STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES

## TRANSFER OF WATER RIGHT
## TRANSFER NO. 87358

This is to certify that: MIDPOINT LAND & CATTLE COMPANY LLC
145 NORTH RD
JEROME, ID 83338-5411

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 |
|---|---|---|---|---|---|---|---|
| 36-14651 | WR/DECREED | 1/1/1940 | 0.090 cfs | N/A | N/A | N/A | GROUND WATER |

### Purpose of Transfer (Changes Proposed)

| Current Number | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|---|---|---|---|---|---|---|
| 36-14651 | 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 |
|---|---|---|---|---|---|---|---|---|---|---|
| 36-14651 | 36-14651 | 0.090 cfs | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| **COMBINED TOTALS** | | **0.090 cfs** | **N/A** | **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 8th day of February, 2023.

Southern Region Manager

Transfer No. 87358

SCANNED
FEB 08 2023

# WATER RIGHT NO. 36-14651

## As Modified by Transfer No. 87358

In accordance with the approval of Transfer No. 87358, Water Right No. 36-14651 is now described as follows:

**Right Holder:** MIDPOINT LAND & CATTLE COMPANY LLC
145 NORTH RD
JEROME, ID 83338-5411

**Priority Date:** 1/3/1940

**Source:** GROUND WATER

| BENEFICIAL USE | From | | To | Diversion Rate |
|---|---|---|---|---|
| DOMESTIC | 1/01 | to | 12/31 | 0.040 cfs |
| STOCKWATER | 1/01 | to | 12/31 | 0.050 cfs |
| | | | | 0.090 cfs |

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

GROUND WATER NESE Sec 11 Twp 07S Rge 17E JEROME County

**PLACE OF USE: DOMESTIC**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 07S | 17E | 11 | | | | | | | | | | | | | X | | | | |
| | | | | | | | | | | | | | | | | | | | 0 |
| 07S | 17E | 12 | | | | | | | | | | X | | | | | | | |
| | | | | | | | | | | | | | | | | | | | 0 |

**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 |
| 07S | 17E | 11 | | | | | | | | | | | | | X | | | | |
| 07S | 17E | 12 | | | | | | | | | | X | | | | | | | |

**CONDITIONS OF APPROVAL**

1. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
2. The quantity of water under this right shall not exceed 13,000 gallons per day.
3. The quantity of water decreed for this water right is not a determination of historical beneficial use.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 87358

SCANNED
FEB 08 2023

## WATER RIGHT NO. 36-14651

## As Modified by Transfer No. 87358

**CONDITIONS OF APPROVAL**

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

6. 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.



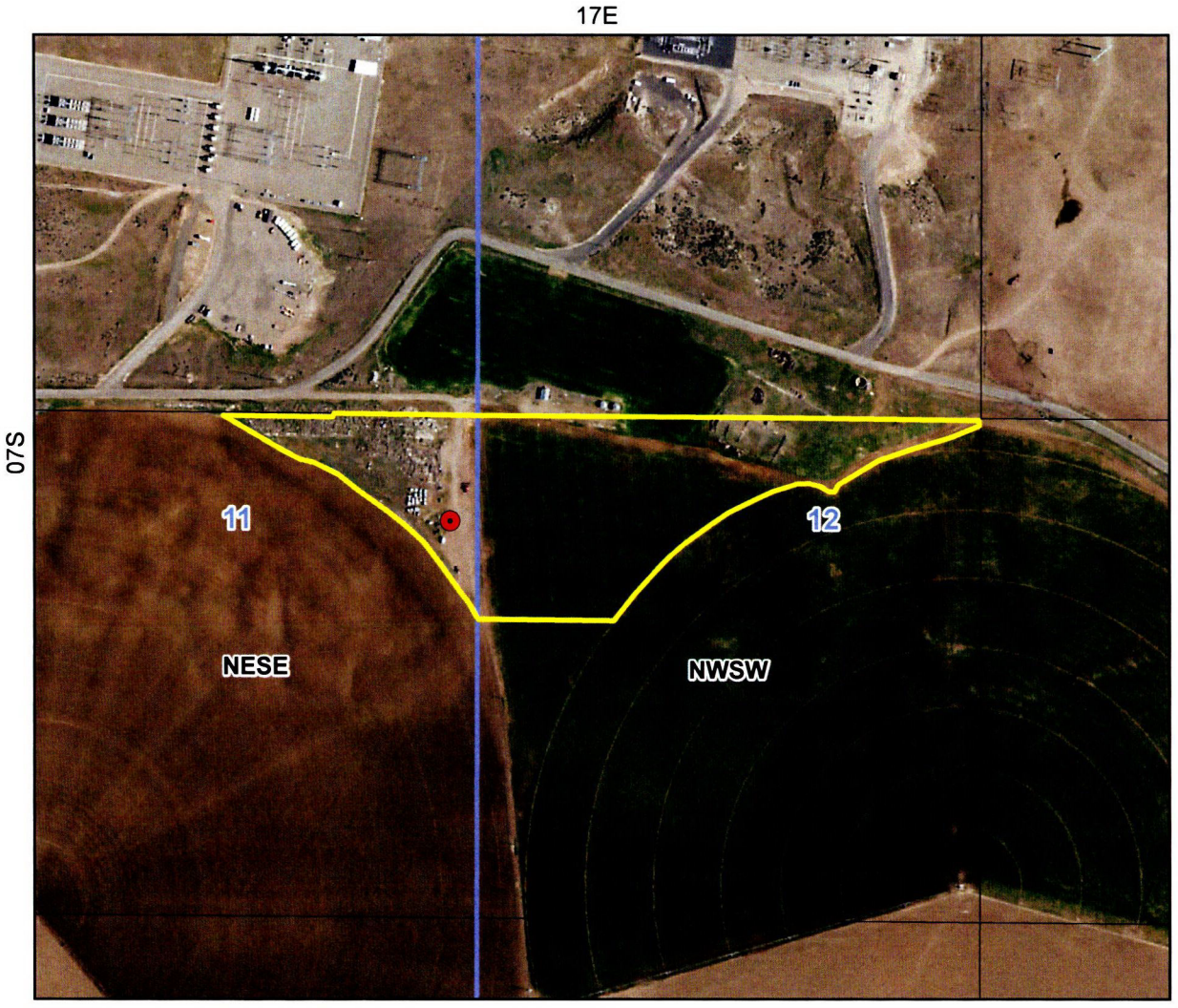
SCANNED
FEB 08 2023

State of Idaho
Department of Water Resources

# Attachment to Transfer # 87358

36-14651

This map depicts the DOMESTIC & STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.




