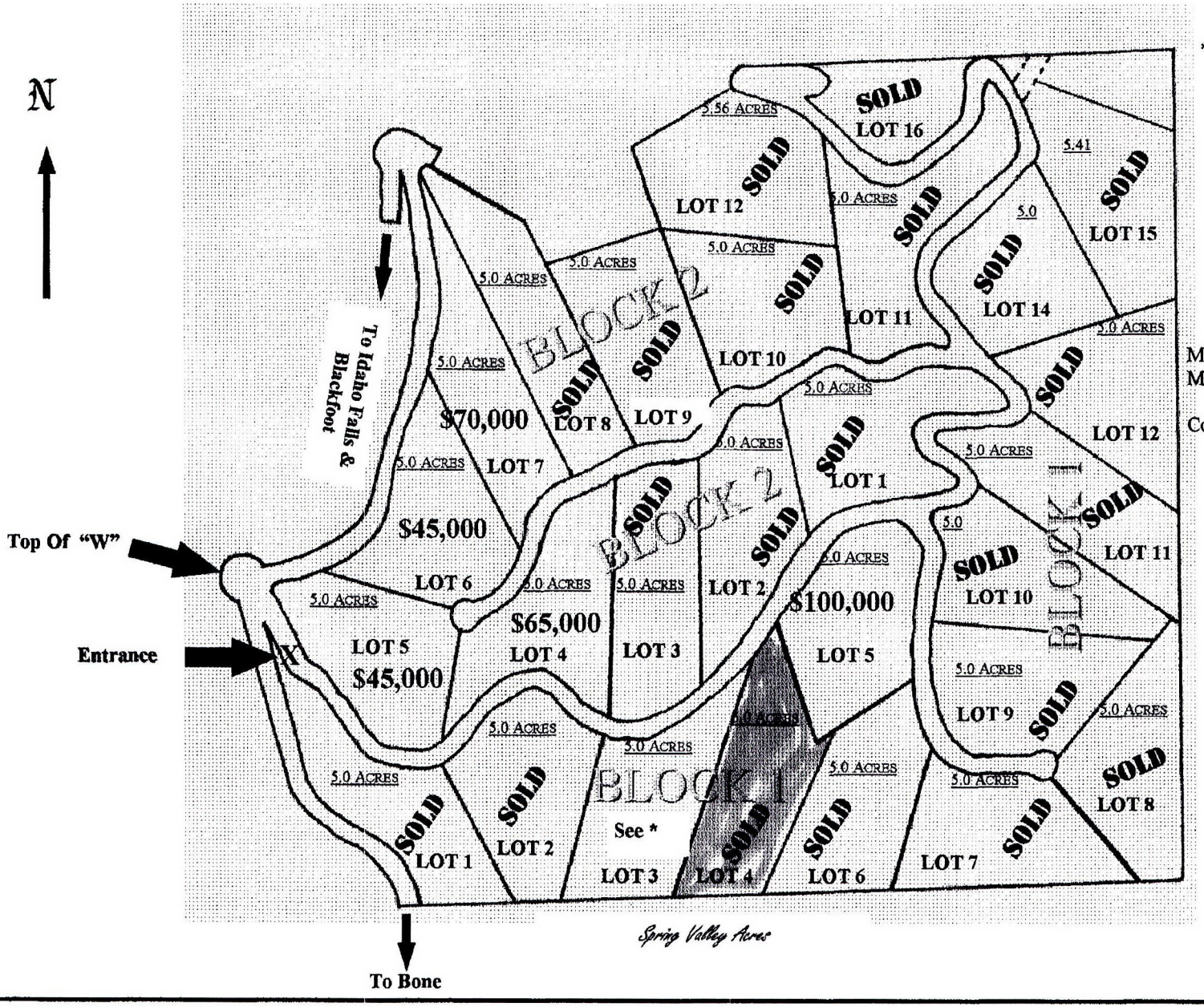
474955

475207



OCT 26 2022

# Double "W" Estates




* Lot 3, B1,
Call Julie Rigby
Winstar Realty
208-709-7861

Marketed By:
MAX EDGE CORPORATION

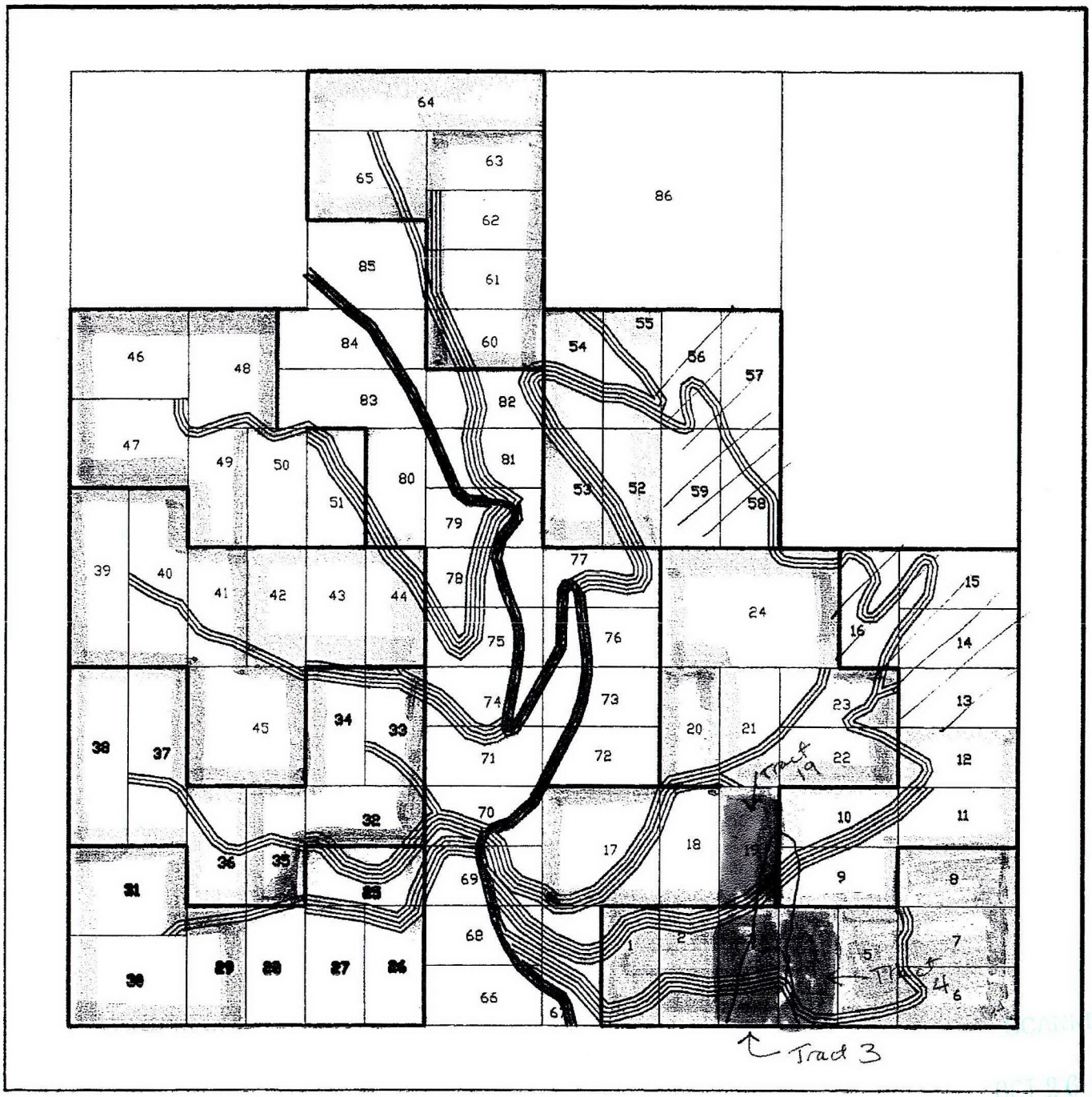
Contact **Dean Hansen**
208-521-3379

THE MAX EDGE CORPORATION
REAL ESTATE

SECTION 34
T. 1S. R 34 EBM

N

1" = 800'



Form 42-248/42-1409(6) Rev. 6/22

RECEIVED

JUL 13 2022

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

| Water Right/Claim No. | Split? | Leased to Water Supply Bank? | Water Right/Claim No. | Split? | Leased to Water Supply Bank? |
|---|---|---|---|---|---|
| 25-14200 OK | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |
| | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |
| | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |
| | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |
| | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |

2. Previous Owner's Name: Hansen Enterprises Inc; 4H Developing LLC
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Danny & Angela Buckland
   New owner(s) as listed on the conveyance document  Name connector ☐ **and** ☐ **or**

   989 N 575 E — Mailing address
   Firth — City
   ID — State
   83236 — Zip
   208-520-4406 — Telephone
   concrete@ida.net — Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ■ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: June 23, 2022.

6. Do you own the land identified as the water right place of use? Yes ■ No ☐
