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Jul 14, 2025

DEPARTMENT OF
WATER RESOURCES

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WATER RESOURCES
WESTERN REGION

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WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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) Big Willow Ranch LLC c/o JG SchwarzMailing Address 1 Dixie Lane, Payette, ID 83661-5030Email* ig@buttelodge.com Phone 208-739-1939Name of Representative (if any) Terry Scanlan, HDR Engineering, Inc.Mailing Address 412 E Parkcenter Blvd, Suite 100, Boise, ID 83706Email* tscanlan@hdrinc.com Phone 208-872-9530

*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 1F.

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.

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
☐ Add point(s) of diversion
☐ Change nature of use

- ☒ Change place of use
☐ Change period of use
☐ Update water right ownership records

split water right

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

(1) Applicant is selling a 5.58-acre portion of the property and will convey 5 acres of water right with land. The transfer will split the water right for this purpose. A change of ownership will be submitted following closing. Survey is attached.

(2) Point of diversion will be moved downstream 1/4 mile to existing pump station for permit 65-23867.

(3) Place of use will be reconfigured because applicant has changed irrigation method from gravity to sprinkler (pivots and big gun).

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
☐ ☒	65-11269	1.99	irrigation	3/15 to 11/15	Payette River
☐ ☐				to	
☐ ☒	65-11269	0.12	irrigation	3/15 to 11/15	Payette River
☐ ☐				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: 2.11 cfs and/or _____ 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
Yes	8N	4W	25	2		NW	SW	Payette	Payette River	Big Willow Ranch Pump Station

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	
8N	4W	25			14				30	38									82
8N	4W	25			5														5

Total Irrigated Acres: 82

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.

none

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

permits 65-23867 and 65-24125

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 65. ☐ 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.

none

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.

none

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)?

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.

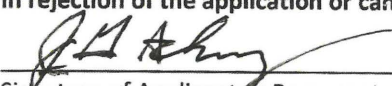
Existing pump station and pipeline for 65-23867. Pipeline crosses through the 65-11269 place of use. Branch pipelines supply two center pivot sprinklers for the 82-acre portion of water right and ten big gun sprinklers for 5-acre portion of right.

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.


Signature of Applicant or Representative*

JG Schwarz, Sole Member

Print Name and Title, if applicable

7/12/25

Date

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: \$ 760.00 Receipt #: W052639 Date: 7/16/2025 Received by: MB
Add'l Paid: \$ _____ Receipt #: _____ Date: _____ Received by: _____



0006189360

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

Attachment 1D*For Office Use Only***-FILED-**

File #: 0006189360

Date Filed: 4/4/2025 8:55:03 AM

B1002-6674 04/04/2025 8:55 AM Received by Office of the Idaho Secretary of State

Entity Name and Mailing Address:		
Entity Name:	BIG WILLOW RANCH, LLC	
The file number of this entity on the records of the Idaho Secretary of State is:	0000124985	
Address	1 DIXIE LN PAYETTE, ID 83661-5030	
Entity Details:		
Entity Status	Active-Existing	
This entity is organized under the laws of:	IDAHO	
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	W37495	
The registered agent on record is:		
Registered Agent	J G SCHWARZ Registered Agent Physical Address 1 DIXIE LANE PAYETTE, ID 83661 Mailing Address	
Limited Liability Company Managers and Members		
Name	Title	Business Address
Joseph G Schwarz	Member	1 DIXIE LANE PAYETTE, ID 83661
The annual report must be signed by an authorized signer of the entity. Job Title: Sole Member, Big Willow Ranch, LLC		
J.G. Schwarz		04/04/2025
Sign Here		Date

ACCOMMODATION

Instrument # 427365

PAYETTE COUNTY
2020-04-08 10:02:12 AM No. of Pages: 16
Recorded for: ALLIANCE TITLE - BOISE PRODUCT
BETTY J DRESSEN Fee: \$55.00
Ex-Officio Recorder Deputy Julie Anderson
Index To: AGREEMENT
Electronically Recorded by Simplifile

When Recorded Return To:

Michael O. Roe
Givens Pursley LLP
601 W. Bannock Street
Boise, Idaho 83702

Attachment 1G

PARTIAL ASSIGNMENT AND LICENSE AGREEMENT

THIS PARTIAL ASSIGNMENT AND LICENSE AGREEMENT (this "Agreement") is entered into effective as of April 7, 2020 (the "Effective Date"), by and between **LONE PINE FARMS CANYON COUNTY, LLC**, an Idaho limited liability company ("Grantor") and **BIG WILLOW RANCH, LLC**, an Idaho limited liability company ("Grantee"). Grantor and Grantee may be referred to in this Agreement individually as a "Party" or collectively as the "Parties".

RECITALS

A. Grantor owns that certain real property located in Payette County, Idaho, which is legally described on **Exhibit A**, attached hereto and incorporated herein (the "Lone Pine Parcel").

B. Grantee owns that certain real property located in Payette County, Idaho, which is legally described on **Exhibit B**, attached hereto and incorporated herein (the "Big Willow Parcel").

C. Grantor has obtained two easements in order to divert and deliver water from the Payette River to the Grantor Property: that certain Pump Station Easement, dated April 28, 2014, from Ronald D. Hendrickson and D. Charlene Hendrickson to Lone Pine Farms Canyon County, LLC and recorded in the Payette County, Idaho land records on April 29, 2014 as Instrument N. 389942 (the "Hendrickson Easement"); and that certain Pipeline Easement, dated April 28, 2014, from William Burt and Leta Burt to Lone Pine Farms Canyon County, LLC and recorded in the Payette County, Idaho land records on April 29, 2014 as Instrument No. 389941 (the "Burt Easement") and together with the Hendrickson Easement, the "Existing Easements").

D. This Agreement is the partial assignment and license identified in Section 1.2 of that certain Exclusive Real Estate Option Agreement entered into by the Parties and of even date herewith (the "Option Agreement"), pursuant to which Grantor has obtained an option to either purchase or lease the Big Willow Parcel.

E. On the terms set forth in this Agreement, Grantor desires to partially assign Grantor's interest in the Existing Easements and grant a license to Grantee to use the Existing Easements for the benefit of the Big Willow Parcel, to convey water by underground pipeline from the Payette River to the Big Willow Parcel.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **Partial Assignment and License.** Grantor hereby partially assigns to Grantee, for the benefit of the Big Willow Parcel, a non-exclusive, permanent, perpetual interest in and license to utilize Grantor's rights and interests created in and evidenced by the Existing Easements for the purpose of conveying and delivering water from the point of diversion on the Payette River and using the pumping station identified in the Hendrickson Easement, and through the land encumbered by the Hendrickson Easement and the Burt Easement, by underground pipeline to the Big Willow Parcel, together with any related improvements, equipment, pumps, appurtenances, meters, wires, fixtures, controls and devices, including without limitation the placement of different and/or additional pumps and different and/or additional pipelines (collectively, the "Pumping Station and Pipeline") and for access, ingress and egress for the installation, operation, maintenance, inspection, repair, modification, replacement, removal and relocation of the Pumping Station and Pipeline (collectively, the "Partially Assigned Interest and License"). It is the Parties' understanding and belief that this Section 1, and the operation of the remainder of this Agreement do not, and it is the Parties' intent that the Pumping Station and Pipeline will not increase the burden on the properties encumbered by the Existing Easements.

