

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 86107**

This is to certify that: WDS MOUNTAIN SPRINGS RANCH LLC
1707 N 4000 W
REXBURG, ID 83440-3104

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>
75-10046	WR/DECREED	9/14/1914	4.230 cfs	N/A	320.0	962.8	CHIPPS CREEK
75-10047	WR/DECREED	4/1/1916	10.400 cfs	N/A	N/A	962.8	BILLY CREEK, CHIPPS CREEK
75-10052	WR/DECREED	4/1/1913	1.600 cfs	N/A	N/A	198.5	SPRINGS
75-10103	WR/DECREED	9/14/1914	0.200 cfs	N/A	N/A	800.0	SPRINGS
75-14254	WR/DECREED	6/1/1952	9.500 cfs	N/A	N/A	791.5	GORLEY CREEK
75-2	WR/DECREED	4/1/1894	1.700 cfs	N/A	160.0	962.8	CHIPPS CREEK
75-2034	WR/DECREED	2/28/1913	2.500 cfs	N/A	410.0	791.5	GORLEY CREEK
75-2035	WR/DECREED	2/24/1913	2.400 cfs	N/A	120.0	962.8	BILLY CREEK, SPRINGS
75-2162	WR/DECREED	8/31/1960	3.200 cfs	480.0 af	160.0	962.8	CHIPPS 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>
75-10046	NO	NO	YES	NO	NO	NO
75-10047	NO	NO	YES	NO	NO	NO
75-10052	NO	NO	YES	NO	NO	NO
75-10103	NO	NO	YES	NO	NO	NO
75-14254	NO	NO	YES	NO	NO	NO
75-2	NO	NO	YES	NO	NO	NO
75-2034	YES	NO	YES	NO	NO	NO
75-2035	NO	NO	YES	NO	NO	NO
75-2162	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>
75-10046	75-10046	4.230 cfs	N/A	320.0	835.3	N/A	N/A	N/A	N/A	N/A
75-10047	75-10047	10.400 cfs	N/A	N/A	835.3	N/A	N/A	N/A	N/A	N/A
75-10052	75-10052	1.600 cfs	N/A	198.5	835.3	N/A	N/A	N/A	N/A	N/A
75-10103	75-10103	0.200 cfs	N/A	800.0	835.3	N/A	N/A	N/A	N/A	N/A
75-14254	75-14254	9.500 cfs	N/A	791.5	835.3	N/A	N/A	N/A	N/A	N/A
75-2	75-2	1.700 cfs	N/A	160.0	835.3	N/A	N/A	N/A	N/A	N/A

Transfer No. 86107

SUPPORT DATA
IN FILE # 75-2

SCANNED
SEP 26 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

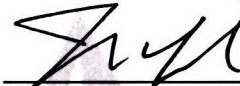
TRANSFER OF WATER RIGHT
TRANSFER NO. 86107

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
75-2034	75-15039	1.250 cfs	N/A	205.0	835.3	75-2034	1.250 cfs	N/A	N/A	127.5
75-2035	75-2035	2.400 cfs	N/A	120.0	835.3	N/A	N/A	N/A	N/A	N/A
75-2162	75-2162	3.200 cfs	480.0 af	160.0	835.3	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		29.430 cfs	N/A	835.3	835.3		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 19th day of September, 2022.



Regional Manager

Transfer No. 86107

SUPPORT DATA
IN FILE # 75-2

SCANNED
SEP 26 2022

WATER RIGHT NO. 75-2162**As Modified by Transfer No. 86107**

In accordance with the approval of Transfer No. 86107, Water Right No. 75-2162 is now described as follows:

Right Holder: WDS MOUNTAIN SPRINGS RANCH LLC
1707 N 4000 W
REXBURG, ID 83440-3104

Priority Date: 8/31/1960

Source: CHIPPS CREEK

Tributary: POLLARD CANYON

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

3.200 cfs

3.200 cfs

Diversion Volume

480.0 af

480.0 af

LOCATION OF POINT(S) OF DIVERSION

CHIPPS CREEK

NWSE

Sec 10 Twp 21N Rge 21E 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	
21N	21E	12							4.4	5.6	40.0	36.0	7.8	32.0					125.8
21N	21E	13												6.0			10.0		16.0
21N	21E	14																28.0	28.0
21N	21E	23	18.0			22.0									38.0			5.5	83.5
21N	21E	24		39.0	26.0		14.0		40.0	40.0	40.0	40.0	35.0	40.0		27.0	28.0		369.0
21N	21E	25		30.0	33.0		40.0	24.0	21.0	40.0	16.5	1.5				7.0			213.0

Right Acre Limit: 160.0

POU Total Acres: 835.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 160 acres within the authorized place of use in a single irrigation season.
2. Rights 75-2, 75-2035, 75-2162, 75-10046, 75-10047, 75-10052, 75-10103, 75-14254, and 75-15039 when combined shall not exceed a total diversion rate of 29.43 cfs and the irrigation of 835.3 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. 75A.
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).

Transfer No. 86107

SCANNED
SEP 26 2022

WATER RIGHT NO. 75-2162
As Modified by Transfer No. 86107

CONDITIONS OF APPROVAL

5. This water right is subject to a private agreement among the City of Salmon; Myrtle, Dale and Laura Edwards; and Arrowhead Water District, and recorded in the Lemhi County Recorder's Office on December 1, 2011, as instrument no. 288296.
6. The total flow available for diversion in Water District 75A is the sum of all water being diverted above the Farmer's Ditch, water being diverted into the Farmer's Ditch, and the quantity of water spilling and seeping past the Farmer's Ditch diversion. The Farmer's Ditch diversion is located in T21N, R21E, S1, SWNW.
7. 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.
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.

WATER RIGHT NO. 75-2035**As Modified by Transfer No. 86107**

In accordance with the approval of Transfer No. 86107, Water Right No. 75-2035 is now described as follows:

Right Holder: WDS MOUNTAIN SPRINGS RANCH LLC
1707 N 4000 W
REXBURG, ID 83440-3104

Priority Date: 2/24/1913

Source: SPRINGS
Source: BILLY CREEK

Tributary: BILLY CREEK
Tributary: GORLEY CREEK

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
2.400 cfs
2.400 cfs

LOCATION OF POINT(S) OF DIVERSION

SPRINGS	SENE	Sec 14 Twp 21N Rge 21E	LEMHI County
BILLY CREEK	SENE	Sec 14 Twp 21N Rge 21E	LEMHI County
SPRINGS	NWSE	Sec 14 Twp 21N Rge 21E	LEMHI County
SPRINGS	SESE	Sec 14 Twp 21N Rge 21E	LEMHI County
SPRINGS	NESW	Sec 14 Twp 21N Rge 21E	LEMHI County
SPRINGS	NENE	Sec 23 Twp 21N Rge 21E	LEMHI County
SPRINGS	NENE	Sec 23 Twp 21N Rge 21E	LEMHI County
SPRINGS	NWNW	Sec 24 Twp 21N Rge 21E	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	
21N	21E	12							4.4	5.6	40.0	36.0	7.8	32.0					125.8
21N	21E	13												6.0			10.0		16.0
21N	21E	14																28.0	28.0
21N	21E	23	18.0			22.0									38.0			5.5	83.5
21N	21E	24		39.0	26.0		14.0		40.0	40.0	40.0	40.0	35.0	40.0		27.0	28.0		369.0
21N	21E	25		30.0	33.0		40.0	24.0	21.0	40.0	16.5	1.5				7.0			213.0

Right Acre Limit: 120.0

POU Total Acres: 835.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120 acres within the authorized place of use in a single irrigation season.
2. Rights 75-2, 75-2035, 75-2162, 75-10046, 75-10047, 75-10052, 75-10103, 75-14254, and 75-15039 when combined shall not exceed a total diversion rate of 29.43 cfs and the irrigation of 835.3 acres.

Transfer No. 86107

SCANNED

SEP 26 2022

WATER RIGHT NO. 75-2035
As Modified by Transfer No. 86107

CONDITIONS OF APPROVAL

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. 75A.
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.
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. 75-2034**As Modified by Transfer No. 86107**

In accordance with the approval of Transfer No. 86107, Water Right No. 75-2034 is now described as follows:

Right Holder: DALE EDWARDS AND
LAURA EDWARDS
PO BOX 846
SALMON, ID 83467

Priority Date: 2/28/1913

Source: GORLEY CREEK

Tributary: SALMON RIVER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
1.250 cfs
1.250 cfs

LOCATION OF POINT(S) OF DIVERSION

GORLEY CREEK
GORLEY CREEK

NWSE
NWNESW

Sec 23 Twp 21N Rge 21E LEMHI County
Sec 23 Twp 21N Rge 21E 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	
21N	21E	25									19.5			40.0		24.0	32.0		115.5
21N	21E	36		12.0															12.0

POU Total Acres: 127.5

CONDITIONS OF APPROVAL

1. Rights 75-2034 and 75-4105 when combined shall not exceed the irrigation of 127.5 acres.
2. 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).
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. 75A.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 86107

SCANNED

SEP 26 2022

WATER RIGHT NO. 75-2034
As Modified by Transfer No. 86107

CONDITIONS OF APPROVAL

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



Transfer No. 86107

SCANNED
SEP 26 2022

WATER RIGHT NO. 75-15039**As Modified by Transfer No. 86107**

In accordance with the approval of Transfer No. 86107, Water Right No. 75-15039 is now described as follows:

Right Holder: WDS MOUNTAIN SPRINGS RANCH LLC
1707 N 4000 W
REXBURG, ID 83440-3104

Priority Date: 2/28/1913

Source: GORLEY CREEK

Tributary: SALMON RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DIVERSION TO STORAGE	01/01	to 12/31	1.250 cfs	
IRRIGATION	04/01	to 10/31	1.250 cfs	
IRRIGATION FROM STORAGE	04/01	to 10/31		50.0 af
IRRIGATION STORAGE	01/01	to 12/31		50.0 af
			1.250 cfs	

LOCATION OF POINT(S) OF DIVERSION

GORLEY CREEK NWNESW Sec 23 Twp 21N Rge 21E LEMHI County
GORLEY CREEK NWSE Sec 23 Twp 21N Rge 21E 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	
21N	21E	12							4.4	5.6	40.0	36.0	7.8	32.0					125.8
21N	21E	13												6.0			10.0		16.0
21N	21E	14																28.0	28.0
21N	21E	23	18.0			22.0									38.0			5.5	83.5
21N	21E	24		39.0	26.0		14.0		40.0	40.0	40.0	40.0	35.0	40.0		27.0	28.0		369.0
21N	21E	25		30.0	33.0		40.0	24.0	21.0	40.0	16.5	1.5				7.0			213.0

Right Acre Limit: 205.0

POU Total Acres: 835.3

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	21E	12							4.4	5.6	40.0	36.0	7.8	32.0					125.8
21N	21E	13												6.0			10.0		16.0
21N	21E	14																28.0	28.0
21N	21E	23	18.0			22.0									38.0			5.5	83.5
21N	21E	24		39.0	26.0		14.0		40.0	40.0	40.0	40.0	35.0	40.0		27.0	28.0		369.0
21N	21E	25		30.0	33.0		40.0	24.0	21.0	40.0	16.5	1.5				7.0			213.0

Right Acre Limit: 205.0

POU Total Acres: 835.3

Transfer No. 86107

SCANNED

SEP 26 2022

WATER RIGHT NO. 75-15039
As Modified by Transfer No. 86107

PLACE OF USE: IRRIGATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	21E	23												X			X		0.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 205 acres within the authorized place of use in a single irrigation season.
2. Rights 75-2, 75-2035, 75-2162, 75-10046, 75-10047, 75-10052, 75-10103, 75-14254, and 75-15039 when combined shall not exceed a total diversion rate of 29.43 cfs and the irrigation of 835.3 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. 75A.
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.
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. 75-10046**As Modified by Transfer No. 86107**

In accordance with the approval of Transfer No. 86107, Water Right No. 75-10046 is now described as follows:

Right Holder: WDS MOUNTAIN SPRINGS RANCH LLC
1707 N 4000 W
REXBURG, ID 83440-3104

Priority Date: 9/14/1914

Source: CHIPPS CREEK

Tributary: POLLARD CANYON

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

4.230 cfs

4.230 cfs

LOCATION OF POINT(S) OF DIVERSION

CHIPPS CREEK

NWSE

Sec 10 Twp 21N Rge 21E 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	
21N	21E	12							4.4	5.6	40.0	36.0	7.8	32.0					125.8
21N	21E	13												6.0			10.0		16.0
21N	21E	14																28.0	28.0
21N	21E	23	18.0			22.0									38.0			5.5	83.5
21N	21E	24		39.0	26.0		14.0		40.0	40.0	40.0	40.0	35.0	40.0		27.0	28.0		369.0
21N	21E	25		30.0	33.0		40.0	24.0	21.0	40.0	16.5	1.5				7.0			213.0

Right Acre Limit: 320.0

POU Total Acres: 835.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 320 acres within the authorized place of use in a single irrigation season.
2. Rights 75-2, 75-2035, 75-2162, 75-10046, 75-10047, 75-10052, 75-10103, 75-14254, and 75-15039 when combined shall not exceed a total diversion rate of 29.43 cfs and the irrigation of 835.3 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. 75A.
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).

Transfer No. 86107

SCANNED

SEP 26 2022

WATER RIGHT NO. 75-10046
As Modified by Transfer No. 86107

CONDITIONS OF APPROVAL

5. The total flow available for diversion in Water District 75A is the sum of all water being diverted above the Farmer's Ditch, water being diverted into the Farmer's Ditch, and the quantity of water spilling and seeping past the Farmer's Ditch diversion. The Farmer's Ditch diversion is located in T21N, R21E, S1, SWNW.
6. This water right is subject to a private agreement among the City of Salmon; Myrtle, Dale and Laura Edwards; and Arrowhead Water District, and recorded in the Lemhi County Recorder's Office on December 1, 2011, as instrument no. 288296.
7. 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.
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.

Transfer No. 86107

SCANNED

SEP 26 2022

WATER RIGHT NO. 75-2**As Modified by Transfer No. 86107**

In accordance with the approval of Transfer No. 86107, Water Right No. 75-2 is now described as follows:

Right Holder: WDS MOUNTAIN SPRINGS RANCH LLC
1707 N 4000 W
REXBURG, ID 83440-3104

Priority Date: 4/1/1894

Source: CHIPPS CREEK

Tributary: POLLARD CANYON

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

1.700 cfs

1.700 cfs

LOCATION OF POINT(S) OF DIVERSION

CHIPPS CREEK

NWSE

Sec 10 Twp 21N Rge 21E 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	
21N	21E	12							4.4	5.6	40.0	36.0	7.8	32.0					125.8
21N	21E	13												6.0			10.0		16.0
21N	21E	14																28.0	28.0
21N	21E	23	18.0			22.0									38.0			5.5	83.5
21N	21E	24		39.0	26.0		14.0		40.0	40.0	40.0	40.0	35.0	40.0		27.0	28.0		369.0
21N	21E	25		30.0	33.0		40.0	24.0	21.0	40.0	16.5	1.5				7.0			213.0

Right Acre Limit: 160.0

POU Total Acres: 835.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 160 acres within the authorized place of use in a single irrigation season.
2. Rights 75-2, 75-2035, 75-2162, 75-10046, 75-10047, 75-10052, 75-10103, 75-14254, and 75-15039 when combined shall not exceed a total diversion rate of 29.43 cfs and the irrigation of 835.3 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. 75A.
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).

Transfer No. 86107

SCANNED

SEP 26 2022

WATER RIGHT NO. 75-2
As Modified by Transfer No. 86107

CONDITIONS OF APPROVAL

5. This water right is subject to a private agreement among the City of Salmon; Myrtle, Dale and Laura Edwards; and Arrowhead Water District, and recorded in the Lemhi County Recorder's Office on December 1, 2011, as instrument no. 288296.
6. The total flow available for diversion in Water District 75A is the sum of all water being diverted above the Farmer's Ditch, water being diverted into the Farmer's Ditch, and the quantity of water spilling and seeping past the Farmer's Ditch diversion. The Farmer's Ditch diversion is located in T21N, R21E, S1, SWNW.
7. 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.
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.

