

RECEIVED

SEP 15 2017

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

Transfer No. 81602

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; KARLA 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: _____

SEP 15 2017

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 _____

Name of Applicant KARLA 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.

LeRoy Robinson
Signature of Applicant or Authorized Representative

LeRoy Robinson 9/15/17
Print Name and Title if applicable Date

Karla Robinson
Signature of Applicant or Authorized Representative

Karla Robinson 9/15/17
Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	45-244A	No	No	Yes	No	No	No
	45-260A	No	No	Yes	No	No	No
	45-326	No	No	Yes	No	No	No
	45-7183	No	No	Yes	No	No	No
	45-11043	No	No	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 modify the place of use for five surface water irrigation rights for 15 acres to contiguous lands for better irrigation practices.

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
45-326	1.220 cfs	N/A	N/A	150.0		N/A	N/A	N/A	N/A
45-260A	0.700 cfs	N/A	133.0	150.0		N/A	N/A	N/A	N/A
45-7183	0.300 cfs	102.4 af	29.0	150.0		N/A	N/A	N/A	N/A
45-11043	0.800 cfs	N/A	40.0	150.0		N/A	N/A	N/A	N/A
45-244A	2.220 cfs	N/A	N/A	150.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	5.240 cfs	N/A	150.0	150.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 5.24 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. 45-326

Current Water Right Owner

LEROY ROBINSON
PO BOX 486
ALBION, ID 83311

AND

KARLA ROBINSON
PO BOX 486
ALBION, ID 83311

Priority Date: 12/1/1880

Origin: Water Right

Basis: Decreed

Status Active

Source: HOWELL CREEK

Tributary: MARSH CREEK

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

1.220 CFS

Subuse Code

Total Diversion

1.220 CFS

Source and Point(s) of Diversion:

HOWELL CREEK

NWSWSE

Sec. 4 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	4											21.0	21.0			9.0		51.0
12S	25E	5																32.0	32.0
12S	25E	9					34.0	33.0											67.0

POU Total Acres: 150.0

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

Proposed Water Right No. 45-260A

Current Water Right Owner

LEROY ROBINSON
 PO BOX 486
 ALBION, ID 83311

AND

KARLA ROBINSON
 PO BOX 486
 ALBION, ID 83311

Priority Date: 3/31/1876

Origin: Water Right

Basis: Decreed

Status Active

Source: HOWELL CREEK **Tributary:** MARSH CREEK

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

0.700 CFS

Subuse Code

Total Diversion

0.700 CFS

Source and Point(s) of Diversion:

HOWELL CREEK

NWSWSE

Sec. 4 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	4											21.0	21.0			9.0		51.0
12S	25E	5																32.0	32.0
12S	25E	9					34.0	33.0											67.0

Right Acre Limit: 133.0

POU Total Acres: 150.0

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

Proposed Water Right No. 45-7183

Current Water Right Owner

LEROY ROBINSON
 PO BOX 486
 ALBION, ID 83311

AND

KARLA ROBINSON
 PO BOX 486
 ALBION, ID 83311

Priority Date: 8/12/1974

Origin: Water Right

Basis: Decreed

Status Active

Source: UNNAMED STREAM **Tributary:** SINKS

<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	0.300 CFS	101.5 AFA	
STOCKWATER	01/01	12/31	0.020 CFS	0.9 AFA	
Total Diversion			0.300 CFS	102.4 AFA	

Source and Point(s) of Diversion:

UNNAMED STREAM SESWSW Sec. 4 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	4											7.0						7.0
12S	25E	9					4.0	18.0											22.0

Right Acre Limit: 29.0

POU Total Acres: 29.0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	25E	4											X						
12S	25E	9					X	X											

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

Proposed Water Right No. 45-11043

Current Water Right Owner

LEROY ROBINSON
 PO BOX 486
 ALBION, ID 83311

AND

KARLA ROBINSON
 PO BOX 486
 ALBION, ID 83311

Priority Date: 4/1/1952

Origin: Water Right

Basis: Decreed

Status Active

Source: WASTE WATER **Tributary:** SINKS

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

0.800 CFS

Subuse Code

Total Diversion

0.800 CFS

Source and Point(s) of Diversion:

WASTE WATER

SWNWNW

Sec. 9 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	4											21.0	21.0			9.0		51.0
12S	25E	5																32.0	32.0
12S	25E	9					34.0	33.0											67.0