2. **No Barriers of Interference with Water Delivery.** The Parties shall each ensure that all areas within its ownership and control and subject to the Partially Assigned Interest and License are at all times kept free from obstructions and otherwise kept open in a manner sufficient for the other Party to enjoy and utilize fully the rights conferred by the Existing Easements. The Parties shall cooperate and work together in good faith at all times so as not to interfere with each Party's delivery of water with, from, and through the Pumping Station and Pipeline as authorized under Idaho law.

3. **Operation, Maintenance, Repair and Replacement of the Pumping Station and Pipeline.** Grantee shall be responsible for the Grantee's portion of the operation, maintenance, repair and replacement of the Pumping Station and Pipeline and the costs and expenses incurred by Grantee related to such operation, maintenance, repair and replacement of Grantee's portion of the Pumping Station and Pipeline.

4. **Not a Public Dedication.** Nothing contained in this Agreement shall be deemed a grant or dedication of any portion of the land encumbered by the Existing Easements, the Lone Pine Parcel or the Big Willow Parcel to the general public, it being the intention of the Parties that this Agreement shall be strictly limited to and for the purposes herein expressed.

5. **Binding Effect.** This Agreement shall be recorded in the real property records of Payette County, Idaho, and the Parties' respective rights and obligations contained in this Agreement shall be permanent, perpetual and shall run with, benefit, and burden the Lone Pine Parcel and the Big Willow Parcel, and shall be binding upon the Parties and their respective successors, licensees, contractors, permittees and assigns.

6. **Attorney Fees on Default.** In the event of any controversy, claim, or action being filed or instituted between the Parties to interpret or enforce the terms of this Agreement, or arising from the breach of any provision hereof, the prevailing Party shall be entitled to receive from the non-prevailing Party all costs, damages, and expenses, including, without limitation, reasonable attorneys' fees incurred by the prevailing Party.

7. **Acceptance and Assumption.** Grantee hereby accepts the Partially Assigned Interest and License and assumes responsibility and liability for those portions and components of the Pumping Station and Pipeline installed or used by Grantee.

8. **Miscellaneous.** The Parties acknowledge that each Party and their respective attorneys have reviewed and revised this Agreement and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting Party shall not be applied in the interpretation of this Agreement or any amendments or exhibits to this Agreement. The section headings of this Agreement have been inserted for convenience of reference only and shall not affect any construction or interpretation of this Agreement. This Agreement is not an integrated agreement. This Agreement shall be governed in all respects by the laws of the State of Idaho. Each Party agrees to take such further acts and execute such further documents and instruments as may be reasonably required to effect and consummate the transactions contemplated herein. The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision hereof. Time is of the essence of this Agreement. The recitals to this Agreement and exhibits attached to this Agreement are incorporated herein by reference as if set forth in their entirety herein.

[signature page follows]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

GRANTOR:

**LONE PINE FARMS CANYON
COUNTY, LLC**, an Idaho limited liability
company

By: *Stephen Boschma*
Name: STEPHENT Boschma
Its: partner

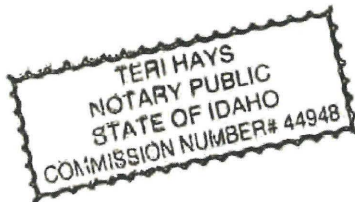
GRANTEE:

BIG WILLOW RANCH, LLC, an Idaho
limited liability company

By: *JG Schward*
Name: JG Schward
Its: sole member

STATE OF IDAHO)
County of CANYON) ss.

On this 7 day of April, 2020, before me, a Notary Public in and for said State, personally appeared Stephen T. Boschma, known or identified to me to the Manager of **Lone Pine Farms Canyon County, LLC**, the limited liability company that executed the instrument or the person who executed the instrument on behalf of such limited liability company and acknowledged to me that such limited liability company executed the same.

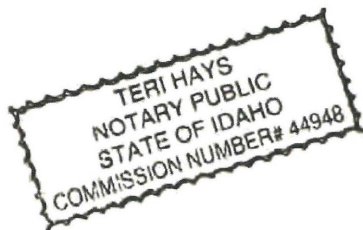


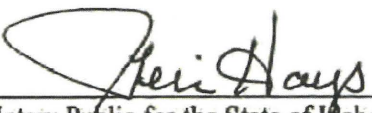
Teri Hays
Notary Public for the State of Idaho
Residing at WILDER
My Commission expires: 7/27/2023

STATE OF IDAHO)

County of CANYON) ss.

On this 7 day of April, 2020, before me, a Notary Public in and for said State, personally appeared J.G. Schwarz, known or identified to me to the Member of **Big Willow Ranch, LLC**, the limited liability company that executed the instrument or the person who executed the instrument on behalf of such limited liability company and acknowledged to me that such limited liability company executed the same.




Notary Public for the State of Idaho
Residing at WILDER
My Commission expires: 7/27/2023

Instrument # 427365

EXHIBIT A
Lone Pine Parcel

PARTIAL ASSIGNMENT AND LICENSE AGREEMENT - 7
15064433.2 [12611-6]

89936

SCANNED

MAY 01 2023

BUYER PROPERTY
890.08 ACRES±

The following describes a parcel of real property situate within a portion of Sections 18, 19 and 30, Township 8 North, Range 3 West, Boise Meridian, Payette County, Idaho and also within a portion of Sections 24 and 25, Township 8 North, Range 4 West, Boise Meridian, Payette County, Idaho, being more particularly described as follows:

Commencing at the Northwest corner of Section 25, Township 8 North, Range 4 West, B.M., thence, along the westerly boundary line of said Section 25, South 00°10'07" East, 1301.04 feet to the Southwest Corner of the North Half of the Northwest Quarter (N1/2NW1/4); Thence, along the southerly boundary line of said (N1/2NW1/4), South 89°35'53" East, 285.25 feet to the centerline of Big Willow Creek, the POINT OF BEGINNING, from which a witness corner bears South 89°35'53" East, 30.00 feet along said southerly boundary line;

Thence, along said centerline at the point of intersections of the major directional changes of the meanders of Big Willow Creek, as it now exists, and measured on May 20, 2011, the following courses and distances:

North 26°21'29" East, 41.70 feet;
North 07°09'28" West, 202.53 feet;
North 75°49'11" East, 95.12 feet;
North 41°22'44" East, 100.16 feet;
North 66°50'44" East, 62.67 feet;
South 48°39'09" East, 151.91 feet;
North 70°25'44" East, 65.12 feet;
North 40°38'56" East, 81.49 feet;
North 70°51'33" East, 110.83 feet;
South 84°04'15" East, 83.22 feet;
North 19°27'01" East, 372.03 feet;
North 01°34'40" East, 120.04 feet;
North 77°23'06" East, 68.39 feet;
South 86°06'22" East, 102.40 feet;
North 45°05'01" East, 136.83 feet;
South 42°40'18" East, 70.57 feet;
South 37°39'01" East, 122.24 feet;

