

RECEIVED

JAN 31 2019

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

Transfer No. 82876

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) LEROY ROBINSON

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: _____

JAN 31 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant LEROY ROBINSON Phone (208) 673-5516
Mailing Address PO BOX 486, ALBION ID 83311 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] _____ 1/31/19
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

[Signature] _____ 1-31-19
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	45-2296	No	No	Yes	No	No	No
	45-13429	Yes	Yes	Yes	No	No	No

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 create a permissible place of use for the irrigation of 131 acres and the diversion of 1.34 cfs from an existing well.

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
45-14513	0.090 cfs	21.0 af	6.0	131.0	45-13429	0.180 cfs	42.0 af	N/A	12.0
45-2296	1.250 cfs	500.0 af	125.0	131.0		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

1.340 cfs 521.0 af 131.0 131.0 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 1.34 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 Unchanged Portion After Requested Changes

Original Water Right No. 45-13429

Current Water Right Owner

GARY ERICKSON
 PO BOX 545
 ALBION, ID 83311

RICH REDMAN
 PO BOX 14
 ALBION, ID 83311

TODD ERICKSON
 PO BOX 545
 ALBION, ID 83311

Priority Date: 5/27/1977

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.180 CFS	42.0 AFA	
Total Diversion			0.180 CFS	42.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NESE

Sec. 6 Twp 12S Rge 25E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	25E	6													5.5			6.5	12.0

POU Total Acres: 12.0

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 measuring device is installed at the existing point of diversion

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

The applicant

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

N/A

- 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:

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:

The 6 acres at the current place of use will be dried up.

- 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:

Water right 45-2296 currently irrigates 125 acres of the proposed place of use.

- 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. 45-13429

Current Water Right Owner

GARY ERICKSON
 PO BOX 545
 ALBION, ID 83311

AND

RICH REDMAN
 PO BOX 14
 ALBION, ID 83311

TODD ERICKSON
 PO BOX 545
 ALBION, ID 83311

AND

Priority Date: 5/27/1977

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.270 CFS	63.0 AFA	
Total Diversion			0.270 CFS	63.0 AFA	

Source and Point(s) of Diversion:
 GROUND WATER

NESE

Sec. 6 Twp 12S Rge 25E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	25E	6													5.5			12.5	18.0

POU Total Acres: 18.0

Conditions/Remarks:

1. Rights 45-13464 and 45-13429 when combined shall not exceed the irrigation of 18 acres.
2. 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. 140
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

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

Current Water Right No. 45-2296

Current Water Right Owner

LEROY ROBINSON
PO BOX 486
ALBION, ID 83311

Priority Date: 3/2/1949

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	1.250 CFS	500.0 AFA	
Total Diversion			1.250 CFS	500.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SESW

Sec. 5 Twp 12S Rge 25E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	25E	5									13.0	38.0	38.0	36.0					125.0

POU Total Acres: 125.0

Conditions/Remarks:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 45-13429

1. amount	<u>0.09</u>	(cfs/ac-ft)	for	<u>Irrigation</u>	purposes from	<u>03/15</u>	to	<u>11/15</u>
amount			for		purposes from		to	
amount			for		purposes from		to	
amount			for		purposes from		to	
amount			for		purposes from		to	
amount			for		purposes from		to	
amount			for		purposes from		to	
amount			for		purposes from		to	

2. Lands irrigated or place of use: (If irrigation, identify with number of acrea irrigated per 1/4 1/4 tract.)

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	25E	8																6.0	6.0

Total Acres (for irrigation use) 6.0

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 \$300 - Date 1-31-2019 Received By Sm Receipt # 5037139

Add'l Fee Paid Date Received By Receipt #

Instrument # 2018002140

BURLEY, CASSIA, IDAHO

6-1-2018 02:32:23 PM No. of Pages: 2

Recorded for : GARY ERICKSON

JOSEPH LARSEN

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 15.00

J. Bench

Prepared By

Name: Connie Erickson

Address: 339 West Street

State: Idaho Zip Code: 83311

After Recording Return To

Name: Connie Erickson

Address: P.O. Box 545

State: Idaho Zip Code: 83311

IDAHO QUITCLAIM DEED

STATE OF IDAHO

CASSIA COUNTY

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid to Kristin Willingham, a married woman, residing at 889 S. Hwy. 77, County of Cassia, City of Albion, State of Idaho (hereinafter known as the "Grantor") hereby quitclaims to LeRoy Robinson, a married man, residing at 1158 E. North Street, County of Cassia, City of Albion, State of Idaho (hereinafter known as the "Grantee") all the rights, interest, and claim of her portion of ^{Written Right} ID #45-13429, 1 acre more or less.

