

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 10 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Kenneth Chad PearsonMailing Address 2153 Hwy 26 Gooding, ID 83330Email* kenny.pearson@yahoo.com Phone 208-490-0976Name of Representative (if any) Robert Ohlensehlen O & H AssociatesMailing Address 603 Woodland Drive Twin Falls, ID 83301Email* bob.ohlens@gmail.com Phone 208-539-1279

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☒ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1E.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

Water Right Report : 37-11200(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	PEARSON, KENNETH CHAD	2153 HIGHWAY 26	GOODING	ID	83330-5341
Original Owner	ASKEW, DONALD E	1926 S 2100 E	GOODING	ID	83330
Original Owner	ASKEW, ELBERTA L	1926 S 2100 E	GOODING	ID	83330
Previous Owner	ROSA, KAREN	1998 S 2100 E	GOODING	ID	83330
Previous Owner	ROSA, EDWARD M	PO BOX 46	WENDELL	ID	83355
Security Interest	UNITED STATES OF AMERICA ACTING THROUGH	USDA FARM SERVICE AGENCY 310 W NEZ PERCE	JEROME	ID	83338-6124

Water Right Status

Priority Date : 1/1/1930

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	06S	15E	10	0	NE	SW	NW	GOODING	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/01	12/31	0.07	CFS
DOMESTIC	1/01	12/31	0.04	CFS
TOTAL			0.07	CFS

Places of Use

Place of Use Legal Description : STOCKWATER (GOODING county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
06S	15E	10				SW NW	

Place of Use Legal Description : DOMESTIC (GOODING county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
06S	15E	10				SW NW	

Conditions

Code Conditions

- 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.
- N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- PARCEL NOS. RP06S15E104201, RP06S15E103974; STOCKWATER, 50 COW DAIRY, 100 DAIRY STOCK

Dates

Licensed Date :
Decreed Date : 5/4/2001
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : EXC
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

10/9/2025

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

Current Water Right No.: 37-11200

Current Owner: KENNETH CHAD PEARSON

Priority Date: 1/1/1930

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.04 CFS	
STOCKWATER	1/01 to 12/31	0.07 CFS	
	<u>Total Diversion</u>	0.07 CFS	

Location of Point(s) of Diversion

GROUND WATER

NE1/4SW1/4NW1/4

Sec. 10, Twp 06S, Rge 15E B.M.

GOODING County

Place of Use

DOMESTIC Within GOODING County

T06S R15E S10 SWNW

STOCKWATER Within GOODING County

T06S R15E S10 SWNW

Conditions of Approval:

1. PARCEL NOS. RP06S15E104201, RP06S15E103974; STOCKWATER, 50 COW DAIRY, 100 DAIRY STOCK
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. 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: 5/4/2001

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☒ **N/A.** This application does not propose to change the place of use or nature or use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

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	

Total Irrigated Acres to be Changed: _____

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|---|---|
| ☐ Change point(s) of diversion | ☒ Change place of use |
| ☒ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☐ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

The proposed change for water right 37-11200 is to add two existing wells as PODs and to add a POU. The current POD is 06S 15E Section 10 SW NW the additional PODs to be added are located in 06S 15E Section 10 SE NW and SWNW. The POU is currently 06S 15E Section 10 and POU to be added is 06S 15E Section 10 SE NW

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☐ ☒	37-11200	.04 / 1.2 afa	Domestic	1/1 to 12/31	Groundwater
☐ ☒	37-11200	.07 / 13.4 afa	Stockwater	1/1 to 12/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: .07 cfs and/or 14.6 af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

☐ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
No	6S	15E	10		SW	NW		Gooding	Groundwater	Existing Well
Yes	6S	15E	10		SE	NW		Gooding	Groundwater	Existing Well
Yes	6S	15E	10		SW	NW		Gooding	Groundwater	Existing Well

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ N/A. This application does not propose to change the place of use.

