STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 83600

This is to certify that: DEAN T DIMOND AND
EDEN C DIMOND
1454 STATE HIGHWAY 25
JEROME, ID 83338-6714

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
36-2460	WR/DECREED	1/11/1961	4.720 cfs	N/A	236.0	322.0	GROUND WATER
36-7614	WR/DECREED	5/8/1976	1.260 cfs	N/A	86.0	322.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-2460	NO	YES	YES	NO	NO	NO
36-7614	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-2460	36-2460	4.720 cfs	944.0 af	236.0	322.0	N/A	N/A	N/A	N/A	N/A
36-7614	36-7614	1.260 cfs	344.0 af	86.0	322.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**4.720 cfs**	**1288.0 af**	**322.0**	**322.0**		**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 11th day of December, 2019.

Southern Region Manager

SUPPORT DATA

IN FILE # 36-2460

WATER RIGHT NO. 36-7614

As Modified by Transfer No. 83600

In accordance with the approval of Transfer No. 83600, Water Right No. 36-7614 is now described as follows:

Right Holder: DEAN T DIMOND AND
EDEN C DIMOND
1454 STATE HIGHWAY 25
JEROME, ID 83338-6714

Priority Date: 5/8/1976

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to	11/15	1.260 cfs	344.0 af
				1.260 cfs	344.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 32 Twp 08S Rge 19E JEROME County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	19E	32	35.0	38.0	40.0	40.0	40.0	37.0	19.0	35.0	14.0				6.3	15.0			319.3
08S	19E	33							2.7										2.7

Right Acre Limit: 86.0
POU Total Acres: 322.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 86 acres within the place of use described above in a single irrigation season.
2. Rights 36-7614, and 36-2460 when combined shall not exceed a total diversion rate of 4.72 cfs, and a total annual maximum diversion volume of 1288 af.
3. Rights 36-2460, 36-7614 and 36-15986 when combined shall not exceed a total annual maximum diversion volume of 1288 af at the field headgate, and the irrigation of 322 acres 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 lands above.
5. 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.130.

Transfer No. 83600

WATER RIGHT NO. 36-7614

As Modified by Transfer No. 83600

CONDITIONS OF APPROVAL

6. 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.

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. 36-2460

As Modified by Transfer No. 83600

In accordance with the approval of Transfer No. 83600, Water Right No. 36-2460 is now described as follows:

Right Holder: DEAN T DIMOND AND
EDEN C DIMOND
1454 STATE HIGHWAY 25
JEROME, ID 83338-6714

Priority Date: 1/11/1961

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	11/01	4.720 cfs	944.0 af
				4.720 cfs	944.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 32 Twp 08S Rge 19E JEROME County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	19E	32	35.0	38.0	40.0	40.0	40.0	37.0	19.0	35.0	14.0				6.3	15.0			319.3
08S	19E	33							2.7										2.7

Right Acre Limit: 236.0
POU Total Acres: 322.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 236 acres within the place of use described above in a single irrigation season.
2. Use of this right with right No. 36-2460 is limited to a total combined diversion rate of 4.72 cfs and a total combined annual diversion volume of 1288 af.
3. Rights 36-2460, 36-7614 and 36-15986 when combined shall not exceed a total annual maximum diversion volume of 1288 af at the field headgate, and the irrigation of 322 acres 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 lands above.
5. 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. 130.

Transfer No. 83600

WATER RIGHT NO. 36-2460

As Modified by Transfer No. 83600

CONDITIONS OF APPROVAL

6. 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.

7. The period of use for the irrigation described in this approval 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 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 31, 2001.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

