

RECEIVED

MAR 12 2021

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84813

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

WITHDRAWN

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

Name of Applicant(s) Robin LaRive

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

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

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

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

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Robin LaRive Phone 602.361.8829
Mailing address 9484 Hardtrigger Rd., Melba, ID 83641 Email rlarive700@hotmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Belinda Caillouet Phone 509.475.3140
Mailing address 12567 Rockledge Lane, Nampa, ID 83641 Email blcaillouet@gmail.com

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

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

Robin LaRive
Signature of Applicant or Authorized Representative

Belinda Caillouet
Signature of Applicant or Authorized Representative

Robin LaRive
Print Name and Title if applicable

Belinda Caillouet
Print Name and Title if applicable

3/3/2021
Date

3/8/21
Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use
 ☒ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

We own 2 parcels side-by-side. The one located at 9444 Hardtrigger Rd., Melba ID has 50.2 acres of water rights and the one located at 9484 Hardtrigger Rd. has no water rights. We would like to allocate 4 acres of water rights to 9484 Hardtrigger Rd., which will be pulled from a second well.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	57-2294	0.76 cfs	Irrigation	March to November	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.76 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or 4 acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
Label it **Attachment #5**.

New ?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
N			NW	SE	12	01N	04W	Owyhee	Ground Water	
Y			NW	SE	12	01N	04W	Owyhee	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

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

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	04W	12			36.8											13.4			50.2
Total Acres (for irrigation use)																			50.2

Show acres
after changes

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

We will be pulling from 2 wells for the northern and southern section of the property. We will install a measuring device if necessary.

- b. Who owns the property at the point(s) of diversion? Robin LaRive, Belinda Caillouet & Guy Caillouet
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

4 acres that currently has water rights will be moved to the southern property

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

No other water rights

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

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

200708927



Instrument # 263297
MURPHY, OWYHEE, IDAHO
2007-12-07 04:42:28 No. of Pages: 2
Recorded for : PIONEER TITLE CO
CHARLOTTE SHERBURN Fee: 6.00
Ex-Officio Recorder Deputy *Charlotte Sherburn*
Index to: DEED, CORPORATION WARRANTY

100 10th Avenue South / Nampa, Idaho
83651 / (208) 466-6100

Attachment #26

200708927 **CORPORATE WARRANTY DEED**

FOR VALUE RECEIVED,

Pensco Pension Services, Inc., Custodian FBO Teresa L. Sperry IRA Acct. No. SP049

a corporation duly organized and existing under the laws of the State of, grantor, does hereby Grant, Bargain, Sell and Convey unto

Robin L Larive, a single person Belinda L Caillouet and Guy H Caillouet, husband and wife and Rocky Bates and Nya Bates, husband and wife

whose address is: 9444 Hardtrigger, Melba, ID 83641, grantee, the following described real estate, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision, restrictions, U.S. patent reservations, easements of record and easements visible upon the said premises.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in a fee simple of said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its officers on November 28, 2007.

Pensco Pension Services, Inc., Custodian FBO
Teresa L. Sperry IRA Acct. No. SP049

[Signature] 12/4/07

[Signature]

State of California

ss.

County of San Francisco

On this 4 day of December, 2007, before me, the undersigned, a Notary Public, in and for said State, personally appeared Jeanny Lo known and/or identified to me on the basis of satisfactory evidence, to be the VP of Investments, PENSICO of the Corporation that executed the within instrument or the person who executed the instrument on behalf of said Corporation and acknowledged to me that such Corporation executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

(SEAL)

[Signature]
Notary Public
Residing at: 450 Sansome St, SF, CA 94111
Commission Expires: April 17, 2011



No warranties of any kind are implied nor representation made by Pioneer Title Company regarding this document or its affect on the land it involves.