WATER RIGHT NO. 75-10052**As Modified by Transfer No. 86107**

In accordance with the approval of Transfer No. 86107, Water Right No. 75-10052 is now described as follows:

Right Holder: WDS MOUNTAIN SPRINGS RANCH LLC
1707 N 4000 W
REXBURG, ID 83440-3104

Priority Date: 4/1/1913

Source: SPRINGS

Tributary: SINKS

BENEFICIAL USE

	From	To	Diversion Rate
IRRIGATION	04/01	to 10/31	1.600 cfs
STOCKWATER	01/01	to 12/31	0.070 cfs
			1.600 cfs

LOCATION OF POINT(S) OF DIVERSION

SPRINGS	SWSE	Sec 24 Twp 21N Rge 21E	LEMHI County
SPRINGS	SWSE	Sec 24 Twp 21N Rge 21E	LEMHI County
SPRINGS	SWSE	Sec 24 Twp 21N Rge 21E	LEMHI County
SPRINGS	SESW	Sec 24 Twp 21N Rge 21E	LEMHI County
SPRINGS	NENW	Sec 25 Twp 21N Rge 21E	LEMHI County
SPRINGS	NENW	Sec 25 Twp 21N Rge 21E	LEMHI County
SPRINGS	NENW	Sec 25 Twp 21N Rge 21E	LEMHI County
SPRINGS	NENW	Sec 25 Twp 21N Rge 21E	LEMHI County
SPRINGS	NENW	Sec 25 Twp 21N Rge 21E	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	
21N	21E	12							4.4	5.6	40.0	36.0	7.8	32.0					125.8
21N	21E	13												6.0			10.0		16.0
21N	21E	14																28.0	28.0
21N	21E	23	18.0			22.0									38.0			5.5	83.5
21N	21E	24		39.0	26.0		14.0		40.0	40.0	40.0	40.0	35.0	40.0		27.0	28.0		369.0
21N	21E	25		30.0	33.0		40.0	24.0	21.0	40.0	16.5	1.5				7.0			213.0

Right Acre Limit: 198.5

POU Total Acres: 835.3

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	
21N	21E	24															X		

Transfer No. 86107

SCANNED

SEP 26 2022

WATER RIGHT NO. 75-10052
As Modified by Transfer No. 86107

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 198.5 acres within the authorized place of use in a single irrigation season.
2. Rights 75-2, 75-2035, 75-2162, 75-10046, 75-10047, 75-10052, 75-10103, 75-14254, and 75-15039 when combined shall not exceed a total diversion rate of 29.43 cfs and the irrigation of 835.3 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. 75A.
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.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
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.

WATER RIGHT NO. 75-10103
As Modified by Transfer No. 86107

In accordance with the approval of Transfer No. 86107, Water Right No. 75-10103 is now described as follows:

Right Holder: WDS MOUNTAIN SPRINGS RANCH LLC
 1707 N 4000 W
 REXBURG, ID 83440-3104

Priority Date: 9/14/1914

Source: SPRINGS

Tributary: SINKS

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/01	to 11/01	0.200 cfs
STOCKWATER	1/01	to 12/31	0.030 cfs
			0.200 cfs

LOCATION OF POINT(S) OF DIVERSION

SPRINGS	SWSW	Sec 11 Twp 21N Rge 21E LEMHI County
SPRINGS	SWSW	Sec 11 Twp 21N Rge 21E 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	
21N	21E	12							4.4	5.6	40.0	36.0	7.8	32.0					125.8
21N	21E	13												6.0			10.0		16.0
21N	21E	14																28.0	28.0
21N	21E	23	18.0			22.0									38.0			5.5	83.5
21N	21E	24		39.0	26.0		14.0		40.0	40.0	40.0	40.0	35.0	40.0		27.0	28.0		369.0
21N	21E	25		30.0	33.0		40.0	24.0	21.0	40.0	16.5	1.5				7.0			213.0

Right Acre Limit: 800.0

POU Total Acres: 835.3

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	21E	12							X	X	X	X	X	X					
21N	21E	13												X			X		
21N	21E	14																X	
21N	21E	23	X			X									X			X	
21N	21E	24		X	X		X		X	X	X	X	X	X		X	X		
21N	21E	25		X	X		X	X	X	X	X	X				X			

Transfer No. 86107

SCANNED
SEP 26 2022

WATER RIGHT NO. 75-10103
As Modified by Transfer No. 86107

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 800 acres within the authorized place of use in a single irrigation season.
2. Rights 75-2, 75-2035, 75-2162, 75-10046, 75-10047, 75-10052, 75-10103, 75-14254, and 75-15039 when combined shall not exceed a total diversion rate of 29.43 cfs and the irrigation of 835.3 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. 75A.
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.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
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.

WATER RIGHT NO. 75-10047**As Modified by Transfer No. 86107**

In accordance with the approval of Transfer No. 86107, Water Right No. 75-10047 is now described as follows:

Right Holder: WDS MOUNTAIN SPRINGS RANCH LLC
1707 N 4000 W
REXBURG, ID 83440-3104

Priority Date: 4/1/1916

Source: CHIPPS CREEK
Source: BILLY CREEK

Tributary: POLLARD CANYON
Tributary: GORLEY CREEK

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DIVERSION TO STORAGE	01/01	to 12/31	10.400 cfs	
IRRIGATION	04/01	to 10/31	10.400 cfs	
IRRIGATION FROM STORAGE	04/01	to 10/31		70.0 af
IRRIGATION STORAGE	01/01	to 12/31		70.0 af
			10.400 cfs	

LOCATION OF POINT(S) OF DIVERSION

CHIPPS CREEK NWSE Sec 10 Twp 21N Rge 21E LEMHI County
BILLY CREEK SENW Sec 14 Twp 21N Rge 21E 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	
21N	21E	12							4.4	5.6	40.0	36.0	7.8	32.0					125.8
21N	21E	13												6.0			10.0		16.0
21N	21E	14																28.0	28.0
21N	21E	23	18.0			22.0									38.0			5.5	83.5
21N	21E	24		39.0	26.0		14.0		40.0	40.0	40.0	40.0	35.0	40.0		27.0	28.0		369.0
21N	21E	25		30.0	33.0		40.0	24.0	21.0	40.0	16.5	1.5				7.0			213.0

POU Total Acres: 835.3

PLACE OF USE: IRRIGATION FROM STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	21E	12							4.4	5.6	40.0	36.0	7.8	32.0					125.8
21N	21E	13												6.0			10.0		16.0
21N	21E	14																28.0	28.0
21N	21E	23	18.0			22.0									38.0			5.5	83.5
21N	21E	24		39.0	26.0		14.0		40.0	40.0	40.0	40.0	35.0	40.0		27.0	28.0		369.0
21N	21E	25		30.0	33.0		40.0	24.0	21.0	40.0	16.5	1.5				7.0			213.0

POU Total Acres: 835.3

Transfer No. 86107

SCANNED
SEP 26 2022

WATER RIGHT NO. 75-10047**As Modified by Transfer No. 86107****PLACE OF USE: IRRIGATION STORAGE**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	21E	23												X				X	

CONDITIONS OF APPROVAL

1. Rights 75-2, 75-2035, 75-2162, 75-10046, 75-10047, 75-10052, 75-10103, 75-14254, and 75-15039 when combined shall not exceed a total diversion rate of 29.43 cfs and the irrigation of 835.3 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. 75A.
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. The total flow available for diversion in Water District 75A is the sum of all water being diverted above the Farmer's Ditch, water being diverted into the Farmer's Ditch, and the quantity of water spilling and seeping past the Farmer's Ditch diversion. The Farmer's Ditch diversion is located in T21N, R21E, S1, SWNW.
5. This water right is subject to a private agreement among the City of Salmon; Myrtle, Dale and Laura Edwards; and Arrowhead Water District, and recorded in the Lemhi County Recorder's Office on December 1, 2011, as instrument no. 288296.
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. 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. 75-14254**As Modified by Transfer No. 86107**

In accordance with the approval of Transfer No. 86107, Water Right No. 75-14254 is now described as follows:

Right Holder: WDS MOUNTAIN SPRINGS RANCH LLC
1707 N 4000 W
REXBURG, ID 83440-3104

Priority Date: 6/1/1952

Source: GORLEY CREEK

Tributary: SALMON RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DIVERSION TO STORAGE	04/01	to 10/31	9.500 cfs	
IRRIGATION	04/01	to 10/31	9.500 cfs	
IRRIGATION FROM STORAGE	04/01	to 10/31		50.0 af
IRRIGATION STORAGE	04/01	to 07/31		50.0 af
STOCKWATER	01/01	to 12/31	0.090 cfs	
			9.500 cfs	

LOCATION OF POINT(S) OF DIVERSION

GORLEY CREEK NWSE Sec 23 Twp 21N Rge 21E LEMHI County
GORLEY CREEK NWNESW Sec 23 Twp 21N Rge 21E 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	
21N	21E	12							4.4	5.6	40.0	36.0	7.8	32.0					125.8
21N	21E	13												6.0			10.0		16.0
21N	21E	14																28.0	28.0
21N	21E	23	18.0			22.0									38.0			5.5	83.5
21N	21E	24		39.0	26.0		14.0		40.0	40.0	40.0	40.0	35.0	40.0		27.0	28.0		369.0
21N	21E	25		30.0	33.0		40.0	24.0	21.0	40.0	16.5	1.5				7.0			213.0

Right Acre Limit: 791.5

POU Total Acres: 835.3

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	21E	12							4.4	5.6	40.0	36.0	7.8	32.0					125.8
21N	21E	13												6.0			10.0		16.0
21N	21E	14																28.0	28.0
21N	21E	23	18.0			22.0									38.0			5.5	83.5
21N	21E	24		39.0	26.0		14.0		40.0	40.0	40.0	40.0	35.0	40.0		27.0	28.0		369.0
21N	21E	25		30.0	33.0		40.0	24.0	21.0	40.0	16.5	1.5				7.0			213.0

Right Acre Limit: 791.5

POU Total Acres: 835.3

Transfer No. 86107

SCANNED

SEP 26 2022

WATER RIGHT NO. 75-14254**As Modified by Transfer No. 86107****PLACE OF USE: IRRIGATION STORAGE**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	21E	23												X			X		

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	21E	12							X	X	X	X	X	X					
21N	21E	13												X			X		
21N	21E	14																X	
21N	21E	23	X			X									X			X	
21N	21E	24		X	X		X		X	X	X	X	X	X		X	X		
21N	21E	25		X	X		X	X	X	X	X					X			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 791.5 acres within the authorized place of use in a single irrigation season.
2. Rights 75-2, 75-2035, 75-2162, 75-10046, 75-10047, 75-10052, 75-10103, 75-14254, and 75-15039 when combined shall not exceed a total diversion rate of 29.43 cfs and the irrigation of 835.3 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. 75A.
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.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
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.

WATER RIGHT NO. 75-14254
As Modified by Transfer No. 86107

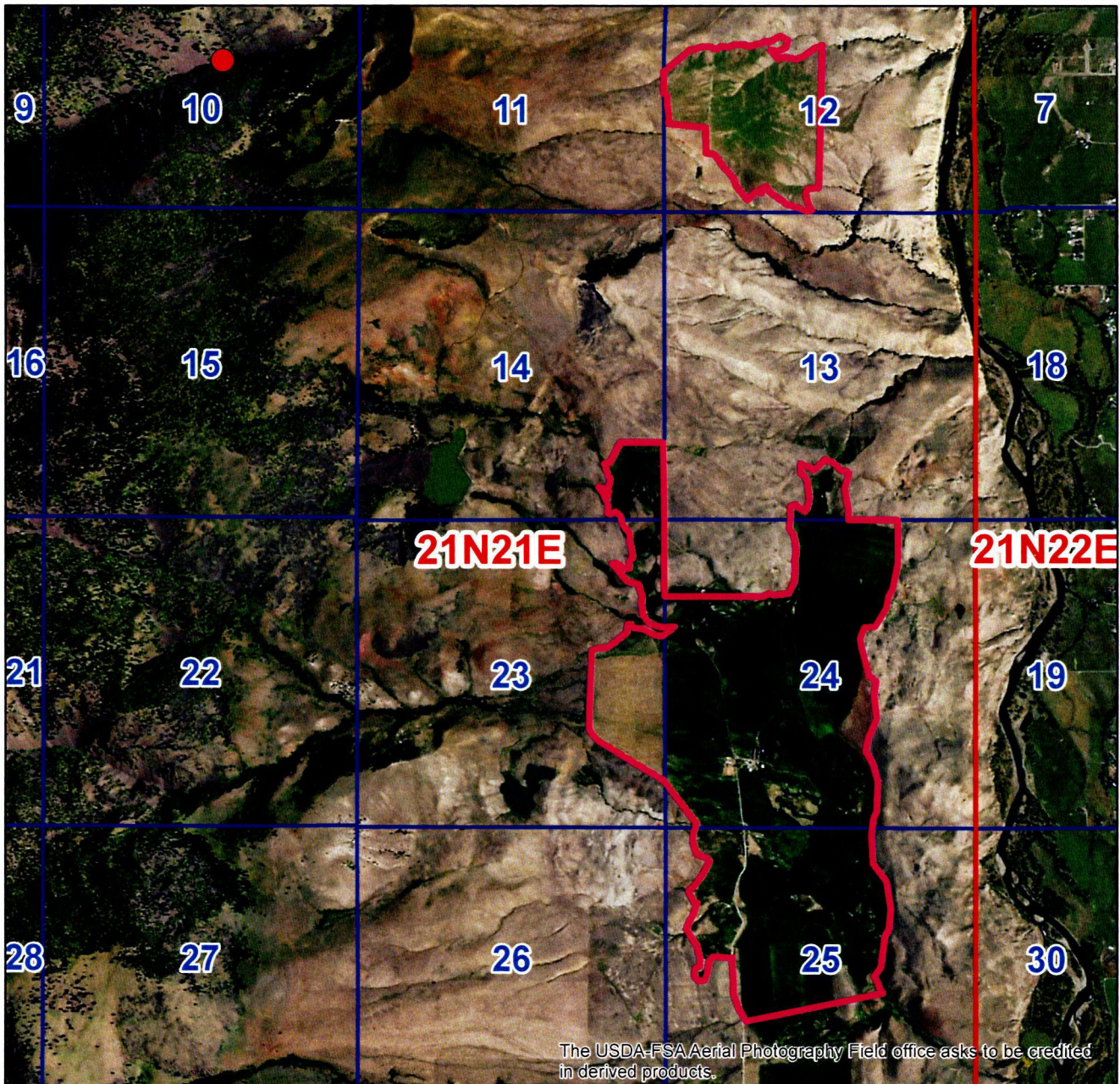
CONDITIONS OF APPROVAL

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 86107

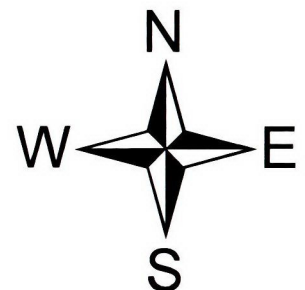
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

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

0 0.25 0.5 1 Miles



SCANNED Date: 9/19/2022
SEP 26 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

86107

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) WDS Mountain Springs Ranch, LLC, an Idaho limited liability company

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 <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☐ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the 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: Notice of Change of Water Right Ownership and Water Delivery and Use Agreement Attached

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) WDS Mountain Springs Ranch, LLC, an Idaho limited liability company Phone 208-521-0055
Mailing address 1707 North 4000 West, Rexburg, Idaho 83440 Email woody@woodysmithford.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 Thomas J. Budge, Randall C. Budge, Attorneys Phone 208-232-6101
Mailing address PO Box 1391, Pocatello, Idaho 83204-1391 Email tj@racineolson.com; randy@racineolson.com

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

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Randall C. Budge Randall C. Budge, Attorney - POA Attached 4/6/2022
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 _____

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**.