   - If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ■ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ■ Filing fee (see instructions for further explanation):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.
   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Angela Buckland — Signature of new owner/claimant; Title, if applicable; 7/13/2022 — Date
   Angela Buckland — Print name

   Signature: _____ — Signature of new owner/claimant; Title, if applicable; Date
   Print name

***For IDWR Office Use Only:***

Receipted by M. Jetti Date 7-13-22 Receipt No. E048308 Receipt Amt. 25.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by JB Processed by JB Date 10/20/2022

OCT 26 2022

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 9.00 DEP 2
99 MAR -2 PM 1:59
RECORDED AT THE REQUEST OF

475223

474971

# WARRANTY DEED

WARRANTY DEED made this 2 day of ~~February,~~ March 1999, between **Hansen Enterprises, Inc.**, an Idaho corporation, "Grantor," and **4H Developing, LLC**, an Idaho limited liability company, "Grantee," Address: 520 W. 15th St., Idaho Falls, ~~ID~~ 83402

**W I T N E S S E T H :**

In consideration of the sum of $10.00 (Ten and no/100 Dollars) and other good and valuable considerations Grantor does by these presents, grant, bargain, sell, convey, and confirm unto Grantee and to Grantee's successors and assigns the following described real estate located in the County of ~~Bingham~~ Bonneville State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE.