Right Acre Limit: 40.0

POU Total Acres: 150.0

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

Proposed Water Right No. 45-244A

Current Water Right Owner

LEROY ROBINSON
 PO BOX 486
 ALBION, ID 83311

AND

KARLA ROBINSON
 PO BOX 486
 ALBION, ID 83311

Priority Date: 4/12/1892

Origin: Water Right

Basis: Decreed

Status Active

Source: HOWELL CREEK

Tributary: MARSH CREEK

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

2.220 CFS

Subuse Code

Total Diversion

2.220 CFS

Source and Point(s) of Diversion:

HOWELL CREEK

NWSWSE

Sec. 4 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	4											21.0	21.0			9.0		51.0
12S	25E	5																32.0	32.0
12S	25E	9					34.0	33.0											67.0

POU Total Acres: 150.0

**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 headgate is installed with lockable controlling works and measuring device when required

- 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: Goodman LLC, A privately held contract between John Goodman and Leroy and Karla Robinson

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:

Application proposes to shift the place of use for 15 acres to contiguous lands

- 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:

All water rights appurtenant to the place of use are involved with this transfer

- 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. 45-326

Current Water Right Owner

LEROY ROBINSON
 PO BOX 486
 ALBION, ID 83311

AND

KARLA ROBINSON
 PO BOX 486
 ALBION, ID 83311

Priority Date: 12/1/1880

Origin: Water Right

Basis: Decreed

Status: Active

Source: HOWELL CREEK

Tributary: MARSH CREEK

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

1.220 CFS

Subuse Code

Total Diversion

1.220 CFS

Source and Point(s) of Diversion:

HOWELL CREEK

NWSWSE

Sec. 4 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	4											21.0	21.0			15.0		57.0
12S	25E	5																17.0	17.0
12S	25E	9					40.0	36.0											76.0

POU Total Acres: 150.0

Conditions/Remarks:

1. Rights 45-326, 45-260A, 45-244A, 45-7183, and 45-11043 when combined shall not exceed the irrigation of 150 acres.
2. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 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 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 5/06/2005
3. Use of water under this right will 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. 45F.
4. 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).
5. The right holder shall accomplish the change authorized by this transfer within one 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. 45-260A

Current Water Right Owner

LEROY ROBINSON
 PO BOX 486
 ALBION, ID 83311

AND

KARLA ROBINSON
 PO BOX 486
 ALBION, ID 83311

Priority Date: 3/31/1876

Origin: Water Right

Basis: Decreed

Status: Active

Source: HOWELL CREEK

Tributary: MARSH CREEK

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

0.700 CFS

Subuse Code

Total Diversion

0.700 CFS

Source and Point(s) of Diversion:

HOWELL CREEK

NWSWSE

Sec. 4 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	4											21.0	21.0			15.0		57.0
12S	25E	5																17.0	17.0
12S	25E	9					40.0	36.0											76.0

Right Acre Limit: 133.0

POU Total Acres: 150.0

Conditions/Remarks:

1. This right is limited to the irrigation of 133 acres within the authorized place of use in a single irrigation season.
2. Rights 45-260A, and 45-244A when combined shall not exceed a total diversion rate of 2.92 cfs at the field headgate, and the irrigation of 150 acres.
3. Rights 45-326, 45-260A, 45-244A, 45-7183, and 45-11043 when combined shall not exceed the irrigation of 150 acres.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 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 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 5/06/2005.
5. Use of water under this right will 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.45F.
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(s).
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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 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. 45-7183

Current Water Right Owner

LEROY ROBINSON
 PO BOX 486
 ALBION, ID 83311

AND

KARLA ROBINSON
 PO BOX 486
 ALBION, ID 83311

Priority Date: 8/12/1974

Origin: Water Right

Basis: Decreed

Status: Active

Source: UNNAMED STREAM

Tributary: SINKS

<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	0.300 CFS	101.5 AFA	
STOCKWATER	01/01	12/31	0.020 CFS	0.9 AFA	
Total Diversion			0.300 CFS	102.4 AFA	

Source and Point(s) of Diversion:

UNNAMED STREAM

SESWSW

Sec. 4 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	4											7.0						7.0
12S	25E	9					4.0	18.0											22.0

Right Acre Limit: 29.0

POU Total Acres: 29.0

Place of Use: STOCKWATER

			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	4											X						0.0
12S	25E	9					X	X											0.0

Conditions/Remarks:

- Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
- Use of the rights listed below is limited to the irrigation of a combined total of 150 acres in a single irrigation season. Combined right nos. 45-326, 45-260A, 45-7183, 45-11043 and 45-244A.
- The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.
- 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.
- This right is limited to the irrigation of 29 acres within the place of use described above in a single irrigation season.