Proposed 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	
6S	15E	10							S										0
6S	15E	10								S									0
6S	15E	10							D										0

Total Irrigated Acres: 0

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

Only Water Right 37-11200 has been diverted at the 6S 15E Section 10 SWNW

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

There are no other water rights involved in this transfer application

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 130. ☐ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☐ Yes. ☒ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

The irrigated cropland at the site is irrigated using shares () of Big Wood Canal Co. water.

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

There are () shares of Big Wood Canal Co. water authorized (owned) for use on this property.

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☐ No. The place of use for the portion to be changed will no longer be irrigated.

☒ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes No

☐
☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov).

Label the Form as Attachment 4C-7.

☐
☒

currently used in a mitigation plan limiting the use of water under the right?

☐
☒

subject to an agreement not to divert (CREP)?

☐
☒

currently enrolled in a federal set-aside program (CRP)?

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DEPT. OF WATER RESOURCES
SOUTHERN REGION**D. Local Public Interest**

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

There are three interconnected wells on site that service two home and a small dairy

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

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.

	Kenneth Chad Pearson	10/4/2025
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date
	Robert Ohlensehlen	10/4/2025
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: \$ <u>200</u>	Receipt #: <u>5040808</u>	Date: <u>10-10-2025</u>	Received by: <u>5040808</u>
Add'l Paid: \$ _____	Receipt #: _____	Date: _____	Received by: _____

State of Idaho
Department of Water Resources

Water Right

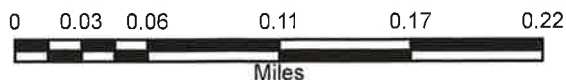
37-11200

STOCKWATER

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.



