

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 83798**

This is to certify that: JEREMY A THOMAS  
PO BOX 5  
HAMMETT, ID 83627-0005

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Changes**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 2-10251            | WR/DECREED          | 9/16/1970            | 0.020 cfs             | 5.0 af                  | N/A               | 1.0                | SNAKE RIVER   |
| 2-10253            | WR/DECREED          | 3/4/1961             | 0.170 cfs             | 83.1 af                 | N/A               | 121.0              | SNAKE RIVER   |
| 2-10254            | WR/DECREED          | 3/4/1961             | 0.180 cfs             | 4.9 af                  | N/A               | 8.0                | SNAKE RIVER   |
| 2-10255            | WR/DECREED          | 1/16/1946            | 2.280 cfs             | N/A                     | N/A               | 115.2              | SNAKE RIVER   |
| 2-10256            | WR/DECREED          | 1/16/1946            | 0.120 cfs             | 30.0 af                 | 6.0               | 8.0                | SNAKE RIVER   |
| 2-2066             | WR/DECREED          | 4/17/1948            | 0.460 cfs             | N/A                     | N/A               | 23.0               | SNAKE RIVER   |
| 2-2075             | WR/DECREED          | 2/13/1950            | 0.700 cfs             | N/A                     | N/A               | 28.0               | SNAKE RIVER   |
| 2-2106             | WR/DECREED          | 3/4/1961             | 0.160 cfs             | 78.0 af                 | N/A               | 28.0               | SNAKE RIVER   |
| 2-7107             | WR/DECREED          | 8/30/1972            | 0.700 cfs             | 175.0 af                | N/A               | 35.0               | SNAKE RIVER   |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 2-10251               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 2-10253               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 2-10254               | NO           | YES        | YES        | NO             | NO                   | NO                   |
| 2-10255               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 2-10256               | NO           | YES        | YES        | NO             | NO                   | NO                   |
| 2-2066                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 2-2075                | NO           | YES        | YES        | NO             | NO                   | NO                   |
| 2-2106                | NO           | YES        | YES        | NO             | NO                   | NO                   |
| 2-7107                | NO           | NO         | YES        | NO             | NO                   | NO                   |

**Summary Of Water Rights After the Approved Change**

| <u>Existing Right</u> | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 2-10251               | 2-10251                          | 0.020 cfs            | 5.0 af                 | 1.0               | 191.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 2-10253               | 2-10253                          | 0.170 cfs            | 83.1 af                | 121.0             | 191.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 2-10254               | 2-10254                          | 0.010 cfs            | 4.9 af                 | 8.0               | 191.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 2-10255               | 2-10255                          | 2.280 cfs            | N/A                    | 115.2             | 191.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 2-10256               | 2-10256                          | 0.120 cfs            | 30.0 af                | 6.0               | 191.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 2-2066                | 2-2066                           | 0.460 cfs            | N/A                    | 23.0              | 191.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 2-2075                | 2-2075                           | 0.700 cfs            | N/A                    | 28.0              | 191.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |

Transfer No. 83798

**SUPPORT DATA**

**IN FILE # 2-10251**

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 83798**

**Summary Of Water Rights After the Approved Change**

| <u>Existing<br/>Right</u> | <u>New No.<br/>(Changed<br/>Portion)</u> | <u>Transfer<br/>Rate</u> | <u>Transfer<br/>Volume</u> | <u>Acre<br/>Limit</u> | <u>Total<br/>Acres</u> | <u>New No.<br/>(remaining<br/>portion)</u> | <u>Remaining<br/>Rate</u> | <u>Remaining<br/>Volume</u> | <u>Remaining<br/>Acre Limit</u> | <u>Remaining<br/>Total Acres</u> |
|---------------------------|------------------------------------------|--------------------------|----------------------------|-----------------------|------------------------|--------------------------------------------|---------------------------|-----------------------------|---------------------------------|----------------------------------|
| 2-2106                    | 2-2106                                   | 0.160 cfs                | 78.0 af                    | 28.0                  | 191.0                  | N/A                                        | N/A                       | N/A                         | N/A                             | N/A                              |
| 2-7107                    | 2-7107                                   | 0.530 cfs                | 120.0 af                   | 24.0                  | 191.0                  | N/A                                        | N/A                       | N/A                         | N/A                             | N/A                              |
| <b>COMBINED TOTALS</b>    |                                          | <b>4.120 cfs</b>         | <b>N/A</b>                 | <b>191.0</b>          | <b>191.0</b>           |                                            | <b>N/A</b>                | <b>N/A</b>                  | <b>N/A</b>                      | <b>N/A</b>                       |

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 26<sup>th</sup> day of January, 2021.

for, Patrick Kelly  
Chief, Water Allocation Bureau

# **WATER RIGHT NO. 2-2075** **As Modified by Transfer No. 83798**

In accordance with the approval of Transfer No. 83798, Water Right No. 2-2075 is now described as follows:

**Right Holder:** JEREMY A THOMAS  
 PO BOX 5  
 HAMMETT, ID 83627-0005

**Priority Date:** 2/13/1950

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

**To**

to 11/15

**Diversion Rate**

0.700 cfs

0.700 cfs

**LOCATION OF POINT(S) OF DIVERSION**

SNAKE RIVER

L12 (SWSW)

Sec 3 Twp 06S Rge 08E OWYHEE County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |     |    |    | NW  |      |    |    | SW |    |      |      | SE  |      |      |      | Totals |
|-----|-----|-----|------|-----|----|----|-----|------|----|----|----|----|------|------|-----|------|------|------|--------|
|     |     |     | NE   | NW  | SW | SE | NE  | NW   | SW | SE | NE | NW | SW   | SE   | NE  | NW   | SW   | SE   |        |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 1.5  |      |     |      |      |      | 1.5    |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 25.0 |      |     |      |      |      | 25.0   |
|     |     |     |      |     |    |    |     |      |    |    |    |    | L 10 |      |     |      |      |      |        |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 25.0 | 6.5 | 2.8  | 35.0 | 35.0 | 104.3  |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | L 11 | L 9 | L 10 | L 10 | L 9  |        |
|     |     |     |      |     |    |    |     |      |    |    |    |    |      | 0.2  |     |      |      |      | 0.2    |
| 06S | 08E | 10  | 28.0 | 9.0 |    |    | 6.7 | 0.3  |    |    |    |    |      |      |     |      |      |      | 44.0   |
| 06S | 08E | 11  |      |     |    |    |     | 16.0 |    |    |    |    |      |      |     |      |      |      | 16.0   |

Right Acre Limit: 28.0

POU Total Acres: 191.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 28 acres within the authorized place of use in a single irrigation season.
2. Rights 2-2066, 2-2075, 2-2106, 2-7107, 2-10251, 2-10253, 2-10254, 2-10255, and 2-10256 when combined shall not exceed a total diversion rate of 4.12 cfs and the irrigation of 191 acres.
3. Rights 2-2075 and 2-2106 when combined shall not exceed a total irrigation of 28 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

**WATER RIGHT NO. 2-2075**  
**As Modified by Transfer No. 83798**

**CONDITIONS OF APPROVAL**

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 2.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 2-2106****As Modified by Transfer No. 83798**

In accordance with the approval of Transfer No. 83798, Water Right No. 2-2106 is now described as follows:

**Right Holder:** JEREMY A THOMAS  
PO BOX 5  
HAMMETT, ID 83627-0005

**Priority Date:** 3/4/1961

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

to

**To**

11/15

**Diversion Rate**

0.160 cfs

**Diversion Volume**

78.0 af

0.160 cfs

78.0 af

**LOCATION OF POINT(S) OF DIVERSION**

SNAKE RIVER

L12 (SESW)

Sec 3 Twp 06S Rge 08E OWYHEE County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |     |    |    | NW  |      |    |    | SW |    |      |      | SE  |      |      |      | Totals |
|-----|-----|-----|------|-----|----|----|-----|------|----|----|----|----|------|------|-----|------|------|------|--------|
|     |     |     | NE   | NW  | SW | SE | NE  | NW   | SW | SE | NE | NW | SW   | SE   | NE  | NW   | SW   | SE   |        |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 1.5  |      |     |      |      |      | 1.5    |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 25.0 |      |     |      |      |      | 25.0   |
|     |     |     |      |     |    |    |     |      |    |    |    |    | L 10 |      |     |      |      |      |        |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 25.0 | 6.5 | 2.8  | 35.0 | 35.0 | 104.3  |
|     |     |     |      |     |    |    |     |      |    |    |    |    |      | L 11 | L 9 | L 10 | L 10 | L 9  |        |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 0.2  |     |      |      |      | 0.2    |
| 06S | 08E | 10  | 28.0 | 9.0 |    |    | 6.7 | 0.3  |    |    |    |    |      |      |     |      |      |      | 44.0   |
| 06S | 08E | 11  |      |     |    |    |     | 16.0 |    |    |    |    |      |      |     |      |      |      | 16.0   |

Right Acre Limit: 28.0

POU Total Acres: 191.0

**CONDITIONS OF APPROVAL**

1. Rights 2-2066, 2-2075, 2-2106, 2-7107, 2-10251, 2-10253, 2-10254, 2-10255, and 2-10256 when combined shall not exceed a total diversion rate of 4.12 cfs and the irrigation of 191 acres.
2. This right is limited to the irrigation of 28 acres within the authorized place of use in a single irrigation season.
3. Rights 2-2075 and 2-2106 when combined shall not exceed a total irrigation of 28 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 83798

**WATER RIGHT NO. 2-2106**  
**As Modified by Transfer No. 83798**

**CONDITIONS OF APPROVAL**

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 2.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 2-10254****As Modified by Transfer No. 83798**

In accordance with the approval of Transfer No. 83798, Water Right No. 2-10254 is now described as follows:

**Right Holder:** JEREMY A THOMAS  
PO BOX 5  
HAMMETT, ID 83627-0005

**Priority Date:** 3/4/1961

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

to 11/15

**To****Diversion Rate**

0.010 cfs

0.010 cfs

**Diversion Volume**

4.9 af

4.9 af

**LOCATION OF POINT(S) OF DIVERSION**

SNAKE RIVER

L12 (SWSW)

Sec 3 Twp 06S Rge 08E OWYHEE County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |     |    |    | NW  |      |    |    | SW |    |      |     | SE   |      |      |    | Totals |
|-----|-----|-----|------|-----|----|----|-----|------|----|----|----|----|------|-----|------|------|------|----|--------|
|     |     |     | NE   | NW  | SW | SE | NE  | NW   | SW | SE | NE | NW | SW   | SE  | NE   | NW   | SW   | SE |        |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 1.5  |     |      |      |      |    | 1.5    |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 25.0 |     |      |      |      |    | 25.0   |
|     |     |     |      |     |    |    |     |      |    |    |    |    | L 10 |     |      |      |      |    |        |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    | 0.2  |     |      |      |      |    | 0.2    |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    | 25.0 | 6.5 | 2.8  | 35.0 | 35.0 |    | 104.3  |
|     |     |     |      |     |    |    |     |      |    |    |    |    | L 11 | L 9 | L 10 | L 10 | L 9  |    |        |
| 06S | 08E | 10  | 28.0 | 9.0 |    |    | 6.7 | 0.3  |    |    |    |    |      |     |      |      |      |    | 44.0   |
| 06S | 08E | 11  |      |     |    |    |     | 16.0 |    |    |    |    |      |     |      |      |      |    | 16.0   |

Right Acre Limit: 8.0

POU Total Acres: 191.0

**CONDITIONS OF APPROVAL**

1. Rights 2-10254 and 2-10256 when combined shall not exceed the irrigation of 8.0 acres in a single irrigation season.
2. Rights 2-2066, 2-2075, 2-2106, 2-7107, 2-10251, 2-10253, 2-10254, 2-10255, and 2-10256 when combined shall not exceed a total diversion rate of 4.12 cfs and the irrigation of 191 acres.
3. This right is limited to the irrigation of 8 acres within the authorized place of use in a single irrigation season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 83798

**WATER RIGHT NO. 2-10254**

**As Modified by Transfer No. 83798**

**CONDITIONS OF APPROVAL**

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 2.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 2-10256**  
**As Modified by Transfer No. 83798**

In accordance with the approval of Transfer No. 83798, Water Right No. 2-10256 is now described as follows:

**Right Holder:** JEREMY A THOMAS  
 PO BOX 5  
 HAMMETT, ID 83627-0005

**Priority Date:** 1/16/1946

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**  
 IRRIGATION

**From** 03/15 **to** 11/15

**Diversion Rate**  
 0.120 cfs  
 0.120 cfs

**Diversion Volume**  
 30.0 af  
 30.0 af

**LOCATION OF POINT(S) OF DIVERSION**

SNAKE RIVER L12 (SWSW) Sec 3 Twp 06S Rge 08E OWYHEE County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |     |    |    | NW  |      |    |    | SW |    |      |      | SE  |      |      |      | Totals |
|-----|-----|-----|------|-----|----|----|-----|------|----|----|----|----|------|------|-----|------|------|------|--------|
|     |     |     | NE   | NW  | SW | SE | NE  | NW   | SW | SE | NE | NW | SW   | SE   | NE  | NW   | SW   | SE   |        |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 1.5  |      |     |      |      |      | 1.5    |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 25.0 |      |     |      |      |      | 25.0   |
|     |     |     |      |     |    |    |     |      |    |    |    |    | L 10 |      |     |      |      |      |        |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 0.2  |     |      |      |      | 0.2    |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 25.0 | 6.5 | 2.8  | 35.0 | 35.0 | 104.3  |
|     |     |     |      |     |    |    |     |      |    |    |    |    |      | L 11 | L 9 | L 10 | L 10 | L 9  |        |
| 06S | 08E | 10  | 28.0 | 9.0 |    |    | 6.7 | 0.3  |    |    |    |    |      |      |     |      |      |      | 44.0   |
| 06S | 08E | 11  |      |     |    |    |     | 16.0 |    |    |    |    |      |      |     |      |      |      | 16.0   |

Right Acre Limit: 6.0

POU Total Acres: 191.0

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
2. This right is limited to the irrigation of 6.0 acres within the authorized place of use in a single irrigation season.
3. Rights 2-10254 and 2-10256 when combined shall not exceed the irrigation of 8.0 acres in a single irrigation season.
4. Rights 2-2066, 2-2075, 2-2106, 2-7107, 2-10251, 2-10253, 2-10254, 2-10255, and 2-10256 when combined shall not exceed a total diversion rate of 4.12 cfs and the irrigation of 191 acres.

Transfer No. 83798

**WATER RIGHT NO. 2-10256**  
**As Modified by Transfer No. 83798**

**CONDITIONS OF APPROVAL**

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 2.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 2-2066**  
**As Modified by Transfer No. 83798**

In accordance with the approval of Transfer No. 83798, Water Right No. 2-2066 is now described as follows:

**Right Holder:** JEREMY A THOMAS  
 PO BOX 5  
 HAMMETT, ID 83627-0005

**Priority Date:** 4/17/1948

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**

IRRIGATION  
 STOCKWATER

**From**

03/15 to 11/15  
 01/01 to 12/31

**To**

**Diversion Rate**

0.460 cfs  
 0.020 cfs  
 0.460 cfs

**LOCATION OF POINT(S) OF DIVERSION**

SNAKE RIVER L12 (SWSW) Sec 3 Twp 06S Rge 08E OWYHEE County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |     |    |    | NW  |      |    |    | SW |    |      |      | SE  |      |      |      | Totals |
|-----|-----|-----|------|-----|----|----|-----|------|----|----|----|----|------|------|-----|------|------|------|--------|
|     |     |     | NE   | NW  | SW | SE | NE  | NW   | SW | SE | NE | NW | SW   | SE   | NE  | NW   | SW   | SE   |        |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 1.5  |      |     |      |      |      | 1.5    |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 25.0 |      |     |      |      |      | 25.0   |
|     |     |     |      |     |    |    |     |      |    |    |    |    | L 10 |      |     |      |      |      |        |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 0.2  |     |      |      |      | 0.2    |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 25.0 | 6.5 | 2.8  | 35.0 | 35.0 | 104.3  |
|     |     |     |      |     |    |    |     |      |    |    |    |    |      | L 11 | L 9 | L 10 | L 10 | L 9  |        |
| 06S | 08E | 10  | 28.0 | 9.0 |    |    | 6.7 | 0.3  |    |    |    |    |      |      |     |      |      |      | 44.0   |
| 06S | 08E | 11  |      |     |    |    |     | 16.0 |    |    |    |    |      |      |     |      |      |      | 16.0   |

Right Acre Limit: 23.0

POU Total Acres: 191.0

**CONDITIONS OF APPROVAL**

1. Rights 2-2066, 2-2075, 2-2106, 2-7107, 2-10251, 2-10253, 2-10254, 2-10255, and 2-10256 when combined shall not exceed a total diversion rate of 4.12 cfs and the irrigation of 191 acres.
2. Rights 2-2066 and 2-7107 when combined shall not exceed a total diversion rate of 0.84 cfs and the irrigation of 42 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. This right is limited to the irrigation of 23 acres within the authorized place of use in a single irrigation season.

Transfer No. 83798

**WATER RIGHT NO. 2-2066**  
**As Modified by Transfer No. 83798**

**CONDITIONS OF APPROVAL**

5. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 2.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 2-7107**  
**As Modified by Transfer No. 83798**

In accordance with the approval of Transfer No. 83798, Water Right No. 2-7107 is now described as follows:

**Right Holder:** JEREMY A THOMAS  
 PO BOX 5  
 HAMMETT, ID 83627-0005

**Priority Date:** 8/30/1972

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

|                              |                    |                  |                              |                                |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
| IRRIGATION                   | 03/15              | to 11/15         | 0.530 cfs                    | 120.0 af                       |
|                              |                    |                  | 0.530 cfs                    | 120.0 af                       |

**LOCATION OF POINT(S) OF DIVERSION**

SNAKE RIVER                      L12 (SWSW)                      Sec 3    Twp 06S Rge 08E    OWYHEE County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |     |    |    | NW  |      |    |    | SW |    |      |      | SE  |      |      |      | Totals |
|-----|-----|-----|------|-----|----|----|-----|------|----|----|----|----|------|------|-----|------|------|------|--------|
|     |     |     | NE   | NW  | SW | SE | NE  | NW   | SW | SE | NE | NW | SW   | SE   | NE  | NW   | SW   | SE   |        |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 1.5  |      |     |      |      |      | 1.5    |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 25.0 |      |     |      |      |      | 25.0   |
|     |     |     |      |     |    |    |     |      |    |    |    |    | L 10 |      |     |      |      |      |        |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 0.2  |     |      |      |      | 0.2    |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 25.0 | 6.5 | 2.8  | 35.0 | 35.0 | 104.3  |
|     |     |     |      |     |    |    |     |      |    |    |    |    |      | L 11 | L 9 | L 10 | L 10 | L 9  |        |
| 06S | 08E | 10  | 28.0 | 9.0 |    |    | 6.7 | 0.3  |    |    |    |    |      |      |     |      |      |      | 44.0   |
| 06S | 08E | 11  |      |     |    |    |     | 16.0 |    |    |    |    |      |      |     |      |      |      | 16.0   |

Right Acre Limit: 24.0  
 POU Total Acres: 191.0

**CONDITIONS OF APPROVAL**

1. Rights 2-2066, 2-2075, 2-2106, 2-7107, 2-10251, 2-10253, 2-10254, 2-10255, and 2-10256 when combined shall not exceed a total diversion rate of 4.12 cfs and the irrigation of 191 acres.
2. Rights 2-2066 and 2-7107 when combined shall not exceed a total diversion rate of 0.66 cfs and the irrigation of 33 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. This right is limited to the irrigation of 24 acres within the authorized place of use in a single irrigation season.