EXHIBIT A

In Township 1 North, Range 4 West, Boise Meridian, Owyhee County Idaho
Section 12: Southwest Quarter of the Northeast Quarter and the North 500 feet of the Northwest Quarter of
the Southeast Quarter

Excepting therefrom the following parcel of land:

A portion of the Northwest Quarter of the Southeast Quarter of Section 12, Township 1 North, Range 4 West,
Boise Meridian, Owyhee County, Idaho, more particularly described to wit:

COMMENCING at a found aluminum monument marking the Northwest corner of the Northwest Quarter
of the Southeast Quarter (the CR 1/4 corner) of Section 12, Township 1 North, Range 4 West, Boise
Meridian, Owyhee County, Idaho, said point bears

South 00° 01'30" East 1327.93 feet along the Westerly boundary of the Southwest Quarter of the Northeast
Quarter from the Northwest corner of the Southwest Quarter of the Northeast Quarter (the N 1/16th corner),
marked by a found brass monument; thence

South 00° 01'45" East 500.10 feet to a found 5/8 inch iron pin, the INITIAL POINT of this description;
thence

North 00° 01'45" West 11.81 feet to a point on the Westerly boundary of the Northwest Quarter of the
Southeast Quarter; thence along an existing old fence line the following courses:

North 89° 58'15" East 31.51 feet to a rotted off post location; thence

North 88° 14'50" East 7.55 feet to an old wood post; thence

North 88° 25'42" East 51.20 feet to an old steel post; thence

North 89° 33'16" East 49.03 feet to an old steel post; thence

North 89° 23'35" East 56.19 feet to an old steel post; thence

North 89° 26'44" East 55.40 feet to an old steel post; thence

North 89° 29'55" East 57.75 feet to an old steel post; thence

North 89° 53'48" East 58.46 feet to an old stump post in the ground; thence

North 89° 41'26" East 12.28 feet to an old wood post; thence

North 89° 32'40" East 22.87 feet to an old stump post out of ground; thence

North 89° 55'53" East 38.09 feet to an old stump post in the ground; thence

South 86° 38'35" East 17.21 feet to an old wood post; thence

North 87° 41'39" East 18.55 feet to an old wood post; thence

North 88° 46'00" East 80.36 feet to an old wood post; thence

South 89° 58'18" East 52.99 feet to an old steel post; thence

South 88° 36'34" East 43.58 feet to an old steel post; thence

South 88° 51'00" East 36.34 feet to an old steel post; thence

South 89° 14'59" East 45.73 feet to an old steel post; thence

South 87° 59'04" East 40.95 feet to an old steel post; thence

South 89° 10'10" East 28.32 feet to an old steel post; thence

South 89° 09'07" East 34.62 feet to an old steel post; thence

South 89° 24'10" East 48.99 feet to an old steel post; thence

South 88° 02'26" East 23.99 feet to an old steel post; thence

South 88° 17'21" East 31.52 feet to an old steel post; thence

North 89° 41'26" East 106.50 feet to an old steel post; thence

North 89° 46'03" East 52.70 feet to an old steel post; thence

North 89° 46'43" East 52.20 feet to an old steel post; thence

North 89° 14'07" East 41.31 feet to an old steel post; thence

North 88° 27'19" East 28.13 feet to an old steel post; thence

North 89° 46'23" East 102.58 feet (formerly shown of record as North 89° 49'49" East 97.87 feet) to a rail

road tie post; thence

South 87° 47'23" East 7.87 feet to a found 1/2 inch iron pin with a plastic cap;

thence

South 89° 27'42" West 1334.61 feet to the INITIAL POINT of this description.

No warranties of any kind are implied
nor representation made by Pioneer
Title Company regarding this document
or its affect on the land it involves.

QUITCLAIM DEED

FOR VALUE RECEIVED,

Rocky Bates and Nya Bates husband and wife [Grantor/s]

do/does hereby convey, release, remise and forever quit claim unto

Robert L. LaRue a single person [Grantee/s]
Cathy A. Caillaud and Belinda L. Caillaud, husband and wife

whose current address is:

9444 Hardtigger Road, Melba, ID. [Grantees]
83641

Address]

the following described premises:

Attached Exhibit A

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

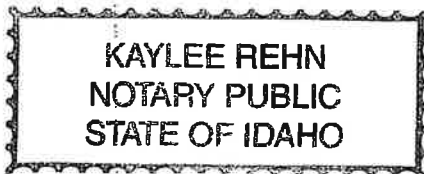
Date: 10-19-11

By: Nya Bates Rocky Bates
[Grantor's Name]

State of Idaho)

County of Canyon) S.S.

On this 19th day of October, in the year 2011, before me
Kaylee Rehn, personally appeared
Rocky Bates & Nya Bates, proved to me on
the basis of satisfactory evidence to be the person(s) whose name(s) is(are) subscribed to the within
instrument, and acknowledged that he(she)(they) executed the same.