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

Current Water Right No. 45-11043

Current Water Right Owner

LEROY ROBINSON
 PO BOX 486
 ALBION, ID 83311

AND

KARLA ROBINSON
 PO BOX 486
 ALBION, ID 83311

Priority Date: 4/1/1952

Origin: Water Right

Basis: Decreed

Status: Active

Source: WASTE WATER

Tributary: SINKS

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

0.800 CFS

Subuse Code

Total Diversion

0.800 CFS

Source and Point(s) of Diversion:

WASTE WATER

SWNWNW

Sec. 9 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	4											21.0	21.0			15.0		57.0
12S	25E	5																17.0	17.0
12S	25E	9					40.0	36.0											76.0

Right Acre Limit: 40.0

POU Total Acres: 150.0

Conditions/Remarks:

1. The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.
2. This right is limited to the irrigation of 29 acres within the place of use described above in a single irrigation season.
3. Use of the rights listed below is limited to the irrigation of a combined total of 150 acres in a single irrigation season. Combined right nos. 45-326, 45-260A, 45-7183, 45-11043 and 45-244A
4. 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.

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

Current Water Right No. 45-244A

Current Water Right Owner

LEROY ROBINSON
 PO BOX 486
 ALBION, ID 83311

AND

KARLA ROBINSON
 PO BOX 486
 ALBION, ID 83311

Priority Date: 4/12/1892

Origin: Water Right

Basis: Decreed

Status: Active

Source: HOWELL CREEK

Tributary: MARSH CREEK

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

2.220 CFS

Subuse Code

Total Diversion

2.220 CFS

Source and Point(s) of Diversion:

HOWELL CREEK

NWSWSE

Sec. 4 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	4											21.0	21.0			15.0		57.0
12S	25E	5																17.0	17.0
12S	25E	9					40.0	36.0											76.0

POU Total Acres: 150.0

Conditions/Remarks:

1. Rights 45-260A, and 45-244A when combined shall not exceed a total diversion rate of 2.92 cfs, and the irrigation of 150 acres.
2. Rights 45-326, 45-260A, 45-244A, 45-7183, and 45-11043 when combined shall not exceed the irrigation of 150 acres.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 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 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 5/06/2005
4. Use of water under this right will 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. 45F.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. 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.

