

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 86133**

This is to certify that: **DOUBLE T FARMS LLC**
PO BOX 51780
IDAHO FALLS, ID 83405

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
32-10125	WR/DECREED	11/6/1890	0.280 cfs	N/A	N/A	9.9	SPRING
32-94	WR/DECREED	11/6/1890	1.000 cfs	N/A	N/A	280.0	SMELTER GULCH CREEK
32-95	WR/DECREED	11/6/1890	5.600 cfs	N/A	N/A	280.0	NORTH JUMP CREEK, SOUTH JUMP CREEK
32-96	WR/DECREED	11/6/1890	3.200 cfs	N/A	N/A	N/A	WILLOW CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
32-10125	NO	NO	YES	NO	NO	NO
32-94	NO	NO	YES	NO	NO	NO
32-95	NO	NO	YES	NO	NO	NO
32-96	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
32-10125	32-10125	0.280 cfs	N/A	9.9	280.0	N/A	N/A	N/A	N/A	N/A
32-94	32-94	1.000 cfs	N/A	N/A	280.0	N/A	N/A	N/A	N/A	N/A
32-95	32-95	5.600 cfs	N/A	N/A	280.0	N/A	N/A	N/A	N/A	N/A
32-96	32-96	3.200 cfs	N/A	N/A	280.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		9.800 cfs	N/A	N/A	280.0		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 12th day of January, 2023.

SUPPORT DATA

IN FILE # 32-94 Regional Manager

Transfer No. 86133

SCANNED
JAN 18 2023

WATER RIGHT NO. 32-95**As Modified by Transfer No. 86133**

In accordance with the approval of Transfer No. 86133, Water Right No. 32-95 is now described as follows:

Right Holder: DOUBLE T FARMS LLC
PO BOX 51780
IDAHO FALLS, ID 83405

Priority Date: 11/6/1890

Source: NORTH JUMP CREEK
Source: SOUTH JUMP CREEK

Tributary: BIRCH CREEK
Tributary: BIRCH CREEK

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/31

Diversion Rate

5.600 cfs

5.600 cfs

LOCATION OF POINT(S) OF DIVERSION

NORTH JUMP CREEK L6 (NWNWSW) Sec 6 Twp 12N Rge 29E LEMHI County
SOUTH JUMP CREEK NWNWNW Sec 8 Twp 12N Rge 29E LEMHI County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	29E	17												6.0				16.0	22.0
12N	29E	21							11.0	17.0	39.0	33.0	40.0	40.0					180.0
12N	29E	28					39.0	39.0											78.0

POU Total Acres: 280.0

CONDITIONS OF APPROVAL

1. Rights 32-94, 32-95, 32-96 and 32-10125 when combined shall not exceed a total diversion rate of 9.80 cfs through July 15 and 8.78 cfs after July 15, and the irrigation of 280 acres.
2. 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. 32D.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. This right does not grant any right-of-way or easement across the land of another.

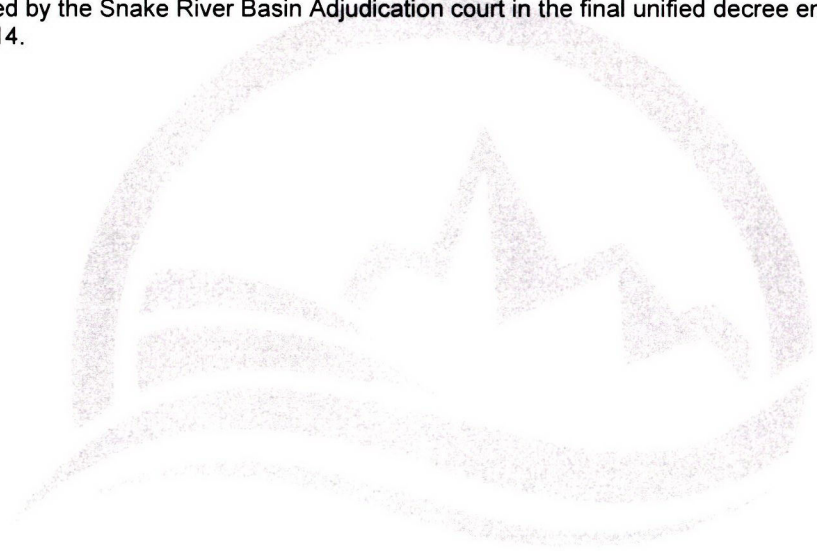
Transfer No. 86133

SCANNED
JAN 18 2023

WATER RIGHT NO. 32-95
As Modified by Transfer No. 86133

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.



WATER RIGHT NO. 32-96**As Modified by Transfer No. 86133**

In accordance with the approval of Transfer No. 86133, Water Right No. 32-96 is now described as follows:

Right Holder: DOUBLE T FARMS LLC
PO BOX 51780
IDAHO FALLS, ID 83405

Priority Date: 11/6/1890

Source: WILLOW CREEK

Tributary: BIRCH CREEK

BENEFICIAL USE	From	To	Diversion Rate
IRRIGATION	05/01	to 07/15	3.200 cfs
IRRIGATION	07/16	to 10/31	2.180 cfs
			3.200 cfs

LOCATION OF POINT(S) OF DIVERSION

WILLOW CREEK NWNESW Sec 17 Twp 12N Rge 29E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	29E	17											6.0	16.0					22.0
12N	29E	21							11.0	17.0	39.0	33.0	40.0	40.0					180.0
12N	29E	28					39.0	39.0											78.0

POU Total Acres: 280.0

CONDITIONS OF APPROVAL

1. Rights 32-94, 32-95, 32-96 and 32-10125 when combined shall not exceed a total diversion rate of 9.80 cfs through July 15 and 8.78 cfs after July 15, and the irrigation of 280 acres.
2. 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. 32D.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. This right does not grant any right-of-way or easement across the land of another.

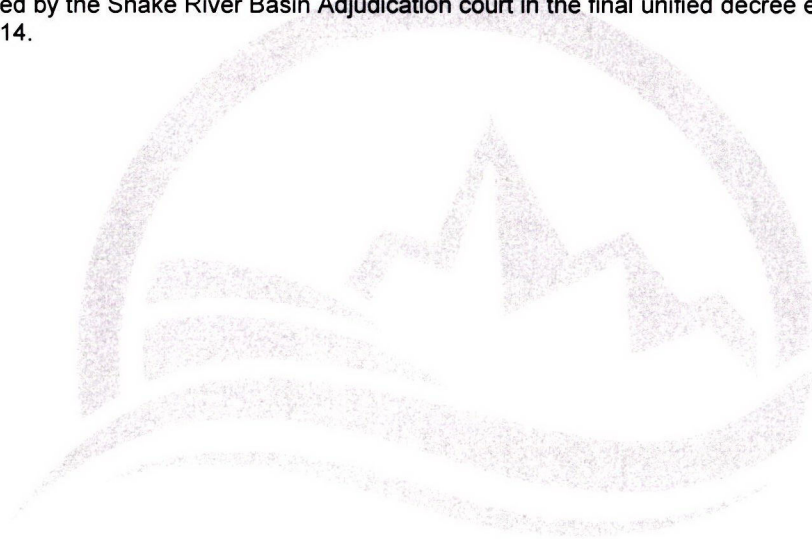
Transfer No. 86133

SCANNED
JAN 18 2023

WATER RIGHT NO. 32-96
As Modified by Transfer No. 86133

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.