Kaylee Rehn
Notary Public
My Commission Expires on 3-23-17

EXHIBIT A

In Township 1 North, Range 4 West, Boise Meridian, Owyhee County Idaho
Section 12: Southwest Quarter of the Northeast Quarter and the North 500 feet of the Northwest Quarter of the Southeast Quarter

Excepting therefrom the following parcel of land:

A portion of the Northwest Quarter of the Southeast Quarter of Section 12, Township 1 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, more particularly described to wit:

COMMENCING at a found aluminum monument marking the Northwest corner of the Northwest Quarter of the Southeast Quarter (the CR 1/4 corner) of Section 12, Township 1 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said point bears

South 00° 01'30" East 1327.93 feet along the Westerly boundary of the Southwest Quarter of the Northeast Quarter from the Northwest corner of the Southwest Quarter of the Northeast Quarter (the N 1/16th corner), marked by a found brass monument; thence

South 00° 01'45" East 500.10 feet to a found 5/8 inch iron pin, the INITIAL POINT of this description; thence

North 00° 01'45" West 11.81 feet to a point on the Westerly boundary of the Northwest Quarter of the Southeast Quarter; thence along an existing old fence line the following courses:

North 89° 58'15" East 31.51 feet to a rotted off post location; thence

North 88° 14'50" East 7.55 feet to an old wood post; thence

North 88° 25'42" East 51.20 feet to an old steel post; thence

North 89° 33'16" East 49.03 feet to an old steel post; thence

North 89° 23'35" East 56.19 feet to an old steel post; thence

North 89° 26'44" East 55.40 feet to an old steel post; thence

North 89° 29'55" East 57.75 feet to an old steel post; thence

North 89° 53'48" East 58.46 feet to an old stump post in the ground; thence

North 89° 41'26" East 12.28 feet to an old wood post; thence

North 89° 32'40" East 22.87 feet to an old stump post out of ground; thence

North 89° 55'53" East 38.09 feet to an old stump post in the ground; thence

South 86° 38'35" East 17.21 feet to an old wood post; thence

North 87° 41'39" East 18.55 feet to an old wood post; thence

North 88° 46'00" East 80.36 feet to an old wood post; thence

South 89° 58'18" East 52.99 feet to an old steel post; thence

South 88° 36'34" East 43.58 feet to an old steel post; thence

South 88° 51'00" East 36.34 feet to an old steel post; thence

South 89° 14'59" East 45.73 feet to an old steel post; thence

South 87° 59'04" East 40.95 feet to an old steel post; thence

South 89° 10'10" East 28.32 feet to an old steel post; thence

South 89° 09'07" East 34.62 feet to an old steel post; thence

South 89° 24'10" East 48.99 feet to an old steel post; thence

South 88° 02'26" East 23.99 feet to an old steel post; thence

South 88° 17'21" East 31.52 feet to an old steel post; thence

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road tie post; thence

South 87° 47'23" East 7.87 feet to a found 1/2 inch iron pin with a plastic cap;

thence

South 89° 27'42" West 1334.61 feet to the INITIAL POINT of this description.



Pioneer Title Co.
GOING BEYOND

5680 E. Franklin Rd., Ste. 250
Nampa, ID 83687

**ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT**

File No. 571890 CA/TG

WARRANTY DEED

For Value Received

Tina M. Ruffing, an unmarried woman

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Robin LaRive an unmarried woman

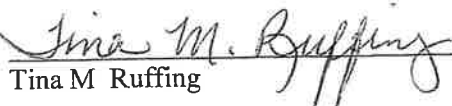
hereinafter referred to as Grantee, whose current address is 9484 Hardtrigger Road Melba, ID 83641

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

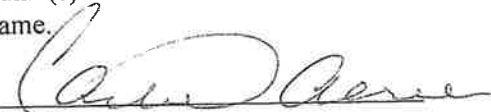
To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

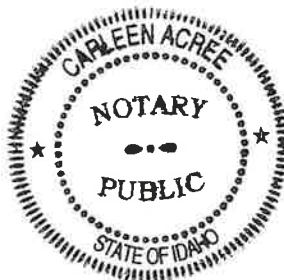
Dated: May 21, 2015


Tina M Ruffing

State of Idaho, County of Canyon

On this 22 day of May in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Tina Ruffing known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.