The purpose is to: (1) split water right 75-2034 with 1.25 cfs retained by and appurtenant to property retained by Seller, Dale C. and Laura Edwards Family Trust;

(2) change the place of use to Applicant's property

by removing the current place of use the property retained by Seller, Edwards.

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	75-2	1.7	Irrigation	04/01 to 10/31	Chippys Creek
☐ ☒	75-2034	1.25	Irrigation	04/01 to 10/31	Gorley Creek
☒ ☐	75-2035	2.4	Irrigation	04/01 to 10/31	Billy Creek, Springs
☒ ☐	75-2162	3.2	Irrigation	04/01 to 10/31	Chippys Creek
☒ ☐	75-10046	4.23	Irrigation	04/01 to 10/31	Chippys Creek
☒ ☐	75-10047	10.4	Irrigation	04/01 to 10/31	Billy Creek, Chippys Creek
☒ ☐	75-10052	1.6	Irrigation	04/01 to 10/31	Springs
☒ ☐	75-10103	0.2	Irrigation	04/01 to 11/01	Springs
☒ ☐	75-14254	9.5	Irrigation	04/01 to 10/31	Gorley Creek

Total authorized under rights 29.43 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed _____ 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	
			P	I	e	a	s	e											
			s	e	e														
			A	t	t	a	c	h	m	e	n	t							
Total Acres (for irrigation use)																			

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 ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐				to	
				to	
				to	
				to	
				to	
				to	
				to	

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Department of Water Resources
Eastern Region

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

2. Total amount of water proposed to be transferred or changed _____ 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	
21N	21E	12							4.4	5.6	40	36	7.8	32					125.8
		13												6			10		16
		14																28	28
		23	18			22									38			5.5	83.5
		24		39	26		14		40	40	40	40	35	40		27	28		369
		25		30	33		40	24	21	40	16.5	1.5				7			213
Total Acres (for irrigation use)																			835.3

Post-Transfer Place of Use

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	
21N	21E	12							4.4	5.6	40	36	7.8	32					125.8
21N	21E	13												6			10		16
21N	21E	14																28	28
21N	21E	23	20			22									38			5.2	85.2
21N	21E	24		39	26		14		40	40	40	40	35	40		27	28		369
21N	21E	25		30	33		40	24	21	40	10.8					23			221.8
Total Acres (for Irrigation use)																			845.8

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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:

The existing historic diversion and delivery system remains unchanged. See Map Attachment 5.

- 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:

- 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: _____

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:

Unchanged

- 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:

- 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:

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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$2,660.00 * Date 4/26/22 Received by CA H Receipt # E048035

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)

* Check total \$3060

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SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

The undersigned hereby appoints the law firm of RACINE OLSON, PLLP, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204 (the "Firm"), its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow the Firm to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on its behalf.

DATED this 15 day of April, 2022.

WDS Mountain Springs Ranch, LLC, an Idaho limited liability company

By: Woodruff Smith

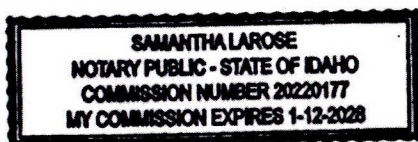
Woodruff Smith, aka Woody Smith, Manager
1707 North 4000 West
Rexburg, Idaho 83440
208-530-0055

STATE OF IDAHO)
 : ss.
County of Bonneville)

This record was acknowledged before me on this 15 day of April, 2022, Woodruff Smith, aka Woody Smith, as Manager of WDS Mountain Springs Ranch, LLC.

(SEAL)

Samantha Larose
NOTARY PUBLIC FOR IDAHO
My Commission Expires: 11/12/2028



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INDEX OF ATTACHMENTS
Application for Transfer

1. Narrative Description
2. Water Right Summary
3. Water Right Reports and Maps
4. Edwards' Retained Property – Description and Survey Plat
5. Warranty Deed – WDS Mountain Springs Ranch, LLC Property
6. Map of Places of Use after transfer
7. Water Delivery and Use Agreement
8. Notice of Change in Water Right Ownership

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ATTACHMENT 1

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ATTACHMENT 1

NARRATIVE DESCRIPTION

On December 21, 2021 Applicant WDS Mountain Springs Ranch, LLC, an Idaho limited liability company owned and managed by Woody Smith (hereinafter "WDS") purchased from Dale C. Edwards and Laura Edwards, individually and trustees of the Dale C. and Laura Edwards Family Trust ("Edwards") approximately 1,607 acres of real property located in Lemhi County, Idaho, together with all improvements and appurtenances, including all water rights excepting only 1.25 cfs of Gorley Creek water right no. 75-2034 retained by Edwards for the irrigation of approximately 117 acres of Edwards' retained property in Sections 25 and 36 as depicted on the map, Attachment 6.

The water rights appurtenant to the property consist of 10 irrigation rights and 3 domestic and stockwater rights all in Basin 75 as summarized in the Water Right Summary, Attachment 2. IDWR water right reports and maps for each right is Attachment 3.

WDS acquired all water rights, except for one-half or 1.25 cfs of water right 75-2034 retained to irrigate Edwards' retained 117 acres shown in blue on the map, together with land in Section 36 as depicted in blue on the map, Attachment 6. The Edwards retained property, which is described in Attachment 4 which includes a survey plat. The WDS property acquired from Edwards is described in the Warranty Deed, Attachment 5. Attachment 7 is the Water Delivery and Use Agreement entered into between WDS and Edwards which provides for the delivery and use of their respective water rights and the delivery system and provides in paragraph 7 for the filing of this Application for Transfer.

The purpose of this Application is to: (1) split water right 75-2034 with 1.25 cfs retained by and appurtenant to Edwards' retained property in Sections 25 and 36; (2) change the ownership of all listed water rights to WDS, excepting the split portion of 75-2034; and (3) change the place of use of the WDS water rights to its property acquired from Edwards by removing that portion of any places of use currently appurtenant to the Edwards' retained property as reflected in Attachment 6. Attachment 6 outlines the combined 845.8 place of use of the WDS water rights in yellow and the place of use of Edwards' retained 117 acres and 1.25 cfs of water right 75-2034 on Edwards' retained property depicted in yellow.

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ATTACHMENT 2

ATTACHMENT 2

WATER RIGHT SUMMARY

Type	Basin	Sequence	Basis	Status	Priority Date	Div. Rate (cfs)	Source	Water Use	Owner
WR	75	2	Decreed	Active	4/1/1894	1.7	CHIPPS CREEK	IRRIGATION	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE
								DIVERSION TO STORAGE, IRRIGATION, IRRIGATION FROM STORAGE, IRRIGATION STORAGE	
WR	75	2034	Decreed	Active	2/28/1913	2.5 (1.25)	GORLEY CREEK		EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE
WR	75	2035	Decreed	Active	2/24/1913	2.4	BILLY CREEK, SPRINGS	IRRIGATION	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE
WR	75	2162	Decreed	Active	8/31/1960	3.2	CHIPPS CREEK	IRRIGATION	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE
WR	75	10046	Decreed	Active	9/14/1914	4.23	CHIPPS CREEK	IRRIGATION	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE
								DIVERSION TO STORAGE, IRRIGATION, IRRIGATION FROM STORAGE, IRRIGATION STORAGE	
WR	75	10047	Decreed	Active	4/1/1916	10.4	BILLY CREEK, CHIPPS CREEK		EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE
								GROUND WATER	
WR	75	10048	Decreed	Active	1/3/1925	0.07		DOMESTIC, STOCKWATER	EDWARDS, EDGAR S; EDWARDS, MYRTLE
								GROUND WATER	
WR	75	10049	Decreed	Active	1/3/1925	0.07		DOMESTIC, STOCKWATER	EDWARDS, EDGAR S; EDWARDS, MYRTLE
WR	75	10051	Decreed	Active	10/1/1956	0.07	SPRINGS	STOCKWATER	EDWARDS, EDGAR S; EDWARDS, MYRTLE
WR	75	10052	Decreed	Active	4/1/1913	1.6	SPRINGS	IRRIGATION, STOCKWATER	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE
WR	75	10103	Decreed	Active	9/14/1914	0.2	SPRINGS	IRRIGATION, STOCKWATER	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE
								DIVERSION TO STORAGE, IRRIGATION, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, STOCKWATER	
WR	75	14254	Decreed	Active	6/1/1952	9.5	GORLEY CREEK		EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE
WR	75	15016	Permit	Active	9/ /2021	1.0 / 27 AFA	BILLY CREEK	IRRIGATION STORAGE	EDWARDS, DALE; EDWARDS, LAURA

*Non-irrigation rights excluded from the Transfer

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Irrigation Rights with Decreed Combined Limits

Basin	Sequence	Priority	Rate (cfs)	Source List	Tributary List	Water Use List	Total Acres	Acre Limit	Volume (af)
75	2	4/1/1894	1.700	CHIPPS CREEK	POLLARD CANYON	IRRIGATION	962.8	160.0	
75	2034	2/28/1913	2.500	GORLEY CREEK	SALMON RIVER	DIVERSION TO STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, IRRIGATION	791.5	410.0	
75	2035	2/24/1913	2.400	BILLY CREEK, SPRINGS	BILLY CREEK, GORLEY CREEK	IRRIGATION	962.8	120.0	
75	2162	8/31/1960	3.200	CHIPPS CREEK	POLLARD CANYON	IRRIGATION	962.8	160.0	480.0
75	10046	9/14/1914	4.230	CHIPPS CREEK	POLLARD CANYON	IRRIGATION	962.8	320.0	
75	10047	4/1/1916	10.400	BILLY CREEK, CHIPPS CREEK	GORLEY CREEK, POLLARD CANYON	DIVERSION TO STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, IRRIGATION	962.8		
75	14254	6/1/1952	9.500	GORLEY CREEK	SALMON RIVER	DIVERSION TO STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, IRRIGATION, STOCKWATER	791.5		
Combined Limits:			28.880				962.8		

Other Irrigation Rights within 962.8-acre Place of Use

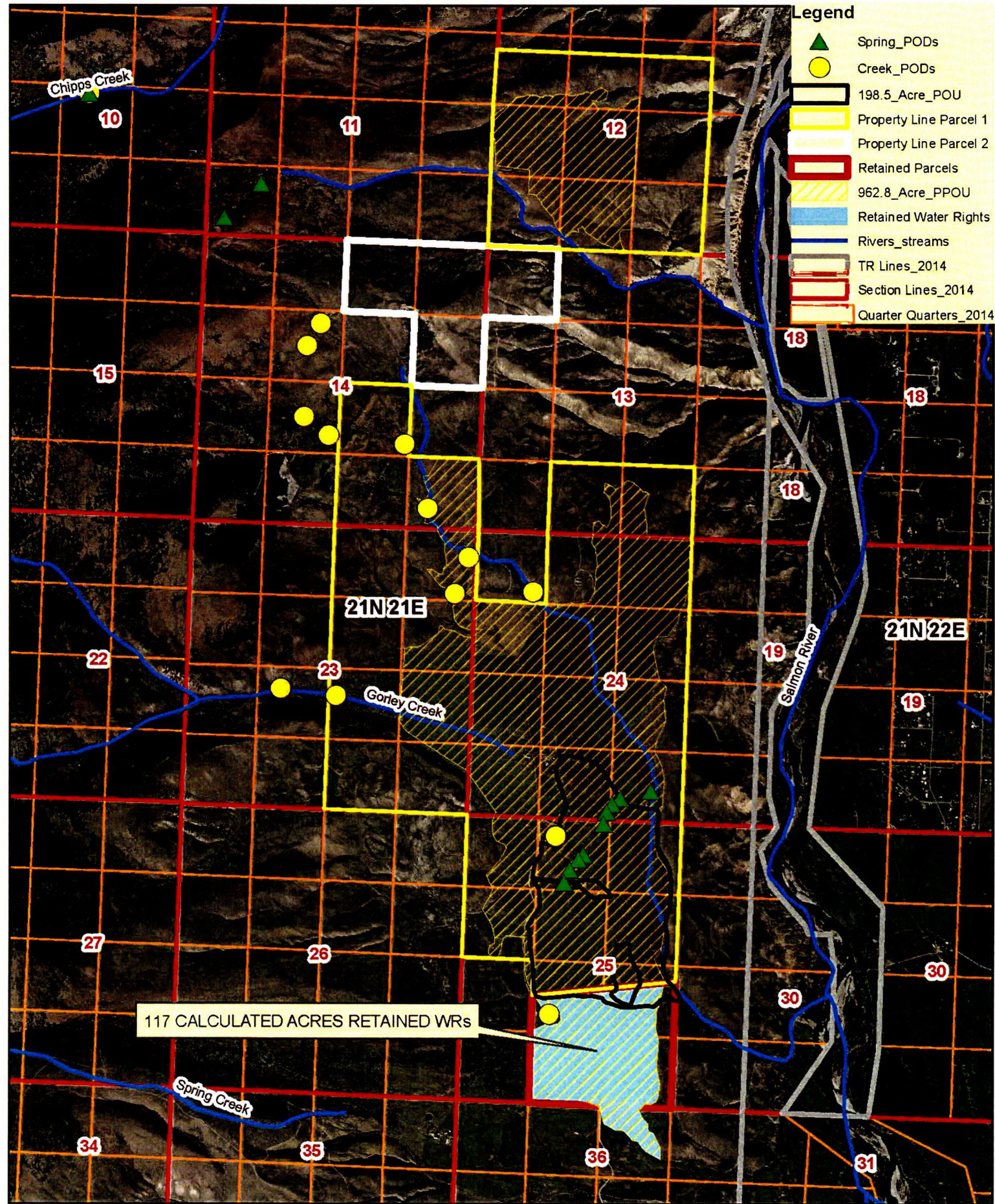
Basin	Sequence	Priority	Rate (cfs)	Source List	Tributary List	Water Use List	Total Acres	Acre Limit	Volume (af)
75	4105	4/1/1935	0.480	SPRINGS	GORLEY CREEK	IRRIGATION	20.0		
75	10052	4/1/1913	1.600	SPRINGS	SINKS	IRRIGATION, STOCKWATER	198.5		
75	10103	9/14/1914	0.200	SPRINGS	SINKS	IRRIGATION, STOCKWATER	800.0		

Other Domestic and Stockwater Rights

Basin	Sequence	Priority	Rate (cfs)	Source List	Tributary List	Water Use List	Total Acres	Acre Limit	Volume (af)
75	10048	1/3/1925	0.070	GROUNDWATER					
75	10049	1/3/1925	0.070	GROUNDWATER					
75	10051	10/1/1956	0.070	SPRINGS					

ATTACHMENT 3

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117 CALCULATED ACRES RETAINED WRs