Transfer No. 83798

**WATER RIGHT NO. 2-7107**  
**As Modified by Transfer No. 83798**

**CONDITIONS OF APPROVAL**

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 2.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 2-10251****As Modified by Transfer No. 83798**

In accordance with the approval of Transfer No. 83798, Water Right No. 2-10251 is now described as follows:

**Right Holder:** JEREMY A THOMAS  
PO BOX 5  
HAMMETT, ID 83627-0005

**Priority Date:** 9/16/1970

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

to 10/31

**To****Diversion Rate**

0.020 cfs

0.020 cfs

**Diversion Volume**

5.0 af

5.0 af

**LOCATION OF POINT(S) OF DIVERSION**

SNAKE RIVER

L12 (SWSW)

Sec 3 Twp 06S Rge 08E OWYHEE County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |     |    |    | NW  |      |    |    | SW |    |      |      | SE  |      |      |      | Totals |
|-----|-----|-----|------|-----|----|----|-----|------|----|----|----|----|------|------|-----|------|------|------|--------|
|     |     |     | NE   | NW  | SW | SE | NE  | NW   | SW | SE | NE | NW | SW   | SE   | NE  | NW   | SW   | SE   |        |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 1.5  |      |     |      |      |      | 1.5    |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 25.0 |      |     |      |      |      | 25.0   |
|     |     |     |      |     |    |    |     |      |    |    |    |    | L 10 |      |     |      |      |      |        |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 0.2  |     |      |      |      | 0.2    |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 25.0 | 6.5 | 2.8  | 35.0 | 35.0 | 104.3  |
|     |     |     |      |     |    |    |     |      |    |    |    |    |      | L 11 | L 9 | L 10 | L 10 | L 9  |        |
| 06S | 08E | 10  | 28.0 | 9.0 |    |    | 6.7 | 0.3  |    |    |    |    |      |      |     |      |      |      | 44.0   |
| 06S | 08E | 11  |      |     |    |    |     | 16.0 |    |    |    |    |      |      |     |      |      |      | 16.0   |

Right Acre Limit: 1.0

POU Total Acres: 191.0

**CONDITIONS OF APPROVAL**

1. Rights 2-2066, 2-2075, 2-2106, 2-7107, 2-10251, 2-10253, 2-10254, 2-10255, and 2-10256 when combined shall not exceed a total diversion rate of 4.12 cfs and the irrigation of 191 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. This right is limited to the irrigation of 1.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 83798

**WATER RIGHT NO. 2-10251**  
**As Modified by Transfer No. 83798**

**CONDITIONS OF APPROVAL**

4. The period of use for the irrigation described in this right may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/15/2009.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 2.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 2-10253****As Modified by Transfer No. 83798**

In accordance with the approval of Transfer No. 83798, Water Right No. 2-10253 is now described as follows:

**Right Holder:** JEREMY A THOMAS  
PO BOX 5  
HAMMETT, ID 83627-0005

**Priority Date:** 3/4/1961

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

to

**To**

11/15

**Diversion Rate**

0.170 cfs

0.170 cfs

**Diversion Volume**

83.1 af

83.1 af

**LOCATION OF POINT(S) OF DIVERSION**

SNAKE RIVER

L12 (SWSW)

Sec 3 Twp 06S Rge 08E Owyhee County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |     |    |    | NW  |      |    |    | SW |    |      |      | SE  |      |      |      | Totals |
|-----|-----|-----|------|-----|----|----|-----|------|----|----|----|----|------|------|-----|------|------|------|--------|
|     |     |     | NE   | NW  | SW | SE | NE  | NW   | SW | SE | NE | NW | SW   | SE   | NE  | NW   | SW   | SE   |        |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 25.0 |      |     |      |      |      | 25.0   |
|     |     |     |      |     |    |    |     |      |    |    |    |    | L 10 |      |     |      |      |      |        |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 1.5  |      |     |      |      |      | 1.5    |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 0.2  |     |      |      |      | 0.2    |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 25.0 | 6.5 | 2.8  | 35.0 | 35.0 | 104.3  |
|     |     |     |      |     |    |    |     |      |    |    |    |    |      | L 11 | L 9 | L 10 | L 10 | L 9  |        |
| 06S | 08E | 10  | 28.0 | 9.0 |    |    | 6.7 | 0.3  |    |    |    |    |      |      |     |      |      |      | 44.0   |
| 06S | 08E | 11  |      |     |    |    |     | 16.0 |    |    |    |    |      |      |     |      |      |      | 16.0   |

Right Acre Limit: 121.0

POU Total Acres: 191.0

**CONDITIONS OF APPROVAL**

1. Rights 2-2066, 2-2075, 2-2106, 2-7107, 2-10251, 2-10253, 2-10254, 2-10255, and 2-10256 when combined shall not exceed a total diversion rate of 4.12 cfs and the irrigation of 191 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. Rights 2-10253 and 2-10255 when combined shall not exceed a total irrigation of 121 acres in a single irrigation season.
4. This right is limited to the irrigation of 121 acres within the authorized place of use in a single irrigation season.

Transfer No. 83798

**WATER RIGHT NO. 2-10253**  
**As Modified by Transfer No. 83798**

**CONDITIONS OF APPROVAL**

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 2.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 2-10255****As Modified by Transfer No. 83798**

In accordance with the approval of Transfer No. 83798, Water Right No. 2-10255 is now described as follows:

**Right Holder:** JEREMY A THOMAS  
PO BOX 5  
HAMMETT, ID 83627-0005

**Priority Date:** 1/16/1946

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**

IRRIGATION  
STOCKWATER

**From**

03/15  
01/01

to 11/15  
to 12/31

**To****Diversion Rate**

2.280 cfs  
0.020 cfs  
2.280 cfs

**LOCATION OF POINT(S) OF DIVERSION**

SNAKE RIVER L12 (SWSW) Sec 3 Twp 06S Rge 08E OWYHEE County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |     |    |    | NW  |      |    |    | SW |    |      |      | SE  |      |      |      | Totals |
|-----|-----|-----|------|-----|----|----|-----|------|----|----|----|----|------|------|-----|------|------|------|--------|
|     |     |     | NE   | NW  | SW | SE | NE  | NW   | SW | SE | NE | NW | SW   | SE   | NE  | NW   | SW   | SE   |        |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 1.5  |      |     |      |      |      | 1.5    |
| 06S | 08E | 2   |      |     |    |    |     |      |    |    |    |    | 25.0 |      |     |      |      |      | 25.0   |
|     |     |     |      |     |    |    |     |      |    |    |    |    | L 10 |      |     |      |      |      |        |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 0.2  |     |      |      |      | 0.2    |
| 06S | 08E | 3   |      |     |    |    |     |      |    |    |    |    |      | 25.0 | 6.5 | 2.8  | 35.0 | 35.0 | 104.3  |
|     |     |     |      |     |    |    |     |      |    |    |    |    |      | L 11 | L 9 | L 10 | L 10 | L 9  |        |
| 06S | 08E | 10  | 28.0 | 9.0 |    |    | 6.7 | 0.3  |    |    |    |    |      |      |     |      |      |      | 44.0   |
| 06S | 08E | 11  |      |     |    |    |     | 16.0 |    |    |    |    |      |      |     |      |      |      | 16.0   |

Right Acre Limit: 115.2

POU Total Acres: 191.0

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
2. Rights 2-2066, 2-2075, 2-2106, 2-7107, 2-10251, 2-10253, 2-10254, 2-10255, and 2-10256 when combined shall not exceed a total diversion rate of 4.12 cfs and the irrigation of 191 acres.
3. This right is limited to the irrigation of 115.2 acres within the authorized place of use in a single irrigation season.
4. Rights 2-10253 and 2-10255 when combined shall not exceed a total irrigation of 121 acres in a single irrigation season.

Transfer No. 83798

**WATER RIGHT NO. 2-10255**  
**As Modified by Transfer No. 83798**

**CONDITIONS OF APPROVAL**

5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 2.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



RECEIVED

DEC 23 2020

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 83798MINIMUM REQUIREMENTS CHECKLIST  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Jeremy Thomas, Indian Hills Ranch

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](http://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) Jeremy A Thomas, Indian Hills Ranch Phone (208) 366-2118  
Mailing address PO Box 5, Hammett, ID 83627 Email indianhillsranch@aol.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 Chase Robertson Phone 208-599-4395  
Mailing address PO Box 62, Hammett, ID 83627 Email indianhillsranch@aol.com

☐ Send all correspondence for this application to the representative and not to the applicant.

**OR**

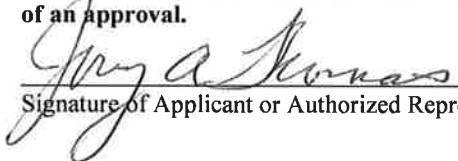
☒ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

**OR**

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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

  
Signature of Applicant or Authorized Representative

Jeremy A Thomas President  
Print Name and Title if applicable

Dec 23, 2020  
Date

\_\_\_\_\_  
Signature of Applicant or Authorized Representative

\_\_\_\_\_  
Print Name and Title if applicable

\_\_\_\_\_  
Date

**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?  
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.  
The purpose of the transfer is to change the diversion point for water right numbers 2-2075, 2-2106, 2-10254, and 2-10256 to a point downstream at an existing pump station. Also, the transfer will change the shape of the place of use to reflect the current irrigation conditions in a permissible place of use.