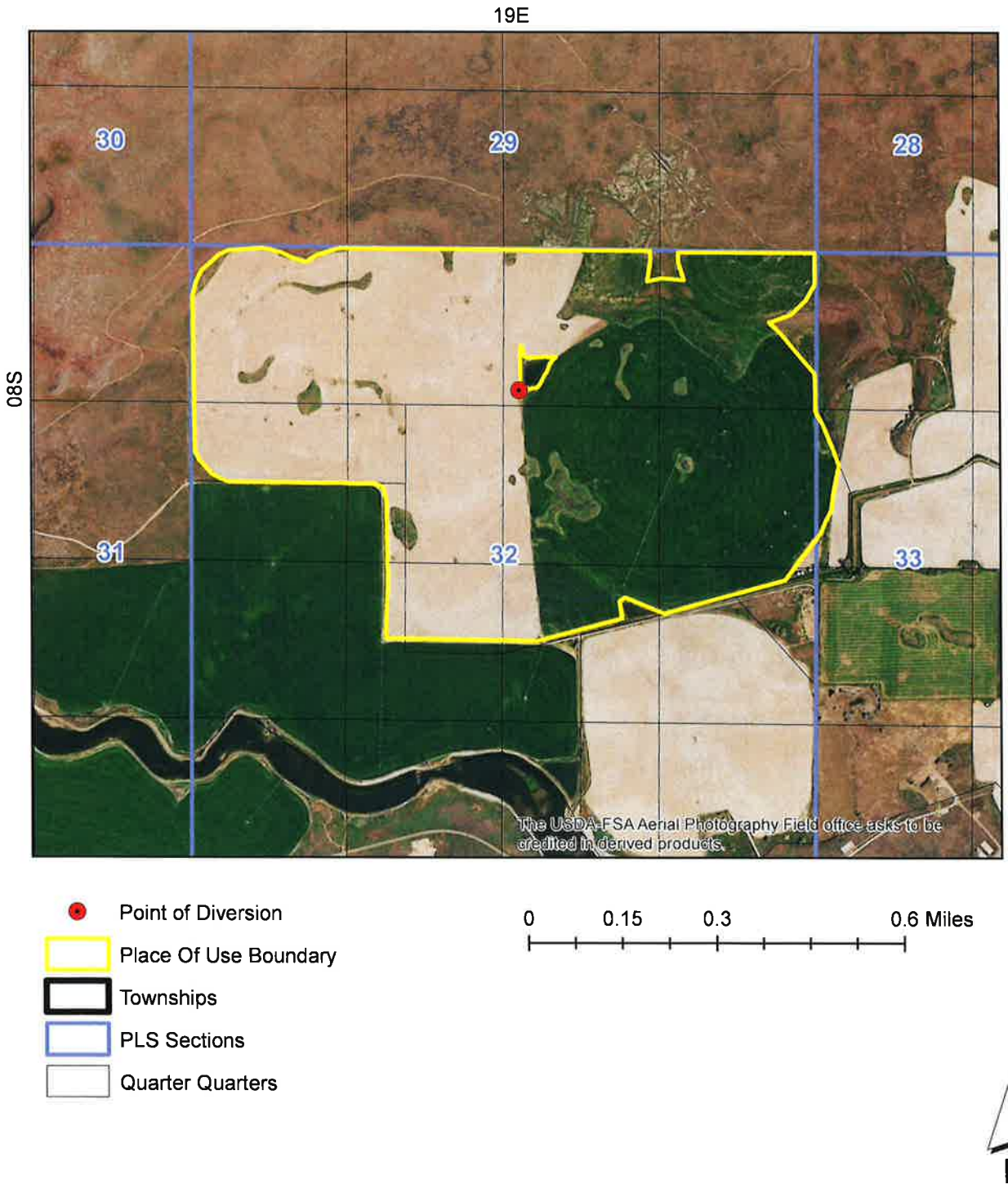
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer # 83600

36-2460 & 36-7614

This map depicts the IRRIGATION place of use boundary for these water righs at the time of this approval and is attached to the approval document solely for illustrative purposes.



Rev. 07/11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 83600

RECEIVED
SEP 30 2019
DEPT OF WATER RESOURCES
SOUTHERN REGION

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) DEAN T DIMOND AND EDEN C DIMOND

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: _____

Transfer No. 83600

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant DEAN T DIMOND Phone (208) 280-1081

Mailing Address 1454 STATE HIGHWAY 25, JEROME ID 83338-6714 Email

Name of Applicant EDEN C DIMOND Phone (208) 825-5055

Mailing Address 1454 STATE HIGHWAY 25, JEROME ID 83338-6714 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.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
Dean Dimond	Dean Dimond	9-25-19
Eden C Dimond	Eden C. Dimond	Sept. 25, 2019

Signature of Applicant or Authorized Representative

A. PURPOSE OF TRANSFER

1.

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-2460	No	Yes	Yes	No	No	No
36-7614	No	Yes	Yes	No	No	No

Transfer No. 83600

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 proposes to shift acres within the place of use to identify current farming practices. The application also proposes to correct the legal description of the point of diversion location.