WATER RIGHT NO. 32-10125

As Modified by Transfer No. 86133

In accordance with the approval of Transfer No. 86133, Water Right No. 32-10125 is now described as follows:

Right Holder: DOUBLE T FARMS LLC
PO BOX 51780
IDAHO FALLS, ID 83405

Priority Date: 11/6/1890

Source: SPRING

Tributary: WILLOW CREEK

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/31

Diversion Rate

0.280 cfs

0.280 cfs

LOCATION OF POINT(S) OF DIVERSION

SPRING

SWNE

Sec 20 Twp 12N Rge 29E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	29E	17											6.0	16.0					22.0
12N	29E	21							11.0	17.0	39.0	33.0	40.0	40.0					180.0
12N	29E	28					39.0	39.0											78.0

Right Acre Limit: 9.9

POU Total Acres: 280.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 9.9 acres within the authorized place of use in a single irrigation season.
2. Rights 32-94, 32-95, 32-96 and 32-10125 when combined shall not exceed a total diversion rate of 9.80 cfs through July 15 and 8.78 cfs after July 15, and the irrigation of 280 acres.
3. 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. 32D.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 86133

SCANNED
JAN 18 2023

WATER RIGHT NO. 32-10125
As Modified by Transfer No. 86133

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.

WATER RIGHT NO. 32-94**As Modified by Transfer No. 86133**

In accordance with the approval of Transfer No. 86133, Water Right No. 32-94 is now described as follows:

Right Holder: DOUBLE T FARMS LLC
PO BOX 51780
IDAHO FALLS, ID 83405

Priority Date: 11/6/1890

Source: SMELTER GULCH CREEK

Tributary: BIRCH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01	to 10/31	1.000 cfs
STOCKWATER	01/01	to 12/31	0.070 cfs
			1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

SMELTER GULCH CREEK SESESW Sec 16 Twp 12N Rge 29E LEMHI County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	29E	17											6.0	16.0					22.0
12N	29E	21							11.0	17.0	39.0	33.0	40.0	40.0					180.0
12N	29E	28					39.0	39.0											78.0

POU Total Acres: 280.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	29E	17											X	X					
12N	29E	21							X	X	X	X	X	X					
12N	29E	28					X	X											

CONDITIONS OF APPROVAL

1. Rights 32-94, 32-95, 32-96 and 32-10125 when combined shall not exceed a total diversion rate of 9.80 cfs through July 15 and 8.78 cfs after July 15, and the irrigation of 280 acres.
2. 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. 32D.

Transfer No. 86133

SCANNED
JAN 18 2023

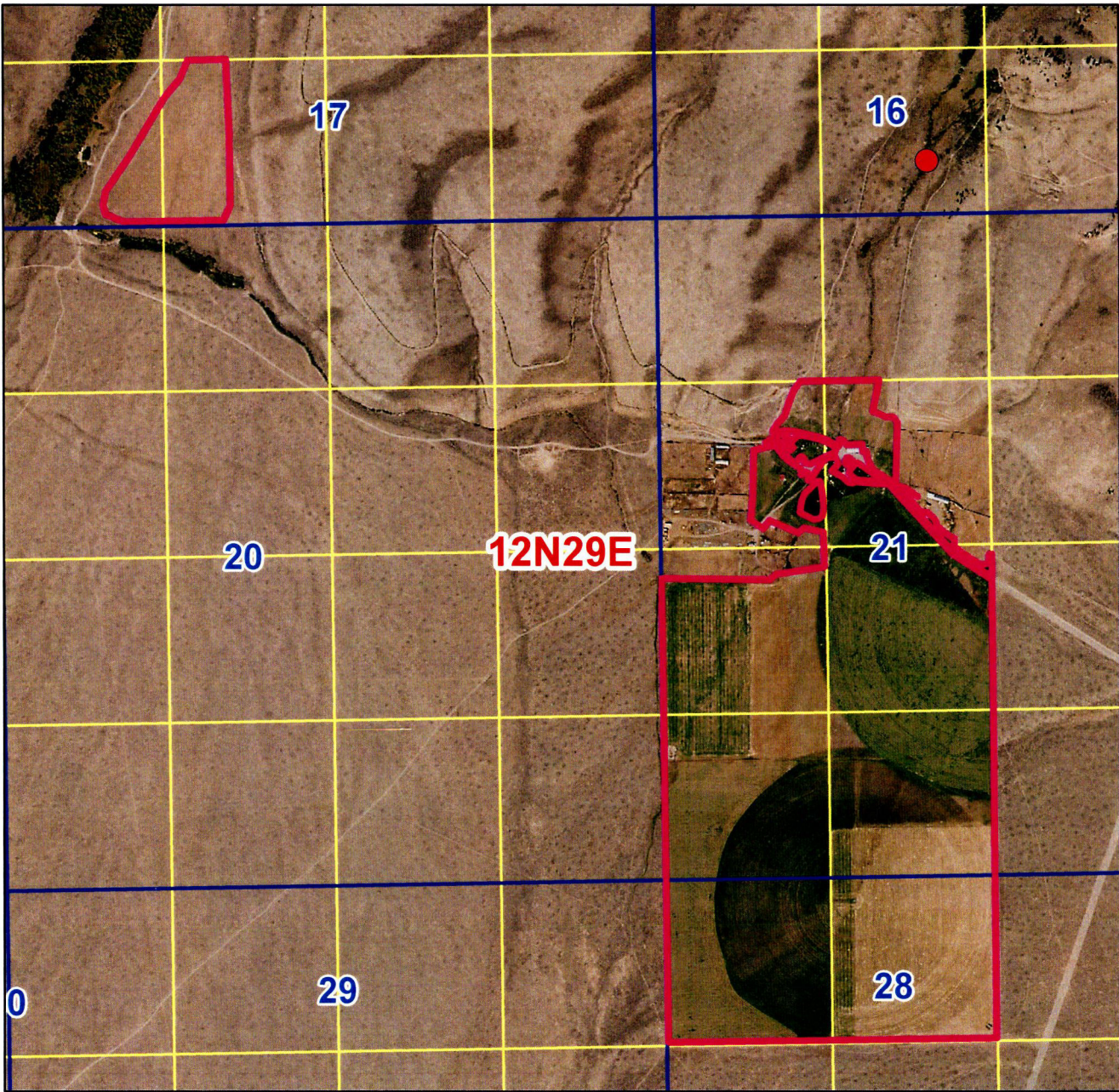
WATER RIGHT NO. 32-94
As Modified by Transfer No. 86133

CONDITIONS OF APPROVAL

3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Stockwater use is for 300 range cattle.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

Attachment to Transfer Approval 86133

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

0 625 1,250 2,500 Feet



SCANNED
JAN 18 2023

Date: 1/12/2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

86133

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

APR 22 2022

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 report and Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Double T Farms 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.

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Double T Farms LLC Phone 208-522-7770
Mailing address PO Box 51780, Idaho Falls, ID 83405 Email ctaylor@tandsons.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.

Double T Farms Manager Carl Taylor 4/22/22
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable 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 Update ownership for three rights

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 **Part 1A.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**.

This application proposes to rearrange the place of use for water rights 32-94, 32-95, 32-96 and 32-10125 to reflect current irrigation practices. Approximately 22 acres of the decreed place of use have been converted into corrals.

We have moved 22 acres of the water right to cover acres below the irrigation ditch in Section 17.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	32-94	1.00 cfs	Irrigation	5/1 to 10/31	Smelter Gulch Creek
☐ ☐		0.07 cfs	Stockwater	1/1 to 12/31	Smelter Gulch Creek
☒ ☐	32-95	5.60 cfs	Irrigation	5/1 to 10/31	N Jump Cr / S Jump Cr
☒ ☐	32-96	3.20 cfs	Irrigation	5/1 to 7/15	Willow Creek
☒ ☐	32-10125	0.28 cfs	Irrigation	5/1 to 10/31	Spring
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 9.80 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.98 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 #

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	
12N	29E	17											6	16					22
		21							11	17	39	33	40	40					180
		28					39	39											78
Total Acres (for irrigation use)																			280

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:
Water rights are regulated by Water District 32D. Diversion can be equipped with a measuring device if required in the future.
- b. Who owns the property at the point(s) of diversion? Historical Diversions. No change in points of diversion.
 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?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A Water rights will remain on property and are simply being rearranged to match current irrigated acres.
- 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:
Water rights are used to irrigate 280 acres. Some acres have been dried up to create corrals. The water rights will be updated to reflect the irrigation of acres below the ditch in Section 17.
- 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:
None. Ground water is used to irrigate other areas of the ranch property.
- 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:
Water rights are rarely fully satisfied because of lack of flow in the creeks. We irrigate as many acres as we can with the available water supply. The acres in Section 17 are usually only irrigated during high flow events in the spring time.