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FEB 08 2023

Rev. 07/11

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DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87358

# 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 http://www.idwr.idaho.gov/ .

Name of Applicant(s) MIDPOINT LAND & CATTLE COMPANY LLC

**Check 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.

- [x] * Completed Application for Transfer of Water Right form, Part 1.
- [x] * 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.
- [x] * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- [ ] [x] Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- [x] * 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).
- [x] * 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 #1-9.

- [ ] [x] #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.)
- [ ] [x] #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- [ ] [x] #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).
- [x] [ ] #3 Documentation of authority to make the change if the applicant is not the water right owner.
- [ ] [x] #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- [ ] [x] #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 http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm .
- [ ] [x] #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.)
- [x] * #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.)
- [ ] [x] #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.
- [ ] [x] #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.)
- [ ] [x] #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 Other. Please describe: _____



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SOUTHERN REGION

# APPLICATION FOR TRANSFER OF WATER RIGHT
# PART 1

Name of Applicant MIDPOINT LAND & CATTLE COMPANY LLC Phone (208) 280-3336

Mailing Address 145 NORTH RD, JEROME ID 83338-5411 Email marshallcivilmatters@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 _____ 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 | Print Name and Title if applicable | Date |
|---|---|---|
| Steven C Marshall manager | Steven C Marshall | 1/9/2023 |
| | | |

## A. PURPOSE OF TRANSFER

1.

| Right | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|---|---|---|---|---|---|---|
| 36-14651 | No | Yes | Yes | No | No | No |

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.2**

The applicant sold the property where his current well is located. The applicant proposes to drill a new well at a different location on adjacent land owned by the applicant. The application also proposes to update the place of use to current practices. The original well is to be abandoned.



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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 TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1. Detailed Water Right Description(s) Attached labeled Part 1.

**Summary of Water Rights After the Approved Change**

| Transferred Right (All or Part) | Transfer Rate | Transfer Volume | Acre Limit | Total Acres | Original Right (Remaining Portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|---|---|---|---|---|---|---|---|---|---|
| **36-14651** | 0.090 cfs | N/A | N/A | N/A | | N/A | N/A | N/A | N/A |
| **COMBINED TOTALS** | 0.090 cfs | N/A | N/A | N/A | | N/A | N/A | N/A | N/A |

2. Total amount of water proposed to be transferred or changed 0.09 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:
   - ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
   - ☑ As shown in Part 1.
   - ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:
   - ☐ No changes to place of use are proposed. (Proceed to #5.)
   - ☑ As shown in Part 1.
   - ☐ See Attachment.



Transfer No. 87358

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**IDAHO DEPARTMENT OF WATER RESOURCES**
**APPLICATION FOR TRANSFER OF WATER RIGHT**
**PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 36-14651

Current Water Right Owner

MIDPOINT LAND &
CATTLE COMPANY LLC
145 NORTH RD
JEROME, ID 83338-5411

Priority Date: 1/1/1940
Origin: Water Right
Basis: Decreed
Status Active
**Source:** GROUND WATER

| Beneficial Use | From | To | Diversion Rate | Subuse Code |
|---|---|---|---|---|
| DOMESTIC | 1/01 | 12/31 | 0.040 CFS | |
| STOCKWATER | 1/01 | 12/31 | 0.050 CFS | |
| Total Diversion | | | 0.090 CFS | |

**Source and Point(s) of Diversion:**
GROUND WATER NESE Sec. 11 Twp 07S Rge 17E JEROME County

**Place of Use:** DOMESTIC

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 07S | 17E | 11 | | | | | | | | | | | | | X | | | | |
| | | | | | | | | | | | | | | | | | | | 0 |
| 07S | 17E | 12 | | | | | | | | | | X | | | | | | | |
| | | | | | | | | | | | | | | | | | | | 0 |

**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 |
| 07S | 17E | 11 | | | | | | | | | | | | | X | | | | |
| 07S | 17E | 12 | | | | | | | | | | X | | | | | | | |



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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
A measuring device and lockable controlling works will be installed when required.

b. Who owns the property at the point(s) of diversion
Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A

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: None
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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A

e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None

f. 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: No



Transfer No. 87358

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

**Current Water Right No.** 36-14651

Current Water Right Owner

MIDPOINT LAND &
CATTLE COMPANY LLC
145 NORTH RD
JEROME, ID 83338-5411

Priority Date: 1/1/1940
Origin: Water Right
Basis: Decreed
Status: Active
**Source:** GROUND WATER

| Beneficial Use | From | To | Diversion Rate | Subuse Code |
|---|---|---|---|---|
| DOMESTIC | 1/01 | 12/31 | 0.040 CFS | |
| STOCKWATER | 1/01 | 12/31 | 0.050 CFS | |
| Total Diversion | | | 0.090 CFS | |

**Source and Point(s) of Diversion:**
GROUND WATER SWNW Sec. 12 Twp 07S Rge 17E JEROME County

Describe the proposed diversion system
351' WELL, 2HP PUMP

**Place of Use:** DOMESTIC

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 07S | 17E | 12 | | | | | | | X | | | | | | | | | | 0.0 |

**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 |
| 07S | 17E | 12 | | | | | | | X | | | | | | | | | | 0.0 |

**Conditions/Remarks:**

1. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RL07S17E124152 STOCKWATER/200 FEEDER CATTLE



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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.

**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**

1. 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 7 pages and _____ attachments.

Received By _____ Date _____ Prelim. Check By _____ Date _____

Fee Paid $200 - Date 1-9-2023 Receipted By DM Receipt # S038581

Add'l Fee Paid _____ Date _____ Receipted By _____ Receipt # _____



Transfer No. 87358

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JAN 12 2023


SENE
SWNW
Place of Use
Place of Use
11
07S17E
Point of Diversion
12
NESE
NWSW

0005017114

# STATE OF IDAHO

*Office of the secretary of state, Lawerence Denney*

## 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 #: 0005017114

Date Filed: 12/7/2022 8:08:08 AM

Entity Name and Mailing Address:

| | |
|---|---|
| Entity Name: | MIDPOINT LAND AND CATTLE COMPANY, LLC |
| The file number of this entity on the records of the Idaho Secretary of State is: | 0000443837 |
| Address | 145 NORTH RD<br>JEROME, ID 83338-5411 |

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: | W145757 |

The registered agent on record is:

| | |
|---|---|
| Registered Agent | STEVEN MARSHALL<br>Registered Agent<br>Physical Address<br>145 NORTH RD<br>JEROME, ID 83338<br>Mailing Address |