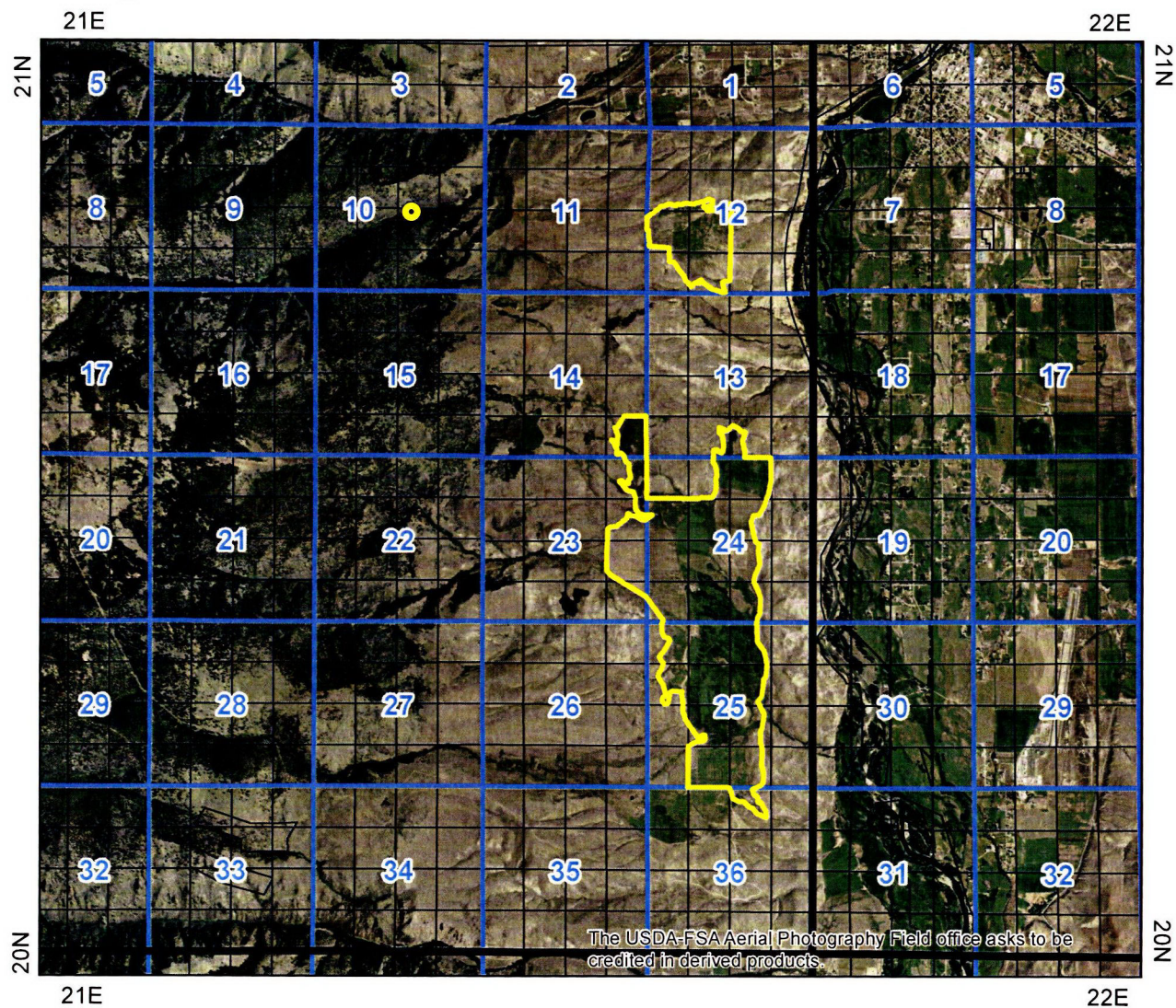
State of Idaho
Department of Water Resources

Water Right

75-2

IRRIGATION

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



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

0 0.5 1 2 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

3/16/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 75-2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MYRTLE EDWARDS PO BOX 299 SALMON, ID 83467 2087564728
Current Owner	DALE EDWARDS
Current Owner	LAURA EDWARDS PO BOX 846 SALMON, ID 83467 2087563932
Original Owner	GUY EDWARDS , ID
Original Owner	EDGAR S EDWARDS PO BOX 299 SALMON, ID 83467 2087564728

Priority Date: 04/01/1894

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CHIPPS CREEK	POLLARD CANYON

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.7 CFS	
Total Diversion			1.7 CFS	

Location of Point(s) of Diversion:

CHIPPS CREEK|NWSE|Sec. 10|Township 21N|Range 21E|LEMHI County

IRRIGATION Use:

Acre Limit: 160

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

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Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
21N	21E	12		SWNW	4.4		SENE	5.6						
				NESW	40		NWSW	36		SWSW	7.8		SESW	32
		13		SESW	6									
				SWSE	10									
		14		SESE	28									
		23		NENE	18		SENE	22						
				NESE	38		SESE	5.5						
		24		NWNE	39		SWNE	26						
				NENW	14		SWNW	40		SENE	40			
				NESW	40		NWSW	40		SWSW	35		SESW	40
				NWSE	27		SWSE	28						
		25		NWNE	30		SWNE	33						
				NENW	40		NWNW	24		SWNW	21		SENE	40
				NESW	36		NWSW	1.5		SESW	40			
				NWSE	31		SWSE	32						
		36		NWNE	12									

Total Acres: 962.8

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. E56 The rights listed below are limited to the irrigation of a combined total of 962.8 acres in a single irrigation season. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.
4. K06 This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
5. E52 The rights listed below are limited to a total combined diversion rate of 28.88 cfs. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.
6. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
7. This water right is subject to a private agreement among the City of Salmon; Myrtle, Dale and Laura Edwards; and Arrowhead Water District, and recorded in the Lemhi County Recorder's Office on December 1, 2011, as instrument no. 288296.
8. 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).
9. The total flow available for diversion in Water District 75A is the sum of all water being diverted above the Farmer's Ditch, water being diverted into the Farmer's Ditch, and the quantity of water spilling and seeping past the Farmer's Ditch diversion. The Farmer's Ditch diversion is located in T21N, R21E, S1, SWNW.

Dates:

Licensed Date:

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SEP 19 2022

3/16/2022, 9:14 AM

Decreed Date: 06/11/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND/OR

Water District Number: 75A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 962.8

Combined Volume Limit:

Combined Rate Limit: 28.88

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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SEP 19 2022

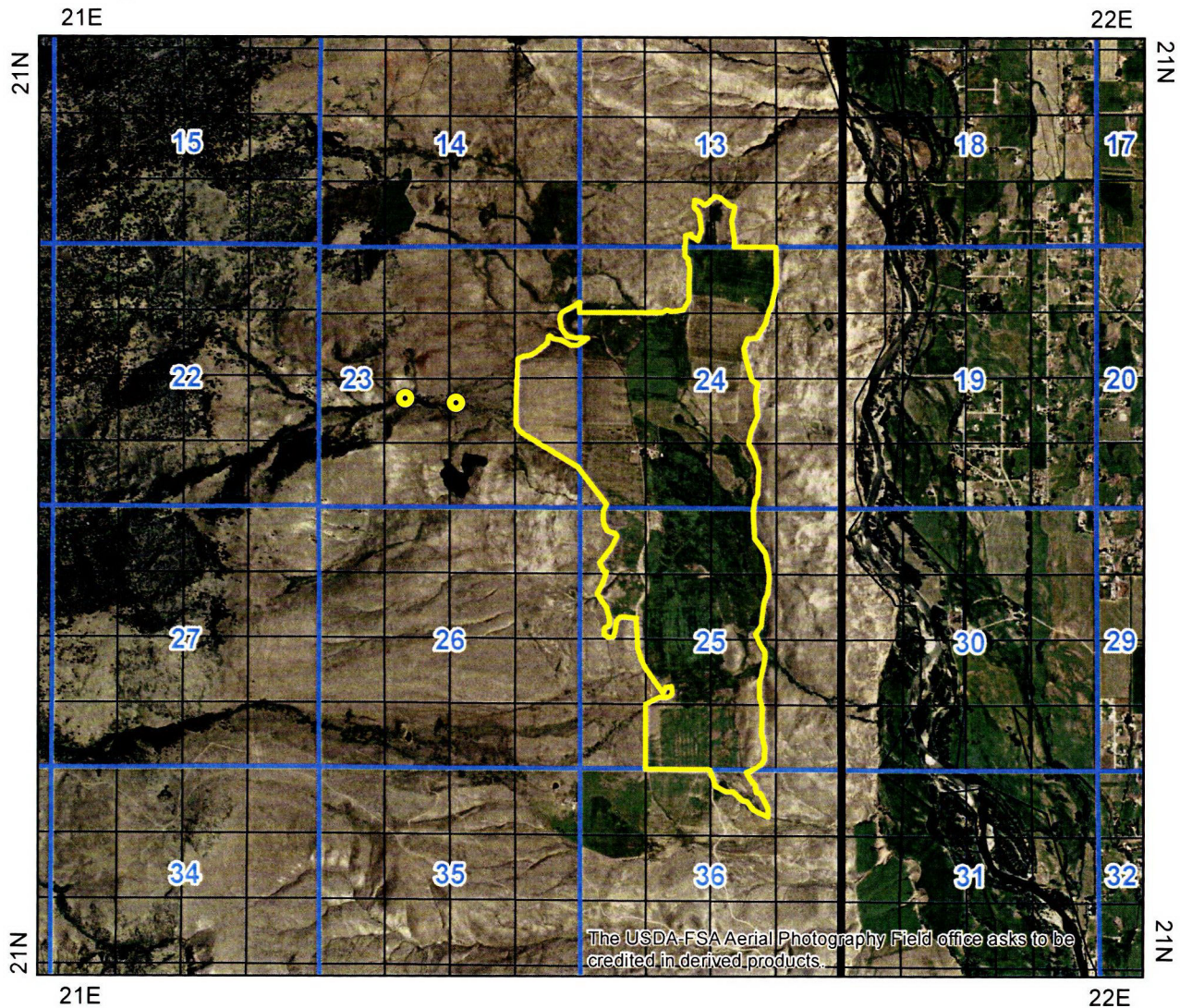
State of Idaho
Department of Water Resources

Water Right

75-2034

IRRIGATION

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



● Point of Diversion

□ Place Of Use Boundary

□ Townships

□ PLS Sections

□ Quarter Quarters

0 0.425 0.85 1.7 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

3/16/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 75-2034

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MYRTLE EDWARDS PO BOX 299 SALMON, ID 83467 2087564728
Current Owner	DALE EDWARDS
Current Owner	LAURA EDWARDS PO BOX 846 SALMON, ID 83467 2087563932
Original Owner	EDGAR S EDWARDS PO BOX 299 SALMON, ID 83467 2087564728

Priority Date: 02/28/1913

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GORLEY CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.5 CFS	
IRRIGATION STORAGE	01/01	12/31		50 AFA
IRRIGATION FROM STORAGE	04/01	10/31		50 AFA
DIVERSION TO STORAGE	01/01	12/31	2.5 CFS	
Total Diversion			2.5 CFS	

Location of Point(s) of Diversion:

GORLEY CREEK	NWNESW	Sec. 23	Township 21N	Range 21E	LEMHI County
GORLEY CREEK	NWSE	Sec. 23	Township 21N	Range 21E	LEMHI County

IRRIGATION Use:

Acre Limit: 410

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Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
21N	21E	13		SESW	6									
				SWSE	10									
		23		NENE	0.8		SENE	22						
				NESE	38		SESE	5.2						
		24		NWNE	39		SWNE	26						
				NENW	14		SWNW	40		SENE	40			
				NESW	40		NWSW	40		SWSW	35		SESW	40
				NWSE	27		SWSE	28						
		25		NWNE	30		SWNE	33						
				NENW	40		NWNW	24		SENE	21		SENE	40
				NESW	36		NWSW	1.5		SESW	40			
				NWSE	31		SWSE	32						
		36		NWNE	12									

Total Acres: 791.5

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 962.8 acres in a single irrigation season. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.
3. K06 This right is limited to the irrigation of 410 acres within the place of use described above in a single irrigation season.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. E52 The rights listed below are limited to a total combined diversion rate of 28.88 cfs. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.

Dates:

Licensed Date:

Decreed Date: 11/17/2008

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

SCANNED
SEP 19 2022

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And/Or

Water District Number: 75A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 962.8

Combined Volume Limit:

Combined Rate Limit: 28.88

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED
SEP 19 2022

Water Right
75-2035

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



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SEP 19 2022

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

3/16/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 75-2035

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MYRTLE EDWARDS PO BOX 299 SALMON, ID 83467 2087564728
Current Owner	DALE EDWARDS
Current Owner	LAURA EDWARDS PO BOX 846 SALMON, ID 83467 2087563932
Original Owner	EDGAR S EDWARDS PO BOX 299 SALMON, ID 83467 2087564728

Priority Date: 02/24/1913

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BILLY CREEK	GORLEY CREEK
SPRINGS	BILLY CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.4 CFS	
Total Diversion			2.4 CFS	

Location of Point(s) of Diversion:

BILLY CREEK	SENW	Sec. 14	Township 21N	Range 21E	LEMHI County
SPRINGS	SENW	Sec. 14	Township 21N	Range 21E	LEMHI County
SPRINGS	NESW	Sec. 14	Township 21N	Range 21E	LEMHI County
SPRINGS	NWSE	Sec. 14	Township 21N	Range 21E	LEMHI County
SPRINGS	SESE	Sec. 14	Township 21N	Range 21E	LEMHI County
SPRINGS	NENE	Sec. 23	Township 21N	Range 21E	LEMHI County

SCANNED
SEP 19 2022

SPRINGS | NENE | Sec. 23 | Township 21N | Range 21E | LEMHI County
 SPRINGS | NWNW | Sec. 24 | Township 21N | Range 21E | LEMHI County

IRRIGATION Use:

Acre Limit: 120

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
21N	21E	12		SWNW	4.4		SENE	5.6						
				NESW	40		NWSW	36		SWSW	7.8		SESW	32
		13		SESW	6									
				SWSE	10									
		14		SESE	28									
		23		NENE	18		SENE	22						
				NESE	38		SESE	5.5						
		24		NWNE	39		SWNE	26						
				NENW	14		SWNW	40		SENE	40			
				NESW	40		NWSW	40		SWSW	35		SESW	40
				NWSE	27		SWSE	28						
		25		NWNE	30		SWNE	33						
				NENW	40		NWNW	24		SWNW	21		SENE	40
				NESW	36		NWSW	1.5		SESW	40			
				NWSE	31		SWSE	32						
		36		NWNE	12									

Total Acres: 962.8

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. K06 This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
3. E52 The rights listed below are limited to a total combined diversion rate of 28.88 cfs. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. E56 The rights listed below are limited to the irrigation of a combined total of 962.8 acres in a single irrigation season. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.

Dates:

Licensed Date:

Decreed Date: 06/11/2009

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

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SEP 19 2022

3/16/2022, 9:20 AM

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And/Or

Water District Number: 75A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 962.8

Combined Volume Limit:

Combined Rate Limit: 28.88

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED

SEP 19 2022

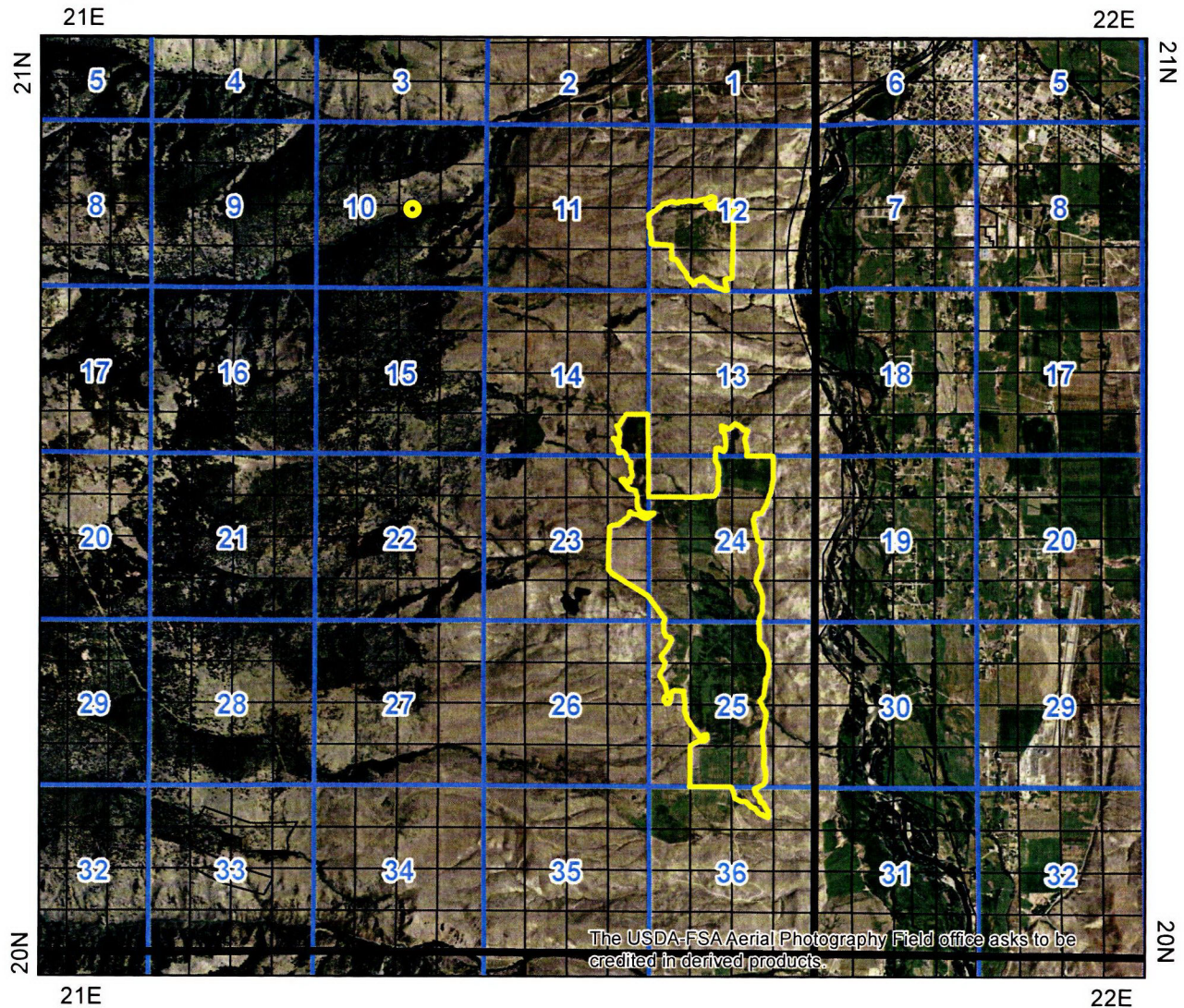
State of Idaho
Department of Water Resources