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

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

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

| 1.                                                                          | Right Number | Amount<br>(cfs/ac-ft) | Nature of Use | Period of Use  | Source & Tributary         |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|----------------|----------------------------|
| All or Part<br><input checked="" type="checkbox"/> <input type="checkbox"/> | 2-2075       | 0.70                  | Irrigation    | 03/15 to 11/15 | Snake R. trib. Columbia R. |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 2-2106       | 0.16                  | Irrigation    | 03/15 to 11/15 | Snake R. trib. Columbia R. |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 2-10251      | 0.02                  | Irrigation    | 03/15 to 11/15 | Snake R. trib. Columbia R. |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 2-10253      | 0.17                  | Irrigation    | 03/15 to 11/15 | Snake R. trib. Columbia R. |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 2-10254      | 0.18                  | Irrigation    | 03/15 to 11/15 | Snake R. trib. Columbia R. |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 2-10255      | 2.28                  | Irrigation    | 03/15 to 11/15 | Snake R. trib. Columbia R. |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 2-10256      | 0.12                  | Irrigation    | 03/15 to 11/15 | Snake R. trib. Columbia R. |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 2-2066       | 0.46                  | Irrigation    | 03/15 to 11/15 | Snake R. trib. Columbia R. |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 2-7107       | 0.70                  | Irrigation    | 03/15 to 11/15 | Snake R. trib. Columbia R. |

Total authorized under rights 4.79 cfs and/or 112.9 acre-feet.

2. Total amount of water proposed to be transferred or changed 4.79 cubic feet per second and/or 112.9 acre-feet per year.

3. Point(s) of Diversion:

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

| New ? | Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County | Source      | Local name or tag # |
|-------|-----|---|----|----|-----|-----|-----|--------|-------------|---------------------|
| Yes   | 12  |   | SW | SW | 3   | 06S | 08E | Owyhee | Snake River |                     |
|       |     |   |    |    |     |     |     |        |             |                     |
|       |     |   |    |    |     |     |     |        |             |                     |
|       |     |   |    |    |     |     |     |        |             |                     |
|       |     |   |    |    |     |     |     |        |             |                     |

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

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

| Twp                                     | Rge | Sec | NE ¼ |    |    |    | NW ¼ |     |    |    | SW ¼ |    |    |     | SE ¼ |    |    |    | Acre Totals |
|-----------------------------------------|-----|-----|------|----|----|----|------|-----|----|----|------|----|----|-----|------|----|----|----|-------------|
|                                         |     |     | NE   | NW | SW | SE | NE   | NW  | SW | SE | NE   | NW | SW | SE  | NE   | NW | SW | SE |             |
| 06S                                     | 08E | 2   |      |    |    |    |      |     |    |    |      |    | 27 |     |      |    |    |    | 27          |
| 06S                                     | 08E | 3   |      |    |    |    |      |     |    |    |      |    | 25 | 6.5 | 2.8  | 35 | 35 |    | 104         |
| 06S                                     | 08E | 10  | 28   | 9  |    |    | 6.7  | 0.3 |    |    |      |    |    |     |      |    |    |    | 44          |
| 06S                                     | 08E | 11  |      |    |    |    |      | 16  |    |    |      |    |    |     |      |    |    |    | 16          |
|                                         |     |     |      |    |    |    |      |     |    |    |      |    |    |     |      |    |    |    |             |
|                                         |     |     |      |    |    |    |      |     |    |    |      |    |    |     |      |    |    |    |             |
|                                         |     |     |      |    |    |    |      |     |    |    |      |    |    |     |      |    |    |    |             |
| <b>Total Acres (for irrigation use)</b> |     |     |      |    |    |    |      |     |    |    |      |    |    |     |      |    |    |    | <b>191</b>  |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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

## 5. General Information:

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

The existing point of diversion has one 125 hp motor/pump and a measuring device in place.

- b. Who owns the property at the point(s) of diversion? BLM

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:  
Pay an annual fee to the BLM.

- 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: No

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:

This transfer will not effect the current irrigation on the land, but will simply match the elements of the water rights with current irrigation practices by correcting the POD and POU.

- 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:

Water right nos. 2-2066, 2-7107, 2-10251, 2-10253, 2-10255, 2-2106, 2-10254, 2-2075, and 2-10256 will all share the same POD and share a permissible place of use.

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

Yes No

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

If yes, describe:



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

**A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)**

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a.**
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

### B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

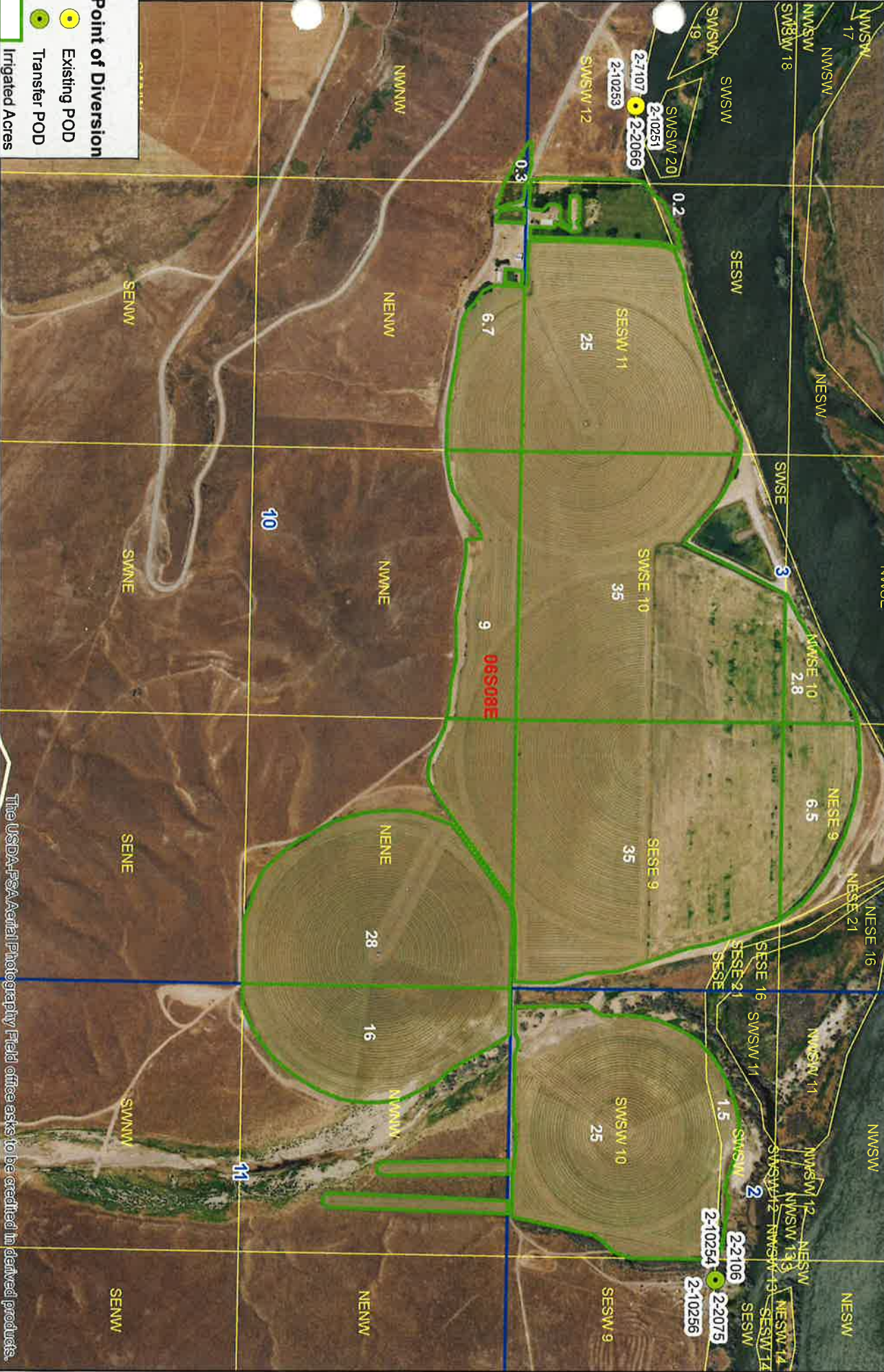
Received by LE Date 12/23/2020 Preliminary check by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid \$240.00 Date 12/23/2020 Received by LE Receipt # WJ048972

Add'l fee paid \_\_\_\_\_ Date \_\_\_\_\_ Received by \_\_\_\_\_ Receipt # \_\_\_\_\_

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

# Attachment #7A Thomas Distribution POD and POU As proposed in transfer application.



**Attachment #7B Thomas**  
**Proposed changes to POD and POU**  
**Extent of existing acres and**  
**changes to the place of use.**

**Point of Diversion**  
 Existing POD  
 Transfer POD  
 Irrigated Acres  
 POU

2-2107  
 2-10251  
 2-2066  
 2-10253  
 2-10254  
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0.6 Miles

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

**Current Water Right No.: 2-10253**

Current Owner: JEREMY A THOMAS  
Priority Date: 3/4/1961  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

SNAKE RIVER

**Tributary**

COLUMBIA RIVER

**Beneficial Use**

IRRIGATION

**From To**

03/15 to 11/15

**Total Diversion**

**Diversion Rate**

0.17 CFS

0.17 CFS

**Annual Volume**

83.1 AF

83.1 AF

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

SNAKE RIVER

OWYHEE County

L12(SW1/4SW1/4)

Sec. 3, Twp 06S, Rge 08E B.M.