Limited Liability Company Managers and Members

| Name | Title | Business Address |
|---|---|---|
| steven c marshall | Manager | 145 NORTH RD<br>JEROME, ID 83338 |
| Mary E Marshall | Member | 145 NORTH ROAD<br>JEROME, ID 83338 |

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

Job Title: partner

*steven c marshall* — Sign Here

*12/07/2022* — Date

B0760-3267 12/07/2022 8:08 AM Received by Office of the Idaho Secretary of State

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JAN 12 2023



Page 1 of 1

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

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SOUTHERN 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? |
|---|---|---|---|---|---|
| 36-14651 | 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: John R Marshall
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Midpoint land and Cattle Company, LLC
   New owner(s) as listed on the conveyance document  Name connector ☐ **and** ☐ **or**

   145 North Road | Jerome | ID | 83338
   Mailing address | City | State | Zip

   208-280-3336 | marshallcivilmatters@gmail.com
   Telephone | 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: January 8, 2020.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - o 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):
     - o $25 per *undivided* water right.
     - o $100 per *split* water right.
     - o 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: by Steven C. Marshall Midpoint Land + Cattle Co LLC | owner | 7/27/2022
   Signature of new owner/claimant | Title, if applicable | Date
   Steven C. Marshall
   Print name

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

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

Receipted by SG Date 7/27/2022 Receipt No. 5039362 Receipt Amt. #25 ov

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_____ Processed by BW Date 7/28/22

SCANNED
SEP 07 2022

*RECORDING REQUESTED BY AND*
*WHEN RECORDED RETURN TO:*

*L. Victoria Meier*
*Eberle, Berlin, Kading, Turnbow & McKlveen, Chtd.*
*P.O. Box 1368*
*Boise, ID 83701*

**Instrument # 2203852**
JEROME COUNTY, JEROME, IDAHO
08-12-2020 10:06:44 AM No. of Pages: 4
Recorded for: EBERLE, BERLIN, KADING, TURNBOW & MCI
MICHELLE EMERSON Fee: $15.00
Ex-Officio Recorder Deputy: jw
Electronically Recorded by Simplifile

(Space Above For Recorder's Use)

# WARRANTY DEED

**FOR VALUE RECEIVED,**

**STEVEN C. MARSHALL and MARY E. MARSHALL**, husband and wife ("Grantors"), do hereby grant, bargain, sell and convey unto **MIDPOINT LAND AND CATTLE COMPANY, LLC**, an Idaho limited liability company, with a mailing address of 145 North Road, Jerome, Idaho 83338-5411 ("Grantee"), all of Grantors' right, title and interest in those certain premises located in Jerome County, Idaho, more particularly described on **Exhibit A**, attached hereto and incorporated herein.

To have and to hold the said premises with their appurtenances unto the Grantee and Grantee's successors and assigns forever. And the Grantors do hereby covenant to and with the Grantee that Grantors are the owners in fee simple of said premises, that the premises are free and clear from all encumbrances, except current taxes and assessments, easements, rights-of-way, encumbrances, restrictions and reservations of record, and any state of facts an accurate survey or inspection of the premises would show, and that Grantors will warrant and defend the quiet and peaceful possession of said premises by the Grantee and Grantee's successors and assigns forever, against all lawful claims whatsoever.

DATED this 11th day of August 2020.

**GRANTORS:**

STEVEN C. MARSHALL

MARY E. MARSHALL



SCANNED
SEP 07 2022

STATE OF IDAHO )
) ss:
County of Ada )

On this 11th day of August 2020, before me, the undersigned, a notary public in and for said State, personally appeared **STEVEN C. MARSHALL and MARY E. MARSHALL**, husband and wife, known or identified to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same.

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

CYNTHIA ANN AMES
COMMISSION NUMBER 69342
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 02/08/23

Cynthia Ann Ames

Notary Public for Idaho
My Commission Expires: 2-8-23



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SEP 07 2022

# EXHIBIT A

Township 7 South, Range 17 East, B.M., Jerome County, Idaho.

Section 11: E½SE¼; NW¼SE¼; SE¼NE¼
Section 12: SW¼; SW¼NW¼
Section 13: N½NW¼
Section 14: NE¼NE¼

EXCEPTING THEREFROM the following five parcels:

PARCEL 1:

That portion of the NW¼SE¼ of Section 11, Township 7 South, Range 17, East Boise Meridian, deeded to the State of Idaho by Deed dated March 23, 1931, and recorded March 26, 1931, in Book 102, Page 118, Jerome County records.

PARCEL 2:

That portion of the NW¼SE¼ of Section 11, Township 7 South, Range 17, East Boise Meridian, deeded to the State of Idaho by Corporation Warranty Deed dated March 23, 1984, and recorded April 20, 1984, as Instrument Nurber 281302, Jerome County records.

PARCEL 3:

A tract of land containing some 38.04 acres, located in Section 11, Township 7 South, Range

17 East, B.M., Jerome County, State of Idaho, more particularly described as follows:

Beginning at the NE corner of said Section 11, thence, South 0°00'24" East, 1,321.39' along the section line to the real point of beginning, thence, South 0°00'24" East, 992.27'; thence, North 83°49'15" West, 130.19'; thence, South 37°01'26" West, 428.29'; thence, North 89°49'28" West, 933.00'; thence, North 0°00'24" East 1,322.02'; thence, South 89°47'49" East, 1,320.06' to the real point of beginning, and



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PARCEL 4:

A tract of land containing some .84 acres, located in Section 12, Township 7 South, Range 17 East, B.M., Jerome County, State of Idaho, more particularly described as follows:

Beginning at the Northwest corner of said Section 12. thence, South 0°00'24" East, 2,313.66' along the section line to the real point of beginning; thence, North 0°00'24" West, 131.03'; thence, South 71°06'09" East, 591.69' thence, North 83°49'15" West, 563.05' to the real point of beginning.

PARCEL 5:

A tract of land located in the Southwest Quarter of the Northwest Quarter (SW¼NW¼) of Section Twelve (12), Township Seven (7) South, Range Seventeen (17) East, Boise Meridian, Jerome County, State of Idaho, more particularly described as follows:

Beginning at the Northwest section corner of said Section Twelve (12); thence South zero degrees one minute East (S 0°01' E) one thousand three hundred twenty (1320) feet to a point which is the real point of beginning; thence South eighty-nine degrees forty minutes East (S 89°40' E) one thousand three hundred twenty-three (1323) feet to a point; thence South zero degrees one minute East (S 0°01' E) one thousand two hundred forty-six (1246) feet to a point; thence North seventy-six degrees fifty-two minutes West (N 76°52' W) five hundred eighty-five and eight tenths (585.8)

feet to a point; thence North seventy-one degrees six minutes West (N 71°06' W) seven hundred ninety-four and nine tenths (794.9) feet to a point; thence zero degrees one minute West (N 0°01' W) eight hundred sixty-three (863) feet to the real point of beginning. Containing approximately thirty-two and forty-five hundredths (32.45) acres, which is all of that part of the Southwest quarter of the Northwest Quarter (SW¼NW¼) of Section Twelve (12), Township Seven (7) South, Range Seventeen (17) East, B.M., lying North of County Road.

