

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 87702  
10.0 acre Transfer Irrigation

**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](http://idwr.idaho.gov).

Name of Applicant(s) Gardner Farms

**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 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: \_\_\_\_\_

MAR 23 2023

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources  
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of Applicant(s) Gardner Farms Phone 2086042292  
 Mailing address 578 N 100 W BLACKFOOT, ID 83221 Email \_\_\_\_\_

- ☐ 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 Greg Sullivan Phone 208-736-8543  
 Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

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

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

[Signature]  
 Signature of Applicant or Authorized Representative

David Case  
 Print Name and Title if applicable

2-6-23  
 Date

David Cooper  
 Signature of Applicant or Authorized Representative

David Cooper  
 Print Name and Title if applicable

2-6-23  
 Date

## A. PURPOSE OF TRANSFER

- ☒ Change point of diversion  
☐ Change nature of use
 ☐ Add diversion point(s)  
☐ Change period of use
 ☒ Change place of use  
☐ Other \_\_\_\_\_
- Is this a transfer for changes pursuant to [Idaho Code §42-221.O.8?](#)  
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.  
This transfer will move 10.0 acres of irrigation from 35-2177 into a 320.0 acre permissible place of use with an existing well, mainlines and irrigation systems.

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<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|--------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|--------------------|
| <input type="checkbox"/> All or <input checked="" type="checkbox"/> Part | 35-2177      | 0.20/40.0             | Irrigation    | 4/01 to 10/31 | Ground Water       |
| <input type="checkbox"/> <input checked="" type="checkbox"/>             |              |                       |               | to            |                    |
| <input checked="" type="checkbox"/> <input type="checkbox"/>             |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                        |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                        |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                        |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                        |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                        |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                        |              |                       |               | to            |                    |

Total authorized under rights 4.2 cfs and/or 840 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.20 cubic feet per second and/or 40.0 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 # |
|-------|-----|----|----|----|-----|-----|-----|---------|--------------|---------------------|
|       |     | NW | SW | SW | 1   | 1S  | 34E | Bingham | Ground Water |                     |
|       |     |    |    |    |     |     |     |         |              |                     |
|       |     |    |    |    |     |     |     |         |              |                     |
|       |     |    |    |    |     |     |     |         |              |                     |
|       |     |    |    |    |     |     |     |         |              |                     |

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

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

| Twp                              | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Acre Totals |
|----------------------------------|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|-------------|
|                                  |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |             |
| 01S                              | 34E | 1   |      |    |    |    |      |    |    |    | 40   | 40 | 40 | 40 |      |    |    |    | 160.0       |
| 01S                              | 34E | 2   |      |    |    |    |      |    |    |    |      |    |    |    | 40   | 40 | 40 | 40 | 160.0       |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
| Total Acres (for irrigation use) |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    | 320.0       |

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:

Existing POD, mainlines and delivery system.

- b. Who owns the property at the point(s) of diversion? The 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: Rabo Agrifinance

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:

The land now irrigated will be dried up and no longer irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

None

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

**Yes No**

- |                          |                                     |                                                                                               |
|--------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

A portion of water right 35-2177 will be leased into the Water Supply Bank for 2023.



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

**Current Water Right No.:** 35-2177

Current Owner: GARDNER FARMS  
Priority Date: 6/30/1950  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>  | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 4/01 to 10/31          | 4.2 CFS                      | 840 AF                      |
|                              | <u>Total Diversion</u> | 4.2 CFS                      | 840 AF                      |

**Location of Point(s) of Diversion**

GROUND WATER  
BINGHAM County

L2(SE1/4SW1/4NW1/4)      Sec. 30,    Twp 01S,    Rge 36E B.M.

