

RECEIVED

MAR 06 2020

Department of Water Resources  
Eastern RegionSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No.

83928

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

Name of Applicant(s) Diamond 3 Ranches, LLC

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) Diamond 3 Ranches, LLC Phone (307) 723-2324  
Mailing address 6235 Center Lane, Geneva, ID 83238 Email estherkimber@gmail.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 \_\_\_\_\_ 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.

Robert Boehme  
Signature of Applicant or Authorized Representative

Robert Boehme member  
Print Name and Title if applicable

March 06 2020  
Date

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

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

\_\_\_\_\_  
Date

### A. PURPOSE OF TRANSFER

- ☒ Change point of diversion  
☐ Change nature of use

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

☒ Change place of use  
☒ Other Update Ownership
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?  
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.  
Change the place of use for water rights 11-123, 11-131 and 11-7135 to reflect the current irrigation system. These rights share a 211-acre combined place of use. Change the point of diversion for water rights 11-123 and 11-131 to identify a new pumping station on the Thomas Fork. Update ownership for all three rights.

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.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source &amp; Tributary</u>
All or Part <input checked="" type="checkbox"/> <input type="checkbox"/>	11-123	1.60 cfs	Irrigation	4/15 to 10/31	Thomas Fork
<input checked="" type="checkbox"/> <input type="checkbox"/>	11-131	2.69 cfs	Irrigation	4/15 to 10/31	Thomas Fork
<input checked="" type="checkbox"/> <input type="checkbox"/>	11-7135	3.70 / 633	Irrigation	4/15 to 10/15	Ground Water
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 4.22 cfs and/or \_\_\_\_\_ acre-feet.

2. Total amount of water proposed to be transferred or changed 4.22 cubic feet per second and/or \_\_\_\_\_ 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 #
			NE	NW	21	13S	46E	Bear Lake	Ground Water	
			NW	NE	21	13S	46E	Bear Lake	Thomas Fork	New Pump Station

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	
13S	46E	20	21																21
		21	31			31	27	40											129
		22						31	30										61
Total Acres (for irrigation use)																			211

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:  
Pump station constructed on Thomas Fork will be equipped with a flow meter and regulated by Water District 11F. Ground water system could be equipped with flow meter if required in the future.

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?  
**If yes,** ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A Water rights are not moving off of property.

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:  
211 acres will continue to be irrigated, all other acres will remain dry.

- 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:  
None.

- 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:**

Thomas Fork rights have not been used recently, but the full proposed 211-acre place of use has been irrigated with ground water.

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

7/12/2018

Water Right 11-123

**Owner Type**      **Name and Address**  
Current Owner      JOHN LINFORD  
                             GENEVA, ID 83238

**Priority Date:** 4/1/1886

**Basis:** Decreed

**Status:** Active

**Source**  
THOMAS FORK

**Tributary**  
BEAR 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	4/01	11/01	1.600 CFS	
	<b><u>Total Diversion</u></b>		1.600 CFS	

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

THOMAS FORK

NWNE

Sec. 21, Twp 13S, Rge 46E, BEAR LAKE County

**Place Of Use**

IRRIGATION within BEAR LAKE 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	
13S	46E	20	40.0																40.0
13S	46E	21		40.0			40.0	40.0											120.0

POU Total Acres: 160.0

**Conditions of Approval:**

1. TRANS. 2048, P/D CHANGE.

Decreed Date: 2/20/1902

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

7/12/2018

**Water Right 11-131**

**Owner Type**      **Name and Address**  
Current Owner      A L HART  
                                     , ZZ

Current Owner      W A HART  
                                     , ZZ

**Priority Date:** 7/1/1886

**Basis:** Decreed

**Status:** Active

**Source**  
THOMAS FORK

**Tributary**  
BEAR 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	04/15	10/31	2.690 CFS	
	<b><u>Total Diversion</u></b>		2.690 CFS	

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

THOMAS FORK                                      SESE                                      Sec. 4, Twp 13S, Rge 46E, BEAR LAKE County

**Place Of Use**

IRRIGATION within BEAR LAKE 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	
13S	46E	21	40.0			40.0									40.0			34.0	154.0