South 87°15'45" East, 95.33 feet;

North 43°36'20" East, 138.47 feet;

South 56°37'58" East, 60.55 feet;

North 18°04'19" East, 69.14 feet;

North 44°50'29" East, 103.54 feet;

North 65°30'02" East, 130.97 feet;

North 08°33'22" East, 102.29 feet;

North 64°05'44" West, 99.83 feet;

North 25°09'20" West, 105.73 feet to the section line common to said Sections 24 and 25;

Thence, along said common section line, South 89°45'18" East, 132.83 feet;

Thence, departing said common section line, North 45°14'42" East, 763.79 feet;

Thence, North 44°09'18" West, 1080.47 feet to northerly boundary line of the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4);

Thence, along said northerly boundary line, North 89°41'40" West, 124.76 feet to the southerly right-of-way easement line of Big Willow Road;

Thence, along said southerly right-of-way easement line of Big Willow Road, the following courses and distances:

160.79 feet along a non tangent curve to the right, said curve having a radius of 770.00 feet, a delta angle of 11°57'51", a long chord bearing North 56°25'13" East, a distance of 160.50 feet;

North 62°24'09" East, 267.06 feet;

North 61°13'00" East, 229.05 feet;

North 60°32'08" East, 528.59 feet;

North 62°39'02" East, 203.95 feet;

312.49 feet along a curve to the left, said curve having a radius of 480.00 feet, a delta angle of 37°18'01", a long chord bearing North 44°00'02" East, a distance of 307.00 feet;

North 25°21'01" East, 96.93 feet;

Thence, departing said southerly right-of-way easement, South $31^{\circ}03'03''$ East, 175.15 feet;

Thence, North $67^{\circ}06'51''$ East, 242.49 feet;

Thence, North $54^{\circ}18'13''$ East, 52.70 feet;

Thence, North $31^{\circ}39'56''$ West, 204.57 feet;

Thence, North $21^{\circ}10'18''$ West, 259.30 feet to said southerly right-of-way easement;

Thence, continuing along said southerly right-of-way easement line of Big Willow Road, the following courses and distances:

North $20^{\circ}15'12''$ East, 84.53 feet;

200.83 feet along a curve to the right, said curve having a radius of 1070.00 feet, a delta angle of $10^{\circ}45'14''$, a long chord bearing North $25^{\circ}37'32''$ East, a distance of 200.54 feet;

North $31^{\circ}00'09''$ East, 145.20 feet;

380.42 feet along a curve to the left, said curve having a radius of 1230.00 feet, a delta angle of $17^{\circ}43'15''$, a long chord bearing North $22^{\circ}08'32''$ East, a distance of 378.91 feet;

North $13^{\circ}16'54''$ East, 101.14 feet;

153.83 feet along a curve to the right, said curve having a radius of 270.00 feet, a delta angle of $32^{\circ}38'34''$, a long chord bearing North $29^{\circ}36'11''$ East, a distance of 151.75 feet;

North $45^{\circ}55'22''$ East, 223.89 feet;

North $47^{\circ}03'49''$ East, 179.35 feet;

201.56 feet along a curve to the right, said curve having a radius of 370.00 feet, a delta angle of $31^{\circ}12'44''$, a long chord bearing North $62^{\circ}40'11''$ East, a distance of 199.08 feet;

North $78^{\circ}16'33''$ East, 39.59 feet;

169.85 feet along a curve to the right, said curve having a radius of 270.00 feet, a delta angle of $36^{\circ}02'33''$, a long chord bearing South $83^{\circ}42'10''$ East, a distance of 167.06 feet;

336.91 feet along a curve to the left, said curve having a radius of 365.00 feet, a delta angle of $52^{\circ}53'12''$, a long chord bearing North $87^{\circ}52'30''$ East, a distance of 325.08 feet;

North $61^{\circ}25'54''$ East, 111.43 feet;

177.58 feet along a curve to the left, said curve having a radius of 1530.00 feet, a delta angle of $06^{\circ}39'00''$, a long chord bearing North $58^{\circ}06'24''$ East, a distance of 177.48 feet;

North $54^{\circ}46'54''$ East, 121.76 feet;

119.60 feet along a curve to the right, said curve having a radius of 270.00 feet, a delta angle of 25°22'51", along chord bearing North 67°28'20" East, a distance of 118.63 feet;

North 80°09'45" East, 89.38 feet;

130.94 feet along a curve to the left, said curve having a radius of 980.00 feet, a delta angle of 07°39'20", a long chord bearing North 76°20'05" East, a distance of 130.85 feet;

North 72°30'25" East, 256.25 feet;

North 68°15'30" East, 79.60 feet;

221.86 feet along a curve to the right, said curve having a radius of 555.25 feet, a delta angle of 22°53'38", a long chord bearing North 79°42'19" East, a distance of 220.39 feet;

South 88°50'53" East, 322.21 feet;

273.45 feet along a curve to the left, said curve having a radius of 359.23 feet, a delta angle of 49°26'15", a long chord bearing North 66°25'57" East, a distance of 300.43 feet;

North 42°14'43" East, 603.11 feet;

251.22 feet along a curve to the right, said curve having a radius of 1570.00 feet, a delta angle of 09°10'05", a long chord bearing North 47°13'08" East, a distance of 250.95 feet;

North 51°48'11" East, 164.89 feet;

North 49°40'38" East, 291.67 feet;

North 52°25'51" East, 285.41 feet;

North 57°02'15" East, 405.60 feet;

Thence, leaving said southerly right-of-way easement line of Big Willow Road, South 33°56'00" East, 873.55 feet to an existing fence line;

Thence, along said existing fence line the following courses and distances,

North 84°36'12" East, 570.21 feet;

South 80°40'28" East, 511.53 feet;

South 46°44'31" East, 518.00 feet;

South 12°40'08" West, 944.53 feet;

South 52°36'23" West, 892.97 feet;

South 14°48' 17" West, 188.87 feet;

South 49°26'07" West, 2334.22 feet;

South 60°24'39" West, 171.69 feet to the centerline of Gulch Road;

Thence, along said centerline of Gulch Road the following courses and distances,

South 33°25'34" East, 217.89 feet;

323.91 feet along a curve to the right, said curve having a radius of 1400.00 feet, a delta angle of 13°15'23", a long chord bearing South 26°47'52" East, a distance of 323.19 feet;

South 20°10'11" East, 341.94 feet;

284.53 feet along a curve to the left, said curve having a radius of 500.00 feet, a delta angle of 32°36'16", a long chord bearing South 36°28'19" East, a distance of 280.70 feet;

South 52°46'27" East, 160.83 feet;

South 50°00'47" East, 284.28 feet;

South 45°37'35" East, 376.82 feet;