Residing at: Nampa
Commission Expires: 3/9/2016



004813

EXHIBIT A

Tract I:

A parcel of land in the Northwest Quarter of the Southeast Quarter of Section 12, Township 1 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the said Northwest Quarter of the Southeast Quarter; thence

South along the West boundary of the said Northwest Quarter of the Southeast Quarter, 500 feet to the TRUE POINT OF BEGINNING; thence

East 1,320 feet parallel to the North line of the said Northwest Quarter of the Southeast Quarter to the East boundary; thence

South 190 feet along the East boundary; thence

West 660 feet parallel to the South boundary; thence

North 40 feet; thence

West 660 feet parallel to the South boundary; thence

North along the West boundary 150 feet to the TRUE POINT OF BEGINNING.

Tract II:

A portion of the Northwest Quarter of the Southeast Quarter of Section 12, Township 1 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, more particularly described to wit:

COMMENCING at a found aluminum monument marking the Northwest corner of the Northwest Quarter of the Southeast Quarter (the CR 1/4 corner) of Section 12, Township 1 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said point bears

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North 87° 41'39" East 18.55 feet to an old wood post; thence

North 88° 46'00" East 80.36 feet to an old wood post; thence

South 89° 58'18" East 52.99 feet to an old steel post; thence

South 88° 36'34" East 43.58 feet to an old steel post; thence

South 88° 51'00" East 36.34 feet to an old steel post; thence

South 89° 14'59" East 45.73 feet to an old steel post; thence

South 87° 59'04" East 40.95 feet to an old steel post; thence

South 89° 10'10" East 28.32 feet to an old steel post; thence

South 89° 09'07" East 34.62 feet to an old steel post; thence

South 89° 24'10" East 48.99 feet to an old steel post; thence

South 88° 02'26" East 23.99 feet to an old steel post; thence

South 88° 17'21" East 31.52 feet to an old steel post; thence

North 89° 41'26" East 106.50 feet to an old steel post; thence

North 89° 46'03" East 52.70 feet to an old steel post; thence

North 89° 46'43" East 52.20 feet to an old steel post; thence

North 89° 14'07" East 41.31 feet to an old steel post; thence

North 88° 27'19" East 28.13 feet to an old steel post; thence

North 89° 46'23" East 102.58 feet (formerly shown of record as North 89° 49'49" East 97.87 feet) to a rail road tie post; thence

South 87° 47'23" East 7.87 feet to a found 1/2 inch iron pin with a plastic cap;

thence

South 89° 27'42" West 1334.61 feet to the INITIAL POINT of this description.

QUITCLAIM DEED

For Value Received

Robin LaRive an unmarried woman

do hereby convey, release, remise and forever quit claim unto

ROBIN LARIVE AN UNMARRIED WOMAN AND BELINDA CAILLOUET
AND GUY CAILLOUET, WIFE AND HUSBAND

whose address is

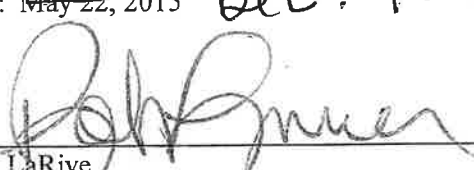
9484 HANDSTUCKER Rd, Melba, Idaho 83641

the following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

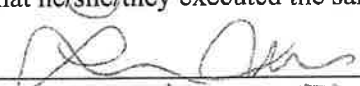
together with their appurtenances.

Dated: ~~May 22, 2015~~ Dec. 9th 2015


Robin LaRive

State of _____, County of Owyhee

On this 9th day of Dec in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Robin LaRive known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.


Residing at: Nampa, ID

Commission Expires: 5/8/19



Instrument # 288428

MURPHY, OWYHEE, IDAHO

12-9-2015 10:53:43 AM No. of Pages: 3

Recorded for: ROBIN LARIVE

ANGELA BARKELL

Ex-Officio Recorder Deputy 

Index to: DEED, QUIT-CLAIM

Fee: 16.00

THIS DRAWING IS TO BE USED
ONLY FOR REFERENCE PURPOSES
AND THE COUNTY IS NOT RESPONSIBLE
FOR ANY INACCURACIES
HEREIN CONTAINED.