SUBJECT TO:

1. General taxes and any water assessments for the year of conveyance and all subsequent years.
2. Further subject to and together with those certain easement rights or interests for roadways as described on Exhibit "A".

BUT OTHERWISE together with the tenements, hereditaments and appurtenances, thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF, Grantor has hereunto set its hand on the day and year first above written.

HANSEN ENTERPRISES, INC.

By: _____
Title: Dean J. Hansen, ~~President~~

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 9.00 DEP 2
99 MAR 5 PM 12:52
RECORDED AT THE REQUEST OF

STATE OF IDAHO )
: ss.
County of Bonneville )

On this 2 day of March ~~February~~, 1999, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Dean J. Hansen, known to me to be the President of the corporation that executed the instrument, and acknowledged to me that such corporation 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.

KATHRYN DABELL NOTARY PUBLIC STATE OF IDAHO (SEAL)

Kathryn Dabell
Notary Public for State of Idaho
Residing at: Idaho Falls, Id.
My Commission Expires: 10-16-2001



OCT 26 2022

**Mountain River, Inc.**
CONSULTING ENGINEERS AND LAND SURVEYORS

Exhibit A

**LEGAL DESCRIPTION**
**FOR**
**TRACT 19**

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ 39 DH East of the Boise Meridian; running thence West along the Section line 1320.00 feet; thence North, parallel to the East line of said Section 660.00 feet to the TRUE POINT OF BEGINNING; running thence West 330.00 feet; thence North, parallel to the East line of said Section 660.00 feet; thence East 330.00 feet; thence South, parallel to said East line 660.00 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO: a roadway access easement, 50 feet in width, the centerline of which is described as follows:

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ 39 DH East of the Boise Meridian; running thence West along the Section line 1568.18 feet; thence North, parallel with the East line of said Section 1320.00 feet to the TRUE POINT OF BEGINNING; running thence N.61°33'29"W. 93.05 feet; thence S.76°45'34"W. 248.17 feet; thence S.41°38'01"W. 47.54 feet; thence S.20°05'43"W. 216.75 feet; thence S.34°46'40"W. 224.96 feet; thence S.46°38'12"W. 254.95 feet; thence S.68°11'55"W. 171.13 feet; thence West 98.15 feet; thence N.53°07'48"W. 104.55 feet; thence N.70°20'46"W. 150.50 feet; thence N.45°00'00"W. 111.09 feet; thence N.15°56'43"W. 145.17 feet; thence N.46°50'51"W. 91 feet more or less to the existing County road.

The sidelines of said easement shall be lengthened or shortened as required so as to terminate on lot lines, Right-of-Way lines and easement sidelines.

ALSO SUBJECT TO: a roadway access easement, 50 feet in width, the centerline of which is described as follows:

Beginning at the Southeast corner of Section 34, Township 1 South, Range ~~34~~ 39 DH East of the Boise Meridian; running thence West along the Section line 500.00 feet; thence North, parallel with the East line of said Section 1320.00 feet to the TRUE POINT OF BEGINNING; running thence S.45°54'34"W. 222.77 feet; thence S.59°02'10"W. 262.39 feet; thence S.66°28'04"W. 338.12 feet; thence S.49°29'05"W. 361.73 feet; thence S.64°43'20"W. 199.06 feet; thence S.75°57'50"W. 164.92 feet; thence N.81°31'44"W. 237.59 feet; thence S.71°33'54"W. 110.68 feet; thence S.39°28'21"W. 110.11 feet; thence S.49°23'55"W. 92.20 feet; thence S.73°36'38"W. 88.60 feet; thence N.85°36'05"W. 65.19 feet; thence N.66°22'14"W. 174.64 feet; thence N.56°18'36"W. 180.28 feet; thence N.40°48'54"W. 291 feet more or less to the existing County road.

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Phone: (208) 524-6175
Fax: (208) 524-6181