South 43°43'59" East, 1242.02 feet;

South 37°52'32" East, 534.53 feet;

South 37°40'22" East, 1616.03 feet to the southerly boundary line of the Northeast Quarter (NE1/4) of Section 30, Township 8 North, Range 3 West, B.M.;

Thence, leaving said centerline of Gulch Road, along said southerly boundary line, North 89°42'16" West, 2555.52 feet to the Southwest corner of said (NE1/4);

Thence, along the westerly boundary line of said (NE1/4), North 00°06'42" East, 1317.94 feet to the Southeast corner of the Northeast Quarter of the Northwest Quarter (NE1/4NW1/4) of said Section 30;

Thence, along the southerly boundary line of said (NE1/4NW1/4), North 89°42'36" West, 1321.94 feet to the Southwest corner of said (NE1/4NW1/4) of Section 30;

Thence, along the southerly boundary line of Government Lot 1 of Section 30, North 89°42'36" West, 1251.07 feet to the Southwest corner of said Government Lot 1;

Thence, South 00°05'35" West, 53.42 feet to the Southeast corner of the North Half of the Northeast Quarter (N1/2NE1/4) of Section 25, Township 8 North, Range 4 West, B.M.;

Thence, along the southerly boundary line of said (N1/2NE1/4), North 89°35'53" West, 2600.01 feet to the Southeast corner of the North Half of the Northwest Quarter (N1/2NW1/4) of said Section 25;

Thence, along the southerly boundary line of said (N1/2NW1/4), North 89°35'53" West, 2305.00 feet to the POINT OF BEGINNING, comprising 890.08 acres, more or less.

SUBJECT TO: Any easements or reservations of record or appearing on the above described parcel of land.

Instrument # 427365

EXHIBIT B
Big Willow Parcel

PARTIAL ASSIGNMENT AND LICENSE AGREEMENT - 8
15064433.2 [12611-6]

#89936

SCANNED

MAY 01 2023

LEGAL DESCRIPTION

Land within Township 8 North, Range 3 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

- Section 9: That portion of the S1/2 lying south of Big Willow Road
- Section 10: S1/2 SW1/4, S1/2 SE1/4
- Section 14: S1/2, that portion of the N1/2 lying south of the Big Willow Creek
- Section 15: All
- Section 16: S1/2, NE1/4, that portion of the NW1/4 lying south of Big Willow Road
- Section 17: S1/2, that portion of the N1/2 lying south of Big Willow Road
- Section 18: SE1/4 SE1/4, that portion of the NE1/4 SE1/4 lying to the south of Big Willow Road
- Section 20: All
- Section 21: All
- Section 22: All
- Section 23: All

Together with the following:

A parcel of land within the SW1/4 SE1/4 of Section 18 and within Section 19, Township 8 North, Range 3 West, Boise Meridian, Payette County Idaho, lying north and east of the line more particularly described as follows:

Commencing at the southeast corner of Section 18;

Thence North 89°52'00" West a distance of 2077.21 feet along the south boundary of the SE1/4 of Section 18;

Thence North 33°56'00" West a distance of 721.67 feet to the **POINT OF BEGINNING**;

Thence, leaving said southerly right-of-way easement line of Big Willow Road, South 33°56'00" East, 873.55 feet to an existing fence line;

SCANNED

MAY 01 2023

Thence, along said existing fence line the following courses and distances,

North 84°36'12" East, 570.21 feet;
South 80°40'28" East, 511.53 feet;
South 46°44'31" East, 518.00 feet;
South 12°40' 08" West, 944.53 feet;
South 52°36'23" West, 892.97 feet;
South 14°48'17" West, 188.87 feet;
South 49°26'07" West, 2334.22 feet;
South 60°24'39" West, 171.69 feet to the centerline of Gulch Road;

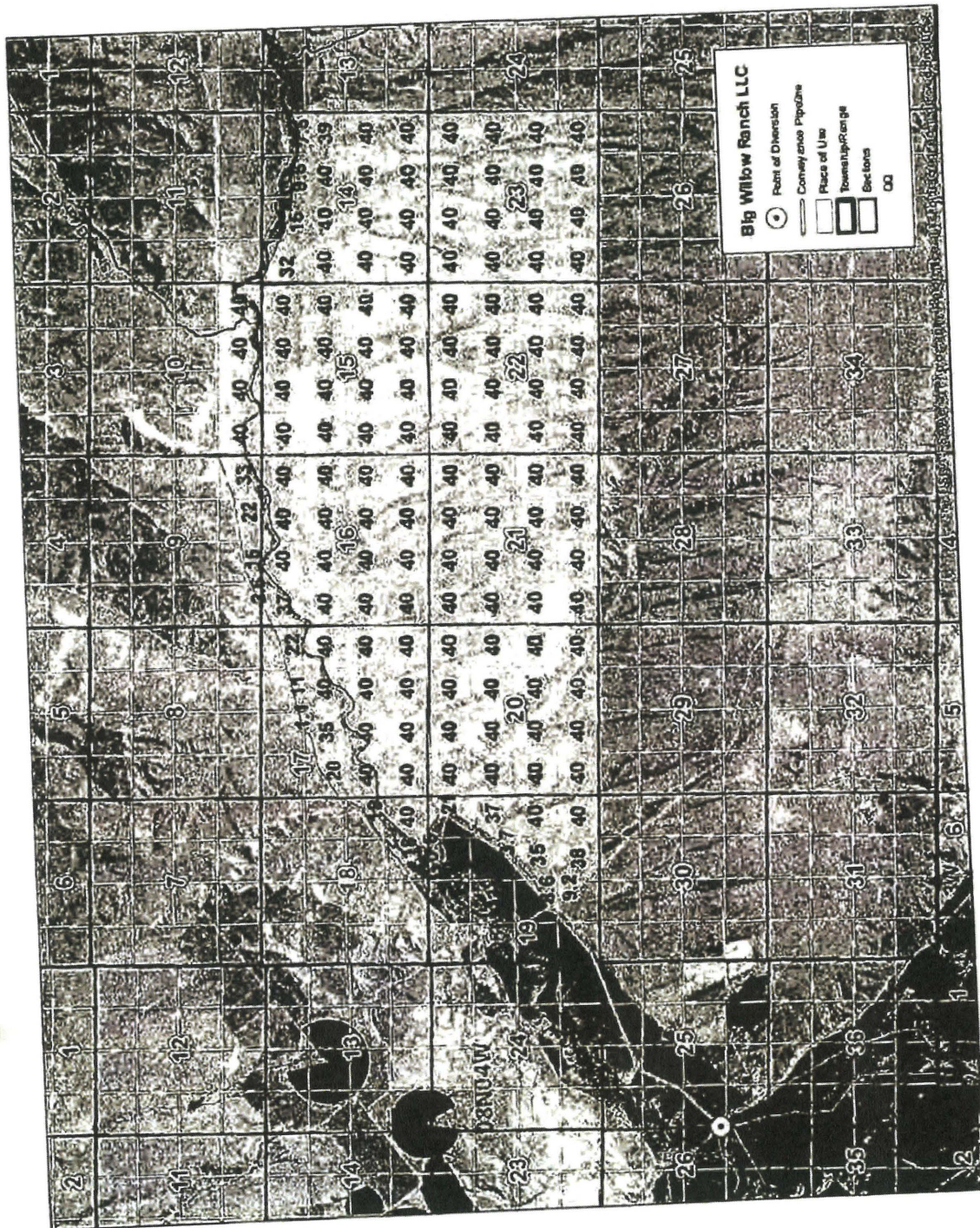
Thence, along said centerline of Gulch Road the following courses and distances,