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
36-7614	1.260 cfs	344.0 af	86.0	322.0		N/A	N/A	N/A	N/A
36-2460	4.720 cfs	944.0 af	236.0	322.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	4.720 cfs	1,288.0 af	322.0	322.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 4.72 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. 36-7614

Current Water Right Owner

DEAN T DIMOND
1454 STATE HIGHWAY 25
JEROME, ID 83338-6714

And

EDEN C DIMOND
1454 STATE HIGHWAY 25
JEROME, ID 83338-6714

Priority Date: 5/8/1976
Origin: Water Right
Basis: Decreed
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15	11/15	1.260 CFS	344.0 AFA	
Total Diversion			1.260 CFS	344.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER NWNE Sec. 32 Twp 08S Rge 19E JEROME County

Describe the proposed diversion system
WELL AND PUMP

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	19E	32	35.0	38.0	40.0	40.0	40.0	37.0	19.0	35.0	14.0				6.3	15.0			319.3
									L 1										
08S	19E	33							2.7										2.7

Right Acre Limit: 86.0
POU Total Acres: 322.0

Transfer No. 83600

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

Proposed Water Right No. 36-2460

Current Water Right Owner

DEAN T DIMOND
1454 STATE HIGHWAY 25 And
JEROME, ID 83338-6714

EDEN C DIMOND
1454 STATE HIGHWAY 25
JEROME, ID 83338-6714

Priority Date: 1/11/1961
Origin: Water Right
Basis: Decreed
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	11/01	4.720 CFS	944.0 AFA	
Total Diversion			4.720 CFS	944.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER NWNE Sec. 32 Twp 08S Rge 19E JEROME County

Describe the proposed diversion system
WELL AND PUMP

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	19E	32	35.0	38.0	40.0	40.0	40.0	37.0	19.0	35.0	14.0				6.3	15.0			319.3
									L 1										
08S	19E	33							2.7										2.7

Right Acre Limit: 236.0
POU Total Acres: 322.0

Transfer No. 83600

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
A variance request to use PCC Approved. 4/4/2018

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?
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: Farmers Bank
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:
Permit 36-15986

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:

Transfer No. 83600

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

Current Water Right No. 36-7614

Current Water Right Owner

DEAN T DIMOND
1454 STATE HIGHWAY 25
JEROME, ID 83338-6714

And

EDEN C DIMOND
1454 STATE HIGHWAY 25
JEROME, ID 83338-6714

Priority Date: 5/8/1976
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	1.260 CFS	
Total Diversion			1.260 CFS	

Source and Point(s) of Diversion:
GROUND WATER SENENW Sec. 32 Twp 08S Rge 19E JEROME County

Describe the proposed diversion system
WELL AND PUMP
Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	19E	32	31.0	40.0	40.0	40.0	40.0	38.0	20.0	33.0	14.0				5.0	16.0			317.0
08S	19E	33							5.0										5.0

Right Acre Limit: 86.0
POU Total Acres: 322.0

Conditions/Remarks:

1. This right is limited to the irrigation of 86 acres within the place of use described above in a single irrigation season.
2. Rights 36-2460, 36-7614 and 36-15986 when combined shall not exceed a total annual maximum diversion volume of 1288 af at the field headgate, and the irrigation of 322 acres in a single irrigation season.
3. Use of this right with right No. 36-2460 is limited to a total combined diversion rate of 4.72 cfs and a total combined annual diversion volume of 1288 af.
4. Right No. 36-2460 is also diverted through the point of diversion described above.
5. 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 lands above.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 130.
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.
8. Well location as shown on USGS quad map appears to be in the SWNWNE instead of the SENENW S32, T08S, R19E
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Transfer No. 83600

Conditions/Remarks:

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 Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

IDAHO DEPARTMENT OF WATER RESOURCES
A ICATION FOR TRANSFER OF WATER F T
PART 2A

Current Water Right No. 36-2460

Current Water Right Owner

DEAN T DIMOND
1454 STATE HIGHWAY 25
JEROME, ID 83338-6714

And

EDEN C DIMOND
1454 STATE HIGHWAY 25
JEROME, ID 83338-6714

Priority Date: 1/11/1961
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	11/01	4.720 CFS	
Total Diversion			4.720 CFS	

Source and Point(s) of Diversion:
GROUND WATER SENENW Sec. 32 Twp 08S Rge 19E JEROME County

Describe the proposed diversion system
WELL AND PUMP
Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	19E	32	31.0	40.0	40.0	40.0	40.0	38.0	20.0	33.0	14.0				5.0	16.0			317.0
08S	19E	33							5.0										5.0

Right Acre Limit: 236.0
POU Total Acres: 322.0

Conditions/Remarks:

1. This right is limited to the irrigation of 236 acres within the place of use described above in a single irrigation season.

2. Rights 36-2460, 36-7614 and 36-15986 when combined shall not exceed a total annual maximum diversion volume of 1288 af at the field headgate, and the irrigation of 322 acres in a single irrigation season.