Water Right

75-2162

IRRIGATION

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



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

0 0.5 1 2 Miles

SCANNED
SEP 19 2022

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

3/16/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 75-2162

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MYRTLE EDWARDS PO BOX 299 SALMON, ID 83467 2087564728
Current Owner	DALE EDWARDS
Current Owner	LAURA EDWARDS PO BOX 846 SALMON, ID 83467 2087563932
Original Owner	GLADYS M EDWARDS SALMON, ID
Original Owner	EUGENE F EDWARDS PO BOX 1145 SALMON, ID 83467 2087563520
Original Owner	EDGAR S EDWARDS PO BOX 299 SALMON, ID 83467 2087564728

Priority Date: 08/31/1960

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CHIPPS CREEK	POLLARD CANYON

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.2 CFS	480 AFA
Total Diversion			3.2 CFS	480 AFA

Location of Point(s) of Diversion:

CHIPPS CREEK|NWSE|Sec. 10|Township 21N|Range 21E|LEMHI County

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3/16/2022, 9:21 AM

IRRIGATION Use:

Acre Limit: 160

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
21N	21E	12		SWNW	4.4		SENW	5.6						
				NESW	40		NWSW	36		SWSW	7.8		SESW	32
		13		SESW	6									
				SWSE	10									
		14		SESE	28									
		23		NENE	18		SENE	22						
				NESE	38		SESE	5.5						
		24		NWNE	39		SWNE	26						
				NENW	14		SWNW	40		SENW	40			
				NESW	40		NWSW	40		SWSW	35		SESW	40
				NWSE	27		SWSE	28						
		25		NWNE	30		SWNE	33						
				NENW	40		NWNW	24		SWNW	21		SENW	40
				NESW	36		NWSW	1.5		SESW	40			
				NWSE	31		SWSE	32						
		36		NWNE	12									

Total Acres: 962.8

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. E56 The rights listed below are limited to the irrigation of a combined total of 962.8 acres in a single irrigation season. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.
4. K06 This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
5. E52 The rights listed below are limited to a total combined diversion rate of 28.88 cfs. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.
6. 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).
7. The total flow available for diversion in Water District 75A is the sum of all water being diverted above the Farmer's Ditch, water being diverted into the Farmer's Ditch, and the quantity of water spilling and seeping past the Farmer's Ditch diversion. The Farmer's Ditch diversion is located in T21N, R21E, S1, SWNW.
8. This water right is subject to a private agreement among the City of Salmon; Myrtle, Dale and Laura Edwards; and Arrowhead Water District, and recorded in the Lemhi County Recorder's Office on December 1, 2011, as instrument no. 288296.

SCANNED

SEP 19 2022

Dates:

Licensed Date:

Decreed Date: 06/11/2009

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND/OR

Water District Number: 75A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 962.8

Combined Volume Limit:

Combined Rate Limit: 28.88

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

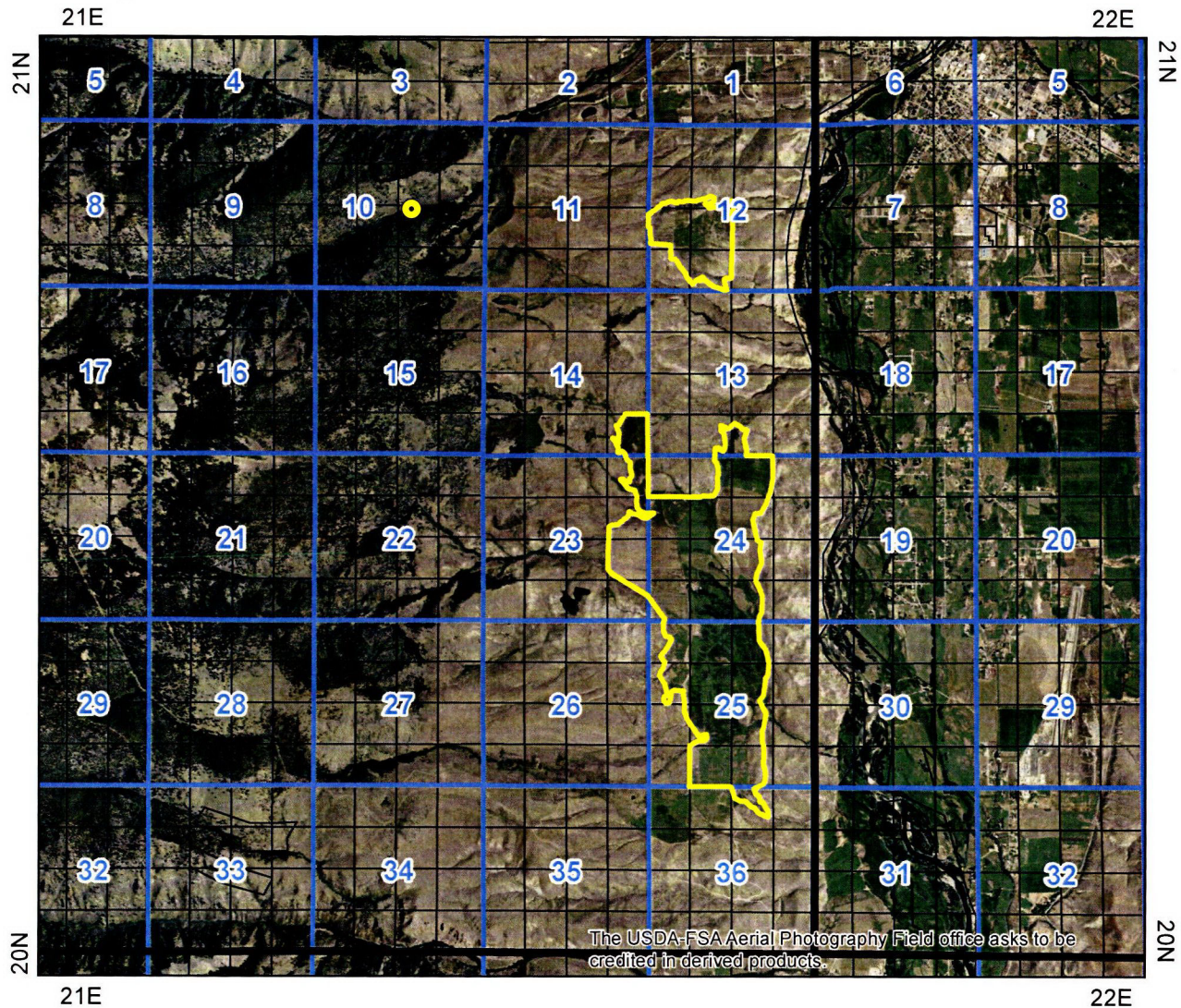
SCANNED
SEP 19 2022

State of Idaho
Department of Water Resources

Water Right
75-10046

IRRIGATION

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



● Point of Diversion

□ Place Of Use Boundary

□ Townships

□ PLS Sections

□ Quarter Quarters

0 0.5 1 2 Miles

SCANNED
SEP 19 2022



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

3/16/2022
IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report
WATER RIGHT NO. 75-10046

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MYRTLE EDWARDS PO BOX 299 SALMON, ID 83467 2087564728
Current Owner	DALE EDWARDS
Current Owner	LAURA EDWARDS PO BOX 846 SALMON, ID 83467 2087563932
Original Owner	EDGAR S EDWARDS
Original Owner	ANTHONY NICHOLS PO BOX 299 SALMON, ID 83467 2087564728

Priority Date: 09/14/1914
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
CHIPPS CREEK	POLLARD CANYON

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	4.23 CFS	
Total Diversion			4.23 CFS	

Location of Point(s) of Diversion:

CHIPPS CREEK|NWSE|Sec. 10|Township 21N|Range 21E|LEMHI County
IRRIGATION Use:
Acre Limit: 320
Place(s) of use:
Place of Use Legal Description: IRRIGATION LEMHI County

SCANNED
SEP 19 2022

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
21N	21E	12		SWNW	4.4		SENW	5.6						
				NESW	40		NWSW	36		SWSW	7.8		SESW	32
		13		SESW	6									
				SWSE	10									
		14		SESE	28									
		23		NENE	18		SENE	22						
				NESE	38		SESE	5.5						
		24		NWNE	39		SWNE	26						
				NENW	14		SWNW	40		SENW	40			
				NESW	40		NWSW	40		SWSW	35		SESW	40
				NWSE	27		SWSE	28						
		25		NWNE	30		SWNE	33						
				NENW	40		NWNW	24		SWNW	21		SENW	40
				NESW	36		NWSW	1.5		SESW	40			
				NWSE	31		SWSE	32						
		36		NWNE	12									

Total Acres: 962.8

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. E56 The rights listed below are limited to the irrigation of a combined total of 962.8 acres in a single irrigation season. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.
4. K06 This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
5. E52 The rights listed below are limited to a total combined diversion rate of 28.88 cfs. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.
6. The total flow available for diversion in Water District 75A is the sum of all water being diverted above the Farmer's Ditch, water being diverted into the Farmer's Ditch, and the quantity of water spilling and seeping past the Farmer's Ditch diversion. The Farmer's Ditch diversion is located in T21N, R21E, S1, SWNW.
7. 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).
8. This water right is subject to a private agreement among the City of Salmon; Myrtle, Dale and Laura Edwards; and Arrowhead Water District, and recorded in the Lemhi County Recorder's Office on December 1, 2011, as instrument no. 288296.

Dates:

Licensed Date:

Decreed Date: 06/11/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

SCANNED

SEP. 19 2022

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND/OR

Water District Number: 75A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 962.8

Combined Volume Limit:

Combined Rate Limit: 28.88

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED

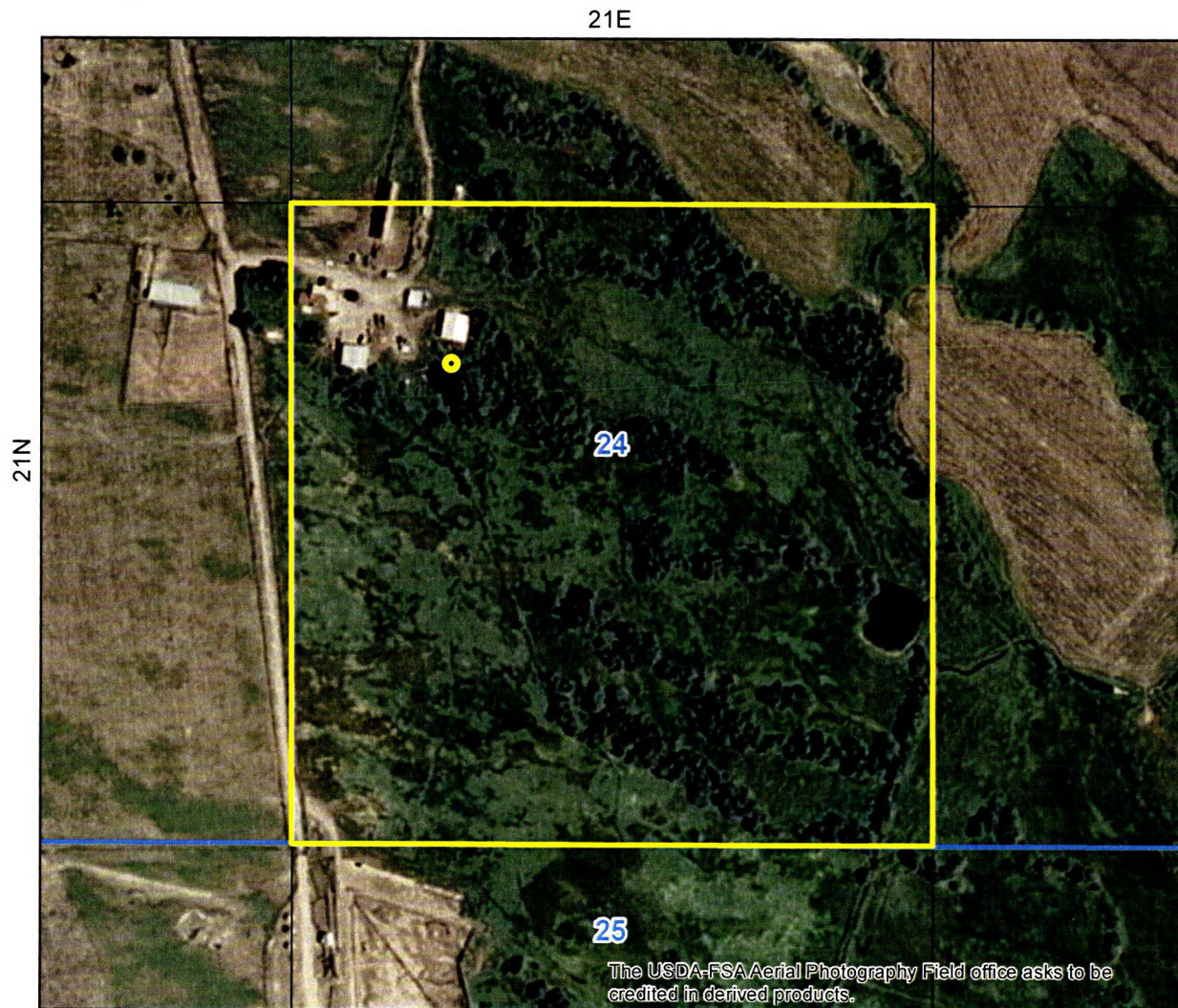
SEP 19 2022

State of Idaho
Department of Water Resources

Water Right
75-10048

DOMESTIC

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



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

0 0.045 0.09 0.18 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

3/16/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 75-10052

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MYRTLE EDWARDS PO BOX 299 SALMON, ID 83467 2087564728
Current Owner	DALE EDWARDS
Current Owner	LAURA EDWARDS PO BOX 846 SALMON, ID 83467 2087563932
Original Owner	EDGAR S EDWARDS PO BOX 299 SALMON, ID 83467 2087564728

Priority Date: 04/01/1913

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.6 CFS	
STOCKWATER	01/01	12/31	0.07 CFS	
Total Diversion			1.6 CFS	

Location of Point(s) of Diversion:

SPRINGS	SESW	Sec. 24	Township 21N	Range 21E	LEMHI County
SPRINGS	SWSE	Sec. 24	Township 21N	Range 21E	LEMHI County
SPRINGS	SWSE	Sec. 24	Township 21N	Range 21E	LEMHI County
SPRINGS	SWSE	Sec. 24	Township 21N	Range 21E	LEMHI County
SPRINGS	NENW	Sec. 25	Township 21N	Range 21E	LEMHI County
SPRINGS	NENW	Sec. 25	Township 21N	Range 21E	LEMHI County