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$ 575.00 Date 4/22/22 Received by Ct H Receipt # E048050

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

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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/15/2022

Water Right 32-94

Owner Type
Current Owner

Name and Address
HOWARD TAYLOR & SONS INC
PO BOX 51780
7891 S YELLOWSTONE HWY
IDAHO FALLS, ID 83405

Priority Date: 11/6/1890

Basis: Decreed

Status: Active

Source
SMELTER GULCH CREEK

Tributary
BIRCH CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	10/31	1.000 CFS	
STOCKWATER	01/01	12/31	0.070 CFS	
Total Diversion			1.000 CFS	

Source and Point(s) of Diversion

SMELTER GULCH CREEK

SESESW

Sec. 16, Twp 12N, Rge 29E, LEMHI County

Place Of Use

IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	29E	21							21.0	24.0	39.0	40.0	40.0	40.0					204.0
12N	29E	28					38.0	38.0											76.0

POU Total Acres: 280.0

STOCKWATER Same as IRRIGATION

Conditions of Approval:

1. STOCKWATER, 300 CATTLE.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.80 CFS. THROUGH JULY 15 AND 8.78 CFS. AFTER JULY 15. COMBINED RIGHTS: 32-00095, 32-00096, 32-10125.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 280 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00095, 32-00096, 32-10125.
4. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
5. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

2/15/2022

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOWARD TAYLOR & SONS INC PO BOX 51780 7891 S YELLOWSTONE HWY IDAHO FALLS, ID 83405

Status: Active

Tributary
BIRCH CREEK
BIRCH CREEK

Volume

Total Diversion

5.600 CFS

NORTH JUMP CREEK
SOUTH JUMP CREEK

L6(NWNWSW)
NWNWNW

Sec. 6, Twp 12N, Rge 29E, LEMHI County
Sec. 8, Twp 12N, Rge 29E, LEMHI County

IRRIGATION within LEMHI 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
12N	29E	21							21.0	24.0	39.0	40.0	40.0	40.0					204.0
12N	29E	28					38.0	38.0											76.0

POU Total Acres: 280.0

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.80 CFS. THROUGH JULY 15 AND 8.78 CFS. AFTER JULY 15. COMBINED RIGHTS: 32-00094, 32-00096, 32-10125.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 280 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00094, 32-00096, 32-10125.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/15/2022

Water Right 32-96

Owner Type **Name and Address**
Current Owner HOWARD TAYLOR & SONS INC
 PO BOX 51780
 7891 S YELLOWSTONE HWY
 IDAHO FALLS, ID 83405

Priority Date: 11/6/1890

Basis: Decreed

Status: Active

Source **Tributary**
WILLOW CREEK BIRCH CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	7/15	3.200 CFS	
	Total Diversion		3.200 CFS	

Source and Point(s) of Diversion
WILLOW CREEK NWNESW Sec. 17, Twp 12N, Rge 29E, LEMHI County

Place Of Use
IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	29E	21							21.0	24.0	39.0	40.0	40.0	40.0					204.0
12N	29E	28					38.0	38.0											76.0

POU Total Acres: 280.0

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.80 CFS. THROUGH JULY 15 AND 8.78 CFS. AFTER JULY 15. COMBINED RIGHTS: 32-00094, 32-00095, 32-10125. THIS RIGHT IS FOR 3.20 CFS. THROUGH JULY 15 AND 2.18 CFS. AFTER JULY 15.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 280 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00094, 32-00095, 32-10125.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/15/2022

Water Right 32-10125

Owner Type **Name and Address**
Current Owner DOUBLE T FARMS LLC
 PO BOX 51780
 IDAHO FALLS, ID 83405

Priority Date: 11/6/1890

Basis: Decreed

Status: Active

Source
SPRING

Tributary
WILLOW CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	10/31	0.280 CFS	
	Total Diversion		0.280 CFS	

Source and Point(s) of Diversion

SPRING SWNE Sec. 20, Twp 12N, Rge 29E, LEMHI County

Place Of Use

IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	29E	28						9.9											9.9

POU Total Acres: 9.9

Conditions of Approval:

1. X35 Rights 32-10125, 32-94, 32-95 and 32-96 when combined shall not exceed a total diversion rate of 9.80 cfs through July 15 and 8.78 cfs after July 15 and the irrigation of 280 acres.
2. R05 Use of water under this right will 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. 32D.
3. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. 004 This right does not grant any right-of-way or easement across the land of another.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, 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.



0004512145

**STATE OF IDAHO***Office of the secretary of state, Lawrence 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 #: 0004512145

Date Filed: 12/3/2021 8:30:49 AM

Entity Name and Mailing Address:

Entity Name:

DOUBLE T FARMS LLC

The file number of this entity on the records of the Idaho Secretary of State is:

0000372435

Address

PO BOX 51780
IDAHO FALLS, ID 83405-1780

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:

W121348

The registered agent on record is:

Registered Agent

CARL B TAYLOR
Registered Agent

Physical Address

7891 S YELLOWSTONE HWY
IDAHO FALLS, ID 83402

Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
Carl B Taylor	Member	PO BOX 51780 IDAHO FALLS, ID 83405

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

Job Title: CFO

Mitch Johnson

Sign Here

12/03/2021

Date

IDAHO ANNUAL REPORT TO SECRETARY OF STATE 12/03/2021 08:30:49 AM 0004512145

WARRANTY DEED

For Value Received LEWIS LAVAR NEWMAN AND LOUISE NEWMAN,
HUSBAND AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto
HOWARD TAYLOR AND SONS, INC., AN IDAHO CORPORATION
P.O. BOX 51780
IDAHO FALLS, IDAHO 83405

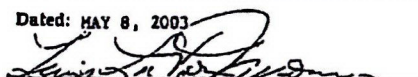
the grantees, the following described premises, in Lemhi County Idaho, to wit:

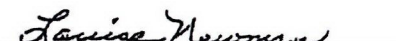
SEE ATTACHED EXHIBIT "A"

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

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

Dated: MAY 8, 2003


LEWIS LAVAR NEWMAN


LOUISE NEWMAN

STATE OF IDAHO, COUNTY OF LEMHI

On this 8TH day of MAY, 2003

before me, a notary public in and for said State, personally

known to me to be the persons whose names are

subscribed to the within instrument, and acknowledged

that they executed the same.

My Comm. Expires 10-6-05

Notary Public

Residing at Salmon, Idaho

By _____

By _____

By _____

By _____

By _____

By _____

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock _____

this _____ day of _____

18, in my office, and duly recorded in Book

of Deeds at page _____

Ex-Officio Recorder

By _____

By _____

By _____

By _____

By _____

By _____

INSTRUMENT NO.

LEMHI TITLE & ABSTRACT - SALMON, IDAHO

82953

86133

SCANNED
DEC 28 2022

EXHIBIT "A"

Lot 1, Section 6, Township 11 North, Range 29 East Boise Meridian; the Southeast Quarter (SE¼) of Section 31, and the Southwest Quarter of the Southwest Quarter (SW¼SW¼) of Section 32, Township 12 North, Range 29 East Boise Meridian, Lemhi county, Idaho.