5000-19

OCT 26 2022

thence S.56°18'36"E. 72.11 feet; thence S.29°44'42"E. 80.62 feet; thence S.08°07'48"E. 35.36 feet; thence S.30°15'23"W. 69.46 feet; thence S.15°01'01"W. 82.76 feet; thence S.06°20'25"W. 45.28 feet; thence S.51°20'25"E. 32.02 feet; thence East 40.00 feet; thence N.48°21'59"E. 60.21 feet; thence N.42°08'15"E. 141.60 feet; thence N.34°30'31"E. 194.16 feet; thence N.56°18'36"E. 36.06 feet; thence S.71°33'54"E. 31.62 feet; thence S.23°11'55"E. 38.08 feet; thence S.09°09'44"W. 157.00 feet; thence S.37°58'18"W. 260.05 feet; thence S.28°10'43"W. 158.82 feet; thence S.13°23'33"W. 215.87 feet; thence N.69°32'28"E. 133.42 feet; thence S.69°32'28"W. 133.42 feet; thence S.32°44'07"W. 83.22 feet; thence S.63°26'06"W. 89.44 feet; thence S.45°00'00"W. 42.43 feet; thence S.26°33'54"E. 33.54 feet; thence S.71°04'31"E. 185.00 feet; thence S.58°34'14"E. 105.48 feet; thence S.59°02'10"E. 173.97 feet; thence S.14°12'10"E. 42.71 feet; thence S.30°37'49"W. 67.61 feet; thence S.45°54'34"W. 217.01 feet; thence S.59°02'10"W. 253.39 feet; thence S.66°28'04"W. 342.34 feet; thence S.49°29'05"W. 362.51 feet; thence S.64°43'20"W. 187.45 feet; thence S.75°57'50"W. 150.05 feet; thence N.81°31'44"W. 239.60 feet; thence S.71°33'54"W. 137.02 feet; thence S.39°28'21"W. 120.15 feet; thence S.49°23'55"W. 77.13 feet; thence S.73°36'38"W. 68.70 feet; thence N.85°36'05"W. 47.55 feet; thence N.66°22'14"W. 161.77 feet; thence N.56°18'36"W. 169.07 feet; thence N.40°48'54"W. 380 feet more or less to the existing County Road.
The sidelines of said easement shall be lengthened or shortened as required so as to terminate on lot lines, Right-of-Way lines and easement sidelines.
ALSO SUBJECT TO: easements of record.

474971

475223

5000-19

OCT 26 2022

AmeriTitle

Instrument # 746747
BINGHAM COUNTY, IDAHO
2022-06-23 01:20:18 PM No. of Pages: 1
Recorded for: AMERITITLE - IDAHO FALLS
PAMELA W. ECKHARDT Fee: $15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

# WARRANTY DEED

Order No.: 549188AM

**FOR VALUE RECEIVED**

**4H Developing, LLC an Idaho Limited Liability Company**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Danny Buckland and Angela Buckland, husband and wife**

whose current address is:
989 N 575 E
Firth, ID 83236

the grantee(s), the following described premises, in Bingham County, Idaho,
TO WIT:

**Lot 5, Block 1 of Double W Estates Division No. 1, according to the official plat thereof, filed in Official Records of Bingham County, Idaho.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 22, 2022

4H Developing, LLC an Idaho Limited Liability Company

By: Dean J Hansen
Dean J Hansen, Operating Manager

State of Virginia } ss
County of Prince William}

On this 23rd day of June, 2022, before me, Sia Butler Knight a Notary Public in and for said state, personally appeared Dean J Hansen known or identified to me to be the Managing Member in the Limited Liability Company known as 4H Developing, LLC an Idaho Limited Liability Company who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

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

Sia Butler Knight
Notary Public for the State of Virginia
Residing at: Woodbridge, VA
Commission Expires: 12/31/2022

Sia Butler Knight
REGISTRATION NUMBER
7788342
COMMISSION EXPIRES
December 31, 2022

Notarized online using audio-video communication

OCT 26 2022

License

## RECOMMENDED AMOUNTS

3.

| Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|---|---|---|---|---|---|
| 25-7155 | 8-3-1978 | 0.03 cfs | 8-3-1978 | 8-16-1983 | 0.03 cfs |

4. Permit Holder: Hansen Enterprises, Inc.

   Address: Rt. 3, Box 89, Idaho Falls, ID 83401

5. Source: a spring tributary to Sellars Creek

6. Beneficial Use

| Beneficial Use | Period of Use From | Period of Use To | Rate of Diversion Q (cfs) | Annual Volume V (afa) |
|---|---|---|---|---|
| STOCK WATER ✓ | 1/1 ✓ | 12/31 ✓ | 0.03 ✓ | ~~1.6~~ 1.4 ✓ |
| | | | | |
| | | | | |
| | | | | 1.4 ✓ |
| Allowable Maximums: | | | 0.03 cfs ✓ | ~~1.6~~ afa |

7. Point(s) of Diversion: ✓

| No. | Govt. Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County |
|---|---|---|---|---|---|---|---|---|
| | | | SW | SE | 34 | 1S | 39E | Bingham |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

8. Place(s) of Use ✓

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
| 1S | 39E | 34 | | | | | | | | | | | | | | | X | | |
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| | | | | | | | | | | | | | | | | | | | |
| Total Acres | | | | | | | | | | | | | | | | | | | |

9. Recommended Conditions/Remarks:

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

11. Examiner's Signature Samuel David Filetti Date 7/21/86

Checked in Regional Office by Keith C Wilson Date 19 Aug 1986

Approved in State Office by Ray Walker Date 10-9-86

OCT 26 2022

Form 219A
2/84

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 12 1986
Department of Water Resources

Permit No. 25-7155

1. Owner: HANSEN ENTERPRISES, INC. Phone No. _____
   Current Address: C/O DON HANSEN Rt #3 BOX 89 IDAHO FALLS 83401

2. Accompanied by: SHARRON HANSEN EXAM. DATE: 7/29/86
   Address: _____ Phone No. 522-0162
   Relationship to Permit Holder: _____

3. Source: SPRING tributary to SELLARS CREEK

4.

| Well/Diversion* No. | Motor Make | HP | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---|---|---|---|---|---|
| SPRING | N/A | N/A | N/A | N/A | N/A |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
   A SPRING FILLS 3 COLLECTION PONDS IN SUCCESSION AND IS SOLELY USED FOR WATERING CATTLE, APPROX 100 HEAD.