**Place of Use**

**IRRIGATION Within OWYHEE County**

|              |        |      |       |              |        |      |       |
|--------------|--------|------|-------|--------------|--------|------|-------|
| T06S R08E S2 | Lot 10 | SWSW | 2.00  | T06S R08E S3 | Lot 11 | SESW | 28.00 |
| T06S R08E S3 | Lot 10 | SWSE | 44.00 | T06S R08E S3 | Lot 9  | SESE | 47.00 |

Total Acres: 121

**Conditions of Approval:**

1. X36 Rights 2-2066, 2-7107, 2-10251 and 2-10255 are also diverted through the point of diversion described above.
2. Rights 2-10253 and 2-10255 when combined shall not exceed a total irrigation of 121 acres in a single irrigation season.
3. 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.
4. X35 Rights 2-10253 and 2-10255 when combined shall not exceed a total annual maximum diversion volume of 605.0 af at the field headgate.

Decreed Date: 6/15/2009

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

**Current Water Right No.: 2-10251**

Current Owner: JEREMY A THOMAS  
Priority Date: 9/16/1970  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

SNAKE RIVER

**Tributary**

COLUMBIA RIVER

**Beneficial Use**

IRRIGATION

**From To**

04/01 to 10/31

Total Diversion

**Diversion Rate**

0.02 CFS

0.02 CFS

**Annual Volume**

5 AF

5 AF

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

SNAKE RIVER

L12(SW1/4SW1/4)

Sec. 3, Twp 06S, Rge 08E B.M.

OWYHEE County

**Place of Use**

**IRRIGATION Within OWYHEE County**

T06S R08E S10

NENW

1.00

Total Acres: 1

**Conditions of Approval:**

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. X36 Rights 2-2066, 2-7107, 2-10253 and 2-10255 are also diverted through the point of diversion described above.
5. X61 The period of use for the irrigation described in this right may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 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.

Decreed Date: 6/15/2009

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

**Current Water Right No.: 2-10256**

Current Owner: JEREMY A THOMAS  
Priority Date: 1/16/1946  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

SNAKE RIVER

**Tributary**

COLUMBIA RIVER

**Beneficial Use**

IRRIGATION

**From To**

03/15 to 11/15

**Total Diversion**

**Diversion Rate**

0.12 CFS

0.12 CFS

**Annual Volume**

30 AF

30 AF

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

SNAKE RIVER

OWYHEE County

L9(SE1/4SW1/4)

Sec. 2, Twp 06S, Rge 08E B.M.

**Place of Use**

**IRRIGATION Within OWYHEE County**

T06S R08E S11

NWNW

6.00

T06S R08E S11

SWNW

2.00

Total Acres: 8

**Conditions of Approval:**

1. X36 Rights 2-2075, 2-2106 and 2-10254 are also diverted through the point of diversion described above.
2. K06 This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 5.0 afa per acre at the field headgate for irrigation of the lands above.
5. X35 Rights 2-10254 and 2-10256 when combined shall not exceed the irrigation of 8 acres in a single irrigation season.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 6/15/2009

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

**Current Water Right No.: 2-2066**

Current Owner: JEREMY A THOMAS  
Priority Date: 4/17/1948  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

SNAKE RIVER

**Tributary**

COLUMBIA RIVER

**Beneficial Use**

**From To**

**Diversion Rate**

**Annual Volume**

STOCKWATER

01/01 to 12/31

0.02 CFS

IRRIGATION

03/15 to 11/15

0.46 CFS

**Total Diversion**

0.46 CFS

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

SNAKE RIVER

L12(SW1/4SW1/4)

Sec. 3, Twp 06S, Rge 08E B.M.

OWYHEE County

**Place of Use**

**IRRIGATION Within OWYHEE County**

T06S R08E S10

NENE

8.00

T06S R08E S10

NWNE

8.00

T06S R08E S10

NENW

7.00

Total Acres: 23

Place of Use: STOCKWATER same as IRRIGATION

**Conditions of Approval:**

1. F06 THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 2-2051, 2-2066, 2-2107 AND 2-7107.
2. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. E55 USE OF THIS RIGHT WITH RIGHT NO. 2-7107 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 42 ACRES IN A SINGLE IRRIGATION SEASON.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6. E62 THIS RIGHT WHEN COMBINED WITH RIGHT NO. 2-7107 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
7. E51 USE OF THIS RIGHT WITH RIGHT NO. 2-7107 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.84 CFS.

Page \_\_\_\_\_ of \_\_\_\_\_

Decreed Date: 6/15/2009

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

**Current Water Right No.: 2-7107**

Current Owner: JEREMY A THOMAS  
Priority Date: 8/30/1972  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

SNAKE RIVER

**Tributary**

COLUMBIA RIVER

**Beneficial Use**

IRRIGATION

**From To**

03/15 to 11/15

**Total Diversion**

**Diversion Rate**

0.7 CFS

0.7 CFS

**Annual Volume**

175 AF

175 AF

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

SNAKE RIVER

OWYHEE County

L12(SW1/4SW1/4)

Sec. 3, Twp 06S, Rge 08E B.M.

**Place of Use**

IRRIGATION Within OWYHEE County

T06S R08E S10

NENE

27.00

T06S R08E S10

NWNE

8.00

Total Acres: 35

**Conditions of Approval:**

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 02-2066 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 42 ACRES IN A SINGLE IRRIGATION SEASON.
2. F06 THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 2-2051, 2-2066, 2-2107 AND 2-7107.
3. E51 USE OF THIS RIGHT WITH RIGHT NO. 02-2066 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.84 CFS.
4. E62 THIS RIGHT WHEN COMBINED WITH RIGHT NO. 02-2066 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 6/15/2009

Page \_\_\_\_\_ of \_\_\_\_\_

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

**Current Water Right No.: 2-2075**

Current Owner: JEREMY A THOMAS  
Priority Date: 2/13/1950  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

SNAKE RIVER

**Tributary**

COLUMBIA RIVER

**Beneficial Use**

IRRIGATION

**From To**

03/15 to 11/15

**Diversion Rate**

0.7 CFS

**Annual Volume**

**Total Diversion**

0.7 CFS

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

SNAKE RIVER

L9(SE1/4SW1/4)

Sec. 2, Twp 06S, Rge 08E B.M.

OWYHEE County

**Place of Use**

IRRIGATION Within OWYHEE County

T06S R08E S2 Lot 10 SWSW 28.00

Total Acres: 28

**Conditions of Approval:**

1. P31 THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM 1973 TO 1987.
2. E55 USE OF THIS RIGHT WITH RIGHT NO. 2-2106 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 28 ACRES IN A SINGLE IRRIGATION SEASON.
3. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
5. F05 RIGHT NO. 2-02106 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
6. 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(8), Idaho Code.

Decreed Date: 6/15/2009

Page \_\_\_\_\_ of \_\_\_\_\_

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

**Current Water Right No.: 2-2106**

Current Owner: JEREMY A THOMAS  
Priority Date: 3/4/1981  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

SNAKE RIVER

**Tributary**

COLUMBIA RIVER

**Beneficial Use**

IRRIGATION

**From To**

03/15 to 11/15

**Diversion Rate**

0.16 CFS

**Annual Volume**

78 AF

Total Diversion

0.16 CFS

78 AF

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

SNAKE RIVER

L9(SE1/4SW1/4)

Sec. 2, Twp 06S, Rge 08E B.M.

OWYHEE County

**Place of Use**

IRRIGATION Within OWYHEE County

T06S R08E S2 Lot 10 SWSW 28.00

Total Acres: 28

**Conditions of Approval:**

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 2-2075 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 28 ACRES IN A SINGLE IRRIGATION SEASON.
2. F05 RIGHT NO. 2-2075 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. 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(8), Idaho Code.

Decreed Date: 6/15/2009

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

**Current Water Right No.: 2-10254**

Current Owner: JEREMY A THOMAS  
Priority Date: 3/4/1961  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

SNAKE RIVER

**Tributary**

COLUMBIA RIVER

**Beneficial Use**

IRRIGATION

**From To**

03/15 to 11/15

**Diversion Rate**

0.18 CFS

**Annual Volume**

4.9 AF

**Total Diversion**

0.18 CFS

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

SNAKE RIVER

L9(SE1/4SW1/4)

Sec. 2, Twp 06S, Rge 08E B.M.

OWYHEE County

**Place of Use**

IRRIGATION Within OWYHEE County

T06S R08E S11

NWNW

6.00

T06S R08E S11

SWNW

2.00

Total Acres: 8

**Conditions of Approval:**

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. X36 Rights 2-2075, 2-2106 and 2-10256 are also diverted through the point of diversion described above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 5.0 afa per acre at the field headgate for irrigation of the lands above.
6. X35 Rights 2-10254 and 2-10256 when combined shall not exceed the irrigation of 8 acres in a single irrigation season.

Decreed Date: 6/15/2009

Page \_\_\_\_\_ of \_\_\_\_\_

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

**Current Water Right No.: 2-10256**

Current Owner: JEREMY A THOMAS  
Priority Date: 1/16/1948  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

SNAKE RIVER

**Tributary**

COLUMBIA RIVER

**Beneficial Use**

IRRIGATION

**From To**

03/15 to 11/15

**Diversion Rate**

0.12 CFS

**Annual Volume**

30 AF

**Total Diversion**

0.12 CFS

30 AF

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

SNAKE RIVER

L9(SE1/4SW1/4)

Sec. 2, Twp 06S, Rge 08E B.M.

OWYHEE County

**Place of Use**

**IRRIGATION Within OWYHEE County**

T06S R08E S11

NWNW

6.00

T06S R08E S11

SWNW

2.00

Total Acres: 8

**Conditions of Approval:**

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. K08 This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. X35 Rights 2-10254 and 2-10256 when combined shall not exceed the irrigation of 8 acres in a single irrigation season.
5. 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.
6. X36 Rights 2-2075, 2-2106 and 2-10254 are also diverted through the point of diversion described above.
7. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 5.0 afa per acre at the field headgate for irrigation of the lands above.