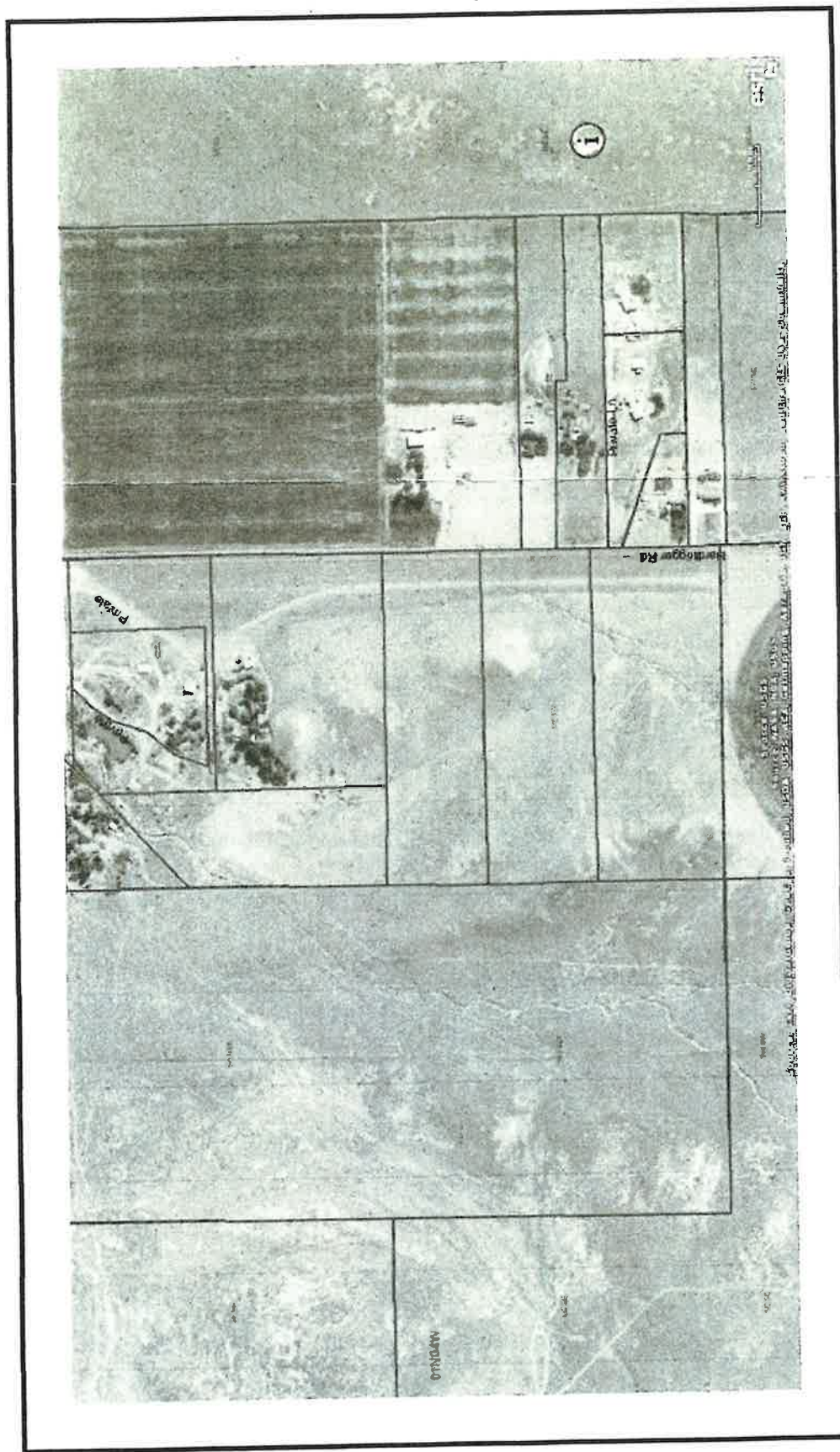


EXHIBIT A

Tract I:

A parcel of land in the Northwest Quarter of the Southeast Quarter of Section 12, Township 1 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the said Northwest Quarter of the Southeast Quarter; thence South along the West boundary of the said Northwest Quarter of the Southeast Quarter, 500 feet to the TRUE POINT OF BEGINNING; thence East 1,320 feet parallel to the North line of the said Northwest Quarter of the Southeast Quarter to the East boundary; thence South 190 feet along the East boundary; thence West 660 feet parallel to the South boundary; thence North 40 feet; thence West 660 feet parallel to the South boundary; thence North along the West boundary 150 feet to the TRUE POINT OF BEGINNING.