The Southwest Quarter of the Southeast Quarter (SW¼SE¼) of said Section 31 is reserved for a right-of-way for material site under 23 U.S.C. 317.

There is also reserved a right-of-way for a Federal Aid Highway under 23 U.S.C. 317 across Lot 1 said Section 6, and the Southwest Quarter of the Southeast Quarter (SW¼SE¼) of said Section 31.

ALSO: All of Section 17; the South Half of the Northwest Quarter (S½NW¼) of Section 21, the Southwest Quarter (SW¼) of Section 21, the North Half of the Northwest Quarter (N½NW¼) of Section 28; the East Half of the Northwest Quarter (E½NW¼) and the Northeast Quarter of the Southwest Quarter (NE¼SW¼) of Section 31, all in Township 12 North, Range 29 East of the Boise Meridian; ALSO Lots 3 and 4 and the Southeast Quarter of the Northwest Quarter (SE¼NW¼) of Section 5, Township 11 North, Range 29 East of the Boise Meridian, Lemhi County, Idaho.

EXCEPTING THEREFROM the following described property:

A strip of land 66 feet in width traversing the following described property: The East half of the West half of Section 17, Township 12 North, Range 29 East, Boise Meridian.

The said strip being 33 feet in width on each side of a centerline as located and to be constructed on the ground, with as much additional width as required for adequate protection of cuts and fills, the said centerline being more particularly described as follows:

BEGINNING at a point on the south boundary of Grantor's land, said point being on the south boundary of said Section 17, said point bears South 89°47' West, a distance of 800.0 feet from the quarter corner common to Section 17 and 20, Township 12 North, Range 29 East, Boise Meridian; thence North 0°37' East, 5,281.2 feet.

ENDING at a point on the north boundary of Grantor's land, said point bearing South 89°47' West, a distance of 733.8 feet from the quarter corner common to Sections 17 and 8, Township 12 North, Range 29 East, Boise Meridian.

The boundary lines of said right-of-way shall be prolonged or shortened to begin on and end on and conform to the property lines.

If the road is located substantially as described herein, the centerline of the road as constructed is hereby deemed accepted by the Grantor's as the true centerline of the easement granted.

Totals: Length - 5,281.2 feet.

ALSO EXCEPTING THEREFROM, the following described property:

A strip of land 66 feet in width traversing the following described property: The S½NW¼ of Section 21, Township 12 North, Range 29 East, Boise Meridian. The said strip being 33 feet in width on each side of a centerline as located and to be constructed on the ground, with as much additional width as required for adequate protection of cuts and fills, the said centerline being more particularly described as follows:

BEGINNING at a point on the west boundary of the Grantor's land, said point bearing North 0°04' West, a distance of 808.8 feet from the West quarter corner of Section 21, Township 12 North, Range 29 East, Boise Meridian. Thence along the following courses and distances:

Bearing	Distance in Feet
South 88°21' East	80.0
North 71°18' East	188.3
South 87°05' East	450.1
North 59°05' East	96.2
North 75°05' East	464.7
South 60°14' East	316.2

ENDING at a point on the Lemhi County road, said point bearing North 60°29' East a distance of 1,738.3 feet from the West Quarter corner of Section 21, Township 12 North, Range 29 East, Boise Meridian. The boundary lines of said right-of-way shall be prolonged or shortened to begin on and end on and conform to the property lines. If the road is located substantially as described herein, the centerline of the road as constructed is hereby deemed accepted by the Grantor's as the true centerline of the easement granted.

82953

6133

SCANNED
DEC 28 2022

Mail Property Tax Notice To:

Carl B. Taylor and Linda Taylor
2700 North 35 West
Idaho Falls, Idaho 83402

QUITCLAIM DEED

Howard Taylor & Sons, Inc., an Idaho corporation, Grantor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release and forever quitclaim unto Carl B. Taylor and Linda Taylor, husband and wife, Grantees, whose mailing address is 2700 North 35 West, Idaho Falls, Idaho 83402, and to Grantees' heirs and assigns forever all right, title and interest which Grantor now has or may hereafter acquire in the following described real property located in Lemhi County, Idaho:

SEE EXHIBIT "A" ATTACHED HERETO.

Together with any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way, water rights and grazing permits however evidenced in anywise appertaining to the property herein described.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 30th day of December, 2012.

Howard Taylor & Sons, Inc.

By: Carl Taylor
Its: Pres.
2 Kent Taylor Sec

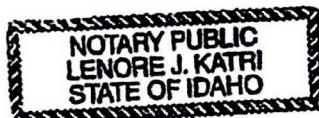
STATE OF IDAHO)
) ss.
County of Bonneville)

On this 30th day of December, 2012, before me the undersigned, a Notary Public for Idaho, personally appeared Carl Taylor & Linda Taylor **, known or identified to me to be the President & Secretary of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

** A. Kent Taylor

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

(seal)



Lenore J. Katri
Notary Public for Idaho
Residing at: _____
My Commission Expires: _____
Residing at Idaho Falls, Idaho
My Commission Expires: 01/30/2015

LWCH0115 - Howard Taylor & Sons/01/15

Myout/IdahoQuitclaim Deed - R. Katri, upl

82953

86133

SCANNED

DEC 28 2012

EXHIBIT "A"

Lot 1, Section 6, Township 11 North, Range 29 East Boise Meridian; the Southeast Quarter (SE $\frac{1}{4}$) of Section 31, and the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 32, Township 12 North, Range 29 East Boise Meridian, Lemhi County, Idaho.
The Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 31 is reserved for a right-of-way for material site under 23 U.S.C. 317.

There is also reserved a right-of-way for a Federal Aid Highway under 23 U.S.C. 317 across Lot 1 said Section 6, and the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 31.

ALSO: All of Section 17; the South Half of the Northwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 21, the Southwest Quarter (SW $\frac{1}{4}$) of Section 21, the North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 28; the East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 31, all in Township 12 North, Range 29 East of the Boise Meridian; ALSO Lots 3 and 4 and the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 5, Township 11 North, Range 29 East of the Boise Meridian, Lemhi County, Idaho.

EXCEPTING THEREFROM the following described property:

A strip of land 66 feet in width traversing the following described property: The East half of the West half of Section 17, Township 12 North, Range 29 East, Boise Meridian.

The said strip being 33 feet in width on each side of a centerline as located and to be constructed on the ground, with as much additional width as required for adequate protection of cuts and fills, the said centerline being more particularly described as follows:

BEGINNING at a point on the south boundary of Grantor's land, said point being on the south boundary of said Section 17, said point bears South 89°47' West, a distance of 800.0 feet from the quarter corner common to Section 17 and 20, Township 12 North, Range 29 East, Boise Meridian; thence North 0°37' East, 5,281.2 feet.

ENDING at a point on the north boundary of Grantor's land, said point bearing South 89°47' West, a distance of 733.8 feet from the quarter corner common to Sections 17 and 8, Township 12 North, Range 29 East, Boise Meridian.

The boundary lines of said right-of-way shall be prolonged or shortened to begin on and end on and conform to the property lines.

If the road is located substantially as described herein, the centerline of the road as constructed is hereby deemed accepted by the Grantors as the true centerline of the easement granted.

Totals: Length - 5,281.2 feet.