Date created: 9/26/2025



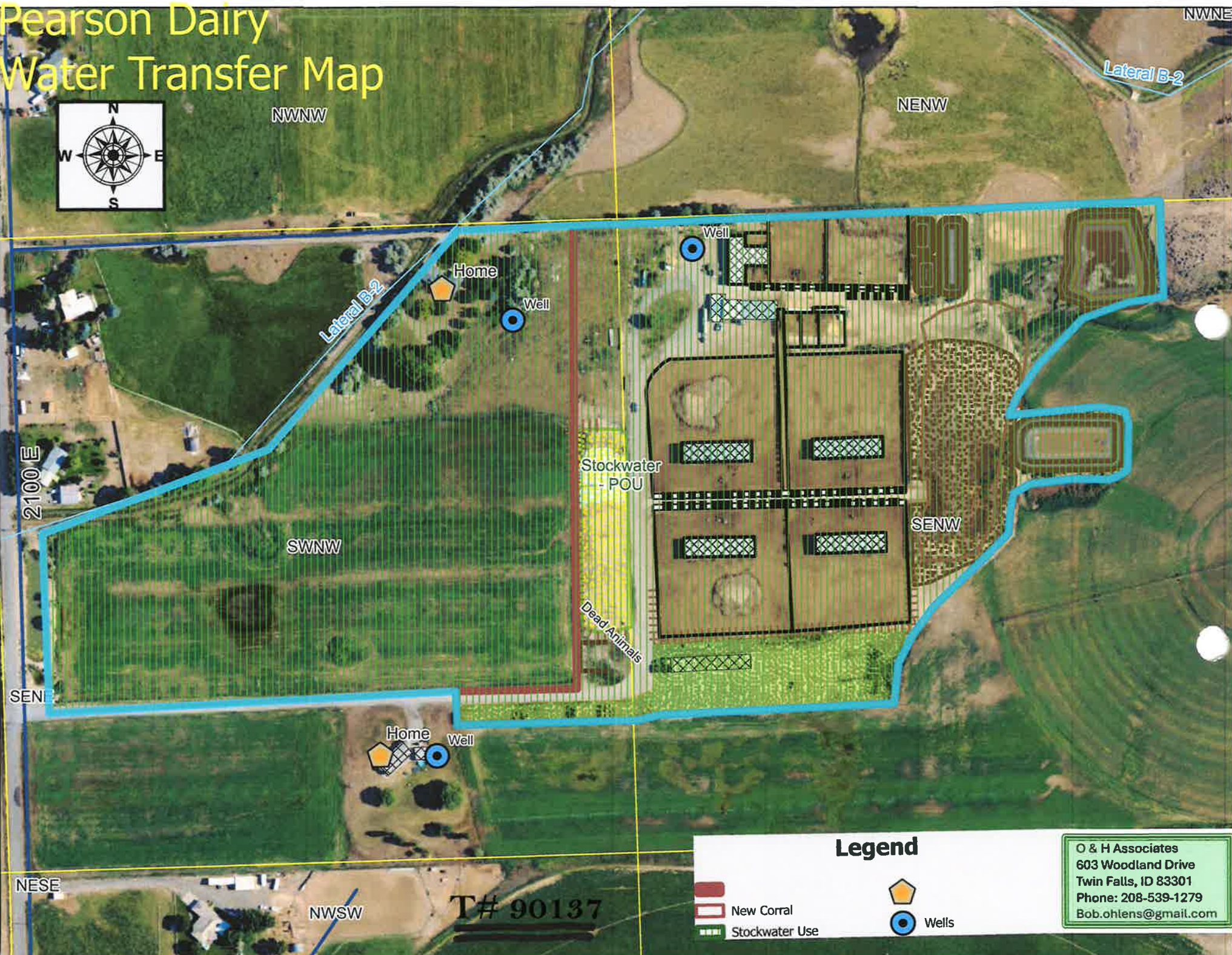
T# 90137

Legend

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



Pearson Dairy Water Transfer Map



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
301 Main Street
Gooding, ID 83330

Instrument # 263384
GOODING COUNTY, GOODING, IDAHO
11-08-2018 14:46:50 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JM
Electronically Recorded by Simplifile

This is 20 Acres, 61.358, and 5.19
Acres per the county

Space Above This Line for Recorder's Use Only

CORRECTION WARRANTY DEED

This is a correction deed to replace Warranty Deed dated January 26, 2018, and recorded March 29, 2018 as Instrument No. 261358, records of Gooding County, Idaho. Deed is being recorded to correct the Water Shares.

File No.: 662704GO (smb)

Date: October 23, 2018

For Value Received, **Darosa Farms, LLC**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Kenneth Chad Pearson, a single man**, hereinafter called the Grantee, whose current address is **2153 Hwy 26, Gooding, ID 83330**, the following described premises, situated in **Gooding County, Idaho**, to-wit:

NEW PARCEL NO. 1:

TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 10: Part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the West Quarter corner of Section 10, the TRUE POINT OF BEGINNING;

Thence North 89°25'33" East 685.00 feet along the Southerly boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence North 330.00 feet;

Thence South 89°25'33" West 685 feet to the Westerly boundary of Section 10;

Thence South 330.00 feet along the Westerly boundary of Section 10 to the TRUE POINT OF BEGINNING

NEW PARCEL NO. 2:

A Parcel of land located in the South Half of the Northwest Quarter of Section 10, Township 6 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

Commencing at the Northwest corner of Section 10;

Thence, S0°00'00" E, 1329.86 feet along the West Section line of Section 10 to the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section;

Thence, N 89°32'48" E, 1320.73 feet along the North boundary of said Quarter/Quarter to the Northeast corner of said Quarter/Quarter which is the TRUE POINT OF BEGINNING;
Thence, N 89°32'48" E, 1321.06 feet along the North boundary of the Southeast Quarter of the Northwest Quarter to the Northeast corner of said Quarter/Quarter;
Thence, S 0°14'28" W 1323.14 feet along the East boundary of said Quarter/Quarter to the Southeast corner of said Quarter/Quarter;
Thence, S 89°30'12" W, 1951.58 feet along the South boundary of the Northwest Quarter of said Section 10 to a point on said line;
Thence, N 0°00'00" E, 330.92 feet to a point;
Thence, S 89°25'33" W 684.68 feet to a point on the West Section line of Section 10;
Thence, N 0°00'00" E, 445.59 feet along said Section line to a point at the midline of an existing canal;
Thence, S 88°38'49" E, 235.53 feet along said canal to a point on the center line of said canal;
Thence, N 76°24'47" E, 255.36 feet along said canal to a point on the center line of said canal; Thence, N 45°17'02" E, 152.80 feet along said canal to a point on the center line of said canal;
Thence, N 89°32'48" E, 727.16 feet to a point on the East boundary of the Southwest Quarter of the Northwest Quarter;
Thence, N 0°11'24" E, 392.25 feet along said boundary to the TRUE POINT OF BEGINNING.