Decreed Date: 6/15/2009

RECEIVED

42-222 POD - 07/18

DEC 17 2019  
COMPLETE  
WATER RESOURCES  
WESTERN REGION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
DEC 12 2019  
INCOMPLETE  
WATER RESOURCES  
WESTERN REGION

## APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split  
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. APPLICANT(S) JEREMY THOMAS INDIAN HILLS RANCH Phone 208-3662118  
 2. MAILING ADDRESS PO BOX 5 City HAMMETT  
 State IDAHO Zip 83627 Email INDIANHILLSRANCH@AOL.COM

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.  
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.  
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.  
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 2-2075 2-2106 2-10254  
2-10256

- ☐ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](#), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 1.16 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.  
 (diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](#), *Water Rights, Water Right Transfers, Modeling Resources*.

| New? | Lot                | ¼ | ¼     | ¼ | Sec           | Twp            | Rge            | County | Source      | Local name or tag # |
|------|--------------------|---|-------|---|---------------|----------------|----------------|--------|-------------|---------------------|
|      | <del>9 SE SW</del> |   |       |   | <del>02</del> | <del>06S</del> | <del>08E</del> |        |             |                     |
| YES  | 12                 |   | SW SW |   | 3             | 06S            | 08E            | ADAM   | SNAKE RIVER |                     |
|      |                    |   |       |   |               |                |                |        |             |                     |
|      |                    |   |       |   |               |                |                |        |             |                     |
|      |                    |   |       |   |               |                |                |        |             |                     |
|      |                    |   |       |   |               |                |                |        |             |                     |
|      |                    |   |       |   |               |                |                |        |             |                     |
|      |                    |   |       |   |               |                |                |        |             |                     |
|      |                    |   |       |   |               |                |                |        |             |                     |

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

12/12/2019

Water Right 2-2075

| <u>Owner Type</u> | <u>Name and Address</u>                                                                     |
|-------------------|---------------------------------------------------------------------------------------------|
| Current Owner     | JEREMY A THOMAS<br>PO BOX 5<br>HAMMETT, ID 83627-0005<br>(208) 366-2118                     |
| Original Owner    | A B TOWNSLEY<br>HAMMETT, ID 83627                                                           |
| Original Owner    | ROBERT LEE WOOD<br>HAMMETT, ID 83627                                                        |
| Original Owner    | BARBER CAVEN RANCHES<br>911 E WINDING CREEK DR STE 150<br>EAGLE, ID 83616<br>(208) 322-5600 |
| Original Owner    | JEANNETTE KECK<br>STAR RT BOX 27<br>HAMMETT, ID 83627<br>(208) 366-2004                     |
| Original Owner    | DARYL M KECK<br>STAR RT BOX 27<br>HAMMETT, ID 83627<br>(208) 366-2004                       |
| Previous Owner    | CONRAD E THOMAS JR<br>PO BOX 5<br>HAMMETT, ID 83627-0005<br>(208) 366-2118                  |

Priority Date: 2/13/1950

Basis: Decreed

Status: Active

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

0.700 CFS

Volume

Total Diversion

0.700 CFS

Source and Point(s) of Diversion

SNAKE RIVER

L9(SESW)

Sec. 2, Twp 06S, Rge 08E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE County

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

12/12/2019

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |             |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|-------------|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW          | SE | NE | NW | SW | SE |        |
| 06S | 08E | 2   |    |    |    |    |    |    |    |    |    |    | 28.0<br>L10 |    |    |    |    |    | 28.0   |

POU Total Acres: 28.0

**Conditions of Approval:**

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 2-2106 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 28 ACRES IN A SINGLE IRRIGATION SEASON.
2. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. 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.
4. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. P31 THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM 1973 TO 1987.
6. F05 RIGHT NO. 2-02106 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

**Combined Use Limits**

**Rate**

**Volume**

**Acres**  
28.0

2-2075 , 2-2106

**SubCase:**

N/A

**Water Supply Bank:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

12/12/2019

**Water Right 2-2106**

| <u>Owner Type</u> | <u>Name and Address</u>                                                                     |
|-------------------|---------------------------------------------------------------------------------------------|
| Current Owner     | JEREMY A THOMAS<br>PO BOX 5<br>HAMMETT, ID 83627-0005<br>(208) 366-2118                     |
| Original Owner    | JEANNETTE KECK<br>STAR RT BOX 27<br>HAMMETT, ID 83627<br>(208) 366-2004                     |
| Original Owner    | BARBER CAVEN RANCHES<br>911 E WINDING CREEK DR STE 150<br>EAGLE, ID 83616<br>(208) 322-5600 |
| Original Owner    | DARYL M KECK<br>STAR RT BOX 27<br>HAMMETT, ID 83627<br>(208) 366-2004                       |
| Previous Owner    | CONRAD E THOMAS JR<br>PO BOX 5<br>HAMMETT, ID 83627-0005<br>(208) 366-2118                  |

**Priority Date:** 3/4/1961

**Basis:** Decreed

**Status:** Active

**Source**  
SNAKE RIVER

**Tributary**  
COLUMBIA RIVER

| <u>Beneficial Use</u> | <u>From</u>                   | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15                         | 11/15     | 0.160 CFS             | 78.0 AF       |
|                       | <b><u>Total Diversion</u></b> |           | 0.160 CFS             | 78.0 AF       |

**Source and Point(s) of Diversion**

SNAKE RIVER                      L9(SESW)                      Sec. 2, Twp 06S, Rge 08E, 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 |        |
| 06S | 08E | 2   |    |    |    |    |    |    |    |    |    |    | 28.0<br>L10 |    |    |    |    |    | 28.0   |

POU Total Acres: 28.0

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

12/12/2019

**Conditions of Approval:**

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 2-2075 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 28 ACRES IN A SINGLE IRRIGATION SEASON.
2. F05 RIGHT NO. 2-2075 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. 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.

**Combined Use Limits**

| <u>Rate</u>    | <u>Volume</u> | <u>Acres</u> |
|----------------|---------------|--------------|
| 2-2075 ,2-2106 |               | 28.0         |

**SubCase:**

N/A

**Water Supply Bank:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

12/12/2019

**Water Right 2-10254**

**Owner Type**      **Name and Address**  
Current Owner      JEREMY A THOMAS  
                                 PO BOX 5  
                                 HAMMETT, ID 83627-0005  
                                 (208) 366-2118

Original Owner      CONRAD E THOMAS  
                                 PO BOX 5  
                                 HAMMETT, ID 83627  
                                 (208) 366-2118

**Priority Date:** 3/4/1961

**Basis:** Decreed

**Status:** Active

**Source**  
SNAKE RIVER

**Tributary**  
COLUMBIA RIVER

| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 03/15                         | 11/15            | 0.180 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  |                              | 4.9 AF               |

**Source and Point(s) of Diversion**

SNAKE RIVER      L9(SESW)      Sec. 2, Twp 06S, Rge 08E, 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 |        |
| 06S | 08E | 11  |    |    |    |    |    | 6.0 | 2.0 |    |    |    |    |    |    |    |    |    | 8.0    |

POU Total Acres: 8.0

**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.      T07      The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3.      T08      Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4.      X35      Rights 2-10254 and 2-10256 when combined shall not exceed the irrigation of 8 acres in a single irrigation season.
5.      R65      This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 5.0 afa per acre at the field headgate for irrigation of the lands above.

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

12/12/2019

6. X36 Rights 2-2075, 2-2106 and 2-10256 are also diverted through the point of diversion described above.

**Combined Use Limits**

**Rate**

**Volume**

**Acres**

8.0

2-10254 ,2-10256

**SubCase:**

N/A

**Water Supply Bank:**

N/A

## 12/12/2019

8 3 7 9 8

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

12/12/2019

6. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 5.0 afa per acre at the field headgate for irrigation of the lands above.
7. X36 Rights 2-2075, 2-2106 and 2-10254 are also diverted through the point of diversion described above.

**Combined Use Limits**

**Rate**

**Volume**

**Acres**

2-10254 ,2-10256

8.0

**SubCase:**

N/A

**Water Supply Bank:**

N/A

DEC 17 2019

WATER RESOUR  
WESTERN REG

# Jeremy Thomas Transfer Application





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

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

January 26, 2021

JEREMY A THOMAS  
PO BOX 5  
HAMMETT ID 83627-0005

Re: Transfer No: 83798  
Water Right No(s): 2-2066, 2-2075, 2-2106, 2-7107, 2-10251, 2-10253, 2-10254, 2-10255, 2-10256

### Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Rights. Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Rights is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

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

If you have any questions, please contact me at (208) 334-2190

Sincerely,

  
DENISE LAUERMAN

 Nick Miller  
Regional Manager

Enclosure

CHASE ROBERTSON  
PO BOX 62  
HAMMETT ID 83627

## CERTIFICATE OF SERVICE

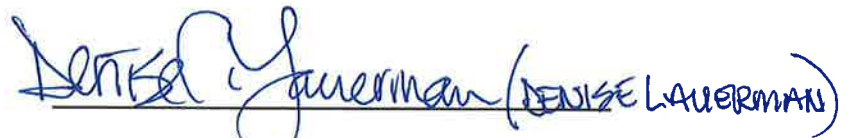
I hereby certify that on January 26, 2021 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

**Re: Transfer No.: 83798**

**Water Right No(s): 2-2066, 2-2075, 2-2106, 2-7107, 2-10251, 2-10253, 2-10254, 2-10255, 2-10256**

JEREMY A THOMAS  
PO BOX 5  
HAMMETT ID 83627-0005

CHASE ROBERTSON  
PO BOX 62  
HAMMETT ID 83627

 Denise Lauerma (DENISE LAUERMAN)

for

Nick Miller

Regional Manager

## **EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER**

**(To be used in connection with actions when a hearing was held)**

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:**

### **PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

### **EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

### **ORAL ARGUMENT**

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

## **CERTIFICATE OF SERVICE**

All exceptions, briefs, request for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

## **FINAL ORDER**

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

## **APPEAL OF FINAL ORDER TO DISTRICT COURT**

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

## MEMORANDUM

TO: Transfer No. 83798 Thomas  
FROM: Allen Bradbury  
DATE: 1/4/2021  
RE: Evaluation of Application

### Summary of Application Proposal

**Narrative:** The purpose of the transfer is to change the diversion point for water right numbers 2-2075, 2-2106, 2-10254, and 2-10256 to a point downstream at an existing pump station on the Snake River. The existing point of diversion has one 125 hp motor/pump and a measuring device in place. Water rights 2-2066, 2-7107, 2-10251, 2-10253, and 2-10255 are also diverted through the same point of diversion. Water rights 2-2066, 2-2075, 2-2106, 2-7107, 2-10251, 2-10253, 2-10254, 2-10255, and 2-10256 will be combined into a permissible place of use (PPU) of 191 acres which reflects the current beneficial use of water for irrigation.