POU Total Acres: 154.0

**Conditions of Approval:**

1. P/D INCOMPLETE - STEVENS & LARSON DITCH, LEGAL FROM USGS MAP.  
DECREE SOURCE - STEVENS & LARSON DITCH.

Decreed Date: 2/20/1902

## 7/12/2018

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JON LINFORD GENEVA, ID 83238

**Status:** Active

Tributary

633.0 AF

Sec. 21, Twp 13S, Rge 46E, BEAR LAKE County

[illegible]

1.	R29	This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.
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83928

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 rights(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:

N/A

#### FOR DEPARTMENT USE ONLY

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

Received by JC Date 3/16/2020 Preliminary check by \_\_\_\_\_ Date \_\_\_\_\_

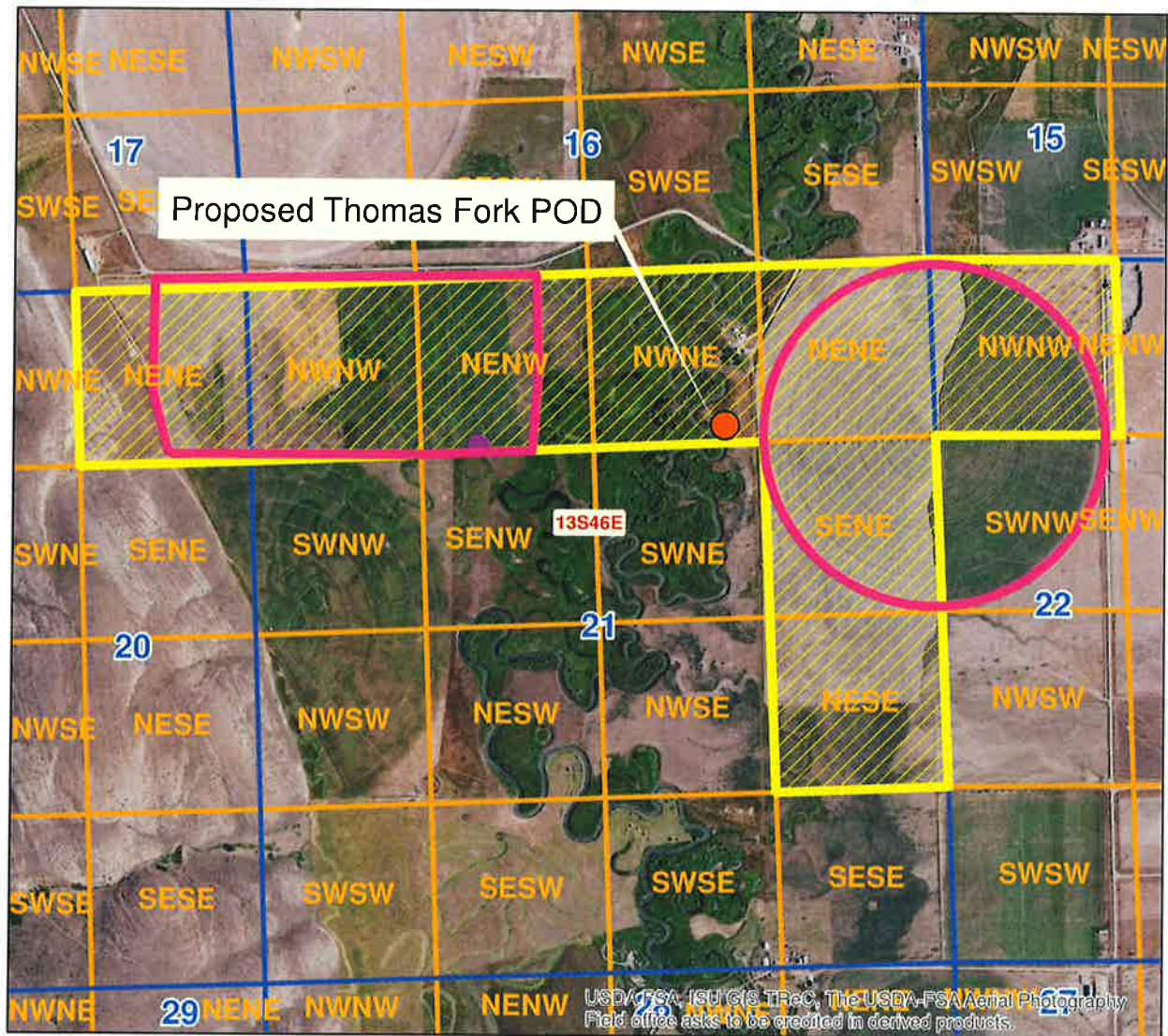
Fee paid \$820.- Date 3/16/2020 Received by JB Receipt # E045710