3. Use of this right with right No. 36-2460 is limited to a total combined diversion rate of 4.72 cfs and a total combined annual diversion volume of 1288 af.

4. Right No. 36-2460 is also diverted through the point of diversion described above.

5. 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 lands above.

6. Use of water under this water right will be regulated by the watermaster of State Water District No. 130.

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.

8. Well location as shown on USGS quad map appears to be in the SWNWNE instead of the SENENW S32, T08S, R19E

Transfer No. 83600

Conditions/Remarks:

9. The period of use for the irrigation described in this approval 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 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than SRBA partial decree date.

10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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

12. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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.

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**

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.: N/A

FOR DEPARTMENT USE ONLY

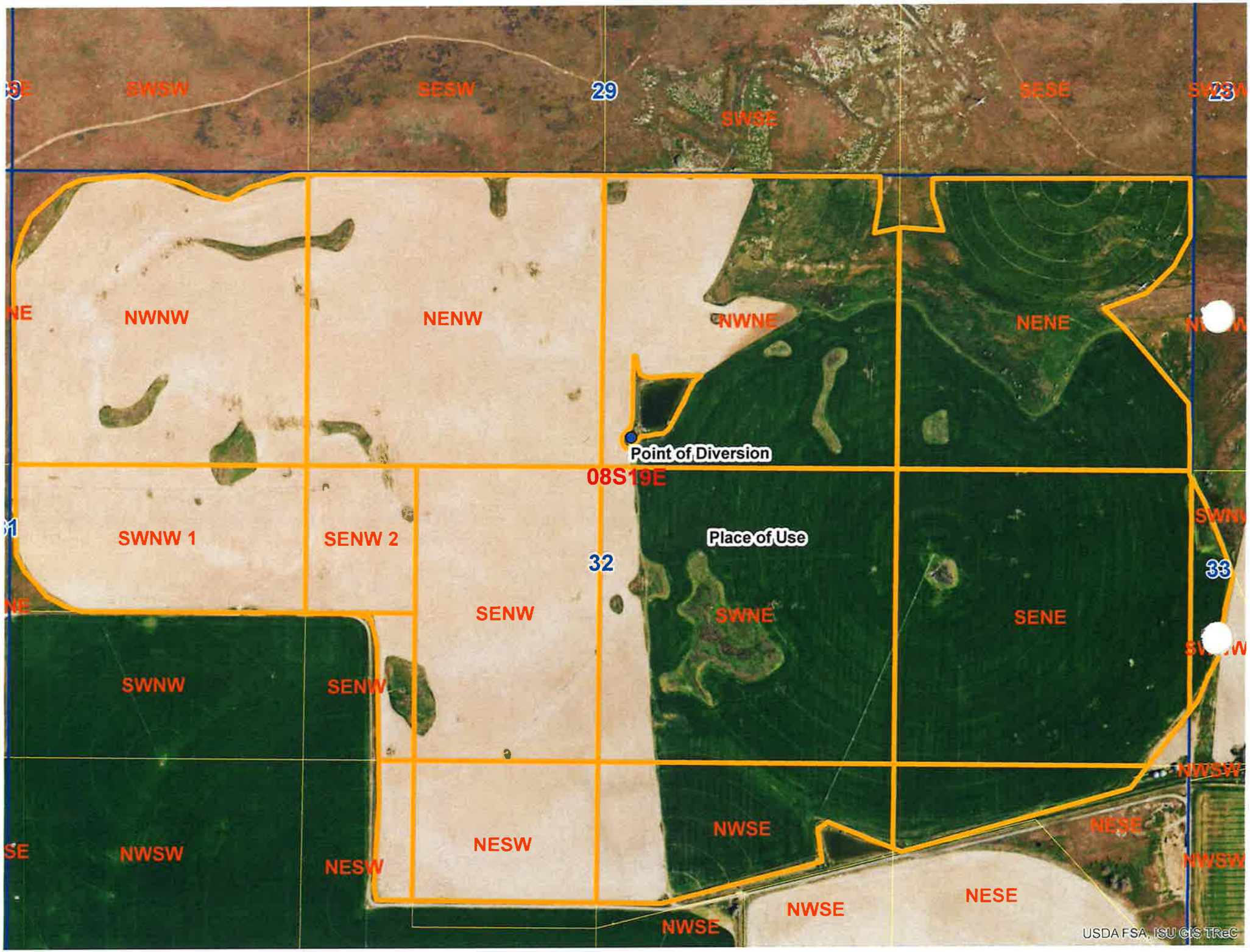
Transfer Contains 11 pages and _____ attachments.

