

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84406**

This is to certify that: CAROLYN L. RIEMANN AND
CHARLES RIEMANN
285 AUSTIN RD
CAREY, ID 83320

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>
37-2750	WR/DECREED	10/19/1966	0.020 cfs	0.7 af	N/A	N/A	SPRING

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>
37-2750	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>
37-2750	37-2750	0.020 cfs	0.7 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.020 cfs	0.7 af	N/A	N/A		N/A	N/A	N/A	N/A

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 10th day of November, 2020.



Southern Region Manager

Transfer No. 84406

WATER RIGHT NO. 37-2750
As Modified by Transfer No. 84406

In accordance with the approval of Transfer No. 84406, Water Right No. 37-2750 is now described as follows:

Right Holder: CHARLES RIEMANN AND
 CAROLYN L. RIEMANN
 285 AUSTIN RD
 CAREY, ID 83320

Priority Date: 10/19/1966

Source: SPRING

Tributary: PHILLIPS CANYON CREEK

BENEFICIAL USE

DOMESTIC
 STOCKWATER

From

1/01
 1/01

to

To

12/31
 to 12/31

Diversion Rate

0.020 cfs
 0.020 cfs

Diversion Volume

0.7 af
 0.7 af

LOCATION OF POINT(S) OF DIVERSION

SPRING SESE Sec 36 Twp 01N Rge 21E BLAINE County

PLACE OF USE: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	X																
01S	22E	7						X											
								L 1											0

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	X																
01S	22E	7						X											
								L 1											0

CONDITIONS OF APPROVAL

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. This right does not grant any right-of-way or easement across the land of another.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 84406

WATER RIGHT NO. 37-2750
As Modified by Transfer No. 84406

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.