Together with appurtenances including, but not limited to 318.70 shares of the capital stock of the Northside Canal Company, Ltd., represented by Certificate No. 21226, and 80 shares of the capital stock of the Northside Pumping Company represented by Certificate No. 1468P.

Subject to taxes, easements and rights-of-way of record.



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SEP 07 2022

TitleOne
a title & escrow co.

January 8, 2020

Steven C. Marshall
Mary E. Marshall
145 North Road
Jerome ID 83338

RE: Escrow No. 2434
Marshall/Marshall

Dear Mr. & Mrs. Marshall:

Please find enclosed the original marked **Paid** Promissory Notes and original Warranty Deed in connection with the payoff of the above mentioned escrow. It was recorded on January 8, 2020 as Instrument No. 2200113, records of Jerome, Idaho. As these are original documents, you may want to keep them in a safe place for your future reference.

If you have any questions, please contact our office at 208-878-3524, or toll free at 1-866-716-7742, or by email at longtermescrow@titleonecorp.com.

Very truly yours,
TitleOne

Lorie A. Scott
Advisory Long Term Escrow Assistant

Encl.



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SEP 07 2022

TitleOne
a title & escrow co.

March 18, 2019

Steven C. Marshall
Mary E. Marshall
145 North Road
Jerome ID 83338

RE: Payoff Escrow No. 1753
Marshall/Marshall

Dear Mr. & Mrs. Marshall:

Please find enclosed the marked **Paid** Mortgage Note and original recorded Satisfaction of Mortgage, in connection with the recent payoff of the above referred to escrow. It was recorded March 14, 2019 as Instrument No. 2191008 records of Jerome County. Also enclosed is the original Bill of Sale dated April 2, 1990.

If you have any questions, please contact our office at 208-878-3524, or toll free at 1-866-716-7742, or by email at longtermescrow@titleonecorp.com.

Very truly yours,
TitleOne

Lorie A. Scott
Long Term Escrow Team Leader

Encl.



SCANNED
SEP 07 2022

## MODIFICATION AGREEMENT

COME NOW Steven C. Marshall and Mary E. Marshall as the makers of a certain Promissory Note dated April 2, 1990, at Jerome, Idaho, and being in the principal sum of $ , and John R. Marshall and Louise Marshall as the Payees under the terms of the described Promissory Note who hereby agree that the remaining principal balance of $ shall bear interest from the 1st day of April, 2010, at the rate of five and one-half percent (5.5%) per annum and shall be paid in annual installments of with the first such installment falling due on the 1st day of April, 2010, and like installments to fall due on the 1st day of each and every year thereafter until all principal and interest is paid in full.

This Modification Agreement shall be construed as an amendment to the Promissory Note described above and shall alter its terms only to the extent expressly set forth herein. All other terms shall remain in full force and effect including those relating to the Deed of Trust securing payment of the Promissory Note as hereby amended.

Dated this 19 day of March, 2010.

Steven C. Marshall

John R. Marshall

Mary E. Marshall

Louise Marshall

ES# 1753

SCANNED
SEP 07 2022

AGREEMENT TO AMEND MORTGAGE NOTE

THIS AGREEMENT is made this 15 day of July, 1998, by and between JOHN R. MARSHALL and LOUISE MARSHALL, husband and wife, hereinafter referred to as "Payees" and STEVEN C. MARSHALL and MARY E. MARSHALL, husband and wife, hereinafter referred to as "Makers."

RECITALS:

On April 2, 1990, the Payees sold to the Makers an undivided one-half interest in certain real property located in Jerome County, Idaho. In partial payment therefor the Makers gave to the Payees a Mortgage Note dated April 2, 1990, in the principal amount of secured by a purchase money mortgage of even date. The fourth paragraph of the Mortgage Note provides that the Makers are entitled to miss one annual payment. The parties desire to amend the terms of the Mortgage Note to provide that the Makers shall be entitled to miss two annual payments including the one annual payment the Makers have already missed prior to this Agreement.

AGREEMENT: The parties agree as follows:

1. The fourth paragraph of the Mortgage Note dated April 2, 1990, is hereby amended to read as follows:

"The Makers hereof shall be entitled to miss two annual payments at the Makers' option without penalty or premium of any kind. For each year the Makers elect to miss an annual payment the date on which final payment of all principal and interest shall be due shall be extended one year. If no annual payments are missed all principal and interest shall be due on April 1, 2020. If one annual payment is missed the final due date shall be April 1, 2021. If two annual payments are missed the final due date shall be April 1, 2022. If the Makers elect to miss an annual payment the Makers shall give the holder hereof sixty (60) days prior to such payment written notice of the Makers' intention to do so. No missed payment shall result in the cancellation of any principal or interest due under this Note."



SCANNED
SEP 07 2022

2. Prior to this Agreement the Makers elected to miss an annual payment. Therefore, pursuant to this Agreement the Makers may elect to miss one additional annual payment.

3. In all other respects the terms of the Mortgage Note dated April 2, 1990, are hereby ratified and confirmed.

4. The parties shall deliver the original copy of this Agreement to Land Title & Escrow in Jerome, Idaho, to be placed in the mortgage escrow file for the parties and held with the original Mortgage Note and Mortgage subject to the terms of that escrow.

5. The parties agree to execute such additional escrow instructions as may be required by Land Title & Escrow consistent with the terms of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first above written.

JOHN R. MARSHALL

LOUISE MARSHALL

"Payees"

STEVEN C. MARSHALL

MARY E. MARSHALL

"Makers"



SCANNED
SEP 07 2022

STATE OF IDAHO )
) ss.
County of Jerome )

On this 15th day of July, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JOHN R. MARSHALL and LOUISE MARSHALL, husband and wife, known 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 the certificate first above written.

Sherley Robinette
NOTARY PUBLIC
Residing at: Twin Falls, Idaho
My Commission Expires: 8/5/2000



SCANNED
SEP 07 2022

STATE OF IDAHO )
) ss.
County of Jerome )

On this 15th day of July, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared STEVEN C. MARSHALL and MARY E. MARSHALL, husband and wife, known 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 the certificate first above written.