NEW PARCEL NO. 3:

TOWNSHIP 6 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 10: W½SW¼NE¼

TOGETHER with 40 shares of Big Wood Canal Company water and 5 Acres from the American Falls Reservoir District #2.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Darosa Farms, LLC, an Idaho limited liability company

By: *Edward M. Rosa*
Name: Edward M. Rosa
Title: Manager

STATE OF Idaho)
COUNTY OF Jerome)
SS.

On this 31 day of October, 2018, before me, a Notary Public in and for said State, personally appeared **Edward M. Rosa**, 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 **Darosa Farms, 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.



Tracy Cox
Notary Public of Idaho
Residing at: Buhl ID
Commission Expires: 09.06.2024

This is 5.452 acre piece per the county.

Instrument # 271347

GOODING COUNTY, GOODING, IDAHO
01-12-2021 16:06:20 No. of Pages: 4
Recorded for: TITLEONE - GOODING
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: DAL
Electronically Recorded by Simplifile

WARRANTY DEED

This warranty deed is made on the 4th day of January 2021, between -

James J. Askew and Patricia M. Askew, a married couple, of 1936 South 2100 East, Gooding, Idaho 83303 referred to herein as Grantor; and

Kenneth Chad Pearson, a single man, of 2153 Hwy 26, Gooding, Idaho 83330, referred to herein as Grantee:

Grantor, for and in consideration of the sum of ten and no/100 dollars (\$10.00) and other good and valuable consideration, the receipt of which is acknowledged, has granted, bargained, and sold, and, by this deed, grants, bargains, sells, conveys, and confirms to Grantee, and Grantee's heirs and assigns forever, all of the real estate situated in Gooding County, Idaho, located at the common address of 1936 South 2100 East, Gooding, Idaho 83303, said real property is more accurately and particularly described as within the attached Exhibit A.

Together with all and singular the tenements, hereditaments, and appurtenances belonging to the described property or in any manner appertaining to the property, the reversion and reversions, remainder and remainders, rents, issues, and profits of the property; and all estate, right, title, and interest in and to the property, as well in law as in equity.

To have and to hold, all and singular, the described property together with the appurtenances to Grantee and Grantee's heirs and assigns forever.

And Grantor and Grantor's heirs shall and will warrant and, by these presents, forever defend the described property in the quiet and peaceable possession of Grantee, Grantee's heirs, and assigns against Grantor and Grantor's heirs and against all and every person and persons whomever, lawfully claiming the same.

RESERVING UNTO the Grantors a life estate. The life tenants shall maintain the premises in a neat, clean and orderly condition and in good repair. The life estate shall terminate with James J. Askew and Patricia M. Askew having both died or at such earlier date when neither has physically resided in the home for four continuous months. Alternatively, Grantee (Kenneth Chad Pearson), including but not limited his heirs and/or successors may in his/their sole and complete discretion terminate this Life Estate at anytime during the Life of James J. Askew and/or Patricia M. Askew upon the following: A one time payment to James J. Askew and/or Patricia M. Askew in the amount detailed below based upon the year in which the Life Estate is Terminated:

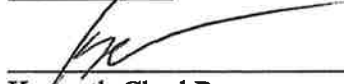
1 - WARRANTY DEED

2021: \$100,000;
2022: \$90,000;
2023: \$80,000;
2024: \$70,000;
2025: \$60,000;
2026: \$50,000;
2027: \$40,000;
2028: \$30,000;
2029: \$20,000;
2030 and any year after:\$10,000

Such termination may be provided by Grantee recording an affidavit attesting to the facts establishing grounds for such termination.