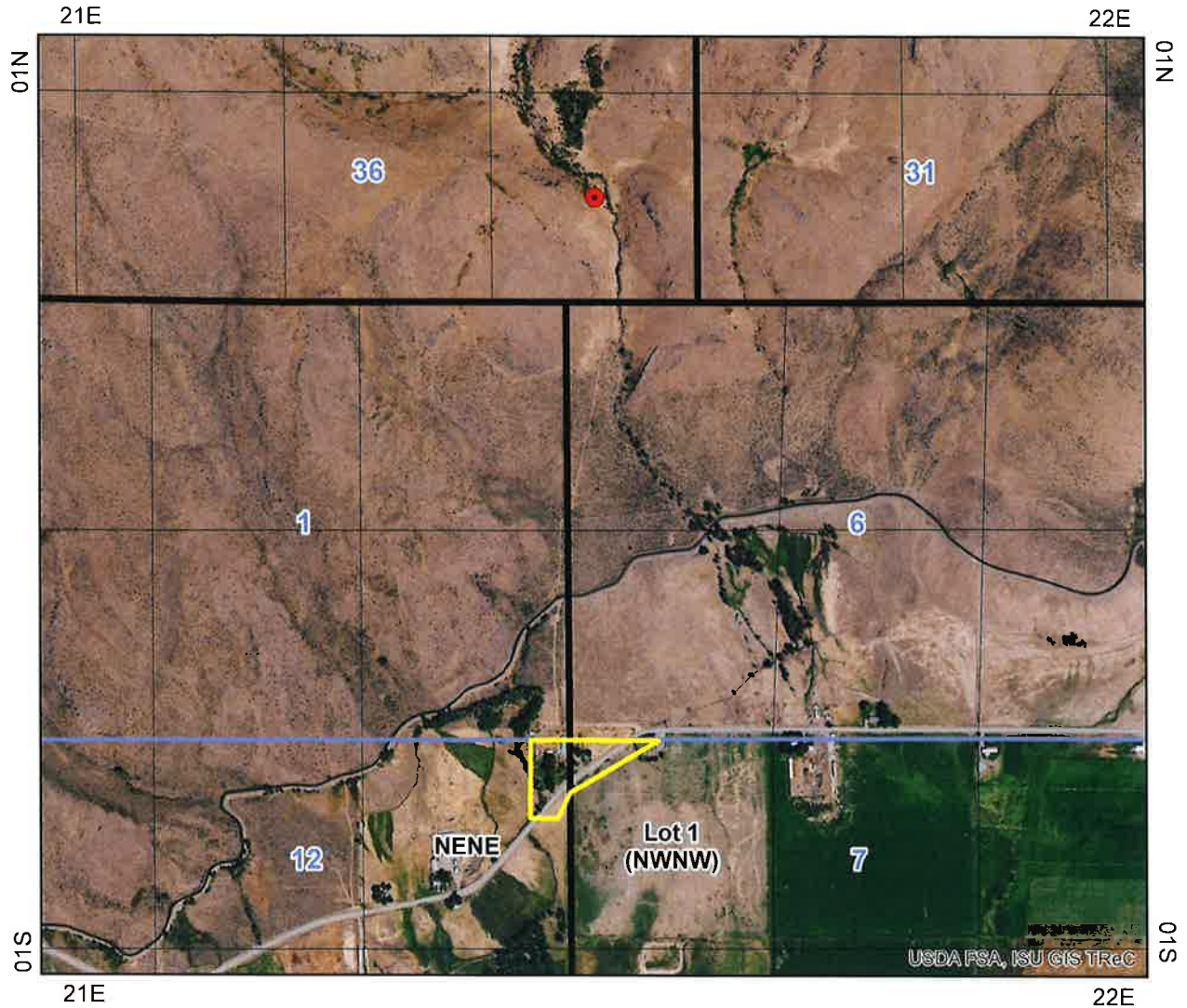


State of Idaho
Department of Water Resources

Attachment to Transfer # 84406

37-2750

This map depicts the DOMESTIC and STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.125 0.25 0.5 Miles



NOV 09 2020

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84406

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) CHARLES RIEMANN AND CAROLYN L. RIEMANN**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 #1-9.

- ☐ ☐ #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 transfer 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).
- ☐ ☐ #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 <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☐ #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.
- ☐ ☐ #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.)
- ☐ ☐ #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 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 09 2020

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant CHARLES RIEMANN Phone (208) 650-5947

Mailing Address 285 AUSTIN RD, CAREY ID 83320 Email _____

Name of Applicant CAROLYN L. RIEMANN Phone (208) 650-5947

Mailing Address 285 AUSTIN RD, CAREY ID 83320 Email _____

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

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

☐ No Representative

Name of Representative _____ Phone _____

Mailing Address _____ Email _____

☐ 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.

Charles Riemann
Signature of Applicant or Authorized Representative

Charles Riemann 9-29-2020
Print Name and Title if applicable Date

Carolyn L. Riemann
Signature of Applicant or Authorized Representative

Carolyn L. Riemann 9-29-2020
Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	37-2750	No	No	Yes	No	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Application will correct the place of use description for a stockwater/domestic right that was decreed in the wrong location. No physical change in POU has occurred. A change of ownership will also occur in the transfer.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-2750	0.020 cfs	0.7 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.020 cfs	0.7 af	N/A	N/A		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.02 cubic feet per second and/or _____ acre-feet per annum
3. Points(s) of Diversion:
- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.
4. Place of Use:
- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 37-2750

Current Water Right Owner

CHARLES RIEMANN
 285 AUSTIN RD
 CAREY, ID 83320

AND

CAROLYN L. RIEMANN
 285 AUSTIN RD
 CAREY, ID 83320

Priority Date: 10/19/1966

Origin: Water Right

Basis: Decreed

Status Active

Source: SPRING **Tributary:** PHILLIPS CANYON CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/01	12/31			
STOCKWATER	1/01	12/31	0.020 CFS	0.7 AFA	Dairy
Total Diversion			0.020 CFS	0.7 AFA	

Source and Point(s) of Diversion:

SPRING SESE Sec. 36 Twp 01N Rge 21E BLAINE County

Describe the proposed diversion system

TROUGHS, HOLDING TANK

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	X																
01S	22E	7						X											
								L 1											0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	12	X																
01S	22E	7						X											
								L 1											0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

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

Holding tank and 1 1/4" line to house

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

Idaho Dept. of Fish and Game

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

Existing Decree of Water Rights

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☐ 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: N/A

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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

N/A

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

N/A

- f. 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:

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

Current Water Right No. 37-2750

Current Water Right Owner

MARSHA RIEMANN
62 TOWNSEND GULCH
RD
BELLEVUE, ID 83313-5008

OR

CHARLES RIEMANN
285 AUSTIN RD
CAREY, ID 83320

Priority Date: 10/19/1966

Origin: Water Right

Basis: Decreed

Status: Active

Source: SPRING Tributary: PHILLIPS CANYON CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/01	12/31			
STOCKWATER	1/01	12/31	0.020 CFS	0.7 AFA	Dairy
Total Diversion			0.020 CFS	0.7 AFA	

Source and Point(s) of Diversion:

SPRING

SESE

Sec. 36 Twp 01N Rge 21E BLAINE County

Describe the proposed diversion system

TROUGHS, HOLDING TANK

Place of Use: DOMESTIC

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	21E	36																X	0.0

Conditions/Remarks:

1. 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. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. THE QUANTITY OF WATER DECREEED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. STOCKWATER, 120 DAIRY

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ 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 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**.