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)



## Boehme Application for Transfer



2017 Aerial Photo



0 1,000 2,000 Feet





0003364767

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003364767

Date Filed: 12/6/2018 9:50:47 PM

## Entity Name and Mailing Address:

DIAMOND 3 RANCHES, LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0000570526

## Address

6235 CENTER LN  
GENEVA, ID 83238-5106

## Entity Details:

## Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W188886

## The registered agent on record is:

## Registered Agent

ROBERT BOEHME  
Registered Agent

## Physical Address

6235 CENTER LANE  
GENEVA, ID 83238

## Mailing Address

## Limited Liability Company Managers and Members

Name of individual or organization	Title	Address
YVONNE BOEHME	Member	6235 CENTER LANE GENEVA, ID 83238
ROBERT BOEHME	Manager	6235 CENTER LANE GENEVA, ID 83238

The annual report must be signed by an authorized signer of the entity.

Robert Boehme

Sign Here

Signer's Capacity: owner

12/06/2018

Date

B0113-8239 12/06/2018 9:50 PM Received by ID Secretary of State Lawrence Denney

MAIL TAX NOTICE TO  
EMMA LYLE BOEHME  
1250 RAYMOND ROAD  
GENEVA ID 83238

Instrument # 221869

BEAR LAKE COUNTY

4-4-2016 02:52:30 PM No. of Pages: 4

Recorded for : OLSON & HOGAN PC

CINDY GARNER

Ex-Officio Recorder Deputy

Index to: CORRECTED WARRANTY DEED

Fee: 19.00

*Shouldn't the taxes go  
to Diamond Ranches?*

## CORRECTION WARRANTY DEED

FOR VALUE RECEIVED

EMMA LYLE BOEHME, Grantor, does hereby grant bargain, sell and convey unto

DIAMOND 1 RANCHES, an Idaho Limited Liability Company, whose current address  
is: 150 Raymond Road, Geneva, ID 83238 the Grantee, the following described premises in Bear  
Lake County, State of Idaho:

SEE ATTACHED EXHIBIT "A"

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

This Deed is to correct and delete legal descriptions of parcels previously conveyed to third  
parties and to add water and mineral rights in that Warranty Deed dated October 25, 2006 and  
recorded as Instrument Number 196425 on November 2, 2008 in the office of the Bear Lake  
County Recorder.

DATED: March 14, 2016

**COPY**

*Conni Deryham*

WITNESS

STATE OF UTAH )

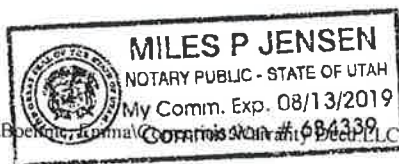
: ss.

County of Cache )

*Emma Lyle Boehme*

EMMA LYLE BOEHME

On the 14<sup>th</sup> day of March, 2016, personally appeared before me EMMA LYLE  
BOEHME, the signer of the within instrument, who duly acknowledged to me that she executed  
the same.



J:\MPJ\Estate\Boehme, Emma\Corrected Warranty Deed\PLC.docx  
N-13788

*Miles P Jensen*  
NOTARY PUBLIC

**EXHIBIT A****PARCEL NO. 1:**

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 10: SW1/4SW1/4

Section 15: W1/2; W1/2NE1/4

ALSO: Beginning at a point 660 feet West from the Northeast Corner of Section 15, and running thence Southwesterly along the County Road to the Southwest Corner of the NE1/4NE1/4 of Section 15; thence North 1320 feet; thence East 660 feet to the Point of Beginning.