Water will be used at the current place of use approximately 7.3 miles southeast of Hammett, ID on W Sailor Creek Rd/Wilson Grade along the south bank of the Snake River in Owyhee County. The POD is located on a parcel managed by the BLM.

**Location of Application Proposal:** The new point of diversion will be located in Lot 12 SWSW of section 3 of township 06S and range 08E. The water will be appropriated from the Snake River.

### Summary of Information Submitted

**Authority to File:** The applicant, Jeremy A. Thomas, is the current water right holder of record for each of the water rights involved in this application. As of 6/17/2020, Owyhee County tax lot data shows the applicant owns the places of use.

**Water Right Validity/Historical Beneficial Use:** All nine rights involved in this application are decreed rights, decreed 6/15/2009. Partial forfeiture is an issue, prior to this transfer the place of use for these rights covered approximately 200 acres. During the forfeiture analysis, the irrigated acres were measured at 191 acres. Thus 9 acres were deemed at risk for forfeiture. Meetings with the right holder and her representative confirmed the measured acres. These acres were taken from the most junior right 2-7107 with a priority date of 8/30/1972, since all senior rights must be diverted first. The combined use limit (CUL) was reduced from 42 acres to 33 acres. An overlap review and combined use limit spreadsheet is attached to this memo. Also of note is right 2-10254 which listed a diversion rate of 0.180 cfs on the proof report however, review of the decree revealed a quantity of 0.01 cfs on combined use of 2-10254 and 2-10256 for irrigation of 8 acres. No additional information was found to account for the discrepancy.

### **Overlap Analysis:**

The points of diversion for water right numbers 2-2075, 2-2106, 2-10254, and 2-10256 are proposed to be moved downstream on the Snake River to the same point of diversion as water rights 2-10255, 2-10253, 2-10251, 2-7107, and 2-2066. All listed right numbers belong to the transfer applicant. Overlap analysis of the places of use show that 2-2075 and 2-2106 are stacked rights, 2-10255 and 2-10253 are stacked rights, 2-10254 and 2-10256 are stacked rights, and 2-7107, and 2-2066 are partially stacked. All rights relevant to the farm have been added. No other rights should be considered.

**Injury to Other Water Rights:** Injury to other water rights is not likely to occur as a result of this transfer. The application does not propose to increase the number of acres irrigated or the amount of water diverted. The application proposes to change a point of diversion for existing water rights by moving the POD to an existing pumping station. There are no known POD's between the two POD locations. The amount of water available to other water rights is not expected to be reduced as a result of the additional POD being added this right. Comments from the WD-2 watermaster were received on 1/15/20, stating that this application is in response to WD02 transfer notice letters sent in 2018 to correct water right POD with actual quarter-quarter locations on the ground. Comments from the Bureau of Land Management (BLM) were sought, but no comments were received during the 30-day comment period. The proposed POD is an existing WMIS point, WMIS #1001467, for the Department. Though this transfer is within the Trust Water boundary it is not a new appropriation but an existing use.

**Enlargement of Use:** The transfer proposed does not increase the amount of water that has been historically used by changing the intended POD. There is no increase to diversion rate, or volume proposed by this transfer. The period of use will not be changed as a result of this transfer. The nature of use of the water right will not be altered by this transfer. For these reasons, an enlargement of use is not anticipated as a result of this transfer. The combined use limits were maintained and identified a maximum use for all of the rights through this process.

**Local Public Interest:** There are no anticipated impacts to recreation, fish, or wildlife as a result of this transfer. There is no indication that any applicable water or hazardous substance standards designed to protect water resources would be violated. This transfer is compatible with the objectives and policies of the State Water Plan. It is within the local public interest to allow private properties to develop their property and use their water rights to the fullest extent which in turn benefits the public at large. None of the available information suggests a conflict with the local public interest.

**Beneficial Use/Conservation of Water Resources:** No issues were identified. The application proposes beneficial use consistent with conservation of water resources in Idaho.

#### **Summary of Application Approval / Denial**

##### **Combined Use Analysis**

For combined use analysis see the attached spreadsheet.

Assuming no other information contradicts the above analysis, the application can be approved as reflected by the draft approval.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

JEREMY A THOMAS (Transfer Applicant) - Overlap Review & Combined Use Limits

| Basin Seq | Owner                                 | Use   | NE |    |    |    | NW |    |    |    | SW |    |      |    | SE |    |      |      | Total Acres |
|-----------|---------------------------------------|-------|----|----|----|----|----|----|----|----|----|----|------|----|----|----|------|------|-------------|
|           |                                       |       | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW   | SE | NE | NW | SW   | SE   |             |
| 2-2075    | BARBER CAVEN RANCHES; KECK, DAVID     | IRRIG |    |    |    |    |    |    |    |    |    |    | 28   |    |    |    |      |      | 28          |
| 2-2106    | BARBER CAVEN RANCHES; KECK, DAVID     | IRRIG |    |    |    |    |    |    |    |    |    |    | 28   |    |    |    |      |      | 28          |
| 2-10253   | BARBER CAVEN RANCHES; KECK, DAVID     | IRRIG |    |    |    |    |    |    |    |    |    |    | 2    |    |    |    |      |      | 2           |
| 2-10253   | BARBER CAVEN RANCHES; KECK, DAVID     | IRRIG |    |    |    |    |    |    |    |    |    |    |      | 28 |    |    | 44   | 47   | 119         |
| 2-10255   | BARBER CAVEN RANCHES; HAMILTON, JAMES | IRRIG |    |    |    |    |    |    |    |    |    |    | 27.5 |    |    |    | 43.9 | 43.8 | 115.2       |
| 2-10251   | T R INVESTMENTS; THOMAS, CONRAD E     | IRRIG |    |    |    |    | 1  |    |    |    |    |    |      |    |    |    |      |      | 1           |
| 2-2066    | BARBER CAVEN RANCHES; KECK, DAVID     | IRRIG | 8  | 8  |    |    | 7  |    |    |    |    |    |      |    |    |    |      |      | 23          |
| 2-7107    | BARBER CAVEN RANCHES; KECK, DAVID     | IRRIG | 27 | 8  |    |    |    |    |    |    |    |    |      |    |    |    |      |      | 35          |
| 2-10254   | THOMAS, CONRAD E; THOMAS, JEREMY A    | IRRIG |    |    |    |    |    | 6  | 2  |    |    |    |      |    |    |    |      |      | 8           |
| 2-10256   | THOMAS, CONRAD E; THOMAS, JEREMY A    | IRRIG |    |    |    |    |    | 6  | 2  |    |    |    |      |    |    |    |      |      | 8           |

367.2

|         | cfs  | af   | ac    | Priority  |
|---------|------|------|-------|-----------|
| 2-10254 | 0.01 | 4.9  | 8     | 3/4/1961  |
| 2-10256 | 0.12 | 30   | 6     | 1/16/1946 |
| 2-10251 | 0.02 | 5    | 1     | 9/16/1970 |
| 2-2066  | 0.46 |      | 23    | 4/7/1948  |
| 2-7107  | 0.70 | 175  | 35    | 8/30/1972 |
| 2-10253 | 0.17 | 83.1 | 121   | 3/4/1961  |
| 2-2075  | 0.70 |      | 28    | 2/13/1950 |
| 2-2106  | 0.16 | 78   | 28    | 3/4/1961  |
| 2-10255 | 2.28 |      | 115.2 | 1/16/1946 |
|         | 4.62 | 376  | 365.2 |           |

CUL = Combined Use Limit

|                                |         |         |      |      |       |          |  |
|--------------------------------|---------|---------|------|------|-------|----------|--|
| WR CUL<br>prior to<br>transfer | Group 1 | 2-2066  | 0.46 |      | 23    |          |  |
|                                |         | 2-7107  | 0.70 | 175  | 35    |          |  |
|                                |         | sum     | 1.16 | 175  | 58    | 0.02     |  |
|                                |         | CUL     | 0.84 |      | 42    | 0.02     |  |
|                                | Group 2 | 2-2075  | 0.70 |      | 28    |          |  |
|                                |         | 2-2106  | 0.16 | 78   | 28    |          |  |
|                                |         | sum     | 0.86 | 78   | 56    | 0.015357 |  |
|                                |         | CUL     |      |      | 28    | 0.030714 |  |
|                                | Group 3 | 2-10253 | 0.17 | 83.1 | 121   |          |  |
|                                |         | 2-10255 | 2.28 |      | 115.2 |          |  |
|                                |         | sum     | 2.45 | 83.1 | 236.2 | 0.010373 |  |
|                                |         | CUL     |      |      | 121   | 0.020248 |  |
|                                | Group 4 | 2-10254 | 0.01 | 4.9  | 8     |          |  |
|                                |         | 2-10256 | 0.12 | 30   | 6     |          |  |
|                                |         | sum     | 0.13 | 34.9 | 14.0  | 0.009286 |  |
|                                |         | CUL     |      |      | 8     | 0.016250 |  |