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

1. 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 single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

Received By _____ Date _____ Prelim. Check By _____ Date _____
 Fee Paid 175.00 Date 11/9/20 Received By SG Receipt # 5038241
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

BLANK

QUITCLAIM DEED

For Value Received **Marsha Riemann**

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

Charles Riemann

whose address is: **P.O. Box 124, Carey, ID 83320**

Hereinafter called the Grantee, the following described premises situated in County, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

Any and all water rights appurtenant to above said property including but not limited to water right number #A37-02750.

together with its appurtenances.

Dated: May 6, 2005

Instrument # 519917

HAILEY, BLAINE, IDAHO

2005-05-10 03:10:00 No. of Pages: 2

Recorded for : FIRST AMERICAN TITLE

MARSHA RIEMANN Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

mp

Marsha Riemann
Marsha Riemann

STATE OF Idaho)

)ss.

COUNTY OF Blaine)

On this 9th day of May in the year of 2005, before me, Aaron T. Hughes, personally appeared Marsha Riemann known or identified to me (or proved to me), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.

[Signature]
Notary Public of Idaho

Residing at: Hailey ID
Commission Expires: 4/11/2011



Exhibit "A"

Real property in the County of Blaine, State of Idaho, described as follows:

Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho.

Section 7: A parcel of land NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ (Government Lot 1) more particularly described as follows:

**Commencing at the Northwest corner of said Section 7, which point is the True Point of Beginning; thence S. 89° 44' E., approximately 568 feet, along the North boundary of Section 7; to its intersection with the county road; thence S. 59° 35' 29" W., approximately 658.59 feet, along the county road, to a point on the West boundary of said Section 7; thence North approximately 336 feet, along the West boundary of said Section 7, to the True Point of Beginning.
(TL 6932)**

AND

Township 1 South, Range 21 East of the Boise Meridian, Blaine County, Idaho.

Section 12: A parcel of land located within the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said section and being more particularly described as follows:

**Commencing at the Northeast corner of Section 12, which point is the true point of beginning;
thence S. 89° 42' W., approximately 255 feet, along the Northerly boundary of said Section 12;
thence South approximately 494 feet, said line being parallel to the East boundary of said Section 12;
thence East approximately 177 feet to the county road;
thence N. 26° 04' 56" E., approximately 177.4 feet along the county road, to a point on the East boundary of said section 12;
thence North, approximately 336 feet, along the East boundary of said Section 12, to the true point of beginning.
(TL 6931)**

QUITCLAIM DEED

Instrument # 558974

HAILEY, BLAINE, IDAHO

6-16-2008 02:32:47 No. of Pages: 1

Recorded for : FIRST AMERICAN TITLE CO

JOLYNN DRAGE

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTYQCICORP DEED

For Value Received

Charles Riemann as his sole and separate property
 does hereby convey, release, remise and forever quit claim unto
 Charles Riemann and Carolyn L. Riemann, husband and wife

The following described premises situated in county of Blaine, Idaho, to-wit:

Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho.

Section 7: A parcel of land NW of the NW (Government Lot 1) more particularly described as follows:

Commencing at the Northwest corner of said Section 7, which point is the True Point of Beginning; thence S. 89° 44' E., approximately 568 feet, along the North boundary of Section 7; to its intersection with the county road; thence S. 59° 35' 29" W., approximately 658.59 feet, along the county road, to a point on the West boundary of said Section 7; thence North approximately 336 feet, along the West boundary of said Section 7, to the True Point of Beginning.
 (TL 6932)

Address is: 285 Austin Road, Blaine County, ID 83320

together with their appurtenances.

Dated: June 9, 2008

Charles Riemann
 Charles Riemann

6-9-08
 Date

Carolyn L. Riemann
 Carolyn L. Riemann

6-9-08
 Date

State of Idaho County of Blaine

On this 9th day of June, 2008, before me, the undersigned, a Notary Public in and for said county and state,

Personally appeared Charles Riemann and Carolyn L. Riemann

Known or proved to me to be the person(s) who executed the foregoing instrument, and acknowledged to me that he/she/they executed the same.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first
 Above written.