Section 16: SE1/4SE1/4

EXCEPT THEREFROM a right of way 66 feet in width along the East side of the SE1/4SE1/4.

Section 21: Beginning at the Southeast Corner of the NW1/4SE1/4 of Section 21, and running thence West 1491 feet; thence South 33 feet; thence East 1491 feet; thence North 33 feet to the Point of Beginning.

EXCEPT THEREFROM all oil, gas geothermal and mineral rights appertaining thereto.

**PARCEL NO. 2:**

TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN, IDAHO:

Section 3: SW1/4NW1/4; N1/2SW1/4

Section 4: SE1/4NE1/4.

**PARCEL NO. 3:**

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 21: S1/2NE1/4SE1/4; SE1/4. EXCEPT THEREFROM: Beginning at a point 827 feet West from the Southeast Corner of Section 21, and running thence West 493 feet; thence North 530 feet; thence East 493 feet; thence South 530 feet to the Point of Beginning.

Section 22: N1/2NW1/4SW1/4; SW1/4NW1/4.

SUBJECT to a 25 foot Right of Way along the West side of the S1/2SE1/4NE1/4 of said Section 21.

**COPY**

(Continued)



**PARCEL NO. 4:**

TOWNSHIP 12 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Sections 22 and 23: Commencing at a point 504.5 feet East of the Southwest Corner of the SE1/4SE1/4 of said Section 22, and running thence East 324 feet; thence North 1870 feet; thence East 1490 feet, more or less, to the Westerly boundary line of the State Highway Right of Way; thence Northwesterly along the State Highway Right of Way to the North line of the SW1/4NW1/4 of Section 23; thence West 346.5 feet; thence South 214 feet; thence West 231 feet; thence North 214 feet; thence West 815.5 feet; thence South 3960 feet to the Place of Beginning.

Section 35: The Easterly 545.4 feet of Lots 3 and 4.

**PARCEL NO. 5:**

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:

Section 23: Lot 4.

Section 26: Lots 1, 2 and 3.

ALSO: All of Block 8 of the RAYMOND TOWNSITE SURVEY in Section 22, Township 13 South, Range 46 East, Boise Meridian.

EXCEPT THEREFROM: A tract 49 feet by 49 feet located in the Southeast Corner of Lot 4, Block 8, RAYMOND TOWNSITE SURVEY, deeded to CELDON R. HART and VENIE HART, husband and wife.

ALSO: All of Block 16 of the RAYMOND TOWNSITE SURVEY in Section 22, Township 13 South, Range 46 East, Boise Meridian.

EXCEPT THEREFROM: Commencing at the Northeast Corner of Block 16, RAYMOND TOWN SITE SURVEY; thence South 210 feet; thence West 210 feet; thence North 210 feet; thence East 210 feet to the Point of Beginning.

ALSO: Lots 3 and 4, being the South Half of Block 13, and all of Block 14, RAYMOND TOWNSITE SURVEY, as platted and of record in the records of Bear Lake County, state of Idaho.

**PARCEL NO. 6:**

All of Block 15 of the RAYMOND TOWNSITE SURVEY in Section 22, Township 13 South, Range 46 East of the Boise Meridian in Bear Lake County, Idaho, as Platted and of record In said County.

**PARCEL NO. 7:**

Beginning at the Southeast Corner of the SW1/4SW1/4 of Section 34, Township 13 South, Range 46 East, Boise Meridian; thence North 93-1/3 rods; thence West 821/2 rods, more or less, to an established road right of way; thence Southwesterly to South Section line of Section 33 in said Township and Range, 122 rods West of the Point of Beginning; thence East to the Point of Beginning.

ALSO: TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:  
Section 34: SE1/4SW1/4.

ALSO: TOWNSHIP 14 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN:  
Section. 3: lots 2, 3 and 4.  
Section 4: Lots 1 and 2; SW1/4NE1/4; W1/2SE1/4.

(Continued)

**COPY**

TOWNSHIP 13 SOUTH, RANGE 46 EAST OF THE BOISE MERIDIAN.