SCANNED
SEP 19 2022

3/16/2022, 9:28 AM

SPRINGS|NENW|Sec. 25|Township 21N|Range 21E|LEMHI County
 SPRINGS|NENW|Sec. 25|Township 21N|Range 21E|LEMHI County
 SPRINGS|NENW|Sec. 25|Township 21N|Range 21E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
21N	21E	24		SESW	22									
				SWSE	7									
		25		NWNE	31		SWNE	32						
				NENW	33		NWNW	0.5		SWNW	1.5		SENE	39
				NESW	19									
				NESE	0.5		NWSE	13						

Place of Use Legal Description: STOCKWATER LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
21N	21E	24		SWSE										

Total Acres: 198.5

Conditions of Approval:

- 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.
- N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
- N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Dates:

Licensed Date:

Decreed Date: 06/10/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 75A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

SCANNED
SEP 19 2022

3/16/2022, 9:28 AM

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

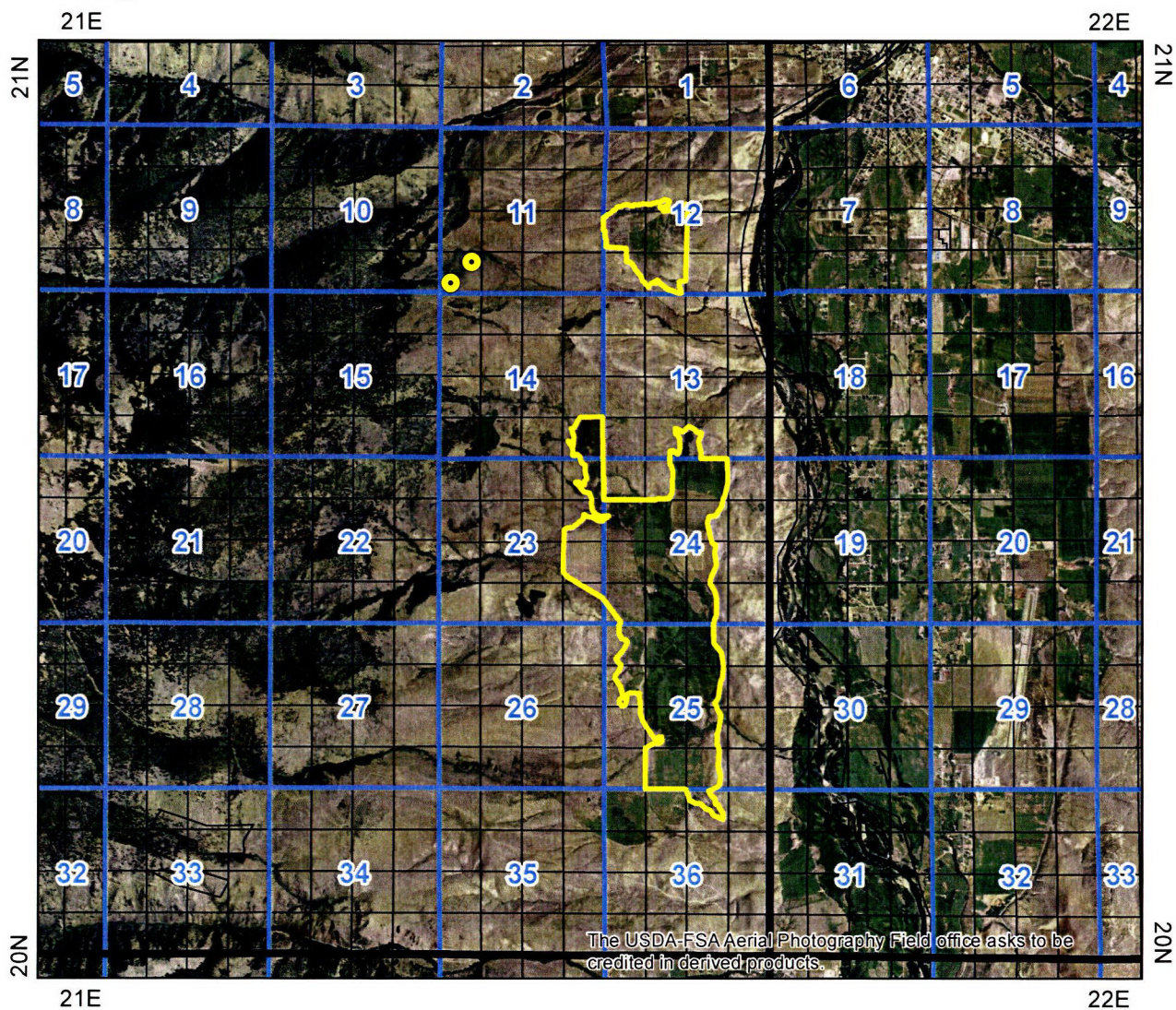
SCANNED
SEP 19 2022

State of Idaho
Department of Water Resources

Water Right
75-10103

IRRIGATION

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



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

0 0.5 1 2 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

3/16/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 75-10103

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MYRTLE EDWARDS PO BOX 299 SALMON, ID 83467 2087564728
Current Owner	DALE EDWARDS
Current Owner	LAURA EDWARDS PO BOX 846 SALMON, ID 83467 2087563932
Original Owner	EDGAR S EDWARDS PO BOX 299 SALMON, ID 83467 2087564728

Priority Date: 09/14/1914

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.2 CFS	
STOCKWATER	1/01	12/31	0.03 CFS	
Total Diversion			0.2 CFS	

Location of Point(s) of Diversion:

SPRINGS|SWSW|Sec. 11|Township 21N|Range 21E|LEMHI County

SPRINGS|SWSW|Sec. 11|Township 21N|Range 21E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

SCANNED
SEP 19 2022

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>

21N	21E	13	SESW	10								
			SWSE	10								
		14	SESE	35								
		23	NENE	10	SENE	5						
		24	NWNE	35	SWNE	40						
			NENW	15	SWNW	40		SENE	40			
			NESW	40	NWSW	40		SESW	40			
			NWSE	40	SWSE	40						
		25	NWNE	40	SWNE	40						
			SENE	40								
			NESW	40	NESW	40		SESW	40			
			NWSE	40	SWSE	40						
		36	NWNE	40								

Total Acres: 800

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Dates:

Licensed Date:

Decreed Date: 06/11/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 75A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

SCANNED
SEP 19 2022

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED
SEP 19 2022

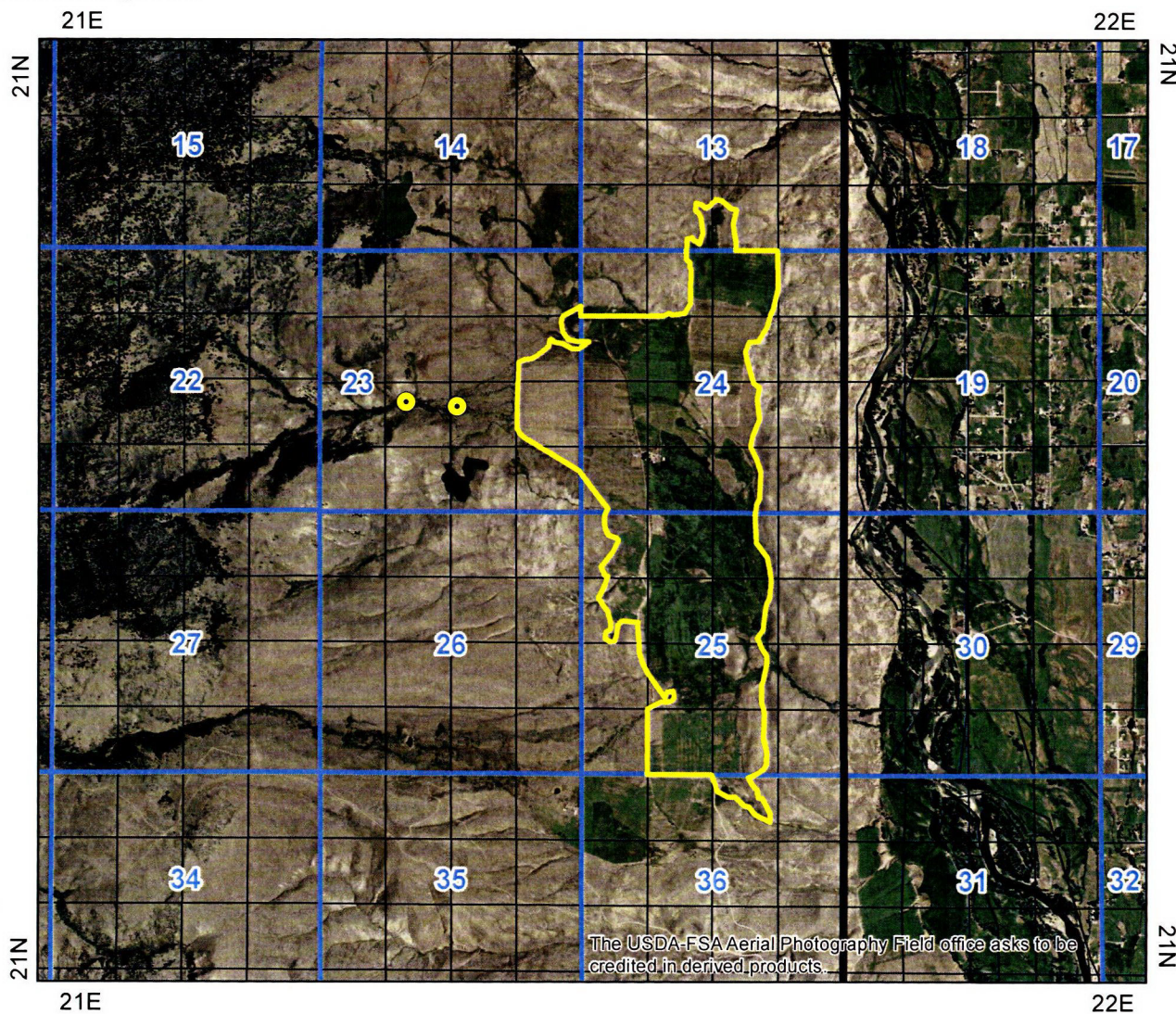
State of Idaho
Department of Water Resources

Water Right

75-14254

IRRIGATION

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



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

0 0.425 0.85 1.7 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

3/16/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 75-14254

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MYRTLE EDWARDS PO BOX 299 SALMON, ID 83467 2087564728
Current Owner	DALE EDWARDS
Current Owner	LAURA EDWARDS PO BOX 846 SALMON, ID 83467 2087563932
Original Owner	EDGAR S EDWARDS PO BOX 299 SALMON, ID 83467 2087564728

Priority Date: 06/01/1952

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GORLEY CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	9.5 CFS	
IRRIGATION STORAGE	04/01	07/31		50 AFA
IRRIGATION FROM STORAGE	04/01	10/31		50 AFA
STOCKWATER	01/01	12/31	0.09 CFS	
DIVERSION TO STORAGE	04/01	10/31	9.5 CFS	
Total Diversion			9.5 CFS	

Location of Point(s) of Diversion:

GORLEY CREEK	NWNESW	Sec. 23	Township 21N	Range 21E	LEMHI County
GORLEY CREEK	NWSE	Sec. 23	Township 21N	Range 21E	LEMHI County
STOCKWATER Use:					

SCANNED
SEP 19 2022

Number of other uses: 400 COWS

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
21N	21E	13		SESW	6									
				SWSE	10									
		23		NENE	0.8		SENE	22						
				NESE	38		SESE	5.2						
		24		NWNE	39		SWNE	26						
				NENW	14		SWNW	40		SENE	40			
				NESW	40		NWSW	40		SWSW	35		SESW	40
				NWSE	27		SWSE	28						
		25		NWNE	30		SWNE	33						
				NENW	40		NWNW	24		SWNW	21		SENE	40
				NESW	36		NWSW	1.5		SESW	40			
				NWSE	31		SWSE	32						
		36		NWNE	12									

Total Acres: 791.5

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 962.8 acres in a single irrigation season. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.
3. E52 The rights listed below are limited to a total combined diversion rate of 28.88 cfs. Combined Right Nos.: 75-2, 75-2162, 75-10046, 75-2034, 75-2035, 75-14254 and 75-10047.
4. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. E53 Right Nos. 75-2034 and 75-14254 are limited to a total combined annual diversion volume of 100 AF.

Dates:

Licensed Date:

Decreed Date: 06/11/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

SCANNED

SEP 19 2022

3/16/2022, 9:42 AM

Other Information:

State or Federal:

Owner Name Connector: And/Or

Water District Number: 75A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 962.8

Combined Volume Limit:

Combined Rate Limit: 28.88

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED

SEP 19 2022

3/16/2022, 9:42 AM

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

3/16/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report

WATER RIGHT NO. 75-15016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DALE C AND LAURA EDWARDS FAMILY TRUST PO BOX 846 SALMON, ID 83467-0846 2087563932

Priority Date: 04/22/2021

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	BILLY CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1 CFS	
IRRIGATION STORAGE	01/01	12/31		27 AFA
IRRIGATION FROM STORAGE	04/01	10/31		27 AFA
Total Diversion			1 CFS	27 AFA

Location of Point(s) of Diversion:

SPRING|SWSE|Sec. 14|Township 21N|Range 21E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
21N	21E	13		SESW	6									
				SWSE	10									
		23		NENE	27		SENE	22						
				NESE	38		SESE	5.2						
		24		NWNE	39		SWNE	26						
				NENW	14		SWNW	40		SENE	40			
				NESW	40		NWSW	40		SWSW	35		SESW	40
				NWSE	27		SWSE	28						
		25		NWNE	30		SWNE	33						
				NENW	40		NWNW	24		SWNW	21		SENE	40
				NESW	36		NWSW	1.5		SESW	40			

SCANNED
SEP 19 2022

Place of Use Legal Description: IRRIGATION STORAGE LEMHI County

[illegible]

Total Acres: 817.7

Conditions of Approval:

1. X35 Rights 75-2, 75-2034, 75-2035, 75-2162, 75-10046, 75-10047, 75-10103 and 75-14254 when combined shall not exceed the irrigation of 962.8 acres.
2. 220 The reservoir established by the storage of water under this right shall not exceed a total capacity of 9.2 acre-feet or a total surface area of 2.3 acres.
3. 259 Right 75-15016 authorizes the storage of an annual total of 27.0 acre-feet, comprised of 9.2 acre-feet to be used for the initial filling or carryover storage of the reservoir, 8.5 acre-feet for the replacement of losses due to seepage and evaporation, and up to 9.3 acre-feet for additional refills.
4. R05 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. 75A.
5. 196 The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
6. 197 Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. 198 When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.
8. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Dates:

Proof Due Date: 09/01/2026

Proof Made Date:

Approved Date: 08/26/2021

Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Application Received Date: 04/22/2021

Protest Deadline Date: 06/07/2021

Number of Protests: 0

Field Exam Date::

Date Sent to State Off:

Date Received at State Off:

SCANNED
SEP 19 2022

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 75A

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED

SEP 19 2022

ATTACHMENT 4

SCANNED
SEP 19 2022

Attachment 4:
Edwards Retained Property

Parcel 1:

A parcel of land being a portion of Section 25, T.21N., R.21E., B.M., Lemhi County, Idaho and more particularly described as follows:

Commencing at an aluminum cap marking the southeast corner of said Section 25,
Thence South 89°56'49" West 1327.48 feet along the South line of said Section 25 to East 1/16 corner common to Sections 25 and 36 marked by an aluminum cap on an iron pin, the **REAL POINT OF BEGINNING**:

Thence continuing along said South line of Section 25, South 89°56'49" West 1327.48 feet to the South 1/4 corner of said Section 25 marked by an aluminum cap on a iron pin;
Thence continuing along said South line of Section 25, South 89°56'49" West 1327.48 feet to the West 1/16 corner common to Sections 25 and 36, marked by an aluminum cap on an iron pin;
Thence North 00°04'14" West 2042.00 feet along the West line of the East 1/2 of the SW 1/4 of said Section 25 to a plastic cap on an iron pin;
Thence North 83°19'46" East 2676.14 feet to the East line of West 1/2 of the SE 1/4 of said Section 25 to a plastic cap on an iron pin;
Thence South 00°00'48" West 2350.41 feet along said East line of West 1/2 of the SE 1/4 of said Section 25 to the **POINT OF BEGINNING**, comprising 133.94 acres, more or less.