**Place of Use**

**IRRIGATION Within BINGHAM County**

|                          |      |       |               |               |       |
|--------------------------|------|-------|---------------|---------------|-------|
| T01S R35E S25            | NESE | 15.00 | T01S R35E S25 | SESE          | 10.00 |
| T01S R36E S30            | SWNE | 20.00 | T01S R36E S30 | Lot 1    NWNW | 15.00 |
| T01S R36E S30      Lot 2 | SWNW | 16.00 | T01S R36E S30 | SENE          | 39.00 |
| T01S R36E S30            | NESW | 36.00 | T01S R36E S30 | Lot 3    NWSW | 15.00 |
| T01S R36E S30            | NWSE | 40.00 | T01S R36E S30 | SWSE          | 4.00  |

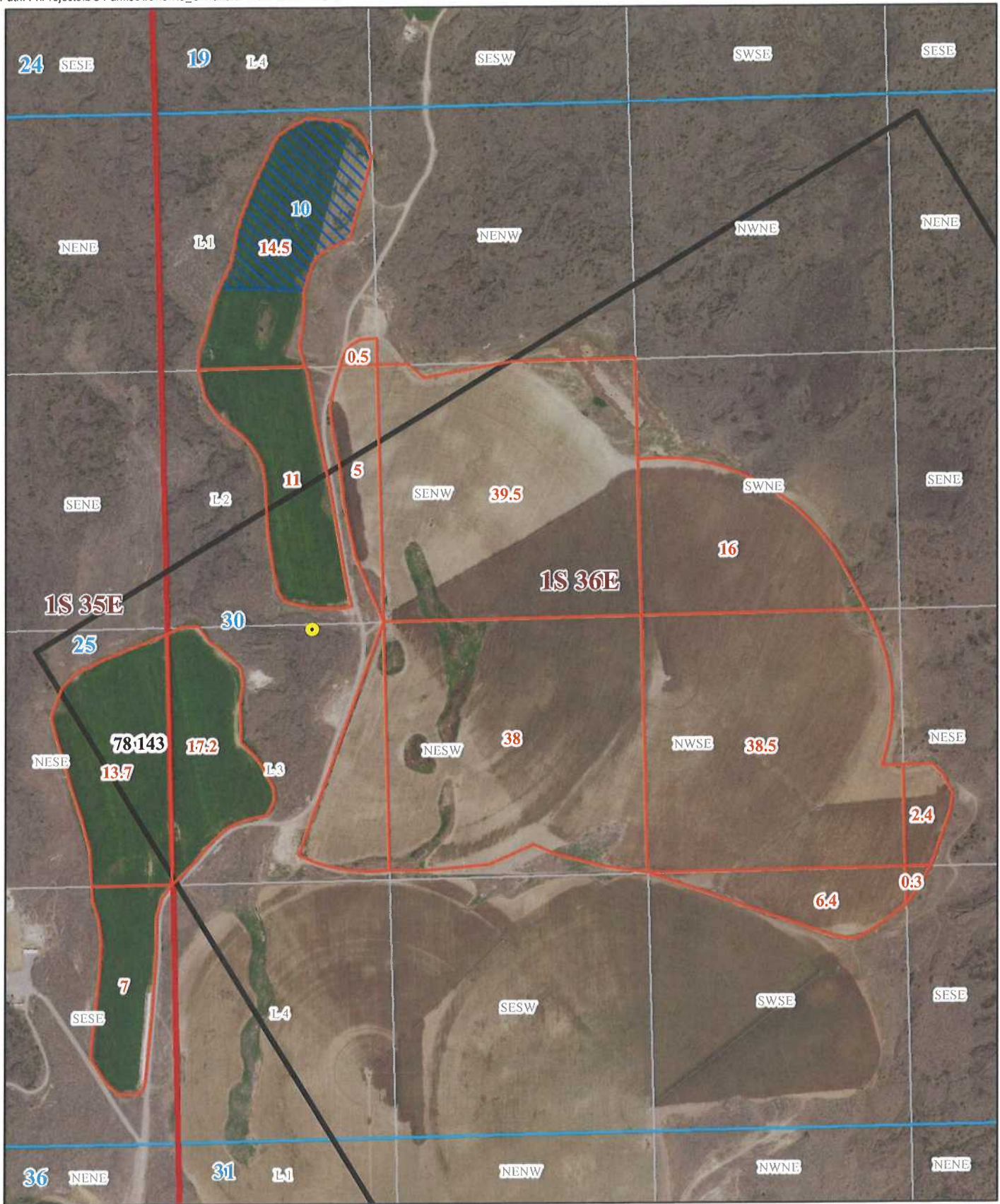
Total Acres: 210

**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.

Decreed Date: 4/30/2002



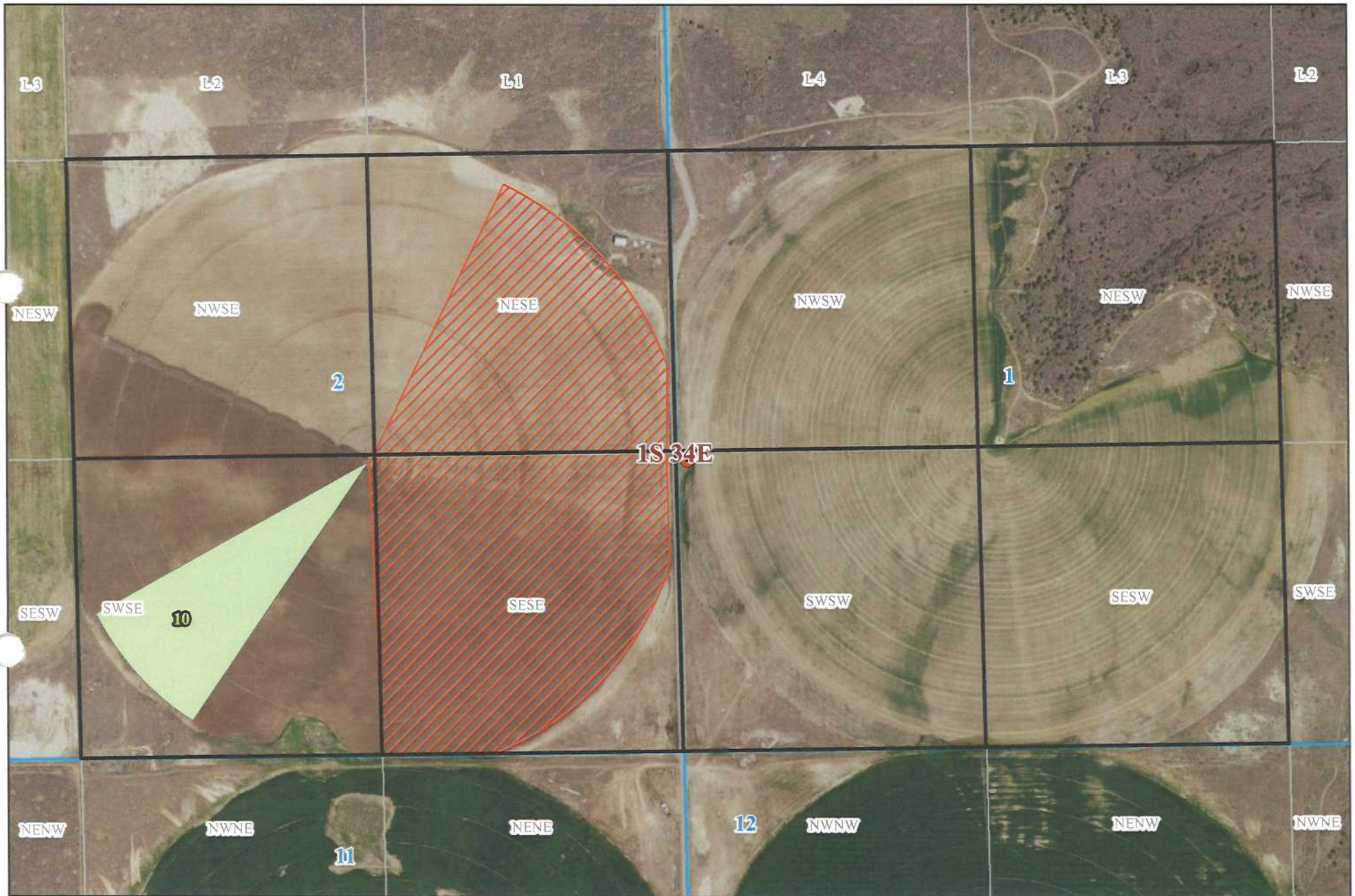


**GARDNER FARMS**  
**WATER RIGHT 35-2177**

2021 NAIP AERIAL

**Legend**

- Irrigation Well
- 35-2177
- 35-2177 Transfer Acres
- ESPA Cells



0 500 1,000 Feet

BROCKWAY ENGINEERING, PLLC.  
GWS -Date: 3/8/2023

## GARDNER FARMS FARM 13

2021 NAIP AERIAL

### Legend

- Well
- PPU
- 35-2177 Transfer
- Farm 13 POU

87702

Trimester 

## One-Way Analysis of Independent Transfers

| WR No. | Div. Rate<br>(CFS) | Con. Vol.<br>(AFA) | No. of Irr.<br>Acres | Priority<br>Date | POD<br>Location | Dedicated Vol.<br>AFA/ AFT | Model<br>Node |
|--------|--------------------|--------------------|----------------------|------------------|-----------------|----------------------------|---------------|
|--------|--------------------|--------------------|----------------------|------------------|-----------------|----------------------------|---------------|