Deborah Ibaibarriaga
 Notary Public for
 Residing at: 11111 Home Rd
 My Commission Expires: 2/10/13



QUITCLAIM DEED

Instrument # 581747

HAILEY, BLAINE, IDAHO
10-26-2010 12:45:00 No. of Pages: 1
Recorded for : CHARLES RIEMANN
JOLYNN DRAGE Fee: 10.00
Ex-Officio Recorder Deputy
Index to: WTY/QCICORP DEED

For Value Received

Charles Riemann as his sole and separate property

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

Charles Riemann and Carolyn L. Riemann, husband and wife

Box 124 Carey Idaho 83320

The following described premises situated in county of Blaine, Idaho, to-wit:

Township 1 South, Range 21 East of the Boise Meridian, Blaine County, Idaho.
Section 12: A parcel of land located within the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said section
being more particularly described as follows:

Commencing at the Northeast corner of Section 12, which point is the true point
of beginning; thence S.89 degrees 42'W., approximately 255 feet, along the
Northerly boundary of said Section 12; thence South approximately 494 feet, said
line being parallel to the East boundary of said Section 12; thence East
approximately 177 feet to the county road; thence N.26 degrees 04' 56"E.,
approximately 177.4 feet along the county road, to a point on the East boundary
of said section 12; thence North, approximately 336 feet, along the East boundary
of said section 12, to the true point of beginning.

(TL 6931)

Parcel Number: RP01S210122520

Together with its appurtenances.

Dated: October 22, 2010

Charles Riemann
Charles Riemann

10-26-10

Date

State of Idaho County of Blaine

On this 26 day of October, 2010, before me, the undersigned, a Notary Public in and
for said county and state, personally appeared Charles Riemann known or proved to me to
be the person(s) who executed the foregoing instrument, and acknowledged to me that
he/she executed the same.

Jenny Lovell
Notary Public of Idaho
Residing at: Blaine CO.
Commission Expires: 9-17-16



Co ASS, warranty deed



This sketch is made solely for the purpose of assisting in locating the premises. The Company assumes no liability for alleged loss or damage which may result from reliance on this map.