South 33°25'34" East, 217.89 feet;
323.91 feet along a curve to the right, said curve having a radius of 1400.00 feet, a delta angle of 13°15'23", a long chord bearing South 26°47'52" East, a distance of 323.19 feet;
South 20°10'11" East, 341.94 feet;
284.53 feet along a curve to the left, said curve having a radius of 500.00 feet, a delta angle of 32°36'16", a long chord bearing South 36°28'19" East, a distance of 280.70 feet;
South 52°46'27" East, 160.83 feet;
South 50°00'47" East, 284.28 feet;
South 45°37'35" East, 376.82 feet;
South 43°43'59" East, 1242.02 feet;
South 37°52' 32" East, 534.53 feet;
South 37°40'22" East, 1616.03 feet to the southerly boundary line of the Northeast Quarter (NE 1/4) of Section 30, Township 8 North, Range 3 West, B.M., as the **ENDING POINT**.

Consisting of approximately 5,411.8 acres, and as visually depicted on the following map:

SCANNED

MAY 01 2023



SCANNED

MAY 01 2022

0389941 PIPELINE EASEMENT

This easement is dated this 28th day of April 2014, from **William Burt and Leta Burt** hereinafter called "Grantors" to **Lone Pine Farms Canyon County LLC, Stephen Boschma, Mgr.** hereinafter called "Grantee".

Witnesseth:

Whereas, Grantors are the owners of certain real property in the S1/2 NW 1/4 Section 25, T. 8 N., R. 4 W. BM, PAYETTE County, Idaho and do, hereby grant to the Grantee their heirs and assigns subject to existing easements and valid rights, a perpetual easement for a water transmission line upon certain lands herein described.

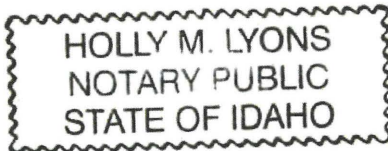
Said easement described as follows:

A strip of land 20 ft. in width, 10 ft., on each side of centerline; Commencing at the corner for Secs. 23, 24, 25, and 26, T. 8 N., R. 4 W., BM; thence S. 00° 10' 07" E., 5204.16 ft. to the corner for Secs. 25, 26, 35, and 36; thence N. 17° 39' 24" E., 2722.17 ft. to a point on the south line of the NW1/4 section 25 and the Point Of Beginning; Thence N. 34° 40' 16" E., 924.12 ft. to a point; Thence N 33° 23' 03" E., 643.24 ft. to a point on the south line of the N 1/2 NW 1/4 of Sec. 25 from whence the corner for Secs. 23, 24, 25, and 26 bears N 52° 39' 04" W., 2164.42 ft.

William Burt William Burt Leta Burt Leta Burt Date _____

State of Idaho)
)ss
County of PAYETTE)

On this 28th day of April 2014, before me, a Notary Public in and for said state, personally appeared William and Leta Burt known or identified to me to be the person(s) whose names(s) are subscribed to the within Instrument and acknowledged to me that they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Holly Lyons
Notary Public for the State of Idaho

Residing at 130 Plymouth

Commission Expires: 5/21/2019

Instrument # **389941**
STATE OF IDAHO, PAYETTE COUNTY
4-29-2014 03:22:12 No. of Pages: 2
Recorded for: STEVE BOSCHMA
BETTY J DRESSEN Fee: 13.00
Ex-Officio Recorder Deputy
Index to: EASEMENT - MISC

Stephen Boschma

SCANNED

MAY 01 2023

0389941

Legal Description for
Water Transmission Line
Section 25, T. 8 N., R., 4 W. B.M.
Payette County, Idaho

Said easement described as follows:

A strip of land 20 ft. in width, 10 ft., on each side of centerline; Commencing at the corner for Secs. 23, 24, 25, and 26, T. 8 N., R., 4 W., BM; thence S. $00^{\circ} 10' 07''$ E., 5204.16 ft. to the corner for Secs. 25, 26, 35, and 36; thence N. $17^{\circ} 39' 24''$ E., 2722.17 ft. to a point on the south line of the NW1/4 section 25 and the Point Of Beginning; Thence N. $34^{\circ} 40' 16''$ E., 924.12 ft. to a point; Thence N $33^{\circ} 23' 03''$ E., 643.24 ft. to a point on the south line of the N 1/2 NW 1/4 of Sec. 25 from whence the corner for Secs. 23, 24, 25, and 26 bears N $52^{\circ} 39' 04''$ W., 2164.42 ft.

SCANNED

MAY 01 2023

89936

0389942
PUMP STATION EASEMENT

This easement is dated this 28th day of April 2014, from **Ronald D. Hendrickson and D. Charlene Hendrickson** hereinafter called "Grantors" to **Lone Pine Farms Canyon County LLC, Stephen Boschma, Mgr.** hereinafter called "Grantee".

Witnesseth:

Whereas, Grantors are the owners of certain real property in the Govt. Lots 1 and 2, Section 25, T. 8 N., R. 4 W. BM, PAYETTE County, Idaho and do, hereby grant to the **Grantee** their heirs and assigns subject to existing easements and valid rights, a perpetual easement for a pump station, access road and water transmission line upon certain lands herein described.

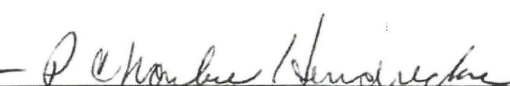
Said lands are herein described as:

Commencing at the corner for Secs. 23, 24, 25 and 26, T. 8 N., R. 4 W. BM; Thence S. 00° 10' 07" E., along the line between Secs. 25 and 26, 5204.16 ft. to the corner for Secs. 25, 26, 35, and 36 thence N 00° 10' 07" W., 1443.64 ft. to the Point of Beginning; thence N 00° 10' 07" W., 50.00 ft. to a point; thence N 69° 06' 44" E., 32.99 ft.; thence N. 55° 32' 57" E., 114.06 ft. to a point; thence S. 38° 27' 55" E., 25.00 ft.; thence S. 42° 07' 18" E., 25.00 ft. to a point; thence S. 53° 28' 31" W., 117.59 ft.; thence S. 73° 46' 38" W., 65.16 ft. to the Point of Beginning.