### Transfer 1: Worst Case Transient State Impacts following Transfer

Read Me

| WR No. | Div. Rate<br>(CFS) | Con. Vol.<br>(AFA) | No. of Irr.<br>Acres | Priority<br>Date | POD<br>Location | Dedicated Vol.<br>AFA/ AFT | Model<br>Node |
|--------|--------------------|--------------------|----------------------|------------------|-----------------|----------------------------|---------------|
|--------|--------------------|--------------------|----------------------|------------------|-----------------|----------------------------|---------------|

### Transfer 1: Worst Case Transient State Impacts following Transfer

|   |   |   |   |          |   |     |   |   |
|---|---|---|---|----------|---|-----|---|---|
| 0 | 0 | 0 | 0 | 1/0/1900 | 0 | 0.0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 1/0/1900 | 0 | 0.0 | 0 | 0 |

[illegible]

# ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

ENTER STARTING DATE FOR

SIMULATION. THEN PUSH

"UPDATE DATES" BUTTON

YEAR

1949

SEASON

SPRING

TRANSFER NO:

0

TRANSFER NAME:

ENTER CELL LOCATIONS:

|        | 'TO' CELL | 'FROM1' CELL | 'FROM2' CELL | 'FROM3' CELL |
|--------|-----------|--------------|--------------|--------------|
| ROW    | 71        | 78           | 0            | 0            |
| COLUMN | 139       | 143          | 0            | 0            |

10

| TRIMESTER OF ACTIVITY | TO WELL                    | FROM1 WELL                 |                               | FROM2 WELL                 |                               | FROM3 WELL                 |                               |
|-----------------------|----------------------------|----------------------------|-------------------------------|----------------------------|-------------------------------|----------------------------|-------------------------------|
|                       | Projected Use AF/TRIMESTER | With Transfer AF/TRIMESTER | Without Transfer AF/TRIMESTER | With Transfer AF/TRIMESTER | Without Transfer AF/TRIMESTER | With Transfer AF/TRIMESTER | Without Transfer AF/TRIMESTER |
| SPR 1949              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1949              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1949              | 0.0                        | 0.0                        | 0.0                           | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1950              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1950              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1950              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1951              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1951              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1951              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1952              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1952              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1952              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1953              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1953              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1953              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1954              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1954              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1954              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1955              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1955              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1955              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1956              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1956              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1956              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1957              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1957              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1957              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1958              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1958              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1958              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1959              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1959              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1959              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1960              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1960              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1960              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1961              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1961              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1961              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SPR 1962              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| SUM 1962              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |
| WIN 1962              | 0.0                        | 10.0                       | 10.0                          | 0.0                        | 0.0                           | 0.0                        | 0.0                           |

87702

[illegible]

87702



|          |      |      |      |     |     |     |     |
|----------|------|------|------|-----|-----|-----|-----|
| SPR 2013 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2013 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2013 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2014 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2014 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2014 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2015 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2015 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2015 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2016 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2016 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2016 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2017 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2017 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2017 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2018 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2018 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2018 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2019 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2019 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2019 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2020 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2020 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2020 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2021 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2021 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2021 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2022 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2022 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2022 | 0.0  | 10.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2023 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2023 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2023 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2024 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2024 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2024 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2025 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2025 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2025 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2026 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2026 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2026 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2027 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2027 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2027 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2028 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2028 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2028 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2029 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2029 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2029 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2030 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2030 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2030 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2031 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2031 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2031 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2032 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2032 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2032 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2033 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2033 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2033 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2034 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2034 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2034 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2035 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2035 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2035 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2036 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2036 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2036 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2037 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2037 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2037 | 10.0 | 0.0  | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |

[illegible]



|          |      |     |      |     |     |     |     |
|----------|------|-----|------|-----|-----|-----|-----|
| SPR 2088 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2088 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2088 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2089 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2089 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2089 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2090 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2090 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2090 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2091 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2091 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2091 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2092 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2092 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2092 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2093 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2093 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2093 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2094 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2094 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2094 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2095 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2095 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2095 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2096 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2096 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2096 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2097 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2097 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2097 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2098 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2098 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2098 | 10.0 | 0.0 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 |

87702



# STATEMENT OF PARTNERSHIP AUTHORITY

(Instructions on back of application)

2018 MAY 14 AM 9:30

SECRETARY OF STATE

The undersigned partnership hereby files a statement of partnership authority, and submits the following information to the Secretary of State pursuant to Idaho Code § 53-3-303.

- The name of the partnership is: Gardner Farms
- The street address of its chief executive office is: 589 North 150 West Blackfoot ID 83221
- The street address of one (1) office in Idaho: 589 North 150 West Blackfoot ID 83221
- The names and mailing addresses of all partners (attached sheets may be added):

| Name                   | Address                                      |
|------------------------|----------------------------------------------|
| <u>D. Case, LLC</u>    | <u>589 North 150 West Blackfoot ID 83221</u> |
| <u>D. Cooper, LLC</u>  | <u>589 North 150 West Blackfoot ID 83221</u> |
| <u>L. Gardner, LLC</u> | <u>589 North 150 West Blackfoot ID 83221</u> |

OR the name and address of the agent in Idaho who maintains a list of all partners:

- The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

|                       |         |         |
|-----------------------|---------|---------|
| <u>D. Case LLC</u>    | <u></u> | <u></u> |
| <u>D. Cooper LLC</u>  | <u></u> | <u></u> |
| <u>L. Gardner LLC</u> | <u></u> | <u></u> |

- Signature of at least 2 partners:

1) *David Cooper*  
 Typed Name David Cooper/member of D. Cooper LLC

2) *Douglas Case*  
 Typed Name Douglas Case/member of D. Case LLC

3)   
 Typed Name

Secretary of State use only

IDAHO SECRETARY OF STATE

05/14/2018 05:00

CK:5434 CT:357691 BH:1643465

1@ 100.00 = 100.00 PARTN AUT #2

1@ 20.00 = 20.00 EXPEDITE C #3

*K1561*

g:\corp\forms\partnership\auth.p65

Revised 09/2002

Web Form

07702

**RE-RECORDING TO CORRECT PARCEL 23 LEGAL DESCRIPTION**

AFTER RECORDING MAIL TO:

Gardner Farms  
589 North 150 West  
Blackfoot, ID 83221

**E-RECORDED** simplifile®

ID: 744753  
County: Bingham  
Date: 4/21/22 Time: 2:18pm

**QUITCLAIM DEED**

File No.: **988886-B (tr)**

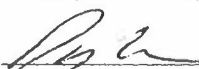
Date: **April 20, 2022**

For Value Received, **D. Cooper, LLC, an Idaho limited liability company and D. Case, LLC, an Idaho limited liability company**, do(es) hereby convey, release, remise, and forever quit claim unto **Gardner Farms, an Idaho general partnership**, whose address is **589 North 150 West Blackfoot, ID 83221**, herein after called the Grantee, the following described premises situated in **Bingham County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

together with its appurtenances.

Dated: 4-20-22

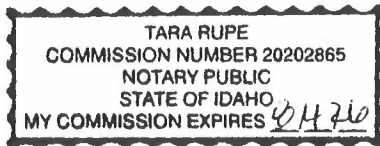
  
\_\_\_\_\_  
David Cooper, manager

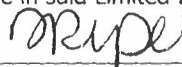
  
\_\_\_\_\_  
Doug Case, manager


STATE OF Idaho )  
SS.  
COUNTY OF Bingham )

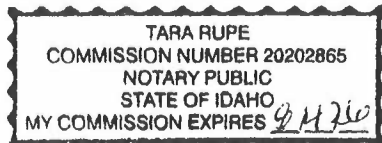
On this **Twentieth day of April, 2022**, before me, a Notary Public in and for said State, personally appeared **David Cooper**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **D. Cooper, LLC, an Idaho limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.