Kristin Willingham

Grantor's Signature

Kristin Willingham

889 S. Hwy 77

Albion, Idaho 83311

STATE OF IDAHO)

COUNTY OF CASSIA)

I, the undersigned, A Notary Public in and for said County, in said State, hereby certify that Kristin Willingham whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, executed the same voluntarily on the day the same bears date.

Given under my hand this 30 day of May, 2018.



Carrie L. Clayton
Notary Public

My Commission Expires: 9-27-2019

Purchase Agreement

The undersigned (herein "Purchaser") Leroy Robinson hereby offers to purchase from the owner Gary Erickson (herein "Seller") 4.5 inches or one third of 13.5 inches of water right number 45-13429 currently owned by Gary Erickson, Todd Erickson and Rich Redman located at approved transferred point of diversion (transfer number 81544) located at [NESE Section 6, Township 12S, Range 25E Cassia County Idaho]. Attached map shows one third of water right number 45.13429.

Purchase Price and Conditions of Payment

Cash: The purchase price shall be Four Thousand Five Hundred Dollars (\$4,500.00) to be paid upon mutual acceptance of Purchaser and Seller.

General Conditions

It is expressly agreed that this agreement to purchase water rights includes the entire agreement of Purchaser and Seller. This agreement shall be binding upon the heirs, personal representatives, successors and assigns of both Purchaser and Seller. This agreement shall be interpreted and enforced in accordance with the laws of the State of Idaho.

Acceptance by Purchaser

The offer to sale 4.5 inches of water right 45-13429 is accepted on June 18, 2018.



(Purchaser)

Acceptance by Seller(s)

The offer to purchase 4.5 inches of water right 45-13429 is accepted on June 18, 2018.

Gary Erickson



Todd Erickson



Rich Redman

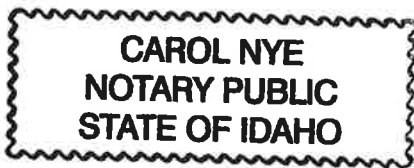


ACKNOWLEDGMENT

STATE OF IDAHO)
 : ss.
County of Cassia)

On the 10th day of July, 2018, before me, the undersigned
Notary Public, personally appeared Rich Redman Gary Erickson and Todd Erickson,
known to me to be the persons whose names are subscribed to the foregoing
instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above
written.



Carol Nye
Notary Public for Idaho

Residing at Albion, Idaho
Commission Expires: 7/24/2023

Prepared By

Name: Connie Erickson
Address: 339 West Street
State: Idaho Zip Code: 83311

After Recording Return To

Name: Connie Erickson
Address: P.O. Box 545
State: Idaho Zip Code: 83311

IDAHO QUIT CLAIM DEED

STATE OF IDAHO

CASSIA COUNTY

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of Four Thousand Five Hundred Dollars (\$4,500.00) in hand paid to Gary Erickson, a married man, residing at 339 West St., County of Cassia, City of Albion, State of Idaho (hereinafter known as the "Grantor") hereby quitclaims to LeRoy Robinson, a married man, residing at 1158 E. North Street, County of Cassia, City of Albion, State of Idaho (hereinafter known as the "Grantee") 4.5 inches or one third of 13.5 inches of water right number 45-13429 currently owned by Gary Erickson, Todd Erickson and Rich Redman located at approved transferred point of diversion (transfer number 81544) located at [NESE Section 6, Township 12S, Range 25E Cassia County Idaho] Attached map shows one third water right number 45-13429.

Grantor's Signatures:



Gary Erickson



Todd Erickson

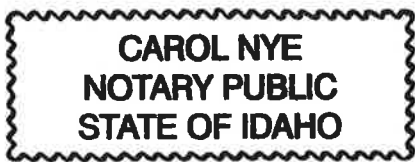


Rich Redman

STATE OF IDAHO)
COUNTY OF CASSIA

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Gary Erickson, Todd Erickson and Rich Redman whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, executed the same voluntarily on the day the same bears date.