SUBJECT TO:

Any easements of record or appearing on the above-described parcel of land.

Parcel 2:

NW1/4 of the NE1/4 of Section 36, T.21N., R.21E., B.M., Lemhi County, Idaho

SCANNED
SEP 19 2022

ATTACHMENT 5

SCANNED
SEP. 19 2022

WHEN RECORDED MAIL TO:

WDS Mountain Springs Ranch, LLC
c/o Woody Smith
1707 North 4000 West
Rexburg, ID 83440

WARRANTY DEED

<u>Grantor</u>	<u>Grantee</u>
DALE C. EDWARDS and LAURA EDWARDS, individually and as TRUSTEES OF THE DALE C. AND LAURA EDWARDS FAMILY TRUST, whose address is P.O. Box 846, Salmon, Idaho 83467	WDS Mountain Springs Ranch, LLC, an Idaho limited liability company, c/o WOODY SMITH, whose address is 1707 North 4000 West, Rexburg, ID 83440

FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, the Grantor hereby sells and forever transfers the following parcels of real property and water rights (the "Property") to the Grantee, including the Grantor's right, title and interest therein:

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

TOGETHER WITH AND INCLUDING any and all fixtures and improvements, any and all appurtenances, tenements, and hereditaments, and any and all rents, issues, and profits that relate or otherwise pertain to the foregoing parcels of real property.

TO HAVE AND TO HOLD the foregoing parcels of real property unto the Grantee and its successors and assigns forever.

Grantor does hereby covenant with and warrant the Grantee that Grantor is lawfully seized in fee simple of the Property, has good right and lawful authority to sell and convey the Property, and that Grantor fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

SUBJECT TO all Schedule B Exceptions as set forth in the First American Title ALTA Commitment for Title Insurance dated December 16, 2021 issued by Lemhi Title Co., ALTA Universal ID: 1041654, Commitment No: 5290, Property Address: 287 Sunrise Road Salmon, Idaho 83467

IN WITNESS WHEREOF, the Grantors hereunto set their hands this 21st day of December, 2021.

WARRANTY DEED - 1

SCANNED

SEP 19 2022

Instrument # 0000326846

DALE C. AND LAURA EDWARDS FAMILY TRUST

By: *Dale C. Edwards*
Dale C. Edwards, individually and as Trustee

By: *Laura Edwards*
Laura Edwards, individually and as Trustee

STATE OF IDAHO)
 : ss.
County of Lemhi)

This record was acknowledged before me on this 21st day of December, 2021, by Dale C. Edwards and Laura Edwards, individually and as Trustees of Dale C. and Laura Edwards Family Trust.

(SEAL)

Angela Morton
NOTARY PUBLIC FOR IDAHO
My Commission Expires:

ANGELA MORTON
Notary Public - State of Idaho
Commission Number 20203462
My Commission Expires 09-08-2026

WARRANTY DEED - 2

Instrument # 0000326846

SCANNED

SEP 19 2022

EXHIBIT A

All that certain real property situated in Lemhi County, State of Idaho, and described as follows:

Parcel 1

The South Half of the Southwest Quarter (S1/2SW1/4) of Section 11, Township 21 North Range 21 East of the Boise Meridian.

Also;

A portion of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section 12, Township 21 North, Range 21, East of the Boise Meridian, being the Southerly 1012 feet thereof, and all of the Southwest Quarter (SW1/4) of Section 12, Township 21 North, Range 21, East of the Boise Meridian;

Also;

The Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) and the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section 13, Township 21 North, Range 21 East, East of the Boise Meridian.

Also;

The West Half of the Southeast Quarter (W1/2SE1/4) and the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section 14, Township 21 North, Range 21 East of the Boise Meridian.

Less:

A fraction of the NW4 of the SE4 of Section 14 Township 21 North Range 21 East Boise Meridian, Lemhi County, Idaho. Containing 5 acres. Commencing at the center of Section 14, the POINT OF BEGINNING. Thence South 209 feet, thence East 1,045 feet, thence North 209 feet, thence West 1,045 feet to the POINT OF BEGINNING.

Also;

The East Half (E1/2) of Section 23, Township 21 North, Range 21 East of the Boise Meridian.

Also;

The Southwest Quarter of the Southeast Quarter (SW1/4SE1/4); the Southwest Quarter (SW1/4); the Northwest quarter of the Northeast Quarter (NW1/4NE1/4); the South Half of the Northwest Quarter (S1/2NW1/4); the Northeast Quarter of the Northwest Quarter (NE1/4NW1/4); the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) and the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 24, Township 21 North, Range 21 East of the Boise Meridian.

Also:

A parcel of land being a portion of Section 25, T.21N., R.21E., B.M., Lemhi County, Idaho and more particularly described as follows:

BEGINNING at an aluminum cap marking the northwest corner of said Section 25:

Thence South $89^{\circ}57'43''$ East 2667.02 feet along the North line of said Section 25 to the North 1/4 corner of said Section 25 marked by an aluminum cap on an iron pin;

Thence continuing along said North line, South $89^{\circ}57'43''$ East 1333.51 feet to the East 1/16 corner common to Sections 24 and 25, marked by an aluminum cap on an iron pin;

Thence South $00^{\circ}01'13''$ East 2636.74 feet along the East line of the West 1/2 of the NE 1/4 of said Section 25 to the Center-East 1/16 corner of said Section 25, marked by an aluminum cap on an iron pin;

Thence South $00^{\circ}00'48''$ West 293.43 feet along the East line of the West 1/2 of the SE 1/4 of said Section 25 to a plastic cap on an iron pin;

Thence South $83^{\circ}19'46''$ West 2676.14 feet to a plastic cap on an iron pin on the West line of the East 1/2 of the SW 1/4 of said Section 25;

Thence North $00^{\circ}04'14''$ West 610.40 feet along said West line of the East 1/2 of the SW 1/4 of Section 25 to the Center-West 1/16 corner of said Section 25;

Thence North $89^{\circ}52'07''$ West 1327.57 feet along the North line of the West 1/2 of the SW 1/4 of said Section 25 to an aluminum cap marking the West 1/4 corner of said Section 25;

Thence North $00^{\circ}19'40''$ West 2630.28 feet along the Westerly line of said Section 25 to the **POINT OF BEGINNING**, comprising 269.01 acres, more or less.

SUBJECT TO:

A roadway right-of-way and easement fifty feet (50') in width for the existing road commonly known as Sunshine Road as depicted on the official public road map of Lemhi County, together with any other easements of record.

Parcel 2: An undivided 50% interest in the following:

The Northwest Quarter of the Northwest Quarter (NW1/4NW1/4), Section 13, Township 21 North, Range 21 East.

The East Half of the Northeast Quarter (E1/2NE1/4) and the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) of Section 14, Township 21 North, Range 21 East of the Boise Meridian.

(Note: Remaining 50% interest owned by Paul W. Edwards.)

WARRANTY DEED - 4

Instrument # 0000326846

SCANNED

SEP 19 2022

WATER RIGHTS

1.25 cfs of water right no. 75-2034 and

All of water right nos.:

75-2

75-2035

75-2162

75-10046

75-10047

75-10103

75-14254

75-10048

75-10049

75-10051

75-10052

75-15016

WARRANTY DEED - 5

Instrument # 0000326846

SCANNED

SEP 19 2022

ATTACHMENT 6

SCANNED
SEP 19 2022

ATTACHMENT 7

SCANNED
SEP 19 2022

WATER DELIVERY AND USE AGREEMENT

This Water Delivery and Use Agreement ("Agreement") is entered into between DALE C. EDWARDS and LAURA EDWARDS, Trustees of the DALE C. AND LAURA EDWARDS FAMILY TRUST, whose address is PO Box 846, Salmon, Idaho 83467 ("Edwards"), and WDS MOUNTAIN SPRINGS RANCH, LLC, an Idaho limited liability company, c/o Woody Smith, whose address is 1707 North 4000 West, Rexburg, ID 83440, and or/assigns ("Smith"). Edwards and the Smith are referred to collectively herein as the "parties."

This Agreement shall be executed and effective as of the date of closing of the Purchase and Sale Agreement dated November 30, 2021, between Edwards and Smith scheduled to close on or before December 21, 2021.

RECITALS

- A. Edwards own 1.25 cfs of water right no. 75-2034 in Gorley Creek (hereinafter the "Edwards Water Right").
- B. The Edwards Water Right is appurtenant to certain real property owned by Edwards described in *Exhibit A-1* attached hereto and incorporated by reference (hereinafter "Edwards Property").
- C. Smith acquired from Edwards and is the owner of all other irrigation, stock water and domestic water rights appurtenant to Smith's property, including 1.25 cfs of water right no. 75-2034, and all of water right nos. 75-2, 75-2035, 75-2162, 75-10046, 75-10047, 75-10103, 75-14254, 75-10048, 75-10049, 75-10051, 75-10052, and 75-15016 (collectively the "Smith Water Rights").
- D. The Smith Water Rights are appurtenant to the real property described in *Exhibit A-2* attached hereto and incorporated by reference (hereinafter the "Smith Property").
- E. The Edwards Water Right and the Smith Water Rights for irrigation purposes have been historically diverted, combined, and delivered in priority through a system of headgates, measuring devices, pipelines and ditches to their authorized places of use within the Edwards property and the Smith Property ("Delivery System") which the parties desire to memorialize pursuant to this Agreement.
- F. The Edwards contemplate constructing a buried pipeline to deliver the Edwards Water Right from the point of diversion in Gorley Creek #2 ditch to the place of use in the Edwards Property ("Edwards Pipeline"). The Edwards have reserved an easement on, over, and through the Smith Property to construct, own, operate, and maintain the Edwards Pipeline.

G. The parties desire to enter into this Agreement to provide for the foregoing and for the delivery and use of their respective water rights and delivery systems in accordance with historic quantities delivered to the Edwards Property and Smith Property.

NOW, THEREFORE, for the reasons set forth above, and in consideration of the mutual covenants and promises of the parties contained herein, the parties covenant and agree as follows:

AGREEMENT

- 1. Delivery of Edwards Water Rights.** Smith agrees to divert and deliver the Edwards Water Right in priority through the Delivery System to the Edwards Property, except during time as the Edwards Pipeline is constructed and operating when Edwards shall be solely responsible for the diversion and delivery of the Edwards Water Right Measuring devices will be installed as needed for regulation purposes.
- 2. Edwards Pipeline.** Edwards may construct at their sole expense a buried pipeline through the Smith Property to divert the Edwards Water Right from Gorley Creek and deliver the same to the Edwards Property.
 - 2.1 Edwards will use their best efforts to complete the design and installation of the Edwards Pipeline within two (2) years and will be sized to contain all of the Edwards Water Right.
 - 2.2 During times that the Edwards Pipeline is operating the Edwards Water Right will be delivered through the Edwards Pipeline to the Edwards Property and Edwards will cease using the Delivery System below the pipeline.
 - 2.3 Smith grants Edwards an easement 25' in width on, over and through the Smith Property to construct, own, operate, maintain, and replace, as necessary, the Edwards Pipeline. The exact location of the Edwards Pipeline and easement shall be determined by Edwards and located by survey.
- 3. Delivery System Operation and Maintenance Costs.**
 - 3.1 Smiths and Edwards shall be mutually responsible for all costs relating to operating and maintaining the jointly used portion of the Delivery System from the point of diversion to the Edwards pipeline.

3.2 Edwards shall be solely responsible for all costs relating to operating and maintaining their pipeline together with the costs of constructing, operating, maintaining, and replacing the Edwards Pipeline.

4. **Term.** This Agreement shall commence on the date entered into above and shall continue in perpetuity unless and until terminated by mutual agreement of the parties.

5. **Easement and Access.** Smith grants Edwards all easements and access necessary for access, control, maintenance, repair, replacement, and observation of the Edwards Pipeline and also the Delivery System to ensure the proper measurement and delivery of the water rights through the Delivery System from the point of diversion in Gorley Creek to Edward's pipeline in the manner specified above, including use of Smiths' ranch roads to access same.

6. **Cooperation.** The parties will cooperate, communicate, and act in good faith with each other as may be reasonable and necessary in exercising their rights and performing their responsibilities pursuant to this Agreement.

7. **Ownership Change and Transfer Applications.** As soon as practical following the Effective Date of this Agreement the parties will file with the Idaho Department of Water Resources a Notice of Change of Water Right Ownership for the purpose of establishing ownership of their respective water rights, together with such Applications for Transfer as may be necessary to change the places of use of the parties' respective water rights in accordance with this Agreement.

8. **Default.** In the event any party fails to perform any of the terms, conditions or provisions of this Agreement, and fails to cure such default within thirty (30) days of receipt of written notice of default, the non-defaulting party may elect any one of the following remedies, which are the sole and exclusive remedies available:

- (a) recover damages resulting from the default; or
- (b) obtain specific performance of this Agreement.

9. **Legal Fees.** In the event legal action is undertaken to enforce this Agreement through arbitration or litigation as proved for herein, the prevailing party shall be entitled to recover reasonable attorney fees and costs.

10. **Dispute Resolution.** Any substantial dispute between the parties shall be resolved in accordance with the following provisions:

- (a) **Good Faith Negotiation.** Upon written notice from one party to the other, authorized representatives of the parties will attempt in good faith to resolve

the dispute by negotiation. The written notice shall include a general statement of the claims and positions of the aggrieved party. This statement need not be complete and will not limit the claims of a party in any future proceeding. The statement shall indicate it is being submitted under the dispute resolution process of this Agreement. If the parties cannot resolve the dispute within 30 days after receipt of the written statement, the aggrieved party may proceed with mediation.

- (b) Mediation. If the dispute cannot be resolved by good faith negotiation, either party may demand that the dispute be subjected to mediation by a mediator designated by mutual agreement of the parties. Unless otherwise agreed, the mediation will be held in Lemhi County, Idaho. Mediator costs will be split equally between the parties.
- (c) Litigation. Litigation is allowed between the parties only (i) if the dispute is not resolved by mediation, (ii) for the purpose of enforcing a settlement agreement entered into between the parties, or (iii) to seek temporary injunctive relief if a party deems such action necessary to avoid irreparable damage. The pursuit or granting of temporary injunctive relief shall not excuse the parties from participating in good faith negotiation and mediation as set forth above.
- (d) Attorney Fees. The prevailing party in any litigation is entitled to recover reasonable attorney fees and costs, but not to exceed the total cumulative liability of the non-prevailing party.
- (e) Governing Law, Jurisdiction, and Venue. This Agreement will be construed and interpreted in accordance with the laws of the State of Idaho. The parties agree that the courts of Idaho shall have exclusive jurisdiction and agree that Lemhi County is the proper venue.
- (f) Exclusive Procedures. The procedures specified in this paragraph shall be the sole and exclusive procedures for the resolution of disputes between the parties. All applicable statutes of limitation shall be tolled while the procedures specified in this paragraph are pending.

11. **Notices.** All notices required to be given pursuant to this Agreement shall be served upon the parties by certified mail, return receipt requested, at the following addresses:

Dale C. and Laura Edwards Family Trust
Dale C. Edwards and Laura Edwards, Trustees
PO Box 846
Salmon, Idaho 83467

WDS Mountain Springs Ranch, LLC
c/o Woody Smith
707 North 4000 West
Rexburg, ID 83440

12. Binding Effect. All of the terms, conditions and covenants of this Agreement shall be binding upon the parties and shall inure to the benefits of all successors and assigns of the parties hereto.

13. Assignability. This Agreement shall be assignable by either party in conjunction with transfer of their property to which their water rights are appurtenant. The Agreement is assignable to others only with the express written consent of both parties.

14. Amendment. This Agreement may only be modified or amended in writing signed by the parties hereto, or their successors in interest.