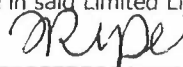


  
\_\_\_\_\_  
Notary Public of Idaho  
Residing at: Blackfoot, ID  
Commission Expires: 08/04/2026

STATE OF Idaho )  
SS.  
COUNTY OF Bingham )

On this **Twentieth day of April, 2022**, before me, a Notary Public in and for said State, personally appeared **Doug Case**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **D. Case, LLC, an Idaho limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



  
\_\_\_\_\_  
Notary Public of Idaho  
Residing at: Blackfoot, ID  
Commission Expires: 08/04/2026

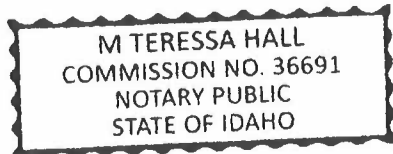
744933

87702

ACKNOWLEDGEMENT/LIMITED LIABILITY COMPANY

STATE OF Idaho )  
 ) ss.  
 COUNTY OF Bingham )

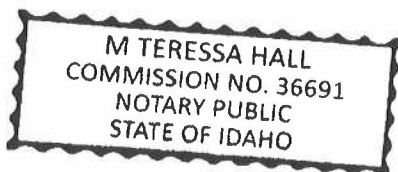
On this 26 day of April, 2022, before me, a Notary Public in and for said State, personally appeared **David Cooper**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **D. Cooper, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



M. Teresa Hall  
 Notary Public of Idaho  
 Residing at: Blackfoot, ID  
 Commission Expires: 8/24/2025

STATE OF Idaho )  
 ) ss.  
 COUNTY OF Bingham )

On this 26 day of April, 2022, before me, a Notary Public in and for said State, personally appeared **Doug Case**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **D. Case, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



M. Teresa Hall  
 Notary Public of Idaho  
 Residing at: Blackfoot, ID  
 Commission Expires: 8/24/2025

**EXHIBIT 'A'****LEGAL DESCRIPTION:****PARCEL 22:****TRACT 1:**

Part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 2, Township 2 South, Range 35 E.B.M., Bingham County, Idaho, described as:

Beginning at a point that is N. 90°00'00" W. 65.73 feet along the North Section line and S. 00°00'00" E. 25.00 feet along the West right-of-way line of a county road from the N $\frac{1}{4}$  corner of said Section 2; and running thence S. 00°00'00" E. 148.30 feet; thence N. 90°00'00" W. 362.27 feet; thence N. 00°00'00" W. 148.30 feet; thence S. 90°00'00" E. 362.27 feet to the point of beginning.

**TRACT 2:**

Part of NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 2, Township 2 South, Range 35 E.B.M., Bingham County, Idaho, described as:

Commencing as the N $\frac{1}{4}$  corner of Section 2, thence N. 90°00'00" W. 65.73 feet along the section line; thence S. 0°00'00" W. 173.30 feet along the Westerly right-of-way of a County Road to the Point of Beginning; thence S. 0°00'00" West 148.25 feet along said right-of-way; thence N. 90°00'00" W. 362.27 feet; thence N. 0°00'00" E. 148.25 feet; thence S. 90°00'00" E. 362.27 feet to the Point of Beginning.

**TRACT 3:**

A portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 2, Township 2 South, Range 35 E.B.M., Bingham County, Idaho, described as follows:

Commencing at the N $\frac{1}{4}$  corner of said Section 2, thence N. 90°00'00" W. 65.73 feet along the section line, thence S. 0°00'00" W. 321.55 feet along the westerly right-of-way of a county road to the true point of beginning; thence S. 0°00'00" W. 156.75 feet along said right-of-way; thence N. 90°00'00" W. 362.27 feet; thence N. 0°00'00" E. 156.75 feet; thence S. 90°00'00" E. 362.27 feet to the point of beginning.

~~**PARCEL 23:**~~

SEE CORRECTED PARCEL 23

Part of Government Lot 1, Section 2, Township 2 South, Range 35 East, B.M., Bingham County, Idaho described as:

Commencing at the NE corner of Section 2; thence N 89°53'22" W 962.03 feet along the section line to the point of beginning. Thence S 08°34'22" E 139.09 feet; thence S 10°41'07" E 185.94 feet; thence S 54°07'00" W 60.06 feet; thence S 89°51'43" W 136.00 feet; thence N 15°02'55" W 86.39 feet; thence N 01°40'36" E 272.75 feet to a point on the north line of section 2; thence S 89°53'22" E 143.90 feet along the section line to the point of beginning.