Tract II:

A portion of the Northwest Quarter of the Southeast Quarter of Section 12, Township 1 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, more particularly described to wit:

COMMENCING at a found aluminum monument marking the Northwest corner of the Northwest Quarter of the Southeast Quarter (the CR 1/4 corner) of Section 12, Township 1 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, said point bears

South 00° 01'30" East 1327.93 feet along the Westerly boundary of the Southwest Quarter of the Northeast Quarter from the Northwest corner of the Southwest Quarter of the Northeast Quarter (the N 1/16th corner), marked by a found brass monument; thence

South 00° 01'45" East 500.10 feet to a found 5/8 inch iron pin, the INITIAL POINT of this description; thence

North 00° 01'45" West 11.81 feet to a point on the Westerly boundary of the Northwest Quarter of the Southeast Quarter; thence along an existing old fence line the following courses:

North 89° 58'15" East 31.51 feet to a rotted off post location; thence
North 88° 14'50" East 7.55 feet to an old wood post; thence
North 88° 25'42" East 51.20 feet to an old steel post; thence
North 89° 33'16" East 49.03 feet to an old steel post; thence
North 89° 23'35" East 56.19 feet to an old steel post; thence
North 89° 26'44" East 55.40 feet to an old steel post; thence
North 89° 29'55" East 57.75 feet to an old steel post; thence
North 89° 53'48" East 58.46 feet to an old stump post in the ground; thence
North 89° 41'26" East 12.28 feet to an old wood post; thence
North 89° 32'40" East 22.87 feet to an old stump post out of ground; thence
North 89° 55'53" East 38.09 feet to an old stump post in the ground; thence
South 86° 38'35" East 17.21 feet to an old wood post; thence
North 87° 41'39" East 18.55 feet to an old wood post; thence
North 88° 46'00" East 80.36 feet to an old wood post; thence
South 89° 58'18" East 52.99 feet to an old steel post; thence
South 88° 36'34" East 43.58 feet to an old steel post; thence
South 88° 51'00" East 36.34 feet to an old steel post; thence
South 89° 14'59" East 45.73 feet to an old steel post; thence
South 87° 59'04" East 40.95 feet to an old steel post; thence
South 89° 10'10" East 28.32 feet to an old steel post; thence
South 89° 09'07" East 34.62 feet to an old steel post; thence
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North 89° 14'07" East 41.31 feet to an old steel post; thence
North 88° 27'19" East 28.13 feet to an old steel post; thence
North 89° 46'23" East 102.58 feet (formerly shown of record as North 89o 49"49" East 97.87 feet) to a rail
road tie post; thence
South 87° 47'23" East 7.87 feet to a found 1/2 inch iron pin with a plastic cap;
thence
South 89° 27'42" West 1334.61 feet to the INITIAL POINT of this description.