6.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|---|---|---|---|---|---|---|
| ESTIMATION | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

7. Measurements ☐ Additional data/computation sheets attached
   ESTIMATION SMALL QUANTITY OF WATER BEING DISCHARGED FROM A SPRING

8. Point(s) of Diversion: Indicate Method of Determination

| Ident # | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | Survey Information from Known Corner | County | Remarks |
|---|---|---|---|---|---|---|---|---|---|
| | | SW | SE | 34 | 1S | 39E | | BINGHAM | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
   Indicate Method of Determination _____

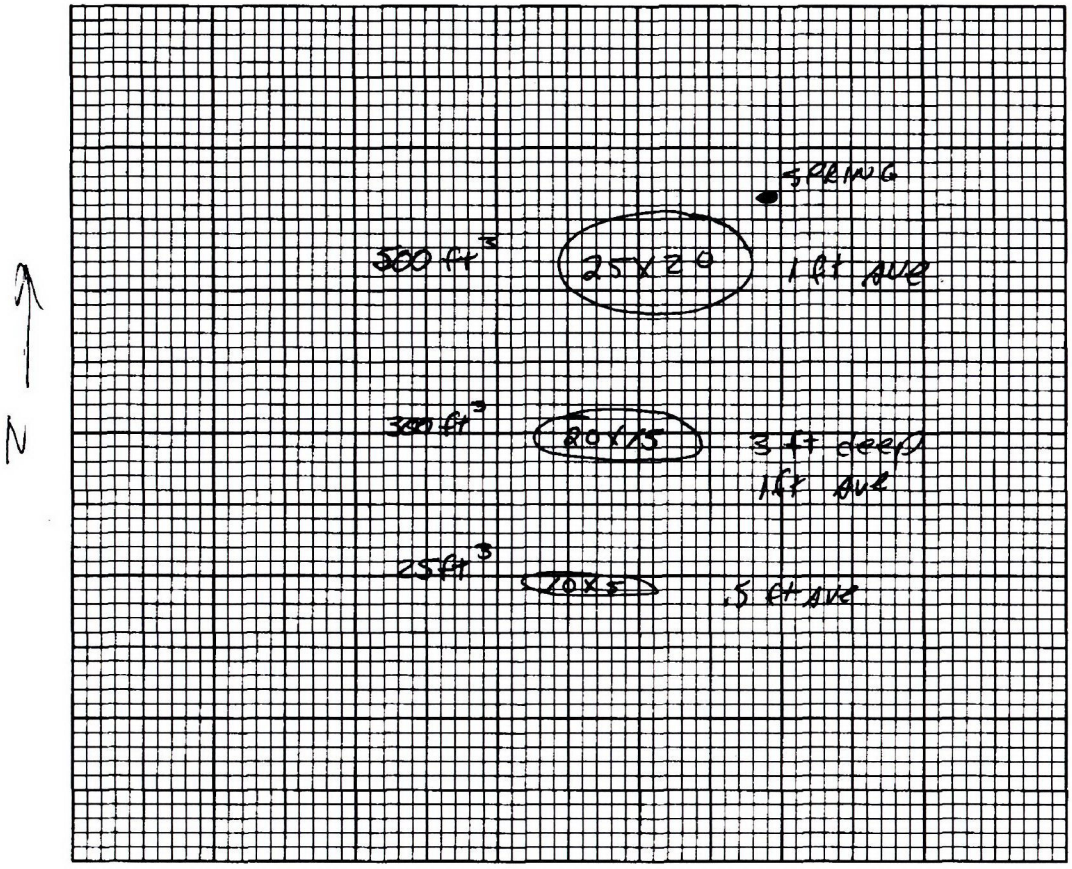
| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
| 1S | 39E | 34 | | | | | | | | | | | | | | | S | | S |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |

Total Acres S

10. Other water rights on these lands NONE

11. Other water right diverted from same p.d. NONE

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.




13. ☐ **Photo of Diversion & System Attached** ☐ **Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached**

14. Remarks NO MEASURING DEVICE WAS REQUIRED OF MR HANSEN. THE SPRING FLOWS THIN AND DISPERSED AND NO ACCURATE WAY OF MEASURING IS POSSIBLE

15. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

16. Examiner's/Consultant's Signature Sam Tilletti Date 7/29/86

Consultant's License Number _____

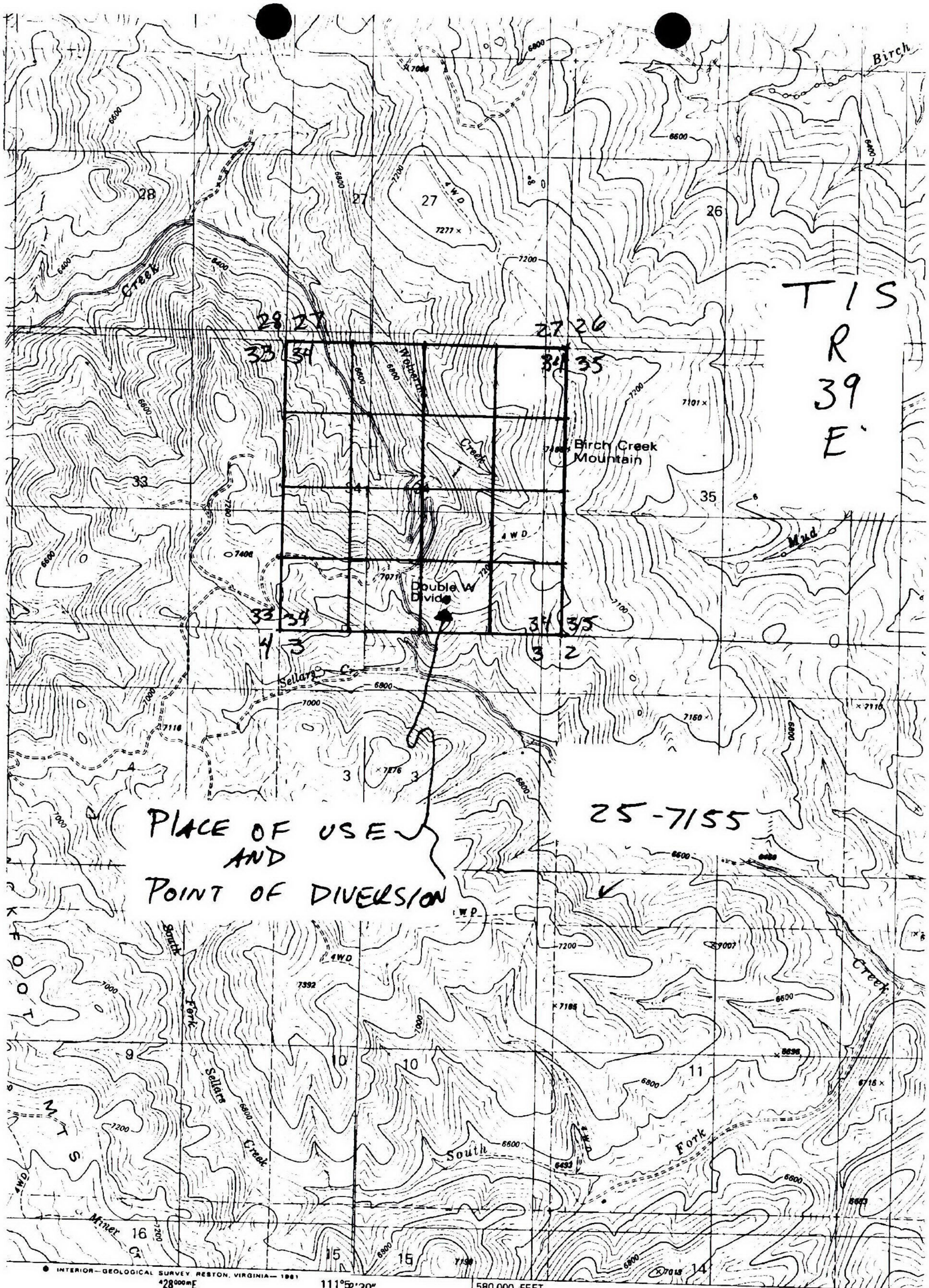
IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

OCT 26 2022




ROAD CLASSIFICATION

ary highway, surface — Light duty road, hard or improved surface

ndary highway, surface — Unimproved road

Interstate Route — U. S. Route — State Route

Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial photographs taken 1973 and 1974. Field checked 1975 Map edited 1981

Projection and 10,000-foot grid ticks: Idaho coordinate system, east zone (transverse Mercator)
1000-meter Universal Transverse Mercator grid, zone 12
1927 North American Datum
To place on the predicted North American Datum 1983 move the projection lines 12 meters north and 65 meters east as shown by dashed corner ticks

Fine red dashed lines indicate selected fence and field lines where generally visible on aerial photographs

GN MN
0°33' 10 MILS
16° 284 MILS

UTM GRID AND 1981 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

WOLVERINE, IDAHO
SW/4 AMMON 15' QUADRANGLE
N4315—W11152.5/7.5

1981

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

**Governor Brad Little** **Director Gary Spackman**

October 20, 2022

DANNY BUCKLAND
ANGELA BUCKLAND
989 N 575 E
FIRTH ID 83236-1148

Re: Change in Ownership for Water Right No(s): 25-14200

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 01

OCT 27 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

**Governor Brad Little** **Director Gary Spackman**

October 20, 2022

4H DEVELOPING LLC
6688 S 15TH E
IDAHO FALLS ID 83404-7638

Re: Change in Ownership for Water Right No(s): 27-4018

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: Water District 27

Scanned
OCT 26 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

**Governor Brad Little** **Director Gary Spackman**

October 13, 2022

DANNY BUCKLAND
ANGELA BUCKLAND
989 N 575 E
FIRTH ID 83236

Re: Transfer No: 86880
Water Right No(s).: 25-14200

**Transfer Approval Notice**

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

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OCT 14 2022

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,

Christina Henman
Administrative Assistant

Enclosure
CC:

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OCT 14 2022

## CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2022 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

**Re: Transfer No.: 86880**
**Water Right No(s).: 25-14200**

**DANNY BUCKLAND**
**ANGELA BUCKLAND**
**989 N 575 E**
**FIRTH ID 83236**

**Christina Henman**
**Administrative Assistant**

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# EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

## PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

## EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

## REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

## ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.



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OCT 14 2022

## CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

## FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

## APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



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# MEMORANDUM

**Date:** October 7, 2022

**To:** Transfer 86880

**From:** Thomas Lafortune

**Re:** Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of diversion and place of use for water right 25-14200. After a review of the water right backfile and a field inspection of the subject area, I determined that the licensed point of diversion and place of use for the parent water right, 25-7155, was in error. There is no physical change to the right. Based on photos in the backfile, the spring source and stock ponds are in the same location as when the right was originally developed.

Authority to File:
The applicants, Danny and Angela Buckland, filed a Notice of Change of Water Right Ownership shortly before filing this application. The applicants recently bought the parcel of land where the proposed point of diversion and place of use are located. The parent right, 25-7155, was licensed incorrectly. The actual location of the point of diversion and place of use was validated by GPS.

Section 42-248(6), Idaho Code, requires the person proposing to update ownership to provide written notice to the owner of the place of use. In this case, the mapped place of use shape for water right 25-14200 is only a generalized place of use. In other words, the map shape is the entire QQ. The water right states that the place of use is Parcel No. 575200. This parcel number does not exist in the SWSE of Section 34. The place of use is ambiguous and cannot be linked with certainty to any of the parcels in the SWSE of Section 34. Therefore, direct notice does not make sense and will not be required to proceed with the transfer application.

Water Right Validity:
Right 25-7155 was decreed in the SRBA in 1999. In 2007, the right was split into rights 25-14200 and 25-14201. Water right 25-14201 was abandoned in September 2022. There is recent evidence of cattle at the actual place of use for water right 25-14200. Forfeiture is not an issue.

Injury to Other Water Rights:
This transfer is not proposing any physical change to the water right. Injury to other water users is not a concern. The water master was asked for comment and had no concerns with this transfer.

Enlargement of Use:
There is no enlargement of use. Rate of diversion and volume will remain the same.

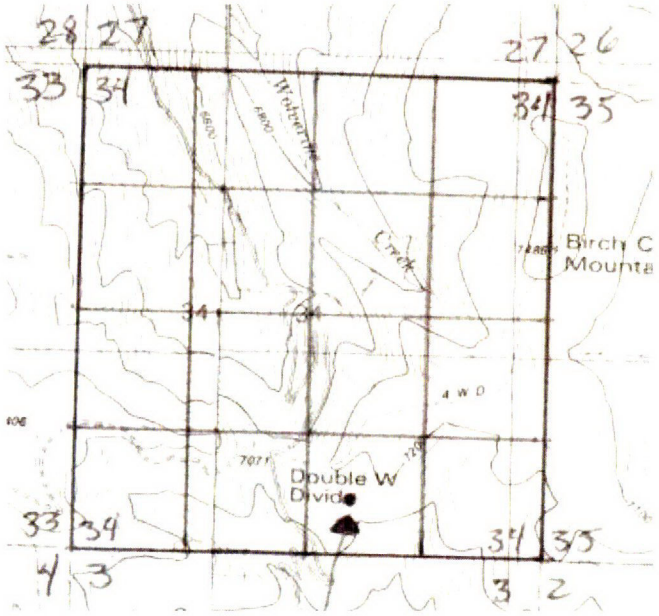
Local Public Interest:
No issues identified.

Beneficial Use and Conservation of Water Resources:
No issues identified.