And except a Septic Replacement area easement described as: Commencing at the NE corner of Section 2; thence N. 89°53'22" W. 1105.94 feet along the section line; thence S. 01°40'36" W. 272.75 feet; thence S. 15°02'55" E. 86.39 feet; thence N. 89°51'43" E. 20.48 feet to the point of beginning. Thence N. 89° 51'43" E. 50.91 feet; thence S. 10°41'39" W. 126.07 feet; thence S. 89°51'43" W. 50.91 feet; thence N. 10°41'39" E. 126.07 feet to the point of beginning.

**PARCEL 24:**

Part of the NW $\frac{1}{4}$  of Section 6, Township 2 South, Range 36 E.B.M., and part of the SW $\frac{1}{4}$  of Section 31, Township 1 South, Range 36 E.B.M., Bingham County, Idaho, described as: Beginning at a point on the left bank of a canal that flows southerly, that is S. 00°11'00" W. along the Section line 23.00 feet and S. 89°30'20" E. 268.96 feet; and S. 89°04'50" E. 174.78 feet from the NW corner of said Section 6; and running thence S. 41°24'30" W. along said left bank 305.33 feet; thence S. 28°04'39" W. 518.35 feet to a point on the Section line; thence leaving said left bank, S. 00°11'00" W. along the Section line 47.19 feet; thence N. 65°03'41" E. 832.45 feet; thence S. 76°59'19" E. 483.51 feet; thence N. 35°21'06" E. 396.30 feet to the left bank of previously described canal; thence N.

60°46'50" W. along said left bank 265.70 feet; thence N. 65°23'40" W. 269.57 feet; thence N. 66°57'50" W. 282.00 feet; thence S. 80°48'30" W. 130.54 feet; thence S. 41°22'20" W. 217.56 feet to the point of beginning.

***CORRECTED PARCEL 23:***

Township 2 South, Range 35 E.B.M., Bingham County, Idaho

Section 2: Beginning at a point 200 feet East of the NW corner of Lot 1; thence South 400 feet; thence East 250 feet; thence North 400 feet; thence West 250 feet to the Point of Beginning.

Less: Part of Government Lot 1, Section 2, Township 2 South, Range 35 East, B.M., Bingham County, Idaho described as: Commencing at the NE corner of Section 2; thence N 89°53'22" W 962.03 feet along the section line to the point of beginning. Thence S 08°34'22" E 139.09 feet; thence S 10°41'07" E 185.94 feet; thence S 54°07'00" W 60.06 feet; thence S 89°51'43" W 136.00 feet; thence N 15°02'55" W 86.39 feet; thence N 01°40'36" E 272.75 feet to a point on the north line of Section 2; thence S 89°53'22" E 143.90 feet along the section line to the point of beginning.

And except a Septic Replacement area easement described as: Commencing at the NE corner of Section 2; thence N. 89°53'22" W. 1105.94 feet along the section line; thence S. 01°40'36" W. 272.75 feet; thence S. 15°02'55" E. 86.39 feet; thence N. 89°51'43" E. 20.48 feet to the point of beginning. Thence N. 89° 51'43" E. 50.91 feet; thence S. 10°41'39" W. 126.07 feet; thence S. 89°51'43" W. 50.91 feet; thence N. 10°41'39" E. 126.07 feet to the point of beginning.