ALSO EXCEPTING THEREFROM, the following described property:

A strip of land 66 feet in width traversing the following described property: The S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 21, Township 12 North, Range 29 East, Boise Meridian. The said strip being 33 feet in width on each side of a centerline as located and to be constructed on the ground, with as much additional width as required for adequate protection of cuts and fills, the said centerline being more particularly described as follows:

BEGINNING at a point on the west boundary of the Grantors' land, said point bearing North 0°04' West, a distance of 808.8 feet from the West quarter corner of Section 21, Township 12 North, Range 29 East, Boise Meridian. Thence along the following courses and distances:

Bearing	Distance in Feet
South 88°21' East	80.0
North 71°10' East	188.3
South 87°03' East	450.1
North 59°03' East	96.2
North 75°03' East	464.7
South 60°14' East	316.2

ENDING at a point on the Lemhi County road, said point bearing North 60°29' East a distance of 1,738.3 feet from the West Quarter corner of Section 21, Township 12 North, Range 29 East, Boise Meridian. The boundary lines of said right-of-way shall be prolonged or shortened to begin on and end on and conform to the property lines. If the road is located substantially as described herein, the centerline of the road as constructed is hereby deemed accepted by the Grantors as the true centerline of the easement granted.

82953

86133

SCANNED
DEC 28 2022

PTC 2014056134

Instrument # 0000297560 # Pages: 4
LEMIH COUNTY, Idaho
Oct 02, 2014 02:58 PM Fee: \$ 19.00
For: Alliance Title - Salmon Office
TERRI J. MORTON, Recorder

ATEL 232262

WARRANTY DEED

/ aka Linda K. Taylor
CARL B. TAYLOR and LINDA TAYLOR, husband and wife, as GRANTOR,
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
DOUBLE T FARM S LLC, an Idaho Limited Liability Company, as GRANTEE,
whose address is 7891 S Yellowstone, Idaho Falls, ID 83401, and Grantee's successors and assigns, all of the following described real property, to-wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO the general taxes and assessments, all existing patent reservations, easements, right of ways,
protective and restrictive covenants, zoning ordinances and applicable building codes, laws and
regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in
anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and
assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: September 23, 2014



Carl B Taylor
Carl B. Taylor
Linda K Taylor
Linda Taylor aka Linda K. Taylor

STATE OF IDAHO)

) ss

COUNTY OF BONNEVILLE)

On 9/24/2014, before me, the undersigned, personally appeared
Carl B. Taylor and Linda Taylor aka Linda K. Taylor
known or identified to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he executed the same.

Kristi Black
Notary Public for the State of Idaho

Commission Expiration Date: 09/05/2020

82953

SCANNED

DEC 28 2022

86133

Parcel I:

NENE

Lot 1, Section 6, Township 11 North, Range 29 East, Boise Meridian; the southeast quarter of Section 31 and the southwest quarter of the southwest quarter of Section 32, Township 12 North, Range 29 East, Boise Meridian, Lemhi County, Idaho. The southwest quarter of the southeast quarter of said Section 31 is reserved for a right of way for material site under 23 U.S.C. 317. There is also reserved right of way for a Federal Aid Highway under 23 U.S.C. 317 across Lot 1 said Section 6 and the southwest quarter of the southeast quarter of said Section 31.

@ 0

Also: All of Section 17; the south half of the northwest quarter of Section 21, the southwest quarter of Section 21, the north half of the northwest quarter of Section 28; the east half of the northwest quarter and the northeast quarter of the southwest quarter of Section 31, all in Township 12 North, Range 29 East of the Boise Meridian; Also, Lots 3 and 4 and the southeast quarter of the northwest quarter of Section 5, Township 11 North, Range 29 East of the Boise Meridian, Lemhi County, Idaho.

@ 0

Excepting therefrom, the following described property:

A strip of land 66 feet in width traversing the following described property; the east half of the west half of Section 17, Township 12 North, Range 29 East, Boise Meridian. The said strip being 33 feet in width on each side of a centerline as located and to be constructed on the ground, with as much additional width as required for adequate protection of cuts and fills the said centerline being more particularly described as follows:

Beginning at a point on the south boundary of Grantor's land, said point being on the south boundary of said Section 17, said point bears S. 89° 47' West, a distance of 800.0 feet from the quarter corner common to Sections 17 and 20, Township 12 North, Range 29 East, Boise Meridian; thence N. 0° 37' E., 5,281.2 feet.

Ending at a point on the north boundary of Grantor's land, said point bearing S. 89° 47' W., a distance of 735.8 feet from the quarter corner common to Sections 17 and 8, Township 12 North, Range 29 East, Boise Meridian.

The boundary lines of said right of way shall be prolonged or shortened to begin on and end on and conform to the property lines.

If the road is located substantially as described herein, the centerline of the road as constructed is hereby deemed accepted by the Grantors as the true centerline of the easement granted.

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Also excepting therefrom, the following described property:

A strip of land 66 feet in width traversing the following described property: The south half northwest quarter of Section 21, Township 12 North, Range 29 East, Boise Meridian. The said strip being 33 feet in width on each side of a centerline as located and to be constructed on the ground, with as much additional width as required for adequate protection of cuts and fills, the said centerline being more particularly described as follows:

Beginning at a point on the west boundary of the Grantors land said point bearing N. 0° 04' W., a distance of 808.8 feet from the west quarter corner of Section 21, Township 12 North, Range 29 East, Boise Meridian. Thence along the following courses and distances:

S. 88° 21' E., 80.0 feet;
N. 71° 10' E., 188.3 feet;
S. 87° 05' E., 450.1 feet;
N. 59° 05' E., 96.2 feet;
N. 75° 05' E., 464.7 feet;
S. 60° 14' E., 316.2 feet;

Ending at a point on the Lemhi County Road, said point bearing N. 60° 29' E., a distance of 1,738.3 feet from the west quarter corner of Section 21, Township 12 North, Range 29 East, Boise Meridian. The boundary lines of said right of way shall be prolonged or shortened to begin on and end on and conform to the property lines. If the road is located substantially as described herein, the centerline of the road as constructed is hereby deemed accepted by the Grantors as the true centerline of the easement granted.

21

Also excepting therefrom the following described property:

Part of the south half of the northwest quarter of Section 21, Township 12 North, Range 29 East, of the Boise Meridian, Lemhi County, Idaho, described as follows :

Beginning at a point that is S. 00° 01' 10" E., 1844.70 feet along the section line and N. 89° 58' 50" E. 1375.70 feet from the northwest corner of said Section 21 and running thence S. 55° 22' 14" E., 408.03 feet; thence S. 21° 10' 50" W., 217.83 feet; thence N. 71° 05' 06" W., 480.72 feet, thence N. 35° 18' 31" E., 342.08 feet to the point of beginning.

22

Parcel II:

Part of the south half of the northwest quarter of Section 21, Township 12 North, Range 29 East of the Boise Meridian, Lemhi County, Idaho described as follows:

Beginning at a point that is S. 00° 01' 10" E., 1844.70 feet along the section line and N. 89° 58' 50" E., 1375.70 feet from the northwest corner of said Section 21 and running thence S. 55° 22'

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14" E., 408.03 feet; thence S. 21° 10' 50" W., 217.83 feet; thence N. 71° 05' 06" W., 480.72 feet; thence N. 35° 18' 31" E., 342.08 feet to the point of beginning.