Given under my hand this 10th day of July, 2018



Carol Nye
Notary Public
Residing at: Albion Idaho 83311
My Commission Expires: 7/24/2023



NESE

NWSW

6

12525E

5

SESE

SWSW

TRANSFER 82876

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS,
USDA USGS, AEX, Geomatics, AerGRID, IGN, IGP, swisstopo, and the GIS

NESE

NWSW

6

12526E

5

SESE

SWSW

TRANSFER 82876

satellite imagery from Globe, GeoEye, Earthstar Geographics, CNES/Airbus DS,
USDA, USGS, AEX, Geomatics AeroGRID, IGN, IGP, swisstopo, and the GIS

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 81183

Publication	Times News	PO Number	
Contact	ID DEPARTMENT OF WATER RESOURCES	Rate	Legal Notice
Address 1	650 ADDISON AVE W, STE 500	Order Price	139.95
Address 2		Amount Paid	0.00
City St Zip	TWIN FALLS ID 83301	Amount Due	139.95
Phone	2087363033	Start/End Dates	02/21/2019 - 02/28/2019
Fax		Insertions	2
Section	Legals	Size	90
SubSection		Salesperson(s)	Ruby Aufderheide
Category	50 Legal	Taken By	Ruby Aufderheide
Ad Key	81183-1		
Keywords	Schilder & Robinson Water Right Transfers		
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82988

LEVI SCHILDER and RENAE SCHILDER, 1691 SHOESTRING RD, GOODING, ID 83330-5235; has filed Application No. 82988 for changes to the following water rights within GOODING County(s): Right No(s). 37-22306. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) and place of use (POU) for a ground water irrigation right for 0.06 cfs and the irrigation of 6.0 acres. The current POD and POU are located approximately 4.8 to 5.0 miles south and 4.7 to 5.0 miles west of the City of Gooding. The proposed new POD and POU are located approximately 4.3 to 4.5 miles south and 3.8 to 4.0 miles west of the City of Gooding.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82876

LEROY ROBINSON, PO BOX 486, ALBION, ID 83311; has filed Application No. 82876 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13429, 45-2296. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to transfer a 0.09 cfs and 6.0 acre portion of a ground water irrigation right from a parcel located approximately 0.5 to 0.6 miles south and 0.25 to 0.5 miles east of Albion. This water right will be moved to a farm, located approximately 0.25 to 0.75 miles south and 0.5 to 1.0 miles east of Albion. Also a portion of the existing water right located at the proposed place of use will be shifted to include the transferred 6.0 acres. This will create a 131 acre permissible place of use and a total diversion of 1.34 cfs for both water rights diverted from an existing well located on the proposed place of use.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/Query-NewTransfers. 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, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before March 11, 2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH: February 21 and 28, 2019

Proof of legal notice received
from Times News 2/14/2019

✓ OK dm 2/15/2019

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 14, 2019 9:43 AM
To: Brian Higgs (WD 140)
Subject: Comment Letter for Transfer 82876 (Leroy Robinson)
Attachments: Transfer 82876 (Robinson).pdf; Comment letter to WD140 for 82876.docx

Good morning Brian,

Attached is an application for transfer currently being processed within your district. Please review the information and provide any necessary comments within 21 days.

Thank you,

Denise @ IDWR

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



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

February 13, 2019

WATER DISTRICT #140 *via e-mail*
BRIAN HIGGS
355 W 500 S
BURLEY ID 83318

RE: Application For Transfer No.(s): 82876 (Leroy Robinson)
Water Right No(s). 45-2296, 45-13429

Dear Brian:

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

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. 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.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



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Director

February 13, 2019

LEROY ROBINSON
PO BOX 486
ALBION, ID 83311

RE: Transfer No. 82876
Water Right No(s). 45-13429, 45-2296

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 **TIMES NEWS on 2/21/2019 and 2/28/2019**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **March 11, 2019**.

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,

A handwritten signature in black ink, appearing to read 'Allison Inouye', written over a horizontal line.