Shirley Rabinette
NOTARY PUBLIC
Residing at: Twin Falls, Idaho
My Commission Expires: 8/5/2000



SCANNED
SEP 07 2022

# MORTGAGE NOTE

Jerome, Idaho
May 15, 1995

For Value Received, I, we, or either of us, promise to pay to the order of JOHN R. MARSHALL and LOUISE MARSHALL, the principal sum of ONE HUNDRED ELEVEN THOUSAND FIVE HUNDRED TWENTY AND NO/100 DOLLARS ($111,520.00), in lawful money of the United States of America, together with interest at the rate of 7.52% per annum from May 15, 1995, payable in thirty (30) equal annual installments of principal and interest in the amount of $9,382.97 each, beginning April 1, 1996, and on the 1st day of April of each and every year thereafter until paid in full. Each of said installments shall be applied first to payment of accrued interest and then to principal.

The makers hereof may prepay any or all sums due hereunder at any time without prior notice to the holders and without penalty or premium of any kind, provided, that no prepayment shall be made in the month of December of any year.

If makers prepay any part of this Note pursuant to the terms of this Note, the makers shall have the option of applying said prepayment to future payments due pursuant to the terms of this Note.

The makers hereof shall be entitled to miss one annual payment at the makers' option without penalty or premium of any kind. If the makers elect to miss an annual payment the makers shall give the holders hereof sixty (60) days prior to written notice of makers' intention to do so.

In case of failure to pay any installments when same shall become due, the holders may on thirty (30) days notice to the makers hereof declare the whole principal hereof as immediately due and payable. In case this Note is collected by an attorney, either with or without suit, the undersigned hereby agree to pay a reasonable attorney's fee.

This Note is secured by a purchase money Mortgage of even date executed by the undersigned on certain real property described therein.

The undersigned hereby waive presentment, protest and notice.

Steven C Marshall
STEVEN C. MARSHALL

Mary E. Marshall
MARY E. MARSHALL

This certifies that this promissory note has been paid in full according to the instructions received by Title One
By:



SCANNED
SEP 07 2022

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

**Instrument # 2200113**
JEROME COUNTY, JEROME, IDAHO
01-08-2020 02:23:01 PM No. of Pages: 2
Recorded for: TITLEONE - TWIN FALLS
MICHELLE EMERSON Fee: $15.00
Ex-Officio Recorder Deputy: jw
Electronically Recorded by Simplifile

# SATISFACTION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that JOHN R. MARSHALL and LOUISE MARSHALL, husband and wife, do hereby certify and declare that a certain Mortgage made and executed by Steven C. Marshall and Mary E. Marshall, husband and wife, as Mortgagors, to John R. Marshall and Louise Marshall, husband and wife, as Mortgagees, dated May 15, , 1995, and recorded on May 15 , 1995, as Instrument No. 951865 , records of Jerome County, Idaho, together with the debt thereby secured, is FULLY PAID, SATISFIED and DISCHARGED.

DATED this 15th day of May, 1995.

John R. Marshall
JOHN R. MARSHALL

Louise Marshall
LOUISE MARSHALL



SCANNED
SEP 07 2022

# SATISFACTION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that JOHN R. MARSHALL and LOUISE MARSHALL, husband and wife, do hereby certify and declare that a certain Mortgage made and executed by Steven C. Marshall and Mary E. Marshall, husband and wife, as Mortgagors, to John R. Marshall and Louise Marshall, husband and wife, as Mortgagees, dated May 15, , 1995, and recorded on May 15 , 1995, as Instrument No. 951865 , records of Jerome County, Idaho, together with the debt thereby secured, is FULLY PAID, SATISFIED and DISCHARGED.

DATED this 15th day of May, 1995.

John R. Marshall

JOHN R. MARSHALL

Louise Marshall

LOUISE MARSHALL

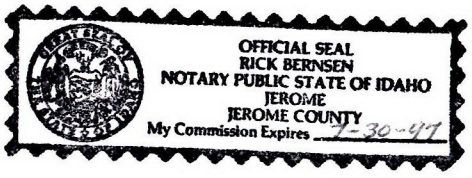


SCANNED
SEP 07 2022

STATE OF IDAHO )
) ss.
County of Jerome )

On this 12th day of May, 1995, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JOHN R. MARSHALL and LOUISE MARSHALL, husband and wife, known 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 the certificate first above written.




NOTARY PUBLIC
Residing at: Jerome
My Commission Expires: 7-30-97



SCANNED
SEP 07 2022

Esc. 1753

J-16652

**Instrument # 2191008**
JEROME COUNTY, JEROME, IDAHO
03-14-2019 12:03:36 PM No. of Pages: 1
Recorded for: TITLEONE - BURLEY
MICHELLE EMERSON Fee: $15.00
Ex-Officio Recorder Deputy: jw
Electronically Recorded by Simplifile

# SATISFACTION OF MORTGAGE

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

KNOWN ALL MEN BY THESE PRESENTS, That JOHN R. MARSHALL and LOUISE MARSHALL, husband and wife, do hereby certify and declare that a certain Mortgage made and executed by STEVEN C. MARSHALL and MARY E. MARSHALL, husband and wife, the party of the first part therein, to JOHN R. MARSHALL and LOUISE MARSHALL, husband and wife, party of the second part therein, dated the 2nd day of April 1990, and recorded on the 3rd day of April, 1990, as Instrument Number 320312 records of Jerome County, Idaho, together with the debt thereby secured, is FULLY PAID, SATISFIED and DISCHARGED.

DATED this 2nd day of April, 1990.

John R. Marshall

Louise Marshall

STATE OF IDAHO )
) ss.
COUNTY OF JEROME )

On this 2nd day of April 1990, before me, the undersigned, a Notary Public in and for said State Personally appeared JOHN R. MARSHALL and LOUISE MARSHALL, known to me to be the person 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.

OFFICIAL SEAL
RICK BERNSEN
NOTARY PUBLIC STATE OF IDAHO
JEROME
JEROME COUNTY
My Commission Expires 7-19-91

Notary Public for Idaho
Residing at:
My Commission Expires:

SCANNED
SEP 07 2022

MORTGAGE NOTE

Jerome, Idaho
~~April 2,~~ _____, 1990

For value received, I, we, or either of us promises to pay to the order of JOHN R. MARSHALL and LOUISE MARSHALL the principal sum of NINETY-FIVE THOUSAND TWO HUNDRED EIGHTY-FOUR and 82/100 DOLLARS ($95,284.82) in lawful money of the United States of America, together with interest at the rate of 7% per annum from April 1, 1990, payable in thirty (30) equal annual installments of principal and interest in the amount of $7,678.66 each, beginning April 1, 1991, and on the 1st day of April of each and every year thereafter until paid in full. Each of said installments shall be applied first to payment of accrued interest and then to principal.