Commencing at the Northwest Corner of the NE1/4NW1/4 of said Section 22, and running thence East 671 feet; thence South 45° West 949 feet, more or less, to the West 1/16<sup>th</sup> line of the NE1/4NW1/4; thence North 671 feet, more or less, to the Point of Beginning.

With respect to all of the above-described real property:

Together with any and all water rights appurtenant to or used in connection with any or all of the above described real property.

Together with any and all oil, gas and mineral rights, if owned by Grantor.

Together with any and all Water Right Nos. 11-127, 11-133, 11-153, 11-166 11-102, 11-103, 11-131, 11-151, 11-152, 11-460, 11-162, 11-163, 11-165, 11-171, 11-2118, 11-2127, 11-4038, 11-7155, 11-7536, 11-7538 and 11-7540, if owned by Grantor.

COPY



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718**  
**Phone: (208)525-7161 • Fax: (208)525-7177 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)**

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**Brad Little**  
Governor

**Gary Spackman**  
Director

March 11, 2020

DIAMOND 3 RANCHES LLC  
6235 CENTER LN  
GENEVA, ID 83238

RE: Transfer No. 83928  
Water Right No(s). 11-123, 11-131, 11-7135

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the THE NEWS EXAMINER on 3/19/2020 and 3/26/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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

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

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

Sincerely,

Christina Henman  
Administrative Assistant

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Wednesday, March 11, 2020 12:22 PM  
**To:** NEWS EXAMINER (bjohnson@hjnews.com)  
**Subject:** Legal ad for News Examiner  
**Attachments:** 83928 News Examiner.doc

Hello,

Please see attached document regarding a legal ad for your paper.

Thank You,

Christina Henman  
Administrative Assistant  
Idaho Dept. of Water Resources, Eastern Region  
900 N Skyline Ste. A  
Idaho Falls, ID 83402  
Phone: (208) 497-3793



March 11, 2020

**MAY CONTAIN MORE THAN 1 PAGE**

**Legal Notice Department**

News Examiner

PO Box 278

Montpelier ID 83254-0278

RE: Transfer No. 83928

Water Right No(s). 11-123, 11-131, 11-7135

**Dear LEGAL NOTICE DEPARTMENT:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **4/6/2020**. Your cooperation is appreciated.

Sincerely,

Christina Henman  
Administrative Assistant  
Dept of Water Resources  
900 N Skyline Dr Ste A  
Idaho Falls ID 83402  
208-525-7161  
208-525-7177 – fax  
[Christina.Henman@idwr.idaho.gov](mailto:Christina.Henman@idwr.idaho.gov)

**PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.**

\*\*\*\*\*

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

**TRANSFER NO. 83928**

DIAMOND 3 RANCHES LLC, 6235 CENTER LN, GENEVA, ID 83238 has filed Application No. 83928 for changes to the following water rights within BEAR LAKE County(s): Right No(s). 11-123, 11-131, 11-7135; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion for rights 11-123 and 11-131. Proposed point of diversion is in NWNE Sec 21 T13S R46E for 4.22 cfs from Thomas Fork. Point of diversion for right 11-7135 will not change. Change place of use for all three rights to 211-acre combined place of use in Sections 20, 21 and 22 T13S R46E.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 4/6/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 3/19/2020 and 3/26/2020

**Henman, Christina**

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**To:** masterteusch@hotmail.com  
**Subject:** Recommendation of Watermaster 83928  
**Attachments:** ROW 11F.doc

Dear Watermaster:

A copy of the above referenced application will be available online at <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this email.

Thank You,

Christina Henman  
Administrative Assistant  
Idaho Dept. of Water Resources, Eastern Region  
900 N Skyline Ste. A  
Idaho Falls, ID 83402  
Phone: (208) 497-3793



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: [idwr.idaho.gov](http://idwr.idaho.gov) • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov)

**BRAD LITTLE**  
Governor

**GARY SPACKMAN**  
Director

March 11, 2020

Joel Tuescher  
Water District 11F  
39 Tuescher Lane  
Geneva ID 83238  
[masterteusch@hotmail.com](mailto:masterteusch@hotmail.com)

RE: Application for Transfer 83928

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

Sincerely,

Christina Henman  
Administrative Assistant

Enclosure(s)