Allison Inouye
Water Resource Agent

Maline, Denise

From: Maline, Denise
Sent: Wednesday, February 13, 2019 3:54 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find **(1)** legal notice being submitted for publication on February 21st & 28th, 2019. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



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Governor

GARY SPACKMAN
Director

February 13, 2019

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 82876,
Water Right No(s): 45-13429, 45-2296

RE: Transfer No. 82988,
Water Right No(s): 37-22306

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 3/11/2019. Your cooperation is appreciated.

Sincerely,

Allison Inouye
Water Resource Agent

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82988**

LEVI SCHILDER and RENAE SCHILDER, 1691 SHOESTRING RD, GOODING, ID 83330-5235; has filed Application No. 82988 for changes to the following water rights within GOODING County(s): Right No(s). 37-22306. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) and place of use (POU) for a ground water irrigation right for 0.06 cfs and the irrigation of 6.0 acres. The current POD and POU are located approximately 4.8 to 5.0 miles south and 4.7 to 5.0 miles west of the City of Gooding. The proposed new POD and POU are located approximately 4.3 to 4.5 miles south and 3.8 to 4.0 miles west of the City of Gooding.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82876**

LEROY ROBINSON, PO BOX 486, ALBION, ID 83311; has filed Application No. 82876 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13429, 45-2296. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to transfer a 0.09 cfs and 6.0 acre portion of a ground water irrigation right from a parcel located approximately 0.5 to 0.6 miles south and 0.25 to 0.5 miles east of Albion. This water right will be moved to a farm, located approximately 0.25 to 0.75 miles south and 0.5 to 1.0 miles east of Albion. Also a portion of the existing water right located at the proposed place of use will be shifted to include the transferred 6.0 acres. This will create a 131 acre permissible place of use and a total diversion of 1.34 cfs for both water rights diverted from an existing well located on the proposed place of use.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers. 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, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before March 11, 2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 21st and 28th, 2019

MEMORANDUM

TO: Transfer #82876 File

FROM: Benny Walker

DATE: February 11, 2019

SUBJECT: Filing Fee

The filing fee is based on the amount of water proposed to be transferred and/or changed. The amount of water proposed to be changed is 0.15 cfs. This is derived from transferring a 0.09 cfs and 6.0 acre portion of ground water right 45-13429 into a proposed 131 acre PPU. Also a portion of existing water right 45-2296 (0.06 cfs) located at the proposed place of use will be shifted to include the transferred 6.0 acres, for a total of 0.15 cfs being changed and/or transferred for the irrigation of 131 acres. See below for calculation of the partial amounts. For a transfer involving 0.00-0.20 cfs the transfer fee schedule indicates that the filing fee is \$200.00.

Applicant purchased 1/3 of water right 45-13429 which equals 0.09 cfs and 6.0 acres.

Applicant owns water right 45-2296 for 1.25 cfs and 125 acres. A portion for this water right will be adjusted as a result of this transfer. With the proposed PPU of 131 acres this right place of use will increase by 6.0 acres. Therefore a 0.06 cfs portion of water right 45-2293 will change. ($6 \text{ ac}/125 \text{ ac} = 0.048 \times 1.25 \text{ cfs} = 0.06 \text{ cfs}$).

The application also proposes to change the ownership of the portion of water right 45-13429 being transferred. An additional fee of \$100.00 is required for the ownership change split. The applicant submitted the fee of \$300.00 receipt S037139.

MEMORANDUM

Date: February 11, 2019
To: Transfer #82876 File
From: Benny Walker
Re: Transfer Synopsis

Application proposes to transfer a 0.09 cfs and 6.0 acre portion of a ground water irrigation right from a parcel located approximately 0.5 – 0.6 miles south and 0.25 – 0.5 miles east of Albion. This water right will be moved to a farm, located approximately 0.25 – 0.75 miles south and 0.5 – 1.0 miles east of the Albion. Also a porting of the existing water right located at the proposed place of use will be shifted to include the transferred 6.0 acres. This will create a 131 acre permissible place use and a total diversion of 1.34 cfs for both water rights diverted from an existing well located on the proposed place of use.

The rights involved with the application are located within Water District #140 so watermaster comments will be solicited. Application will be subject to notice and protest.