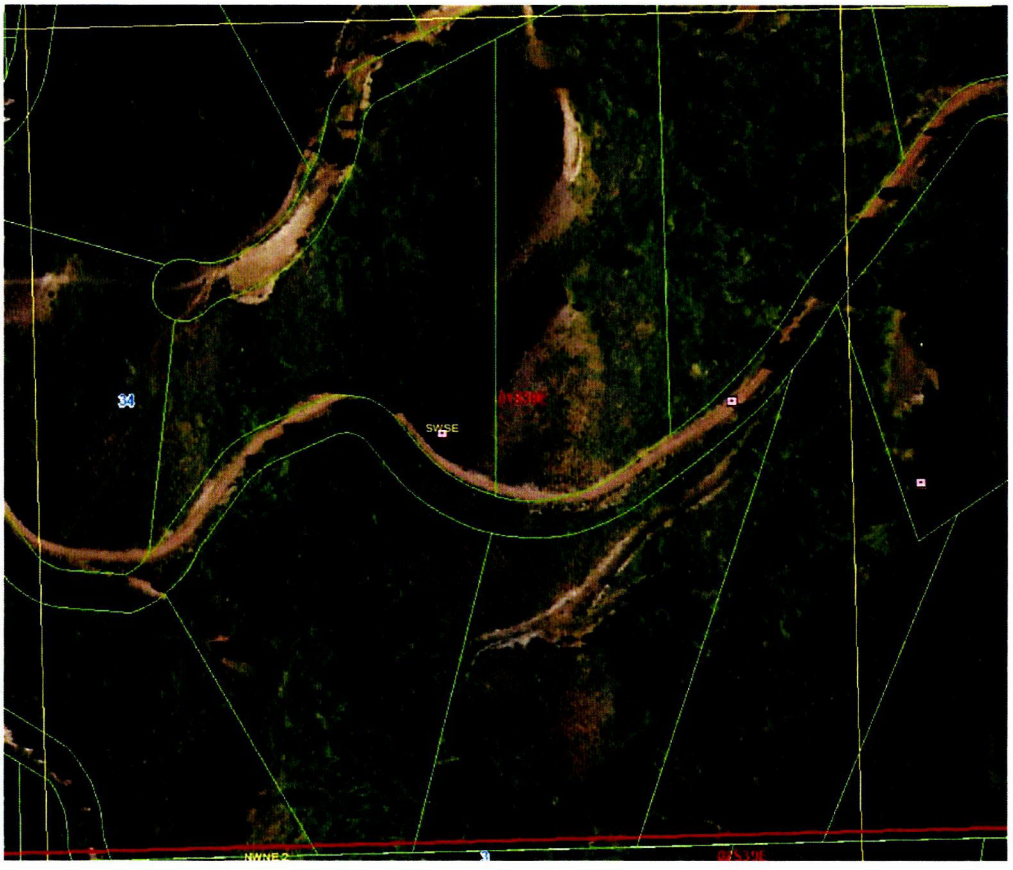
Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

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The POD and POU on right 25-7155 were described as SWSE Sec 34 T01S R39E from a spring. This is the map from the original license exam:




and aerial imagery of SWSE




The POD feature associated with this right on ArcMap is a centroid. I began searching for the ponds south of the road. I followed a small stream uphill and came across the following "ponds:"

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1 Lowest pond - mainly just a mud pit



2 Middle pond - holds slightly more water than lower pond, but still nothing substantial



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*3 Upper pond – Location of spring circled in red*



It seems plausible that this is the same pond from this 1986 photo:




25 7155

Upon returning to the office and mapping the coordinates for each pond, I discovered they are in the SESE QQ, not SWSE. There is also another active water right associated with this spring (25-14196) for 0.01 cfs. This could explain the lack of water in the lower ponds and lesser volume in the upper pond, since the spring was

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OCT 14 2022

originally estimated at 0.03 cfs. I returned to the area to search the remainder of the tract for any other surface water and was unable to find any.




Centroid POD for original right, 25-7155, and active right 25-14200, the portion of 7155 retained by Hansen Enterprises after it was split in 2007. Priority date is 8/3/1978 and was decreed 3/26/1999.

Right is for 0.02 cfs 0.9 AF from spring for stockwater.

Digitized POD for active right 25-14201, portion of 7155 that was sold to Alma Cram and split in 2007.

Not sure why this has a separate POD from the parent right. It was a digitized point collected by jcrabtre on 9/10/2007.

Right is for 0.01 cfs and 0.5 AF from spring for stockwater.

Active right 25-14196, also owned by Alma Cram. Priority date is 6/8/2007.

Right is for 0.01 cfs and 1.2 AF from spring for domestic use. Water is piped further downhill to a storage tank.

The parcel containing the upper pond and spring (Block 1 Lot 5 on Double "W" Estates map) is owned by Danny and Angela Buckland, who filed an Ownership Change on 7/13/2022 for right 25-14200. The parcel containing the lower pond (Block 1 Lot 4) is owned by Alma Cram. The middle pond is right near the boundary between the two.

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OCT 14 2022

State of Idaho
Department of Water Resources
Transfer of Water Right(s)
RECOMMENDATION FORM

RE: Transfer No. 86880

Transfer Applicant's Name: DANNY BUCKLAND
ANGELA BUCKLAND
989 N 575 E
FIRTH, ID 83236

Watermaster's Recommendation:

a) ___X___ I do not oppose approval of this application.

b) _____ I do not oppose approval of this application if it is conditioned as follows:

c) _____ I oppose approval of this application for the following reasons:

d) _____ Additional comments:

Dated this 29TH day of SEPTEMBER. 2022

Tony Olenichak
Watermaster's Signature
WD01

SCANNED
SEP 29 2022

## Henman, Christina

**From:** Henman, Christina
**Sent:** Wednesday, September 28, 2022 11:32 AM
**To:** Olenichak, Tony
**Subject:** Application for Transfer No. 86880
**Attachments:** tmp6F1C.docx

Watermaster:

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://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. Please review the application, then complete the enclosed recommendation form and return it to this office within 14 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 past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 14 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.

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



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SEP 29 2022