TAX CODE 24

TAX CODE 19

Last acbs used

Sect 4

Acres 1

Sect 7

acbs 4.51

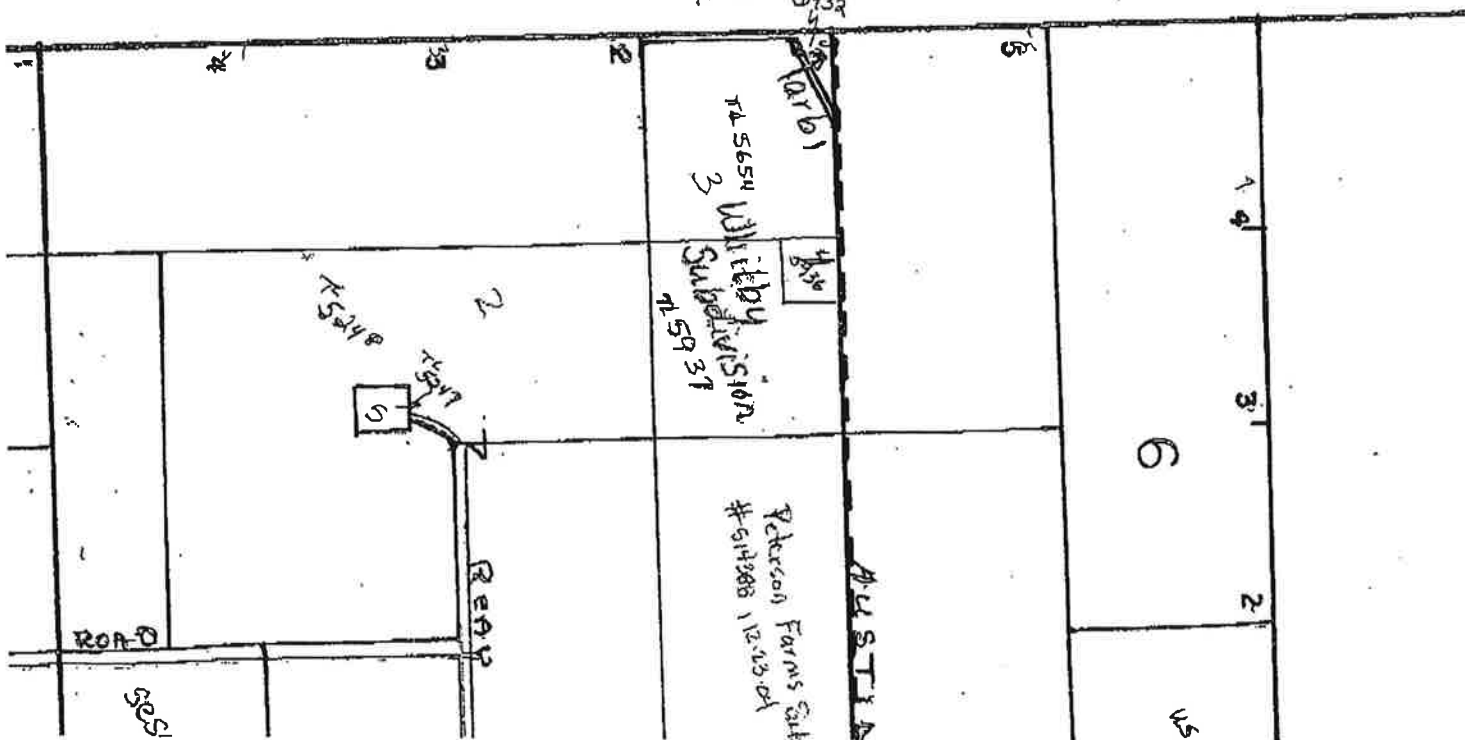
Sect 8

Acbs 1.0

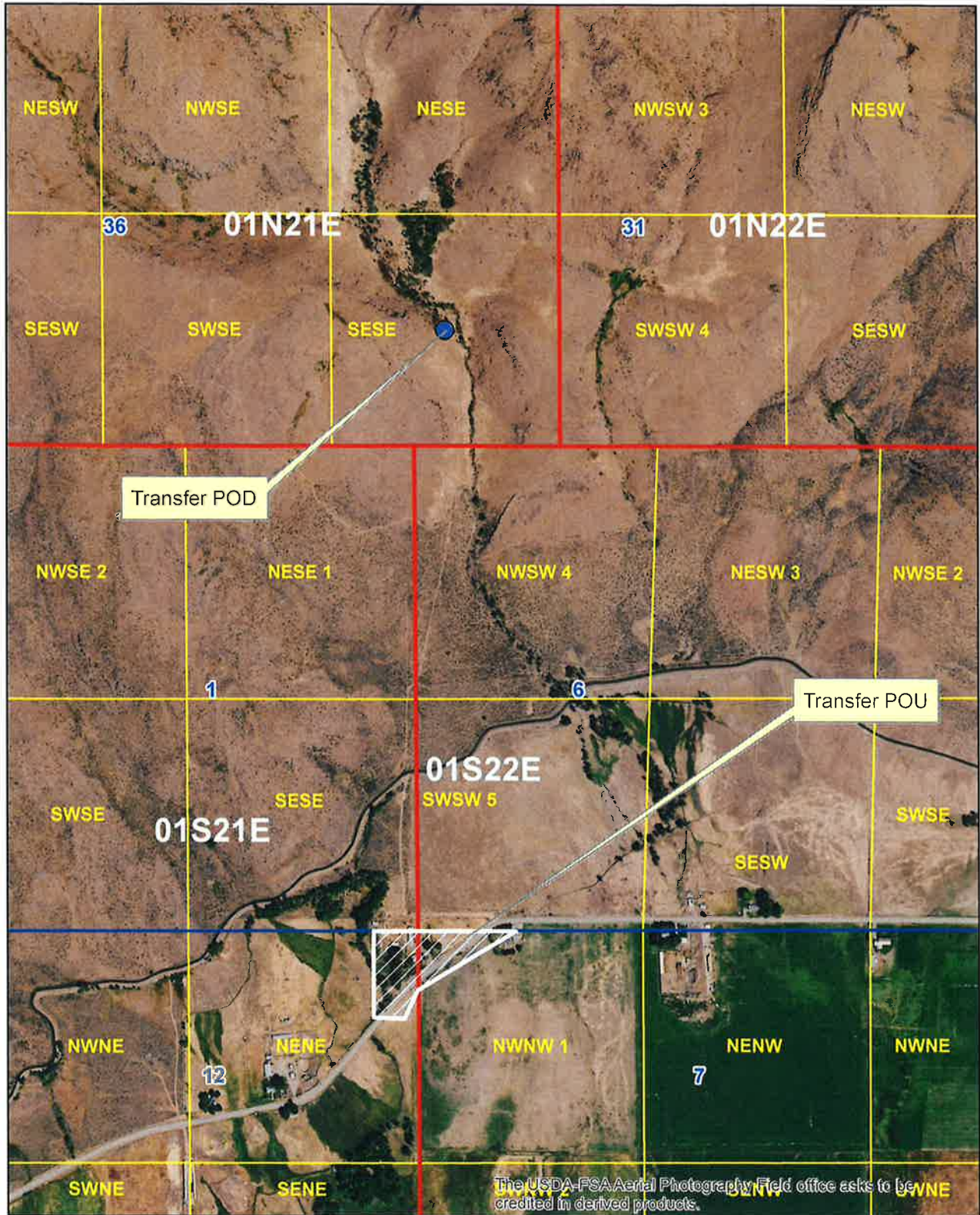
Sect 9

acbs 2.48

TOWNSHIP					
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24



Roman Transfer #84400



Legend

 Township/Range

 Sections

 QQ

TRANSFER 84406

0 0.05 0.1 0.2 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 27, 2020

CHARLES RIEMANN
CAROLYN L RIEMANN
285 AUSTIN RD
CAREY ID 83320

Re: Transfer No: 84406
Water Right No(s): 37-2750

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

The Transfer of Water Right(s) 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) 736-3033.

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Skinner", with a stylized, cursive script.

Corey Skinner
Southern Regional Manager

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2020 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.: 84406
Water Right No(s): 37-2750

CHARLES RIEMANN
CAROLYN L RIEMANN
285 AUSTIN RD
CAREY ID 83320



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document 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 of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director 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 Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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, requests 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 IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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

Date: November 10, 2020
To: Transfer #84406 File – Charles and Carolyn Riemann
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to correct the place of use (POU) description for a domestic/stockwater right, 37-2750, diverted from a spring, tributary to Phillips Canyon Creek, with a flow rate of 0.02 cfs. The place of use is located 4.0 miles north and 2.5 miles east of the Highway 93/20 intersection in Carey. This is a paper correction of the decreed POU; no physical changes have occurred, so advertising was not necessary.

The right is within Water District 37N, but is not administered by the Water District, so Watermaster comments were not solicited.

- **Authority to File:**