$0.70 \text{ cfs} = 0.019 \text{ cfs/ac} \times 9 \text{ ac} = 0.17 \text{ cfs}$   
37 ac  
  
CUL:  $0.70 \text{ cfs} - 0.17 \text{ cfs} = 0.53 \text{ cfs}$   
35 ac - 9 ac = 24 ac

|                                                 |         |         |      |      |       |          |  |
|-------------------------------------------------|---------|---------|------|------|-------|----------|--|
| WR CUL<br>post<br>transfer 9<br>acres<br>fofeit | Group 1 | 2-2066  | 0.46 |      | 23    |          |  |
|                                                 |         | 2-7107  | 0.53 | 175  | 24    |          |  |
|                                                 |         | sum     | 0.99 | 175  | 47    | 0.021064 |  |
|                                                 |         | CUL     | 0.66 |      | 33    | 0.02     |  |
|                                                 | Group 2 | 2-2075  | 0.70 |      | 28    |          |  |
|                                                 |         | 2-2106  | 0.16 | 78   | 28    |          |  |
|                                                 |         | sum     | 0.86 | 78   | 56    | 0.015357 |  |
|                                                 |         | CUL     |      |      | 28    | 0.030714 |  |
|                                                 | Group 3 | 2-10253 | 0.17 | 83.1 | 121   |          |  |
|                                                 |         | 2-10255 | 2.28 |      | 115.2 |          |  |
|                                                 |         | sum     | 2.45 | 83.1 | 236.2 | 0.010373 |  |
|                                                 |         | CUL     |      |      | 121   | 0.020248 |  |
|                                                 | Group 4 | 2-10254 | 0.01 | 4.9  | 8     |          |  |
|                                                 |         | 2-10256 | 0.12 | 30   | 6     |          |  |
|                                                 |         | sum     | 0.13 | 34.9 | 14.0  | 0.009286 |  |
|                                                 |         | CUL     |      |      | 8     | 0.016250 |  |

Prior to Transfer

|          |       |
|----------|-------|
| Total ac |       |
| Group 1  | 42    |
| Group 2  | 28    |
| Group 3  | 121   |
| Group 4  | 8     |
| 2-10251  | 1     |
| total ac | 200.0 |

Prior to Transfer

|           |      |
|-----------|------|
| Total cfs |      |
| Group 1   | 0.84 |
| 2-10254   | 0.01 |
| 2-10256   | 0.12 |
| 2-10251   | 0.02 |
| 2-10253   | 0.17 |
| 2-2075    | 0.70 |
| 2-2106    | 0.16 |
| 2-10255   | 2.28 |
| total cfs | 4.30 |

Post Transfer

|          |     |
|----------|-----|
| Total ac |     |
| Group 1  | 33  |
| Group 2  | 28  |
| Group 3  | 121 |
| Group 4  | 8   |
| 2-10251  | 1   |
| total ac | 191 |

Post Transfer

|           |      |
|-----------|------|
| Total cfs |      |
| Group 1   | 0.66 |
| 2-10254   | 0.01 |
| 2-10256   | 0.12 |
| 2-10251   | 0.02 |
| 2-10253   | 0.17 |
| 2-2075    | 0.70 |
| 2-2106    | 0.16 |
| 2-10255   | 2.28 |
| total cfs | 4.12 |

## **Bradbury, Allen**

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**From:** Bradbury, Allen  
**Sent:** Wednesday, January 15, 2020 11:41 AM  
**To:** Whitney, Rob  
**Cc:** Erling, Jes  
**Subject:** WD 2 Watermaster Recommendation for Transfer #83798 Thomas  
**Attachments:** 83798 Thomas Application.pdf

Hi Rob,

I have a transfer application, 83798, from Jeremy Thomas, Indian Hills Ranch. The purpose of the transfer is to change the diversion point for water right numbers 2-2075, 2-2106, 2-10254, and 2-10256 to a point downstream at an existing pump station on the Snake River. The existing pump location is a WMIS site on BLM land. Looking at the aerial photos, I'm guessing this is probably administrative, though it will result in cleaning up the POU shape. Currently, I'm seeking comments from the BLM and WD2. As the watermaster, please let me know if you oppose or approve of this transfer application.

Thanks,

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

## Bradbury, Allen

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**From:** Whitney, Rob  
**Sent:** Wednesday, January 15, 2020 1:24 PM  
**To:** Bradbury, Allen  
**Subject:** FW: WD 2 Watermaster Recommendation for Transfer #83798 Thomas  
**Attachments:** WD02\_Transfer\_Notice\_POD\_Thomas\_2018.pdf

Allen,

Please see note below from Jes. Thank you for including WD02 in the processing loop. I concur with the evaluation by Jes and have no additional comments related to the proposed transfer.

RW

**From:** Erling, Jes  
**Sent:** Wednesday, January 15, 2020 12:28 PM  
**To:** Whitney, Rob <Rob.Whitney@idwr.idaho.gov>  
**Subject:** RE: WD 2 Watermaster Recommendation for Transfer #83798 Thomas

Rob,

This application is in response to the WD02 transfer notice letters (attached) we sent out in 2018 to correct water right PODs with QQ issues (Thomas was one of the low hanging fruit). I reviewed the Thomas transfer application and all looks in order. The new legal description listed on the application is correct as stated (moving rights to the "Thomas" diversion where actually diverted). Unfortunately, they do not qualify for the reduced fee (per Cherie's analysis) and have paid in full.

Let me know if you have any questions.

Jes

**From:** Bradbury, Allen  
**Sent:** Wednesday, January 15, 2020 11:41 AM  
**To:** Whitney, Rob <[Rob.Whitney@idwr.idaho.gov](mailto:Rob.Whitney@idwr.idaho.gov)>  
**Cc:** Erling, Jes <[Jes.Erling@idwr.idaho.gov](mailto:Jes.Erling@idwr.idaho.gov)>  
**Subject:** WD 2 Watermaster Recommendation for Transfer #83798 Thomas

Hi Rob,

I have a transfer application, 83798, from Jeremy Thomas, Indian Hills Ranch. The purpose of the transfer is to change the diversion point for water right numbers 2-2075, 2-2106, 2-10254, and 2-10256 to a point downstream at an existing pump station on the Snake River. The existing pump location is a WMIS site on BLM land. Looking at the aerial photos, I'm guessing this is probably administrative, though it will result in cleaning up the POU shape. Currently, I'm seeking comments from the BLM and WD2. As the watermaster, please let me know if you oppose or approve of this transfer application.

Thanks,

Allen Bradbury  
Water Resource Agent, Sr.



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

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

January 15, 2020  
2

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
ATTN: FRED PRICE, IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

RE: Application for Transfer of Water Right: Transfer No. 83798

Dear Mr. Price:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right transfer application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 30 days.

The Department can publish notice of the application as soon as the initial review is completed. Therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

If you have any questions regarding the application, please contact this office at (208) 334-2190.

Sincerely,

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

Enclosure: Copy of Application



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

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

August 31, 2020

JEREMY A THOMAS  
PO BOX 5  
HAMMETT, ID 83627-0005

### RE: Transfer Application #83798

Dear Mr. Thomas,

I am writing to you today in regards to your Application for Transfer of a Water Right no. 83798. The Idaho Department of Water Resources (Department) reviewed this application, including a review of your place of use (POU). The Department found the following information:

- A review of the number of acres associated with water rights 2-2075 and 2-2106 found the authorized POU to be 30 acres in the SWSW Lot 10 Section 2, however the number of acres actually irrigated were 24 acres.
- A review of the number of acres associated with water rights 2-10254 and 2-10256 found the authorized POU to be 6 acres in the NWNW Section 11, however the number of acres actually irrigated were 14 acres.
- In addition, 2 acres in the SWNW Section 11 were listed in the authorized POU but do not appear to have been irrigated.
- So, the total authorized acres between all four water rights adds to 38 acres and the actual acres put to beneficial use were found to be about 38 acres though the currently irrigated land varies significantly from the original authorized POU shape.

In order to move the point of diversion (POD), the acres need to match the current irrigation use for the POU. To accomplish this will require you to fill out an Application for Transfer of Water Right, which is a longer form than the point of diversion application.

Please submit your response in writing within thirty **(30) days** of the date of this letter. Let me know if you have any questions regarding the content of this letter. I can be reached by phone at 208-334-2190 or by email at [allen.bradbury@idwr.idaho.gov](mailto:allen.bradbury@idwr.idaho.gov). IDWR forms and other information can be found at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Thank you for your time and for your attention to these matters.

Respectfully,

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

November 8, 2018

Jeremy A. Thomas  
PO Box 5  
Hammett, Idaho 83627

**Re:** Water Rights: 2-2075, 2-2106, 2-10254 and 2-10256

Dear Water Right Owner:

Idaho Department of Water Resources (IDWR) records show you own the above referenced water rights which allow diversion of water from the Snake River. The authorized point of diversion (POD) for these water rights is located in Township 06 South, Range 08 East, Section 02, SESW Lot 9. The attached map illustrates the location of the current authorized POD.

Water District 02 records show water diverted in connection with the above referenced water rights may be at a location different than described on your water rights. If you are actually diverting water at a different location, an *Application for Transfer of a Water Right* (transfer application) must be filed with IDWR to change the official record and properly describe the actual POD.

A copy of the referenced water rights and the transfer application are also enclosed. The completed application and the appropriate filing fee should be submitted to:

IDWR Western Region  
2735 W. Airport Way  
Boise, Idaho 83705-5082

Please contact me if you have any questions or need assistance. Thank you for your cooperation.

Regards,

Jes Erling  
Water Resource Agent, Sr.  
Hydrographer, WD02  
Phone: (208) 287-4956  
Email: [Jes.Erling@idwr.idaho.gov](mailto:Jes.Erling@idwr.idaho.gov)

cc: Nick Miller (IDWR)