The maker hereof may repay any or all sums due hereunder at any time without prior notice to the holder and without penalty or premium of any kind, provided, that no prepayment shall be made in the month of December of any year.

If makers prepay any part of this note pursuant to the terms of this note, the makers shall have the option of applying said prepayment to future payments due pursuant to the terms of this note.

The makers hereof shall be entitled to miss one annual payment at the makers' option without penalty or premium of any kind. If the makers elect to miss an annual payment the makers shall give the holder hereof sixty (60) days prior to written notice of makers' intention to do so.

In case of failure to pay any installments when same shall become due, the holder may on thirty (30) days notice to the maker hereof declare the whole principal hereof as immediately due and payable. In case this note is collected by an attorney, either with or without suit, the undersigned hereby agrees to pay a reasonable attorney's fee.

This note is secured by a Purchase Money Mortgage of even date executed by the undersigned on certain real property described therein.

The undersigned hereby waives presentment, protest and notice.

Steven C. Marshall
STEVEN C. MARSHALL

This certifies that this promissory note has been paid in full according to the instructions received by Title One Corporation.
By _____

Mary E. Marshall
MARY E. MARSHALL

SCANNED
SEP 07 2022

Esc. 1753 J-16652

# SATISFACTION OF MORTGAGE

KNOWN ALL MEN BY THESE PRESENTS, That JOHN R. MARSHALL and LOUISE MARSHALL, husband and wife, do hereby certify and declare that a certain Mortgage made and executed by STEVEN C. MARSHALL and MARY E. MARSHALL, husband and wife, the party of the first part therein, to JOHN R. MARSHALL and LOUISE MARSHALL, husband and wife, party of the second part therein, dated the 2nd day of April 1990, and recorded on the 3rd day of April, 1990, as Instrument Number 320312 records of Jerome County, Idaho, together with the debt thereby secured, is FULLY PAID, SATISFIED and DISCHARGED.

DATED this 2nd day of April, 1990.

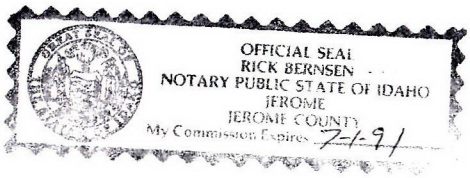
John R. Marshall

Louise Marshall

STATE OF IDAHO )
) ss.
COUNTY OF JEROME )

On this 2nd day of April 1990, before me, the undersigned, a Notary Public in and for said State Personally appeared JOHN R. MARSHALL and LOUISE MARSHALL, known to me to be the person 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:
My Commission Expires:

SCANNED
SEP 07 2022

January 25, 1997

We the undersigned agree that Steven C. & Mary E. Marshall may use their miss payment option on Escrow #1753 and Escrow #2434 without penalty or premium of any kind. This also includes that there will be no interest charged from April 1,1997 to April 1,1998 on the above Escrow accounts.

Steven C. Marshall

Mary E. Marshall

John R. Marshall

Louise Marshall

SCANNED
SEP 07 2022

# BILL OF SALE

For Value Received, JOHN R. MARSHALL and LOUISE MARSHALL, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto STEVEN C. MARSHALL and MARY E. MARSHALL, husband and wife, the Grantees, an undivided one-half (1/2) interest in and to the following described and valued personal property owned by Grantors:

(4) 5 Hp Parma pumps with motors at each

(1) 5 Hp Parma pump

(3) Pipelines for parma pumps at each

330 ft. of 10" gated pipe at

Siphon Tubes
(180) 2" tubes at each
(225) 1" tubes at each
(180) 1¼" tubes at each

Electric control panel for waste water pump

Sprinkler system for potatoes:
Extension to wheel line
Insulation
1,100 ft. of 8" Aluminum Main Line
20 Hp Pump
20 Hp Pump phase converter
20 Hp Pump panel
Wiring and Accessories

Wheel Line, 1/4 mile

TOTAL VALUE:

VALUE OF UNDIVIDED ONE-HALF INTEREST:

SCANNED
SEP 07 2022

TO HAVE AND TO HOLD the same, to the said Grantees, their heirs and assigns forever, and the said Grantors do hereby covenant to and with the said Grantees, that they will warrant and defend the sale of said property from all lawful claims whatsoever.

DATED this 2nd day of April, 1990.

John R. Marshall
JOHN R. MARSHALL

Louise Marshall
LOUISE MARSHALL

STATE OF IDAHO )
) ss.
County of Jerome )

On this 2nd day of April, 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JOHN R. MARSHALL and LOUISE MARSHALL, husband and wife, known 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 the certificate first above written.

NOTARY PUBLIC

OFFICIAL SEAL
RICK BERNSEN
NOTARY PUBLIC STATE OF IDAHO
JEROME
JEROME COUNTY
My Commission Expires 7-1-91



SCANNED
SEP 07 2022

0004552021

**STATE OF IDAHO**
*Office of the secretary of state, Lawerence Denney*
**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 #: 0004552021

Date Filed: 1/4/2022 6:45:39 AM

Entity Name and Mailing Address:

| | |
|---|---|
| Entity Name: | MIDPOINT LAND AND CATTLE COMPANY, LLC |
| The file number of this entity on the records of the Idaho Secretary of State is: | 0000443837 |
| Address | 145 NORTH RD<br>JEROME, ID 83338-5411 |

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: | W145757 |

The registered agent on record is:

| | |
|---|---|
| Registered Agent | STEVEN MARSHALL<br>Registered Agent<br>Physical Address<br>145 NORTH RD<br>JEROME, ID 83338<br>Mailing Address |

Limited Liability Company Managers and Members

| Name | TItle | Business Address |
|---|---|---|
| steven c marshall | Manager | 145 NORTH RD<br>JEROME, ID 83338 |
| Mary E Marshall | Member | 145 NORTH ROAD<br>JEROME, ID 83338 |

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

Job Title: owner

*steven marshall* — Sign Here

*01/04/2022* — Date

DOC-4552021 01/04/2022 06:45 AM RECEIVED BY IDAHO SECRETARY OF STATE LAWERENCE DENNEY



SCANNED
SEP 07 2022

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 Gary Spackman**

February 8, 2023

MIDPOINT LAND & CATTLE COMPANY LLC
145 NORTH RD
JEROME ID 83338-5411

Re: Transfer No: 87358
Water Right No(s).: 36-14651

**Transfer Approval Notice**

Dear Water Right Holder(s):