②

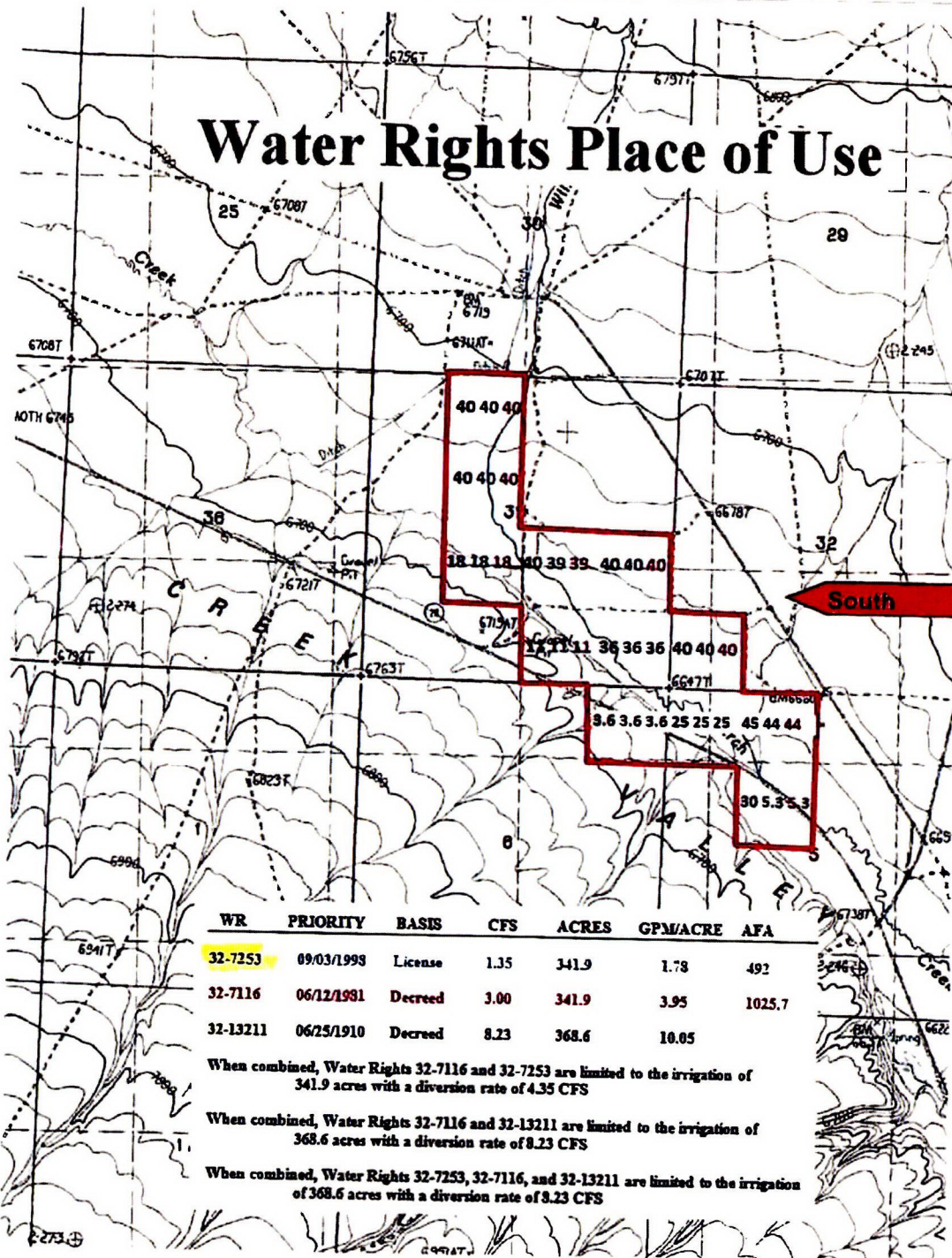
Beginning at a point that is S. 00° 01' 10" E., 1844.70 feet along the section line and N. 89° 58' 50" E., 1375.70 feet from the northwest corner of Section 21, Township 12 North, Range 29 East of the Boise Meridian, Lemhi County, Idaho and running thence N. 34° 37' 46" E., 50.00 feet; thence S. 55° 22' 14" E., 486.79 feet; thence S. 41° 28' 00" E., 690.57 feet to a point of curve; thence 232.34 feet along said curve to the left, Curve Data Delta equals 15° 20' 13", Radius equals 867.96 feet, Chord bearing equals S. 49° 08' 07" E., 231.64 feet; thence S. 56° 48' 13" E., 240.55 feet to the east line of the southwest quarter of said Section 21; thence S. 00° 00' 00" W. 59.75 feet along said east line; thence N. 56° 48' 13" W., 273.26 feet to a point of curve; thence 245.72 feet along said curve to the right, Curve Data: Delta equals 15° 20' 13", Radius equals 917.96 feet, Chord bearing equals N. 49° 08' 07" W., 244.99 feet; thence N. 41° 28' 00" W., 684.48 feet; thence N. 55° 22' 14" W., 480.69 feet to the point of beginning.

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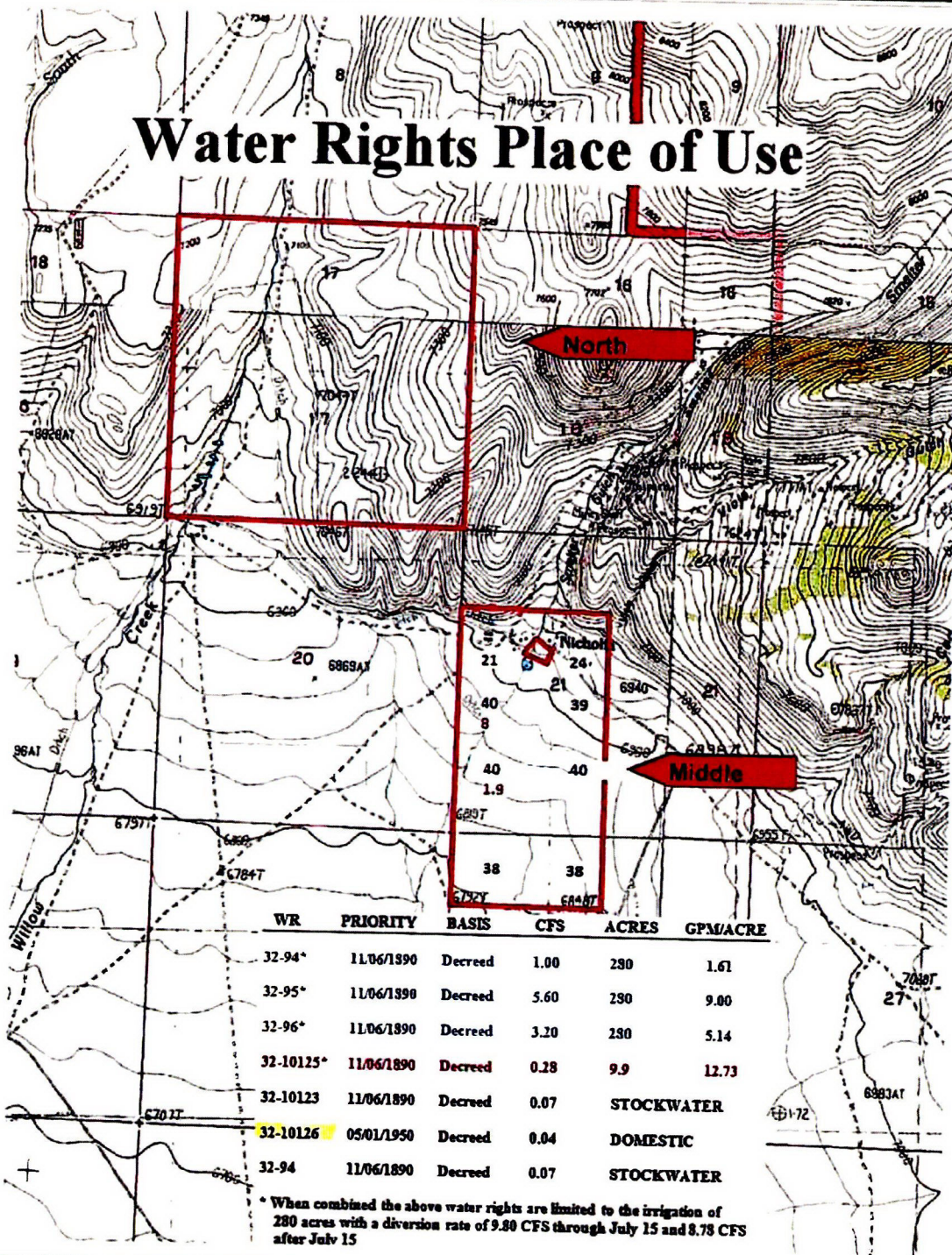
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Water Rights Place of Use