The Department's database indicates that water right 37-2750 is owned by Charles and Marsha Riemann; a change of ownership will occur with the transfer, which will change ownership of the right to Charles and Carolyn Riemann, the applicants. The application was signed by the applicants.
- **Water Right Validity:**
The water right was decreed in the SRBA in 2000, and a home and livestock facility is located on the property, so use of the rights has likely been maintained.
- **Injury to Other Water Rights:**
None anticipated or foreseen. This is a paper correction only.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Because the change to the POU is a paper change only, the transfer was not advertised.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

TRANSFER SYNOPSIS

Date: November 10, 2020
To: Transfer #84406, Charles and Carolyn Riemann Transfer file
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to correct the place of use (POU) description for a domestic/stockwater right, 37-2750, diverted from a spring, tributary to Phillips Canyon Creek, with a flow rate of 0.02 cfs. The place of use is located 4.0 miles north and 2.5 miles east of the Highway 93/20 intersection in Carey. This is a paper correction of the decreed POU; no physical changes have occurred, so advertising is not necessary.

The right is within Water District 37N, but is not administered by the Water District, so Watermaster comments will not be solicited.

MEMORANDUM

Date: November 10, 2020
To: Transfer 84406
From: James Bitzenburg
Re: Legal Notice Not Required

Legal Notice Not Required
11/10/2020

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

The transfer is a paper correction of the place of use description which was decreed incorrectly. No actual physical change has occurred.

FEE MEMORANDUM

Date: November 10, 2020
To: Charles and Carolyn Riemann Transfer #84406 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on November 9, 2020 and the purpose of the transfer is to correct the decreed place of use description for a domestic/stockwater right diverted from a spring, tributary to Phillips Canyon Creek. Because the transfer is to correct the decreed legal description and no unauthorized physical change in location has occurred, the fee is \$50.00. A change of ownership will also occur with the transfer, for an additional fee of \$25.00. The total fee of \$75.00 was paid by Charles and Carolyn Riemann with check #6264 on the date the application was filed. The IDWR receipt number is S038241.