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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FEB 08 2023

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) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

c:

WATER DISTRICT 130
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098



SCANNED
FEB 08 2023

## CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2023 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.: 87358
Water Right No(s).: 36-14651

MIDPOINT LAND & CATTLE COMPANY LLC
145 NORTH RD
JEROME ID 83338-5411

WATER DISTRICT 130
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

Denise Maline

Denise Maline
Administrative Assistant



SCANNED
FEB 08 2023

# 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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FEB 08 2023

## 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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FEB 08 2023

# Sufficiency Memorandum

**Date:** February 8, 2023

**To:** Transfer 8358

**From:** Benny Walker

**Re:** Evaluation of Sufficiency of Information Submitted

The transfer application proposes to change the point of diversion (POD), for a ground water right for stockwater and domestic uses (0.09 cfs) and to change the place of use (POU) to adjacent lands owned by the applicant. The POU is located,(on the eastside of Hwy 93) approximately 7.3 to 7.5 miles north and 4.7 to 5.0 miles east of the City of Jerome, Main Street and Lincoln Street. The new POD will be located approximately 7.4 miles north and 4.8 miles east of the City of Jerome, Main Street and Lincoln Street. The application was subject to notice and protest. No protests were received.

- **Authority to File:**
  The applicant is listed as the current owner of the water right according to Department records.

- **Water Right Validity:**
  The water right involved in the transfer was decreed in the SRBA in 1996. Recent aerial photography indicates that the water right has been used in recent years.

- **Injury to Other Water Rights:**
  None anticipated.

- **Enlargement of Use:**
  None anticipated.

- **Local Public Interest:**
  No negative impacts anticipated. No protests were received

- **Beneficial Use/Conservation of Water Resources:**
  Proposed uses are recognized as beneficial uses of water

- **Effect on Economy of the Local Area:**
  None anticipated.

- **Effect of the Agricultural Base of the Local Area:**
  None anticipated.

**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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FEB 08 2023

# Proof of Publication

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

REBA DAVIS, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES Southern Region
Denise Maliine Adminisrative Assistant
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

RECEIVED
JAN 30 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

ORDER NUMBER 134138

Reba Davis

(Legals Clerk)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**
**TRANSFER NO. 87358**

MIDPOINT LAND & CATTLE COMPANY LLC, 145 NORTH RD, JEROME, ID 83338-5411 has filed Application No. 87358 for changes to the following water rights within JEROME County(s): Right No(s). 36-14651. The purpose of the transfer is to change a portion of the above rights as follows: The transfer application proposes change the point of diversion (POD) for a ground water right for stockwater and domestic uses (0.09 cfs) and to change the place of use (POU) to adjacent lands owned by the applicant. The POU is located approximately 7.3 to 7.5 miles north and 4.7 to 5.0 miles east of Main Street and Lincoln Street in Jerome. The new POD is located within the place of use.

**TRANSFER NO. 87413**

MAURICE H ECKERT & SONS INC, 4795 N 700 E, BUHL, ID 83316-5007 has filed Application No. 87413 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-4040, 47-7262. The purpose of the transfer is to change a portion of the above rights as follows: The transfer application proposes to add a point of diversion (POD) for two ground water rights for stockwater, commercial and domestic uses. The total diversion rate of 0.31 cfs will be diverted from the two existing wells and a new well to be drilled. The new POD will be located approximately 8.0 miles south and 0.7 miles west of Main Street and 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 **February 6, 2023**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**Published** on January 19th & 26th, 2023

✓ OK DM 2/7/2023

STATE OF IDAHO )
.SS
COUNTY OF TWIN FALLS )

On this 26 day of Jan in the year of 2023 before me, a Notary Public, personally appeared before me Reba Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Amy Wiesmore
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 9-4-26

AMY WIESMORE
COMMISSION NO. 20203230
NOTARY PUBLIC
STATE OF IDAHO
MY COMM. EXPIRES 09/04/2026

Section: Legals
Category: 50 Legal
PUBLISHED ON: 01/19/2023, 01/26/2023

| | |
|---|---|
| TOTAL AD COST: | 120.39 |
| FILED ON: | 1/26/2023 |

SCANNED
FEB 08 2023

## Maline, Denise

**From:** Ragan, Brian
**Sent:** Thursday, January 12, 2023 2:07 PM
**To:** Maline, Denise
**Cc:** King, Corey
**Subject:** RE: Comment Letter for Application for Transfer No. 87358 Midpoint Land & Cattle Co LLC

I don't have a comment or concern with this transfer.

Brian Ragan
IDWR Water Distribution Section
(208) 287-4934

**From:** Maline, Denise <Denise.Maline@idwr.idaho.gov>
**Sent:** Thursday, January 12, 2023 10:53 AM
**To:** Ragan, Brian <Brian.Ragan@idwr.idaho.gov>
**Subject:** Comment Letter for Application for Transfer No. 87358 Midpoint Land & Cattle Co LLC

Hi Brian,

Attached is an application for transfer that is currently being processed by the department, located within WD130. Please review the application and provide any necessary comments within 21 days.

If you have any questions, please feel free to contact our office and we'll connect you with the agent processing the application.

Thank you in advance,

Denise @ Southern Region

**Denise Maline, Administrative Assistant**
**Idaho Dept of Water Resources, Southern Region**
**650 Addison Ave W Ste 500**
**Twin Falls ID 83301-5858**
**(208) 293-9908**
**denise.maline@idwr.idaho.gov**



SCANNED
FEB 08 2023

# Customer Ad Proof

**164-60002276 ID DEPARTMENT OF WATER RESOURCES** **Order Nbr 134138**

Southern Region

| | | | |
|---|---|---|---|
| **Publication** | **Times News** | | |
| Contact | ID DEPARTMENT OF WATER RESOURCES | PO Number | |
| Address 1 | 650 ADDISON AVE W, STE 500 | Rate | Legal Notice |
| Address 2 | | Order Price | 120.39 |
| City St Zip | TWIN FALLS ID 83301 | Amount Paid | 0.00 |
| Phone | 2087363033 | Amount Due | 120.39 |
| Fax | | | |
| Section | Legals | Start/End Dates | 01/19/2023 - 01/26/2023 |
| SubSection | | Insertions | 2 |
| Category | 50 Legal | Size | 69 |
| Ad Key | 134138-1 | Salesperson(s) | Legal Notices |
| Keywords | NOTICE/PROPOSED WATER RIGHT TRANSFER | Taken By | Reba Davis |
| Notes | | | |

**Ad Proof**

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**
**TRANSFER NO. 87358**

MIDPOINT LAND & CATTLE COMPANY LLC, 145 NORTH RD, JEROME, ID 83338-5411 has filed Application No. 87358 for changes to the following water rights within JEROME County(s): Right No(s). 36-14651. The purpose of the transfer is to change a portion of the above rights as follows: The transfer application proposes change the point of diversion (POD) for a ground water right for stockwater and domestic uses (0.09 cfs) and to change the place of use (POU) to adjacent lands owned by the applicant. The POU is located approximately 7.3 to 7.5 miles north and 4.7 to 5.0 miles east of Main Street and Lincoln Street in Jerome. The new POD is located within the place of use.