State of Idaho
Department of Water Resources

Water Right

57-2294

IRRIGATION

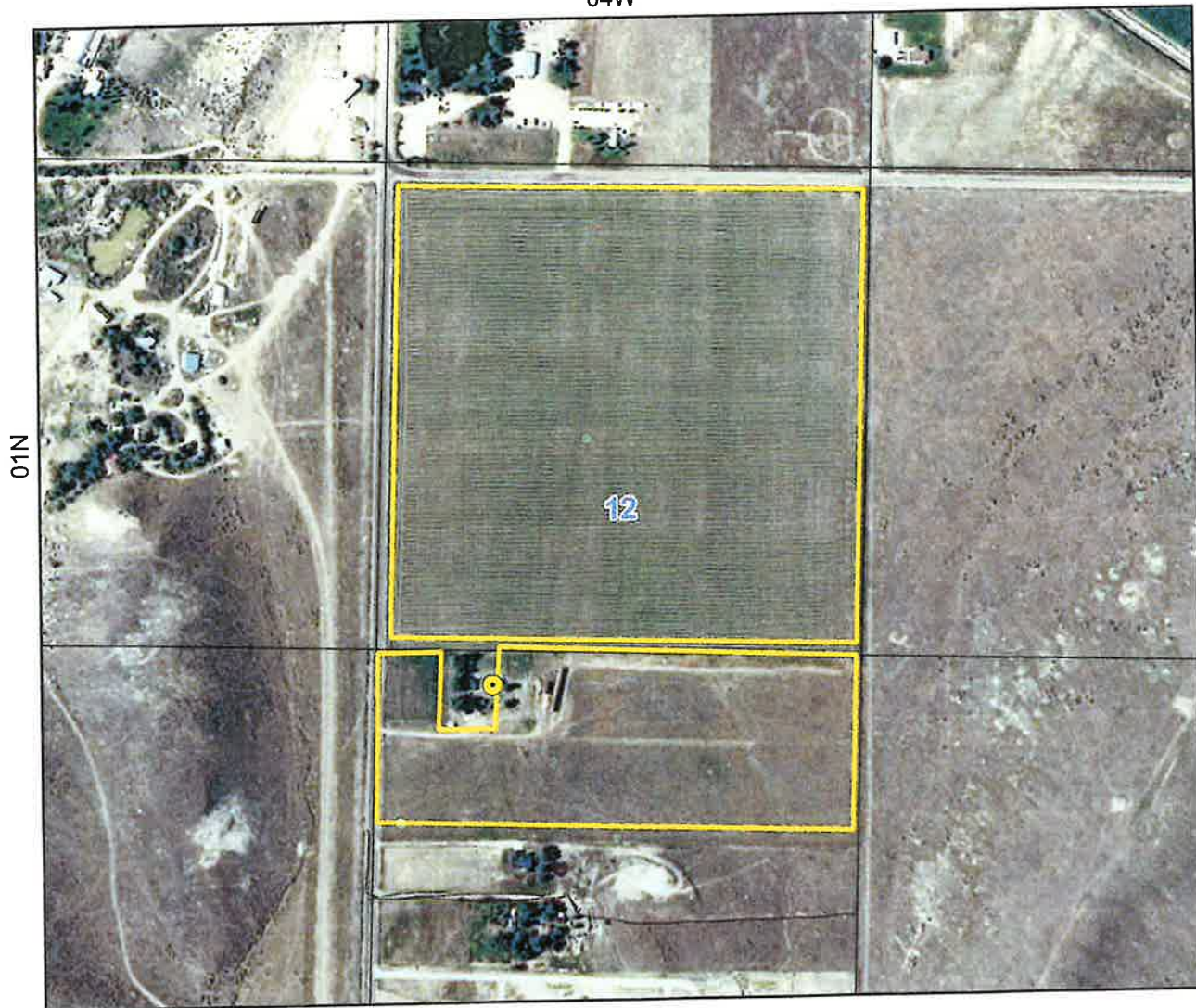
Attachment # 7b

Current
Plot Map.

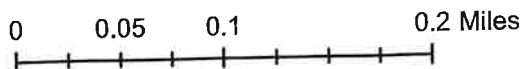


The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be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

04W



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



84813

Attachment #7b
Proposed Plot map.



- Irrigated Land
- Property boundary
- Point of Diversion

36.8 acres

9.4 acres

4 acres



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/12/2021

Water Right 57-2294

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROCKY N BATES 12763 TRAIL DR RD MELBA, ID 83641 (208) 495-1606
Current Owner	NYA BATES 12763 TRAIL DR RD MELBA, ID 83641 (208) 495-1606
Current Owner	BELINDA L CAILLOUET 12763 TRAIL DR RD MELBA, ID 83641
Current Owner	GUY H CAILLOUET 12763 TRAIL DR RD MELBA, ID 83641
Current Owner	ROBIN L LARIVE 12763 TRAIL DR RD MELBA, ID 83641
Original Owner	WESLEY C HIGGINS STAR RT MELBA, ID 83641
Original Owner	WALTER C HIGGINS STAR RT MELBA, ID 83641
Previous Owner	DEAN OVERMAN HC 79 BOX 122A MELBA, ID 83641 (208) 896-4024
Previous Owner	ARLAYNE OVERMAN HC 79 BOX 122A MELBA, ID 83641 (208) 896-4024

Priority Date: 6/28/1966

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/12/2021

Beneficial Use

IRRIGATION

From

3/15

To

11/15

Diversion Rate

0.760 CFS

Volume

0.760 CFS

Total Diversion

Source and Point(s) of Diversion

GROUND WATER

NWSE

Sec. 12, Twp 01N, Rge 04W, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	04W	12			36.8											13.4			50.2