Water Rights Place of Use



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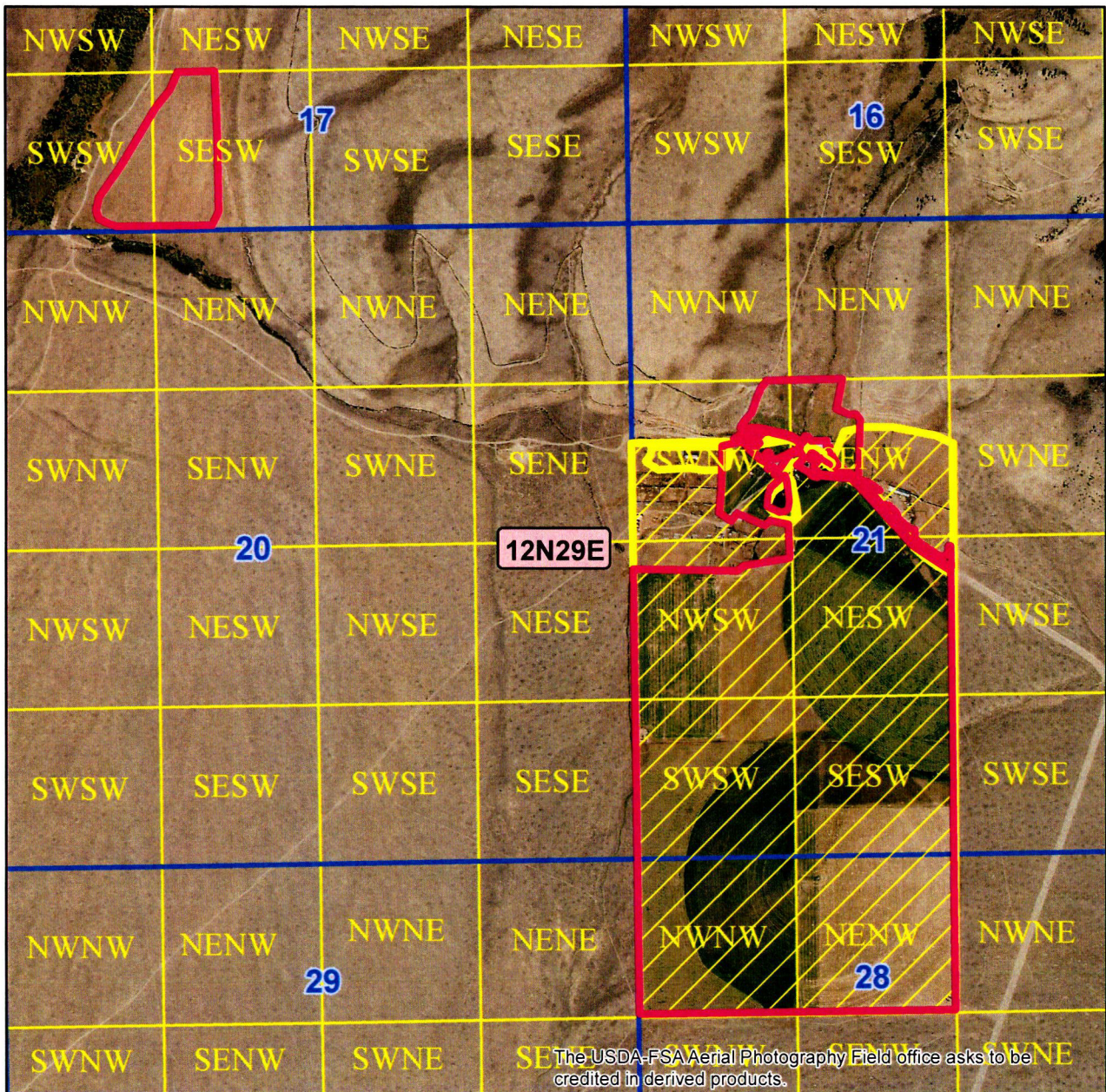
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SCANNED

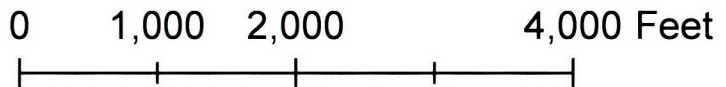
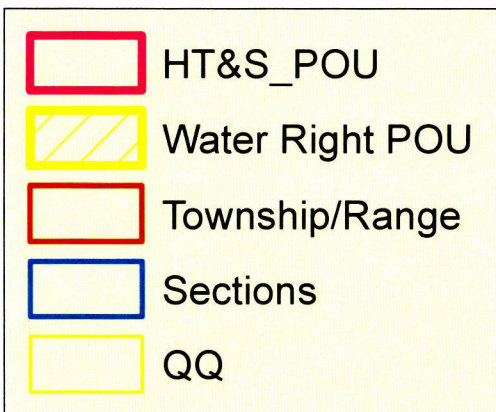
DEC 28 2022