TOGETHER WITH a strip of land for an access road 20 ft. in width 10 ft on each side of centerline; Commencing at the corner for Secs. 23, 24, 25, and 26, T. 8 N., R., 4 W., BM; Thence S. 00° 10' 07" E., 5204.16 ft. to the corner for Secs. 25, 26, 35, and 36; thence N. 02° 59' 39" E., 1477.84 ft. to a point on the centerline of said access road and the Point of Beginning; thence along said centerline S. 54° 59' 09" E., 56.62 ft.; and continuing along said centerline S. 44° 25' 51" E., 106.00 ft.; S. 41° 03' 12" E., 95.83 ft.; S. 37° 38' 43" E., 124.11 ft.; S. 43° 12' 39" E., 78.37 ft.; and S. 84° 33' 51" E., 42.67 ft to a point on the centerline of Bluff Road from whence the corner of Secs. 25, 26, 35, and 36 bears S. 70° 48' 43" W., 1215.76 ft.

ALSO a strip of land for a water transmission line 20 ft. in width, 10 ft. on each side of centerline; Commencing at the corner for Secs. 23, 24, 25, and 26, T. 8 N., R., 4 W., BM; thence S. 00° 10' 07" E., 5204.16 ft. to the corner for Secs. 25, 26, 35, and 36; thence N. 05° 00' 52" E., 1556.30 ft. to a point on the easterly right of way line for Bluff Road and the Point Of Beginning; Thence N. 33° 27' 26" E., 1250.85 ft. to a point on the south line of the NW 1/4 of Sec. 25 from whence the corner for Secs. 23, 24, 25, and 26 bears N 17° 51' 30" W., 2742.33 ft.


Ronald D. Hendrickson

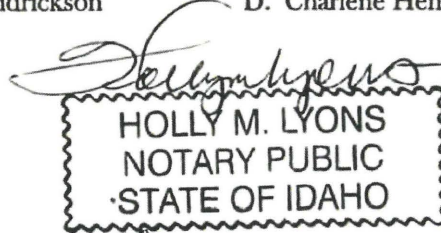

D. Charlene Hendrickson

Date

State of Idaho)

)ss

County of Payette)


HOLLY M. LYONS
NOTARY PUBLIC
STATE OF IDAHO

COMMISSION EXPIRES 5/21/2019

On this 28th day of April 2014, before me, a Notary Public in and for said state, personally appeared Ronald and Charlene Hendrickson known or identified to me to be the person(s) whose names(s) are subscribed to the within Instrument and acknowledged to me that they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

SCANNED

MAY 01 2023

0389942

Legal Description for
Pump Station , Road and Water Transmission Line
Section 25, T. 8 N., R., 4 W. B.M.
Payette County, Idaho

Said lands are herein described as:

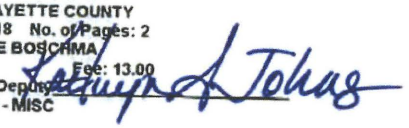
Commencing at the corner for Secs. 23, 24, 25 and 26, T. 8 N., R 4 W. BM; Thence S. 00° 10' 07" E., along the line between Secs. 25 and 26, 5204.16 ft. to the corner for Secs. 25, 26, 35, and 36 thence N 00° 10' 07" W., 1443.64 ft. to the Point of Beginning; thence N 00° 10' 07" W, 50.00 ft. to a point; thence N 69° 06' 44" E., 32.99 ft.; thence N. 55° 32' 57" E., 114.06 ft. to a point; thence S. 38° 27' 55" E, 25.00 ft.; thence S. 42° 07' 18" E., 25.00 ft. to a point; thence S. 53° 28' 31" W., 117.59 ft.; thence S. 73° 46' 38" W., 65.16 ft. to the Point of Beginning.

TOGETHER WITH a strip of land for an access road 20 ft. in width 10 ft on each side of centerline; Commencing at the corner for Secs. 23, 24, 25, and 26, T. 8 N., R., 4 W., BM; Thence S. 00° 10' 07" E., 5204.16 ft. to the corner for Secs. 25, 26, 35, and 36; thence N. 02° 59' 39" E., 1477.84 ft. to a point on the centerline of said access road and the Point of Beginning; thence along said centerline S. 54° 59' 09" E., 56.62 ft.; and continuing along said centerline S. 44° 25' 51" E., 106.00 ft.; S. 41° 03' 12" E., 95.83 ft.; S. 37° 38' 43" E., 124.11 ft.; S. 43° 12' 39" E, 78.37 ft.; and S. 84° 33' 51" E., 42.67 ft to a point on the centerline of Bluff Road from whence the corner of Secs. 25, 26, 35, and 36 bears S. 70° 48' 43" W., 1215.76 ft.

ALSO a strip of land for a water transmission line 20 ft. in width, 10 ft., on each side of centerline; Commencing at the corner for Secs. 23, 24, 25, and 26, T. 8 N., R., 4 W., BM; thence S. 00° 10' 07" E., 5204.16 ft. to the corner for Secs. 25, 26, 35, and 36; thence N. 05° 00' 52" E., 1556.30 ft. to a point on the easterly right of way line for Bluff Road and the Point Of Beginning; Thence N. 33° 27' 26" E., 1250.85 ft. to a point on the south line of the NW 1/4 of Sec. 25 from whence the corner for Secs. 23, 24, 25, and 26 bears N 17° 51' 30" W., 2742.33 ft.

Instrument # 389942

STATE OF IDAHO, PAYETTE COUNTY
4-29-2014 03:25:18 No. of Pages: 2
Recorded for : STEVE BOSCHMA
BETTY J DRESSEN Fee: 13.00
Ex-Officio Recorder Deputy
Index to: EASEMENT - MISC



SCANNED

MAY 01 2023

89936

Water Right Report : 65-11269(Decreed/Active)

Attachment 2A

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	BIG WILLOW RANCH LLC	C/O JG SCHWARZ 1 DIXIE LN	PAYETTE	ID	83661 5030
Original Owner	BURT, LETA I	3723 COUNTY LINE RD	EMMETT	ID	83617-9202
Original Owner	BURT, WILLIAM A	3723 COUNTY LINE RD	EMMETT	ID	83617-9202

Water Right Status

Priority Date : 6/1/1912
 Basis : Decreed
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
PAYETTE RIVER		SNAKE RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
PAYETTE RIVER	08N	04W	25	1		SW	SW	PAYETTE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	2.11 CFS	
TOTAL			2.11 CFS	

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (PAYETTE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
08N	04W	25			SW	NE	11.0
08N	04W	25			SW	NW	38.0
08N	04W	25			SE	NW	38.0

Irrigation Totals

Total Acres Acre Limit
 87.00

Conditions

Code Conditions

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT THE FIELD HEADGATE

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.