15. Recording. This Agreement shall be recorded in the Lemhi County Recorder's Office.

[End of Agreement; Signatures on Following Page]

IN WITNESS WHEREOF, the parties have executed this Agreement effective on the date recited above.

DALE C. AND LAURA EDWARDS FAMILY TRUST

By: 
Dale C. Edwards, Trustee

By: 
Laura Edwards, Trustee

SMITH

WDS MOUNTAIN SPRINGS RANCH, LLC

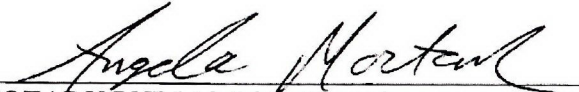
By: 
Woodruff Smith, Manager

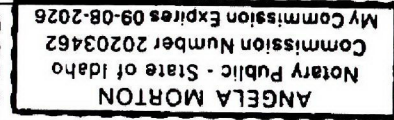
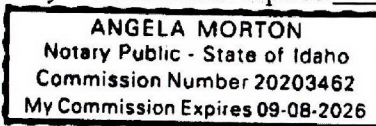
ACKNOWLEDGMENTS

STATE OF IDAHO)
 : ss.
County of Lemhi)

This record was acknowledged before me on this 21st day of December, 2021, by Dale C. Edwards and Laura Edwards, as Trustees of Dale C. and Laura Edwards Family Trust.

(SEAL)


NOTARY PUBLIC FOR IDAHO
My Commission Expires: _____



STATE OF IDAHO)
 : ss.
County of Lemhi)

This record was acknowledged before me on this 21st day of December, 2021, by Woodruff Smith, as Manager of WDS Mountain Springs Ranch, LLC.

(SEAL)

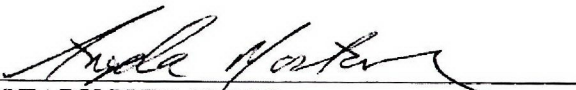

NOTARY PUBLIC FOR _____
My Commission Expires: _____



EXHIBIT A-1
Edwards Property

SELLER'S RETAINED PROPERTY
133.94 ACRES + 40 ACRES

NW1/4NE1/4, Section 36, T.21N., R.21E., B.M. Lemhi County, Idaho, comprising 40 acres.

A parcel of land being a portion of Section 25, T.21N., R.21E., B.M., Lemhi County, Idaho and more particularly described as follows:

Commencing at an aluminum cap marking the southeast corner of said Section 25,
Thence South 89°56'49" West 1327.48 feet along the South line of said Section 25 to East 1/16 corner common to Sections 25 and 36 marked by an aluminum cap on an iron pin, the **REAL POINT OF BEGINNING**:

Thence continuing along said South line of Section 25, South 89°56'49" West 1327.48 feet to the South 1/4 corner of said Section 25 marked by an aluminum cap on a iron pin;
Thence continuing along said South line of Section 25, South 89°56'49" West 1327.48 feet to the West 1/16 corner common to Sections 25 and 36, marked by an aluminum cap on an iron pin;
Thence North 00°04'14" West 2042.00 feet along the West line of the East 1/2 of the SW 1/4 of said Section 25 to a plastic cap on an iron pin;
Thence North 83°19'46" East 2676.14 feet to the East line of West 1/2 of the SE 1/4 of said Section 25 to a plastic cap on an iron pin;
Thence South 00°00'48" West 2350.41 feet along said East line of West 1/2 of the SE 1/4 of said Section 25 to the **POINT OF BEGINNING**, comprising 133.94 acres, more or less.

SUBJECT TO:

Any easements of record or appearing on the above described parcel of land.

EXHIBIT A-2
Smith Property

All that certain real property situated in Lemhi County, State of Idaho, and described as follows:

Parcel 1

The South Half of the Southwest Quarter (S1/2SW1/4) of Section 11, Township 21 North Range 21 East of the Boise Meridian.

Also;

A portion of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section 12, Township 21 North, Range 21, East of the Boise Meridian, being the Southerly 1012 feet thereof, and all of the Southwest Quarter (SW1/4) of Section 12, Township 21 North, Range 21, East of the Boise Meridian;

Also;

The Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) and the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section 13, Township 21 North, Range 21 East, East of the Boise Meridian.

Also;

The West Half of the Southeast Quarter (W1/2SE1/4) and the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section 14, Township 21 North, Range 21 East of the Boise Meridian

Less:

A fraction of the NW4 of the SE4 of Section 14 Township 21 North Range 21 East Boise Meridian, Lemhi County, Idaho. Containing 5 acres. Commencing at the center of Section 14, the POINT OF BEGINNING. Thence South 209 feet, thence East 1,045 feet, thence North 209 feet, thence West 1,045 feet to the POINT OF BEGINNING.

Also;

The East Half (E1/2) of Section 23, Township 21 North, Range 21 East of the Boise Meridian.

Also;

The Southwest Quarter of the Southeast Quarter (SW1/4SE1/4); the Southwest Quarter (SW1/4); the Northwest quarter of the Northeast Quarter (NW1/4NE1/4); the South Half of the Northwest Quarter (S1/2NW1/4); the Northeast Quarter of the Northwest Quarter (NE1/4NW1/4); the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) and the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 24, Township 21 North, Range 21 East of the Boise Meridian.

Also:

A parcel of land being a portion of Section 25, T.21N., R.21E., B.M., Lemhi County, Idaho and more particularly described as follows:

BEGINNING at an aluminum cap marking the northwest corner of said Section 25:

Thence South 89°57'43" East 2667.02 feet along the North line of said Section 25 to the North 1/4 corner of said Section 25 marked by an aluminum cap on an iron pin;

Thence continuing along said North line, South 89°57'43" East 1333.51 feet to the East 1/16 corner common to Sections 24 and 25, marked by an aluminum cap on an iron pin;

Thence South 00°01'13" East 2636.74 feet along the East line of the West 1/2 of the NE 1/4 of said Section 25 to the Center-East 1/16 corner of said Section 25, marked by an aluminum cap on an iron pin;

Thence South 00°00'48" West 293.43 feet along the East line of the West 1/2 of the SE 1/4 of said Section 25 to a plastic cap on an iron pin;

Thence South 83°19'46" West 2676.14 feet to a plastic cap on an iron pin on the West line of the East 1/2 of the SW 1/4 of said Section 25;

Thence North 00°04'14" West 610.40 feet along said West line of the East 1/2 of the SW 1/4 of Section 25 to the Center-West 1/16 corner of said Section 25;

Thence North 89°52'07" West 1327.57 feet along the North line of the West 1/2 of the SW 1/4 of said Section 25 to an aluminum cap marking the West 1/4 corner of said Section 25;

Thence North 00°19'40" West 2630.28 feet along the Westerly line of said Section 25 to the **POINT OF BEGINNING**, comprising 269.01 acres, more or less.

SUBJECT TO:

A roadway right-of-way and easement fifty feet (50') in width for the existing road commonly known as Sunshine Road as depicted on the official public road map of Lemhi County, together with any other easements of record.

Parcel 2: An undivided 50% interest in the following:

The Northwest Quarter of the Northwest Quarter (NW1/4NW1/4), Section 13, Township 21 North, Range 21 East.

The East Half of the Northeast Quarter (E1/2NE1/4) and the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) of Section 14, Township 21 North, Range 21 East of the Boise Meridian.

(Note: Remaining 50% interest owned by Paul W. Edwards.)

ATTACHMENT 8

SCANNED
SEP 19 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

September 19, 2022

WDS MOUNTAIN SPRINGS RANCH LLC
1707 N 4000 W
REXBURG ID 83440-3104

Re: Transfer No: 86107
Water Right No(s): 75-2, 75-2034, 75-2035, 75-2162, 75-10046, 75-10047,
75-10052, 75-10103, 75-14254

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
SEP 26 2022

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

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

Sincerely,



Christina Henman
Administrative Assistant

Enclosure
CC:

RANDALL C BUDGE
PO BOX 1391
POCATELLO ID 83204-1391

DALE EDWARDS
LAURA EDWARDS
PO BOX 846
SALMON ID 83467

SCANNED
SEP. 26 2022

CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2022 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 86107

**Water Right No(s): 75-2, 75-2034, 75-2035, 75-2162, 75-10046, 75-10047,
75-10052, 75-10103, 75-14254**

**WDS MOUNTAIN SPRINGS RANCH LLC
1707 N 4000 W
REXBURG ID 83440-3104**

**RANDALL C BUDGE
PO BOX 1391
POCATELLO ID 83204-1391**

**DALE EDWARDS
LAURA EDWARDS
PO BOX 846
SALMON ID 83467**



**Christina Henman
Administrative Assistant**

SCANNED

SEP 26 2022

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: September 13, 2022
To: Transfer 86107
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This is one of two transfer applications filed concurrently that split the irrigation element of water right 75-2034 and rearrange the place of use for the split portions. This transfer application takes half (205 acres) of the irrigation element of water right 75-2034 and combines it with eight other water rights to create a 835.3-acre combined place of use. Companion transfer application 86191 addresses the other half of the irrigation element of water right 75-2034. The storage element of water right 75-2034 is included in this application (86107).

The original application proposed a place of use of 845.8 acres. IDWR discovered that the acres per QQ did not match the acres under the proposed place of use shape. After the applicant was made aware of the discrepancy, the applicant updated the proposed place of use QQ table to match the map. The amended place of use covers 835.3 acres.

Authority to File:

The applicant, WDS Mountain Springs Ranch LLC, has the authority to file. Myrtle, Dale and Laura Edwards are the owners of record for the rights. Application included a warranty deed, Instrument No. 326846, and Water Delivery and Use Agreement, Instrument No. 326848, specifically conveying the water rights from the owners of record to WDS Mountain Springs Ranch LLC. The deed also covered the land pre-transfer and post-transfer irrigation place of use. The points of diversion and the location of the reservoir for the irrigation storage components of 75-15039, 75-10047, and 75-14254 are historical and are not changing. Ownership of the conveyed rights will be updated to WDS Mountain Springs Ranch LLC as part of the transfer's approval.

The application was signed by Randall Budge, attorney for the applicant.

Water Right Validity:

The water rights are valid for transfer and were decreed in 2009. This application and Application 86191 together affect the entire place of use of the water rights. The applicants asserted that they have watered the entire decreed place of use at least once per year, according to an email from their attorney dated July 28, 2022. Aerial imagery confirms active irrigation of the existing place of use.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer. The Watermaster for Water District 75A was notified of the transfer and did not comment.

Enlargement of Use:

This transfer application was reviewed in conjunction with companion Transfer 86191. No enlargement of use will result from the approval of the applications. For the purposes of these transfers, 75-10052, 75-4105, and 75-10103 were considered fully stacked with the overlapping water rights. Total rate nor irrigated acres are authorized to increase.

SCANNED
SEP 19 2022

The primary purpose of the transfers was to split 75-2034. 1.25 cfs, or half of the right's irrigation rate, has been retained by Dale and Laura Edwards and is updated through Transfer 86191. The remainder of water right 75-2034, including the storage elements, have been conveyed to WDS and is updated through this transfer. Prior to the transfer, water right 75-2034 authorized a diversion rate of 2.50 cfs for irrigation and 2.50 cfs for diversion to storage, with a total diversion rate of 2.50 cfs. Because 1.25 cfs of the rate is being retained by Edwards, the remaining elements must be reduced to 1.25 cfs, including the diversion to storage rate, to prevent enlargement.

Prior to the transfer, water right 75-2034 authorized a diversion rate of 2.50 cfs and the irrigation of 410 acres. In Application 86191, Edwards propose to consolidate 1.25 cfs onto 127.5 acres. This is still less than 0.02 cfs per acre.

All of 75-2034's storage elements are included in the split water right (75-15039), as indicated in an email from the applicant's attorney dated August 29, 2022. The remainder of 75-2034 appears in this transfer as it does in the approval documents of Transfer 86191, which consolidates the remaining 205 acre irrigation portion onto 127.5 acres.

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.

Fritz, Cooper

From: Randy Budge <randy@racineolson.com>
Sent: Monday, August 29, 2022 5:35 PM
To: Fritz, Cooper
Cc: Randy Budge; Dale and Laura Edwards (gorley@centurytel.net)
Subject: RE: WDS and Edwards Transfers -- Amended Places of Use

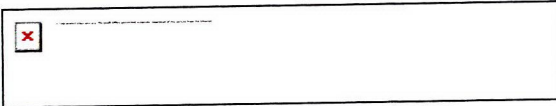
CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Cooper,

I checked with the Edwards and it is their intent that all of the Gorley Creek storage right go to WDS. They also confirmed that the reservoir is all on the WDS property.

Randy

Randall C. Budge
Attorney



201 E. Center Street / P.O. Box 1391
Pocatello, Idaho 83204
(208)232-6101 - Phone
(208)232-6109 - Fax

racineolson.com

CONFIDENTIALITY NOTICE - This email and its attachments may contain information that is confidential, privileged, or otherwise protected from disclosure. If you believe this email may have been sent to you in error, please notify the sender immediately.

From: Fritz, Cooper <Cooper.Fritz@idwr.idaho.gov>
Sent: Monday, August 22, 2022 2:15 PM
To: Randy Budge <randy@racineolson.com>
Subject: WDS and Edwards Transfers -- Amended Places of Use

Hi Randy,

Attached is my interpretation of the place of use proposed by the two transfers.

The 11 water rights are considered stacked for the purposes of this transfer, so they division of ½ of 75-2034 into the group of eight other water rights on the WDS Mountain Springs Ranch, LLC, property and the other half combining post-transfer with 75-4105 and 75-10050 should not be an issue.

OLD 10310
ACUMED

RECEIVED
AUG 29 2022
Department of Water Resources
Eastern Region

In all, then, the two places of use should add up to 962.8 acres. The only change in the place of use comes in the Section 25 NESW and NWSE, where the rights are being split. In the proposed place of use, my calculations are based on aerial photography via ArcMap.

If you agree with the places of use, the primary information remaining is: Are the Edwards' keeping all of the storage component of 75-2034, or selling half of it?

From: Randy Budge <randy@racineolson.com>

Sent: Thursday, July 28, 2022 5:34 PM

To: Fritz, Cooper <Cooper.Fritz@idwr.idaho.gov>

Cc: Randy Budge <randy@racineolson.com>; Dale and Laura Edwards (gorley@centurytel.net) <gorley@centurytel.net>

Subject: RE: WDS Mountains Springs Ranch, LLC, Water Right Transfer

Fritz,

I just reached Edwards by phone. They have been vacationing and Laura had a knee replacement the reasons for the delayed response. Discussing by phone they have reiterated that in low water years there might not be sufficient water to fully irrigate the property, but that they always get one irrigation on all acres in the identified POU. They will be home from Boise tomorrow and will go back and double check the maps and legal to re-confirm.

Randy

Randall C. Budge

Attorney



201 E. Center Street / P.O. Box 1391

Pocatello, Idaho 83204

(208)232-6101 - Phone

(208)232-6109 - Fax

racineolson.com

CONFIDENTIALITY NOTICE - This email and its attachments may contain information that is confidential, privileged, or otherwise protected from disclosure. If you believe this email may have been sent to you in error, please notify the sender immediately.

SCANNED
SEP 19 2022

MEMORANDUM

Date: June 16, 2022
To: Transfer 86107
From: Cooper Fritz
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
SEP 19 2022

Fritz, Cooper

From: Fritz, Cooper
Sent: Thursday, May 26, 2022 4:51 PM
To: clintanders77@outlook.com
Subject: Notice of Proposed Water Right Transfer (Place of Use Change)
Attachments: Transfer 86107.pdf; Transfer 86191.pdf; Water Master Comment 86107.docx; Water Master Comment_86191.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the attached water right transfer applications. Please review the applications, then complete the enclosed recommendation form and return them to this office within 14 days of the date of this letter.

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

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 14 days from the date of this letter, IDWR will presume that you do not oppose approval of the applications and that you have no comments for IDWR to consider.

Please contact Cooper Fritz at the Eastern Regional office (208 715 0559) if you have any questions regarding the application.