In witness of the above, Grantor has set Grantor's hand on the date first written above.

GRANTEE:

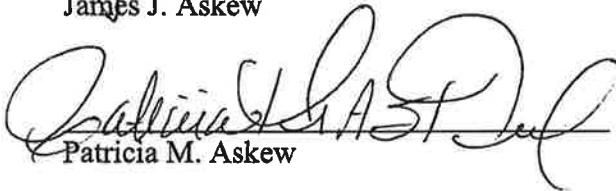

Kenneth Chad Pearson

1-12-21 2:00
[Date] [Time]

GRANTOR:


James J. Askew

1-4-2021 2:30PM
[Date] [Time]


Patricia M. Askew

1-4-2021 2:30pm
[Date] [Time]

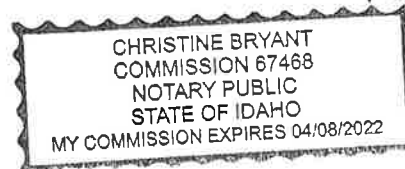
WITNESSETH

STATE OF Idaho)
) ss.
COUNTY OF Garding)

On this 4 day of January, 20 21, before me, a notary public for the State of Idaho, personally appeared before me James Askew and Patricia SM Askew, who is (or are) personally known to me to be the person(s) so named, or proven to me on the basis of satisfactory evidence to be the person(s) so named, whose name(s) is (or are) subscribed to the within instrument, and acknowledged to me that he/she (or they) executed the same.

Christine Bryant
Christine Bryant

Notary Public for Idaho
Residing in: Garding, ID
My Commission Expires: 4-8-2022



STATE OF Idaho)
) ss.
COUNTY OF Garding)

On this 12 day of January, 20 21, before me, a notary public for the State of Idaho, personally appeared before me Kenneth Chad Pearson, who is (or are) personally known to me to be the person(s) so named, or proven to me on the basis of satisfactory evidence to be the person(s) so named, whose name(s) is (or are) subscribed to the within instrument, and acknowledged to me that he/she (or they) executed the same.

Christine Bryant
Christine Bryant

Notary Public for Idaho
Residing in: Garding, ID
My Commission Expires: 4-8-2022



EXHIBIT A
LEGAL DESCRIPTION

Parcel No. 1:

TOWNSHIP 6 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 10: That part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Beginning at the Northwest corner of said Section 10;
Thence South 1329.86 feet to the Northwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence North 89°32'48" East, along the North boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, 914.84 feet to the center of an irrigation ditch, THE TRUE POINT OF BEGINNING;
Thence South 32°43'16" West, 146.09 feet along the center of said irrigation ditch;
Thence South 41°51'30" West, 365.04 feet along the center of said irrigation ditch;
Thence North 89°32'48" East, 727.16 feet to the East boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence North 00°11'22" East, along the East boundary of the said SW $\frac{1}{4}$ NW $\frac{1}{4}$, 392.25 feet to the Northeast corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South 89°32'48" West, along the North boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ 405.89 feet to THE TRUE POINT OF BEGINNING.

Parcel No. 2:

An Easement for ingress and egress for the benefit of Parcel 1 as created in Warranty Deed dated October 5, 1998 and recorded October 8, 1998 as Instrument Number 177456, records of Gooding County, Idaho over the following described parcel:

Commencing at the Northeast corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence S00°11'24" W, 330.00 feet along said property line to the Point of Beginning of said easement;
Thence N89°32'48" E, 50.00 feet to a point;
Thence S00°11'24" W, 662.23 feet to a point;
Thence S89°25'33" W, 1367.47 feet to a point on the West Section line of Section 10;
Thence N00°00'00" E, 50.00 feet along said Section line to a point on said line;
Thence N89°25'33" E, 1317.64 feet to a point on the East boundary of the Southwest Quarter of the Northwest Quarter;
Thence N00°11'24" E, 612.66 feet along said boundary to the POINT OF BEGINNING.



OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Magic Valley Times-News** on the dates indicated below. If changes are needed, please contact us prior to deadline at help@column.us

Notice ID: Xi1CYdvfXOAMJN0NhvRk | **Proof Updated: Oct. 30, 2025 at 08:41am MDT**
Notice Name: LEGAL NOTICE - Transfers 90131 & 90137 | Publisher ID: COL-NV-3175

See Proof on Next Page

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

ID DEPARTMENT OF WATER
RESOURCES Southern Region
denise.maline@idwr.idaho.gov
(208) 736-3033

FILING FOR

Magic Valley
Times-News

Columns Wide: 2

Ad
Class: Legals

11/06/2025: General Legal Notice	58.98
11/13/2025: General Legal Notice	51.60
Affidavit Fee	9.00

Total \$119.58

Confirmation of legal notice received from Times News 10-30-2025

✓ DM

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 90131**

CITY OF RUPERT, PO BOX 426, RUPERT, ID 83350-0426 has filed Application No. 90131 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-15488, 36-15489, 36-7115, 36-7656, 36-7862. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new point of diversion (POD) in the SWNW of Sec. 29, Twp. 09S, Rge. 24E. A new well is proposed to be drilled as the ninth POD for the City of Rupert's five municipal ground water rights (10.61 cfs total).

TRANSFER NO. 90137

KENNETH CHAD PEARSON, 2153 HIGHWAY 26, GOODING, ID 83330-5341 has filed Application No. 90137 for changes to the following water rights within GOODING County(s): Right No(s). 37-11200 The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding two points of diversion and changing the place of use for a 0.07 cfs groundwater domestic & stockwater right. Three existing wells will be used to provide water for two existing homes and an existing dairy located approximately .5 miles south and 2.3 miles east of the Main Street & Highway 26 intersection in Gooding.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **November 24, 2025**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: November 6, 13, 2025
COL-NV-3175

A handwritten blue checkmark followed by the initials "DM" in a cursive script.



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 30, 2025

KENNETH CHAD PEARSON
2153 HIGHWAY 26
GOODING, ID 83330-5341

RE: Transfer No. 90137
Water Right No(s). 37-11200

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS** on **11/6/2025** and **11/13/2025**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **November 24, 2025**.

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

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Denise Maline
Administrative Assistant

c: O & H Associates LLC
USDA Farm Service Agency, Jerome, Idaho



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 29, 2025

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

Submitted online via Column.us

RE: Transfer No. 90131

Water Right No(s). 36-15488, 36-15489, 36-7115, 36-7656, 36-7862

RE: Transfer No. 90137

Water Right No(s). 37-11200

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 **November 24, 2025**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline

Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 90131**

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For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **November 24, 2025**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on November 6th & 13th, 2025

MEMORANDUM

Date: October 17, 2025

To: Transfer 90137

From: Larry Hansen

Re: Synopsis Memo

Application for transfer proposes adding two points of diversion and changing the place of use for a 0.07 cfs groundwater domestic/stockwater right. Three existing wells will be used to provide water for two existing homes and an existing dairy located approximately .5 miles south and 2.3 miles east of the Main Street/Highway 26 intersection in Gooding.

The property and wells are located in the ESPA, but no ground water model analysis is necessary because all the wells are located in the same or adjacent ground water model cells. The property and wells are also located in Water District 130, but the water right involved in the transfer is a 42-111 domestic and stockwater right, so it is excluded from Water District 130 and water master comments are not required.

MEMORANDUM

Date: October 17, 2025
To: Transfer 90137
From: Larry Hansen
Re: Fee Evaluation

Filing fees charged for transfer application 90137 were based on the current transfer fee schedule and included \$200.00 for the 0.07 cfs being transferred in the application (Receipt No. S040808 for \$200.00).