Dates

Licensed Date :
 Decreed Date : 7/18/2002
 Permit Proof Due Date :
 Permit Proof Made Date :
 Permit Approved Date :
 Permit Moratorium Expiration Date :

Other Information

State or Federal : S
 Water District Number : 65
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 0
 Civil Case Number :
 Decree Plaintiff :

State of Idaho
Department of Water Resources

Water Right

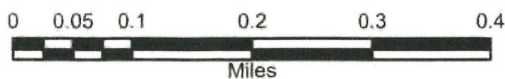
65-11269

IRRIGATION

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



Date created: 7/9/2025

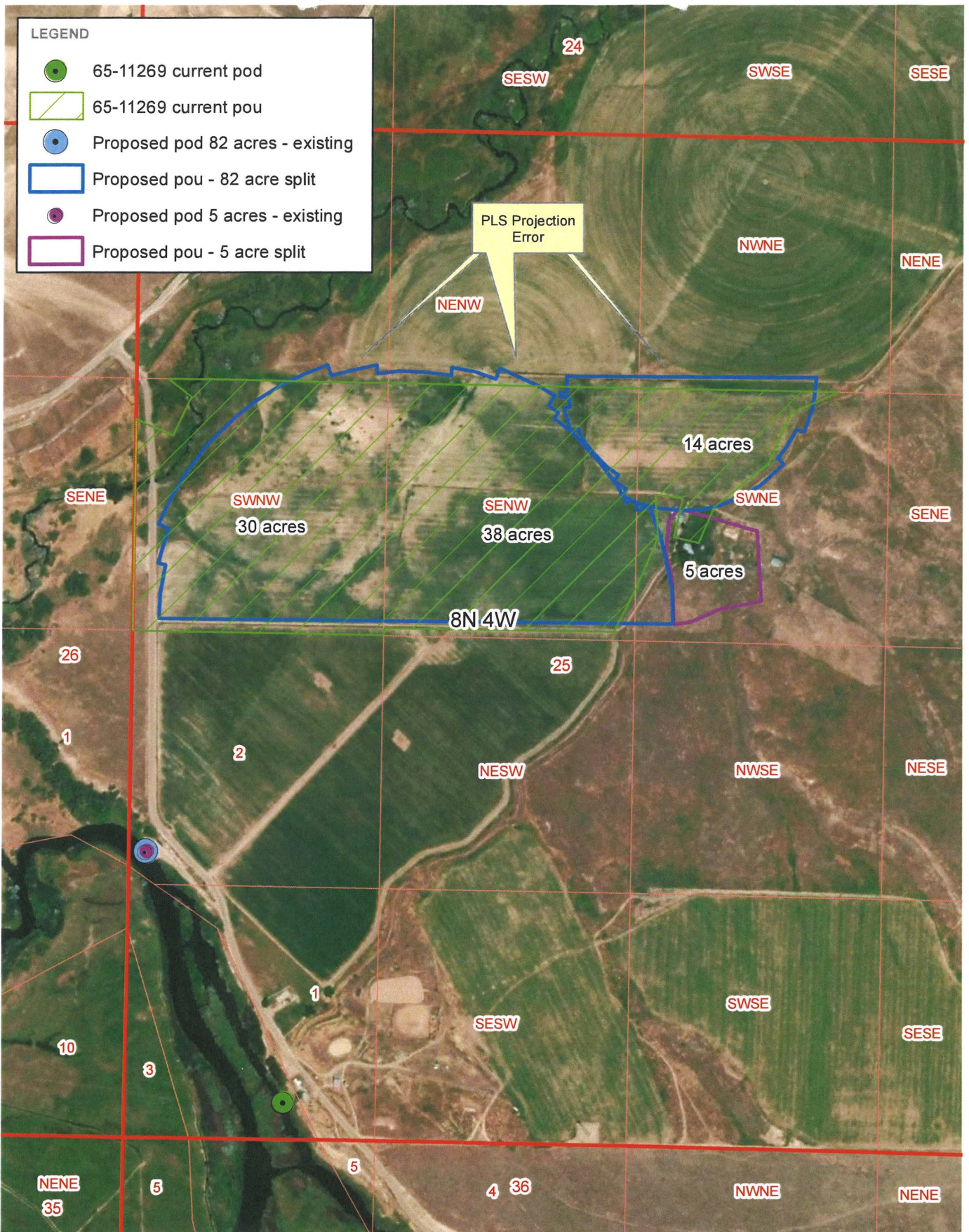


Legend

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



89936



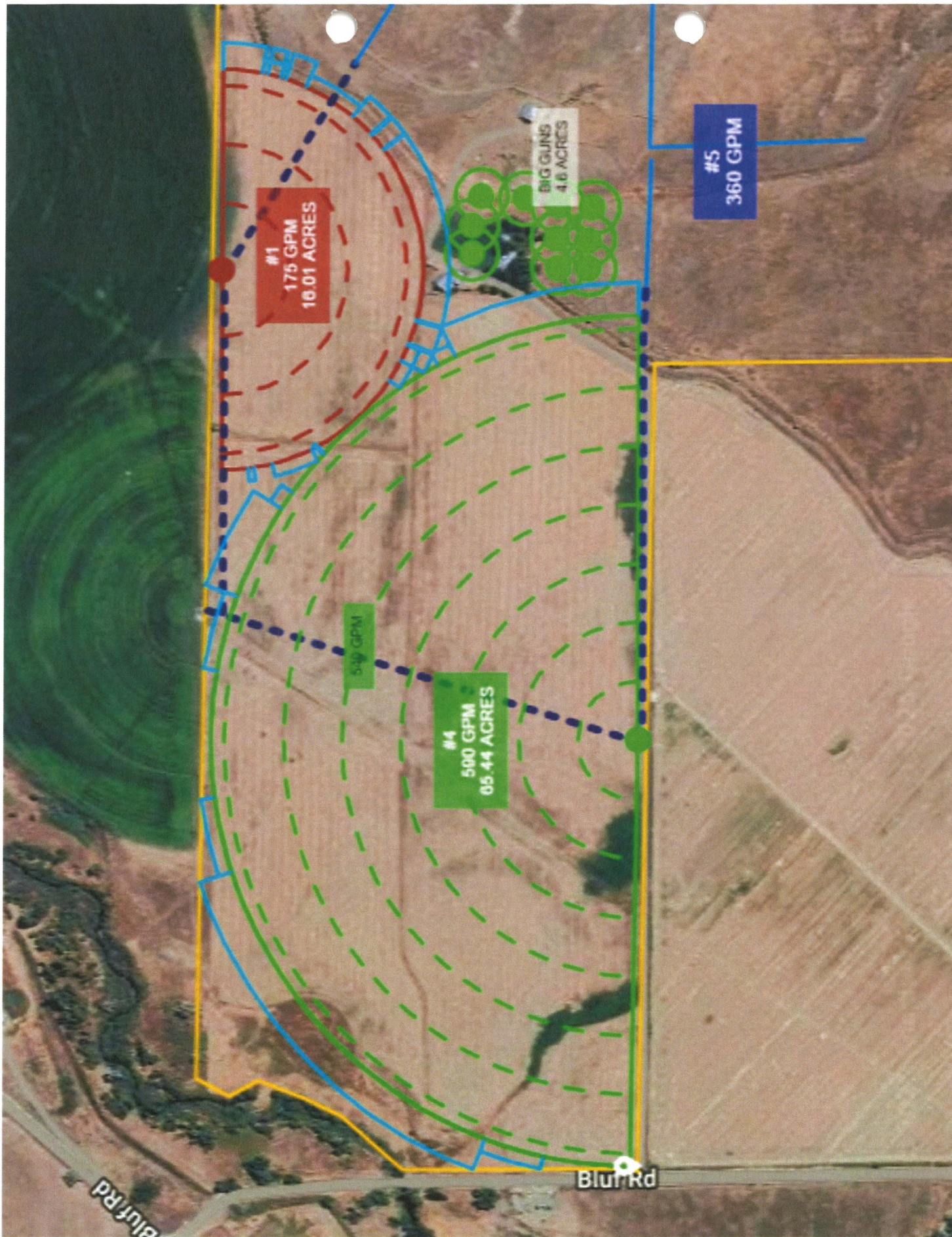
DATA SOURCE: Payette NAIP 2023



0 Feet 750

TRANSFER ATTACHMENT 2B & 3C WATER RIGHT 65-11269

BIG WILLOW RANCH



AGRI-LINES IRRIGATION, INC (Parma)

06/26/2025

89936

115 N. 2nd St; PARMA, ID 83660
Office: 1 (208) 722-4085; Mobile: 1 (208) 722-4085
Randy Eddy - randyle@agri-lines.com

Attachment 3C - page 2

NW Section Corner
Section 25
CP&FR Inst. No.
241998
23 24
26 25

RECORD OF SURVEY

A PORTION OF THE S 1/2 N 1/2 OF SECTION 25,
TOWNSHIP 8 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
PAYETTE COUNTY, IDAHO

LINE TABLE

NO	BEARING	LENGTH
L1	N82°24'10"E	92.73'
L2	S3°45'39"E	30.23'
L3	S65°45'26"W	169.25'
L4	S82°24'10"W	99.39'
L5	N0°25'27"E	30.00'

Reference Surveys:
Inst. No. 372812; Book 10, Page 33
Inst. No. 452177; Book 16, Page 34
Inst. No. 236636; Book 3, Page 30

Reference Deed:
Inst. No. 458502

0' 100' 200'

Scale: 1" = 100'

LEGEND

- 5/8" REBAR - FOUND
- 1/2" x 24" REBAR - SET
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- SECTION/ALIQUOT PART LINE
- EASEMENT LINE

Surveyor's Narrative:

This survey was performed at the request of Big Willow Ranch, LLC to divide the parcel described in the referenced deed. Section control was located, verified with record data and held as shown. The parcel was then divided under the client's direction. The basis of bearing for this survey was established by GNSS observations, projected to the Idaho State Plane Coordinate system, West Zone, NAD83 datum. All bearings shown are on grid azimuth and all distances are ground at project elevation.

CERTIFICATION

I, Zane Laufenberg, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner Perpetuation Act, Idaho Code 55-1601 through 55-1612.



INDEX No. 844-25-0-0-0-00-00

SURVEY FOR:

BIG WILLOW RANCH, LLC

Drawn By: ZCL

Date: June 24, 2025

Surveyed By: ZCL

Job No. MY0825

Skinner
Land Survey
17842 Sand Hollow Road
Caldwell, Idaho 83607
(208)-454-0933
www.skinnerlandsurvey.com
surveys@skinnerlandsurvey.com

S1/2N1/2 OF SECTION 25

Parcel 1
5.580 Acres

S88°50'47"E 2779.99'

N88°50'47"W 2781.92'

30' Ingress/Egress
& Irrigation Easement
Follows Existing Driveway

BLUFF ROAD
BASIS OF BEARING
S07°25'30"W 5204.11'

93668

26 25 SW Section Corner
Section 25
CP&FR Inst. No.
372786
35 36

Attachment 3C page 3

INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **The Argus Observer** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(541) 889-5387**.