**TRANSFER NO. 87413**

MAURICE H ECKERT & SONS INC, 4795 N 700 E, BUHL, ID 83316-5007 has filed Application No. 87413 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-4040, 47-7262. The purpose of the transfer is to change a portion of the above rights as follows: The transfer application proposes to add a point of diversion (POD) for two ground water rights for stockwater, commercial and domestic uses. The total diversion rate of 0.31 cfs will be diverted from the two existing wells and a new well to be drilled. The new POD will be located approximately 8.0 miles south and 0.7 miles west of Main Street and 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 **February 6, 2023**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**Published** on January 19th & 26th, 2023

*Proof of legal notice received from Times News 1/12/2023.*



SCANNED
JAN 12 2023

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 Gary Spackman**

January 12, 2023

MIDPOINT LAND & CATTLE COMPANY LLC
145 NORTH RD
JEROME, ID 83338-5411

RE: Transfer No. 87358
Water Right No(s). 36-14651

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 1/19/2023 and 1/26/2023**. 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 **February 6, 2023**.

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

Denise Maline
Administrative Assistant 1

SCANNED
JAN 12 2023

## Maline, Denise

**From:** Maline, Denise
**Sent:** Thursday, January 12, 2023 10:53 AM
**To:** Ragan, Brian
**Subject:** Comment Letter for Application for Transfer No. 87358 Midpoint Land & Cattle Co LLC
**Attachments:** Transfer No. 87358 Midpoint Land & Cattle Co LLC.pdf; Comment letter to WD130 for 87358.docx

Hi Brian,

Attached is an application for transfer that is currently being processed by the department, located within WD130. Please review the application and provide any necessary comments within 21 days.

If you have any questions, please feel free to contact our office and we'll connect you with the agent processing the application.

Thank you in advance,

Denise @ Southern Region

**Denise Maline, Administrative Assistant**
**Idaho Dept of Water Resources, Southern Region**
**650 Addison Ave W Ste 500**
**Twin Falls ID 83301-5858**
**(208) 293-9908**
**denise.maline@idwr.idaho.gov**



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JAN 12 2023

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 Gary Spackman**

January 12, 2023

WATER DISTRICT 130
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

RE: Application for Transfer No(s).: 87358 (Midpoint Land & Cattle Company LLC)

Dear Brian:

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 past. 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

Denise Maline
Administrative Assistant 1

Enclosure(s)

SCANNED
JAN 12 2023

**Maline, Denise**

| | |
|---|---|
| **From:** | Maline, Denise |
| **Sent:** | Thursday, January 12, 2023 10:35 AM |
| **To:** | Times News |
| **Subject:** | LEGAL NOTICE |
| **Attachments:** | Times News cover letter.docx; Times News ad.docx |

Attached please find **(1)** legal notice being submitted for publication on January 19th & 26th, 2023. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

**Denise Maline, Administrative Assistant**
**Idaho Dept of Water Resources, Southern Region**
**650 Addison Ave W Ste 500**
**Twin Falls ID 83301-5858**
**(208) 293-9908**
**denise.maline@idwr.idaho.gov**



SCANNED
JAN 12 2023

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 Gary Spackman**

January 12, 2023

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

RE: Transfer No. 87358
Water Right No(s). 36-14651

RE: Transfer No. 87413
Water Right No(s). 47-4040, 47-7262

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 February 6, 2023. Your cooperation is appreciated.

Sincerely,
Denise Maline
Denise Maline
Administrative Assistant 1

Enclosure(s)

SCANNED
JAN 12 2023

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**
**TRANSFER NO. 87358**

MIDPOINT LAND & CATTLE COMPANY LLC, 145 NORTH RD, JEROME, ID 83338-5411 has filed Application No. 87358 for changes to the following water rights within JEROME County(s): Right No(s). 36-14651. The purpose of the transfer is to change a portion of the above rights as follows: The transfer application proposes change the point of diversion (POD) for a ground water right for stockwater and domestic uses (0.09 cfs) and to change the place of use (POU) to adjacent lands owned by the applicant. The POU is located approximately 7.3 to 7.5 miles north and 4.7 to 5.0 miles east of Main Street and Lincoln Street in Jerome. The new POD is located within the place of use.

**TRANSFER NO. 87413**

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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 **February 6, 2023**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on January 19th & 26th, 2023

SCANNED
JAN 12 2023

**Date:** January 11, 2023

**To:** Transfer 87358

**From:** Benny Walker

**Re:** Synopsis, Legal

The transfer application proposes change the point of diversion (POD), for a ground water right for stockwater and domestic uses (0.09 cfs) and to change the place of use (POU) to adjacent lands owned by the applicant. The POU is located approximately 7.3 to 7.5 miles north and 4.7 to 5.0 miles east of the City of Jerome, Main Street and Lincoln Street. The new POD is located within the place of use. The application is subject to notice and protest.

SCANNED

JAN 12 2023

# MEMORANDUM

**TO:** Transfer 87358 File

**FROM:** Benny Walker

**DATE:** January 10, 2023

**SUBJECT:** Filing Fee

The $200.00 filing fee for this transfer (0.02 cfs) is based on the transfer fee schedule for 0.00-0.20 cfs. The applicant's representative submitted a fee of $200.00 (Receipt S039581).

SCANNED
JAN 12 2023

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 Gary Spackman

July 28, 2022

MIDPOINT LAND & CATTLE COMPANY LLC
145 NORTH RD
JEROME ID 83338-5411

Re: Change in Ownership for Water Right No(s): 36-14651

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) 736-3033.

Sincerely,

Benny Walker

Benny Walker
Senior Water Resource Agent,

Enclosure(s)

SCANNED
SEP 07 2022