POU Total Acres: 50.2

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT NO. 57-02222 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 225.9 AF.
3. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
4. USE OF THIS RIGHT WITH RIGHT NO. 57-02222 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 50.2 ACRES IN A SINGLE IRRIGATION SEASON.
5. RIGHT NO. 57-02222 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates and Other Information

Decreed Date: 1/21/2003

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: AND/OR

Water District Number: NWD

Mitigation Plan: False

Combined Use Limits

Rate

Volume

225.9

Acres

50.2

57-2222 ,57-2294

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/12/2021

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W Airport Way • Boise ID 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348

Website: idwr.idaho.gov • Email: westerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 22, 2021

ROBIN LARIVE
9484 HARDTRIGGER RD
MELBA ID 83641

Re: Withdrawal of Application for Transfer No. 84813

Dear Applicant:

The department has received your recent withdrawal of the above-referenced application. For your convenience, a copy of the application and the withdrawal are enclosed and a refund has been requested to be sent to you.

This action classifies the application as null, void, and of no further consideration by the department. Please feel free to contact our office at 208-334-2190 if you have additional questions in this matter. Also, more information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,

A handwritten signature in blue ink that reads "Denise Lauerman". The signature is fluid and cursive, with the first name "Denise" and last name "Lauerman" clearly distinguishable.

Denise Lauerman
Administrative Assistant
Western Regional Office

Enclosures

MEMORANDUM

TO: Sascha Marston
FROM: Allen Bradbury
DATE: 6/30/2021
RE: Refund Request

Robin LaRive paid \$300 for an application for transfer of water right 57-2294 on March 12, 2021. The application for transfer was withdrawn on May 26, 2021. On June 8, 2021, Robin LaRive filed an application for permit to replace the withdrawn application for transfer.

The Application for permit is for 0.12 cfs. Please modify receipt # W049184, and apply \$100 from the Application for Transfer #84813 to cover the permit fee. A partial refund should be issued.

Please issue a \$200 refund as follows:

TO

ROBIN L LARIVE
9484 HARDTRIGGER RD
MELBA, ID 83641

TEL. (602) 361-8829

RECEIPT

Receipt no. W049184

Copy: app # 84813



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 2, 2021

ROBIN L LARIVE
9484 HARDTRIGGER RD
MELBA ID 83641

Re: Withdrawal of Application for Transfer No. 84813

Dear Applicant:

The Department received your withdrawal of the above referenced transfer application on May 26, 2021. For your convenience a copy of the withdrawal is enclosed. A portion of the filing fee received with the transfer application has been applied to your permit application fee of \$100. Please note, a refund request in the amount of \$200 has also been submitted for processing. Upon approval, it will be sent to you under separate cover.

Please contact our office at 208-334-2190 if you have additional questions in this matter. Also, more information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,

Allen Bradbury
Water Resource Agent, Sr.
Western Region

Enclosure

RECEIVED

MAY 26 2021

WATER RESOURCES
WESTERN REGION

**WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)**

I/We, Robin Levine and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

_____ and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 84813 of Water Right

No(s). 57-2294

Signed this 22 day of May, 20 21.

[Signature]
(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 18, 2021

ROBIN L LARIVE
9484 HARDTRIGGER RD
MELBA ID 83641

Re: Withdrawal of Application for Transfer 84813

Dear Ms. LaRive,

This letter is in regards to Application for Transfer 84813 that was submitted to the Department on March 12, 2021. Per my phone conversation with your representative Ms. Caillouet on May 11, 2021, it was determined that there are not enough acres available to transfer. The property is authorized to irrigate 50.2 acres, however from aerial imagery it was determined that 45.8 acres are actually irrigated (see attached map). Therefore, in order to accomplish a transfer 4 acres would need be dried up from the currently irrigated acres in order to transfer 4 acres to a new place of use. It was also suggested that you could file an application for permit to appropriate new groundwater to irrigate the new 4 acre place of use.

Given these developments, it is helpful to have you officially withdraw your Application for transfer from the Department. **Please complete the attached form and submit it to the Department within the next thirty (30) days.** Your application has not yet been advertised and, therefore, is eligible for a refund of your application fee. If you wish to receive this refund and apply part of the refund to an application for permit, please make a note at the bottom of the form requesting a partial reimbursement.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

Allen Bradbury
Water Resource Agent, Sr.
Idaho Department of Water Resources - Western

CC: Belinda Caillouet

Enclosed: Withdrawal of Application for Transfer 84813
Map