Notice ID: wjPnPrEBwWcilg0m3IDJ | **Proof Updated: Dec. 11, 2025 at 12:35pm MST**

Notice Name: 89936 Big Willow Ranch

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

Lynne Evans
lynne.evans@idwr.idaho.gov
(208) 334-2190

FILING FOR

The Argus Observer

Columns Wide: 1

Ad Class: Legals

12/17/2025: Public Notice (Idaho)	55.14
12/24/2025: Public Notice (Idaho)	55.14
Affidavit Fee	5.00

Subtotal	\$115.28
Tax %	0
Processing Fee	\$0.00
Total	\$115.28

Legal Notice**NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT**

TRANSFER NO. 89936
BIG WILLOW RANCH
LLC, C/O JG SCHWARZ,
1 DIXIE LN, PAYETTE, ID
83661-5030 has filed
Application No. 89936 for
changes to the following
water right within
PAYETTE County: Right
No. 65-11269; to see a
full description of the
right 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 right as follows:
to change the place of use
for 87 acres of irrigation
to reflect current
irrigation practices, split
off 5 acres of water right
no. 65-11269 to a new
parcel, and move the
point of diversion from L1
(SWSW) of Sec 25, T08N,
R04W downstream 1/4
mile on the Payette River
to existing pump station
in L2 (NWSW) of Sec 25,
T08N, R04W.

For additional
information concerning
the property location,
contact the Western
Region office at (208)334-
2190. Protests may be
submitted based on the
criteria of Idaho Code §
42-222. Any protest
against the proposed
change must be filed with
the Director, Department
of Water Resources,
Western Region, 2735 W
AIRPORT WAY, BOISE ID
83705-5082 together with
a protest fee of \$25.00 for
each application on or
before 1/5/2026. The
protestant must also
send a copy of the protest
to the applicant.
MATHEW WEAVER,
Director

**Legal Number #####
December 17, 24, 2025**

Transfer 65-11269

From Scanlan, Terry <Terry.Scanlan@hdrinc.com>

Date Mon 7/14/2025 11:53 AM

To IDWR File <file@idwr.idaho.gov>; Storms, Scott <Scott.Storms@idwr.idaho.gov>

Cc jg buttelodge.com <jg@buttelodge.com>; Graves, Lori <Lori.Graves@hdrinc.com>

 1 attachment (5 MB)

65-11269 Transfer App Big Willow Ranch.pdf;

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

Scott,

Enclosed on behalf of Big Willow Ranch is a transfer of water right 65-11269. The transfer proposes to (1) change the point of diversion to a new pump station ¼ mile downstream, (2) reconfigure the place of use for conversion from gravity irrigation to pivot and big gun sprinklers, and (3) split the water right to reflect a pending sale of a 5-acre portion of the water right.

Big Willow Ranch will mail to your attention a check for \$760, of which \$660 is the transfer fee and \$100 is for splitting the water right. Please confirm when it is received. Call or email me with any questions. Thanks.

Terry M. Scanlan, P.E., P.G.

Principal Engineer

HDR

412 E. Parkcenter Boulevard., Suite 100

Boise, ID 83706

D +1.208-872-9530 **M** +1.208-861-4758

Terry.Scanlan@hdrinc.com

hdrinc.com/follow-us