## EXHIBIT A

**PARCEL 27:**

**Township 1 South, Range 34 E.B.M., Bingham County, Idaho**

**Section 1: SW $\frac{1}{4}$**

**Section 2: SE $\frac{1}{4}$**

744933

87702



**Rabo AgriFinance LLC**  
**Whitney Goodwin**  
VP – Relationship Manager  
Office 970 Pier View Drive, Suite B  
Address Idaho Falls, ID 83402

Tel 208-552-6304  
Fax 855-631-0229  
Email [Whitney.Goodwin@RaboAg.com](mailto:Whitney.Goodwin@RaboAg.com)  
[www.raboag.com](http://www.raboag.com)

March 17, 2023

Idaho Department of Water  
Resources  
650 Addison Ave W, Suite 500  
Twin Falls, ID 83301-5858

RE: Water Right No: 35-2177  
Water Right No: 35-14407  
Water Right No: 35-14408

To whom it may concern:

This letter is written to advise you that Rabo AgriFinance consents to the above-referenced water rights proposed changes (place of use) on a total of 23 acres requested by Gardner Farms.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

**Whitney Goodwin**  
VP – Relationship Manager



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 23 2023

Department of Water Resources  
Eastern Region

March 20, 2023

James Cefalo  
Idaho Department of Water Resources  
900 North Skyline Drive, Suite A  
Idaho Falls, ID 83402-1718

Re: Gardner Farms

Dear Mr. Cefalo:

Gardner Farms desires to transfer 10.0 acres of water right 35-2177 into a 320.0 acre permissible place of use (PPU) for water rights 35-2765, 35-14407 and 35-14408. This transfer would allow the irrigation of 79.0 acres within the 320.0 acre PPU.

The ownership of water rights 35-2177, beneficial use and period of use will not be changing with this transfer.

The ESPA Model analysis for this transfer calculated that no mitigation is required.

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S., Engineer

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., P.E.

Cc: Doug Case

Enc: Transfer Application, Aerial Maps, Quit Claim Deeds, Statement of Partnership Authority, Rabo AgriFinance Consent Letter, Brockway Engineering Check # 17074 for \$200.00

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

87702



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](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

April 12, 2023

GARDNER FARMS  
578 N 100 W  
BLACKFOOT, ID 83221-5714

RE: Transfer No. 87701, Water Right No(s). 35-14407, 35-14408, 35-2765  
Transfer No. 87702, Water Right No(s). 35-2177

Dear Applicant:

The Department of Water Resources has received your water right transfer applications. Please refer to the transfer numbers referenced above in all future correspondence regarding these transfers.

A legal notice of the applications has been prepared and is scheduled for publication in the BINGHAM NEWS CHRONICLE on 4/19/2023 and 4/26/2023. Protests to these applications may be submitted for a period ending ten (10) days after the second publication.

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

If the applications are not protested, the Department will process your applications and notify you of any action taken on the applications. If your applications are approved, the Department will send you a copy of the approval documents.

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

Sincerely,

Christina Henman  
Administrative Assistant

CC:  
BROCKWAY ENGINEERING PLLC  
C/O GREG SULLIVAN  
2016 WASHINGTON ST N STE 4  
TWIN FALLS, ID 83301-3082

## Henman, Christina

---

**From:** Henman, Christina  
**Sent:** Wednesday, April 12, 2023 10:39 AM  
**To:** legalnotices@postregister.com  
**Subject:** Legal Notice for Bingham News Chronicle  
**Attachments:** 87701, 87702 Bingham News Chronicle.docx

LEGAL NOTICE DEPARTMENT  
BINGHAM NEWS CHRONICLE  
PO BOX 70  
BLACKFOOT, ID 83221-0070

RE: Transfer No. 87701, 87702  
Water Right No(s). 35-14407, 35-14408, 35-2765, 35-2177

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 5/8/2023. Your cooperation is appreciated.

Thank You,



Christina Henman  
Administrative Assistant  
IDWR, Eastern Region  
900 N Skyline Ste. A  
Idaho Falls, ID 83402  
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 87701**

GARDNER FARMS, 578 N 100 W, BLACKFOOT, ID 83221-5714 has filed Application No. 87701 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-14407, 35-14408, 35-2765; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion is in NWSWSW Sec 1 T01S R34E for 1.15 cfs from ground water. Proposed place of use is in Sec 1 and 2 T01S R34E for 69 acres within a 320-acre permissible place of use.

**TRANSFER NO. 87702**

GARDNER FARMS, 578 N 100 W, BLACKFOOT, ID 83221-5714 has filed Application No. 87702 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-2177; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion is in NWSWSW Sec 1 T01S R34E for 0.20 cfs from ground water. Proposed place of use is in Sec 1 and 2 T01S R34E for 10 acres within a 320-acre permissible place of use.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 5/8/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/19/2023 and 4/26/2023