Application for Transfer - Double T Farms LLC

Proposed Place of Use



2013 Imagery

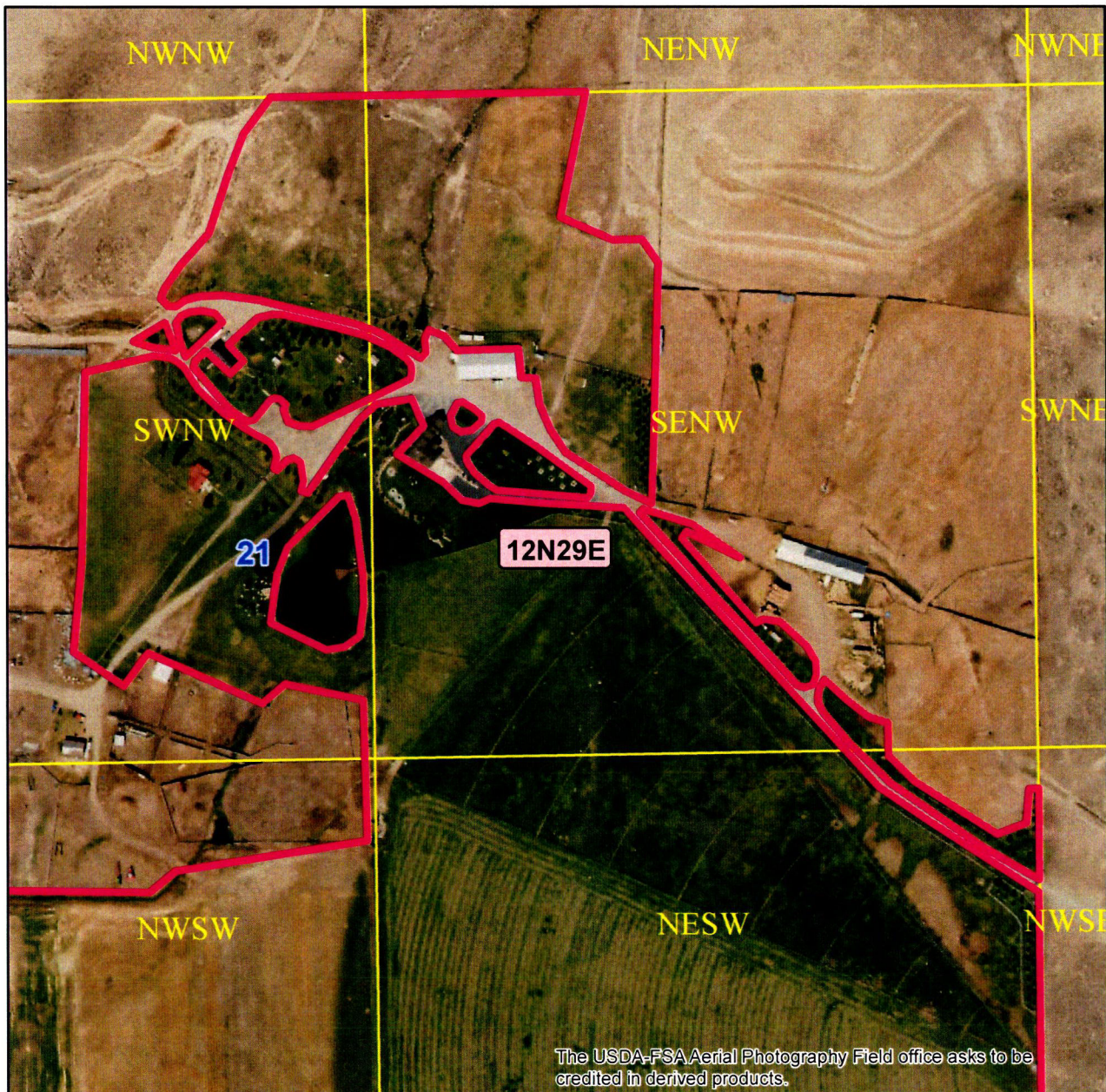


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DEC 28 2022

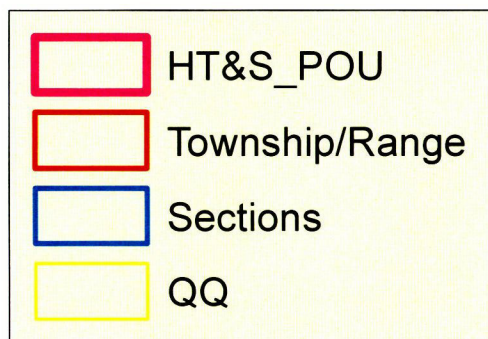
86133

Application for Transfer - Double T Farms LLC

Proposed Place of Use



2021 Imagery



86133

SCANNED
DEC 28 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

January 12, 2023

DOUBLE T FARMS LLC
PO BOX 51780
IDAHO FALLS ID 83405

Re: Transfer No: 86133
Water Right No(s): 32-94, 32-95, 32-96, 32-10125

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.

SCANNED
JAN 18 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) 525-7161.

Sincerely,



Christina Henman
Administrative Assistant

Enclosure
CC:

SCANNED
JAN 18 2023

CERTIFICATE OF SERVICE

I hereby certify that on January 12, 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.: 86133

Water Right No(s): 32-94, 32-95, 32-96, 32-10125

**DOUBLE T FARMS LLC
PO BOX 51780
IDAHO FALLS ID 83405**



**Christina Henman
Administrative Assistant**

SCANNED
JAN 18 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.

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.

MEMORANDUM

Date: December 28, 2022
To: Transfer 86133
From: James Cefalo
Re: Review & Evaluation of Sufficiency of Information

This application proposes to change the 280-acre combined place of use for water rights 32-94, 32-95, 32-96 and 32-10125 to reflect current irrigation practices. Applicant irrigates the 22 acres in Section 17 when the creek flows are high.

Authority to File: Application was filed by Double T Farms LLC. Right 32-10125 is already held in the name of Double T Farms. Howard Taylor & Sons Inc is the owner of record for the other three rights. Application included copy of warranty deed from Howard Taylor & Sons Inc to Carl and Linda Taylor and a warranty deed from Carl and Linda Taylor to Double T Farms LLC covering the existing and proposed places of use.

Water Right Validity: Rights were decreed in 2001. Aerial imagery shows consistent irrigation of the proposed place of use. Irrigation of proposed acres in Section 17 confirmed by review of remote sensing through Climate Engine.

Injury to Other Water Rights: No issues identified. Applicant does not propose to change any of the points of diversion. No clear hydrologic effect. Application will be processed without public notice. Watermaster for Water District 32 was notified of the application and did not provide comment. There appear to be errors in the point of diversion descriptions for these rights. Errors will be corrected in future transfers.

Enlargement of Use: No issues identified. Combined rate and acre limits will be carried forward on approval.

Local Public interest, Beneficial Use/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.

SCANNED
JAN 18 2023

Henman, Christina

From: Henman, Christina
Sent: Wednesday, December 28, 2022 4:16 PM
To: shentonwd31@mudlake.net
Subject: Application for Transfer No. 86133
Attachments: tmp5458.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 unprotected 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.

MEMORANDUM

Date: December 28, 2022
To: Transfer 86133
From: James Cefalo
Re: Legal Notice Not Required

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

SCANNED
DEC 28 2022

Cefalo, James

From: Cefalo, James
Sent: Monday, August 29, 2022 1:14 PM
To: ctaylor@tandsons.com
Subject: RE: Points of Diversion for Nicholia Ranch

Carl,

Just circling back on this email. We have had a very busy summer and I'm sure it's been the same for you. I would still like to meet with you to review the points of diversion for the various water rights at the Nicholia Ranch. Because you are filing an application to update the place of use for the rights, we may as well address any point of diversion issues at the same time. As things slow down this fall, please find some time to come and meet with me about the transfer application.

James

 IDAHO DEPARTMENT OF
WATER RESOURCES
James Cefalo | Regional Manager
900 N Skyline Drive, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov

From: Cefalo, James
Sent: Wednesday, May 4, 2022 12:01 PM
To: ctaylor@tandsons.com
Subject: Points of Diversion for Nicholia Ranch

Carl,

As I was entering the data for the transfer application for the Nicholia Ranch, I noticed that the points of diversion seem to be incorrect for a couple of the water rights. For example, the main Willow Creek right describes the point of diversion in the NESW of Section 17. Further, the right only describes one point of diversion on Willow Creek. As you can see on the attached map, the upper canal diverts from the creek in the NENW of Section 17 and the lower ditch takes out in the SENW of Section 17. I don't know why Lavar Newman claimed the water rights with incorrect points of diversion. Perhaps the points of diversion were moved farther up the stream after the claim was filed. Do you want to correct the points of diversion as part of this application, while we are already working with the rights? If so, please stop by the office some day and we can look at maps to make sure we get the points of diversion in the right spot. I also have questions about the Jump Creek diversions, but we can look at those when you are in the office.

James

 IDAHO DEPARTMENT OF
WATER RESOURCES
James Cefalo | Regional Manager
900 N Skyline Drive, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov

Cefalo, James

From: Cefalo, James
Sent: Wednesday, May 4, 2022 12:01 PM
To: ctaylor@tandsons.com
Subject: Points of Diversion for Nicholia Ranch
Attachments: Willow Creek POD - Double T.pdf

Carl,

As I was entering the data for the transfer application for the Nicholia Ranch, I noticed that the points of diversion seem to be incorrect for a couple of the water rights. For example, the main Willow Creek right describes the point of diversion in the NESW of Section 17. Further, the right only describes one point of diversion on Willow Creek. As you can see on the attached map, the upper canal diverts from the creek in the NENW of Section 17 and the lower ditch takes out in the SENW of Section 17. I don't know why Lavar Newman claimed the water rights with incorrect points of diversion. Perhaps the points of diversion were moved farther up the stream after the claim was filed. Do you want to correct the points of diversion as part of this application, while we are already working with the rights? If so, please stop by the office some day and we can look at maps to make sure we get the points of diversion in the right spot. I also have questions about the Jump Creek diversions, but we can look at those when you are in the office.

James

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