Received By _____ Date _____ Prelim. Check By _____ Date _____

Fee Paid ib650 cw Date 9/30/19 Receipted By SG Receipt # 5037561

Add'l Fee Paid _____ Date _____ Receipted By _____ Receipt # _____

Transfer No. 83600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FARMERS BANK

September 25, 2019

Idaho Department of Water Resources
650 Addison Ave W, Suite 500
Twin Falls ID 83301-5858

Attn: Benny Walker

Dear Mr. Walker,

Farmers Bank is the Mortgage holder of 68.75 acres of real property owned by Dean and Eden Dimond. The Application of Transfer of Water Rights 36-7614 and 36-2460 initiated by the Dimonds will not negatively impact our security interest therefore the Bank doesn't object to this transfer.

Sincerely,
David Davis
David Davis
Branch Manager

State of Idaho)
S.S.
County of Jerome)

On this 26th day of September, 2019, before me, a notary public, personally appeared David Davis known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instruments, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written

PAMELA GUTIERREZ NOTARY PUBLIC Comm No. 62234 STATE OF IDAHO

Pamela Gutierrez
Notary Public
Residing at: Jerome Idaho
My Commission expires: 9/13/25

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

December 20, 2019

DEAN T DIMOND
EDEN C DIMOND
1454 STATE HIGHWAY 25
JEROME ID 83338-6714

Re: Transfer No: 83600
Water Right No(s).: 36-2460, 36-7614

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,

Corey Skinner
Southern Regional Manager

Enclosure

c:

WATER DISTRICT 130
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2019 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.: 83600
Water Right No(s).: 36-2460, 36-7614

DEAN T DIMOND
EDEN C DIMOND
1454 STATE HIGHWAY 25
JEROME ID 83338-6714

WATER DISTRICT 130
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

Denise Maline

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.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 83600
Water Right No: 36-2460, 36-7614
Applicant Name: DEAN T & EDEN C DIMOND

Watermaster's Recommendation:

a) __X__ I do not oppose approval of this application

b) ____ I do not oppose approval of this application under the following terms:

c) ____ I oppose approval of this application(s) for the following reasons:

d) ____ Additional comment:

Dated: October 25, 2019

Water District 130

Nathan Erickson, Watermaster

Sufficiency Memorandum

Date: October 25, 2019

To: Transfer # 83600 File

From: Benny Walker

Re: Evaluation of Sufficiency of Information Submitted

Application proposes to shift approximately 7.3 acres of the place of use and to correctly identify the point of diversion for two ground water rights located on a farm approximately 5.3-6.0 miles north and 2.1-3.1 miles west of Eden. The proposed changes are within contiguous lands of the water rights.

The rights involved with the application are located within Water District #130, therefore watermaster comments will be solicited.

The application does not require public notice and protest processing. There is no hydrological change of the point of diversion.

- **Authority to File:**
  The applicants are listed as the current owners of water rights 36-2460 and 36-7614 according to IDWR records. The Department has current deeds showing the applicants as owners of the property

- **Water Right Validity:**
  The rights involved with this transfer were decreed in the SRBA in 2001. Aerial photography indicates that the water rights have been used in recent years.

- **Injury to Other Water Rights:**
  None anticipated. .

- **Enlargement of Use:**
  None anticipated. The proposed changes are within contiguous lands.

- **Local Public Interest:**
  The application does not appear to change the effect on the original or hydraulically connected water source or affect other water rights. No advertisement required.

- **Beneficial Use/Conservation of Water Resources:**
  Proposed use is recognized as a beneficial use of water.

- **Effect on Economy of the Local Area:**
  No issues anticipated

- **Effect of the Agricultural Base of the Local 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.

MEMORANDUM

TO: Transfer 83600 File

FROM: Benny Walker

DATE: October 25, 2019

SUBJECT: Filing Fee

The filing fee of, $500.00, for this transfer is based on the amount of water proposed to be transferred or changed, 0.21 cfs. The transfer fee schedule for a transfer involving 0.21-1.00 cfs indicates that the filing fee is $500.00. This application also proposes a change the legal description of the point of diversion to correctly identify the location. An additional fee of $50.00 was required to make the correction, for a total of $550.00. The applicant, submitted the fee of $550.00 receipts S037561.

MEMORANDUM

Date: October 25, 2019

To: Transfer 83600

From: Benny Walker

Re: Legal Notice Not Required

Legal Notice Not Required
10/25/2019

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.