**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 17 pages and _____ attachments.

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

Fee Paid \$500- Date 9-15-2017 Received By DM Receipt # 5036356

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

RECEIVED

SEP 15 2017

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Goodman LLC

RECEIVED

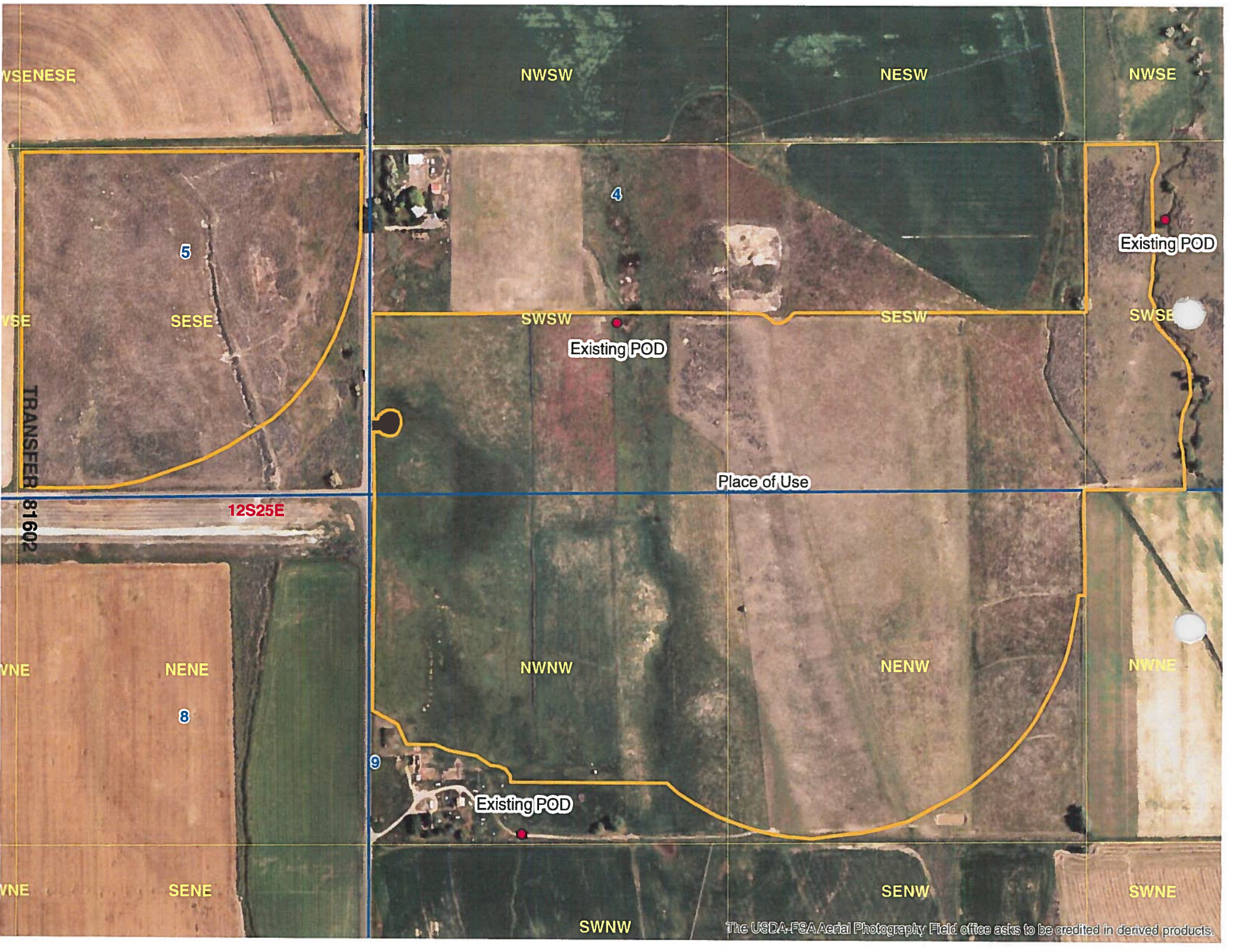
JUL 21 2017

DEPT. OF WATER RESOURCES
SOUTHERN REGION

10 May 2017

I hereby give permission to Leroy Robinson to divert water from ground on Howell Creek to the 40 acres on the West side of what was the Goodman LLC Ranch

Jon A Goodman
Managing Partner
Goodman LLC



VSENESE

NWSW

NESW

NWSE

5

4

Existing POD

VSE

SESE

SWSW

Existing POD

SESW

SWSE

TRANSFER 81602

12S25E

Place of Use

VNE

NENE

NWNW

NENW

NWNE

8

9

Existing POD

VNE

SENE

SWNW

SENW

SWNE

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 57545

Publication

Times News

Contact ID DEPARTMENT OF WATER RESOURCES
Address 1 650 ADDISON AVE W, STE 500
Address 2
City St Zip TWIN FALLS ID 83301
Phone 2087363033
Fax

PO Number
Rate Legal Notice
Order Price 169.05
Amount Paid 0.00
Amount Due 169.05

Section Legals
SubSection
Category 50 Legal

Start/End Dates 11/16/2017 - 11/23/2017
Insertions 2
Size 110

Ad Key 57545-1
Keywords Permit No 36-17120 Transfer No 81602

Salesperson(s) Ruby Aufderheide
Taken By Ruby Aufderheide

Notes

Ad Proof

**Proof of legal notice received
from Times News 11/10/2017 (2 pages)**

✓ OK Am 11-13-2017. E-mail sent
to newspaper.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 57545

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-17120

RESERVE HOLDINGS LLC

PO BOX 536

RUPERT, ID 83350

Point of Diversion NESE S4 T09S R25E MINIDOKA County

Source GROUND WATER Tributary

Use: DIVERSION TO STORAGE 01/01 to 12/31 2.7 CFS

Use: INDUSTRIAL FROM STORAGE 01/01 to 12/31 10 AF

Use: INDUSTRIAL STORAGE 01/01 to 12/31 15.9 AF

Total Diversion: 2.7 CFS

Date Filed: 10/10/2017

Place Of Use: INDUSTRIAL STORAGE, INDUSTRIAL FROM STORAGE

T09S R25E S4 NESE

Application for Permit proposes to appropriate up to 2.7 cfs from an existing well into two proposed ponds with a total storage volume of 15.9 acre-feet (10.0 AF storage volume plus evaporative losses) for year-round industrial use at a gravel pit. The point of diversion is located approximately 3.3 miles east and 0.2 mile north of Acequia. The proposed place of use is located approximately 3.0 to 3.3 miles east and 0.2 mile north to 0.1 mile south of Acequia. The application includes a mitigation plan to cover evaporative losses from the ponds.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81602

LEROY ROBINSON and KARLA ROBINSON, PO BOX 486, ALBION, ID 83311; has filed Application No. 81602 for changes to the following water rights within CASSIA County(s): Right No(s). 45-11043, 45-244A, 45-260A, 45-326, 45-7183. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes shifting the place of use (POU) of 15 acres to contiguous lands for 5 surface water irrigation rights. The proposed POU is located approximately 1.2 to 2.0 miles east and 0.5 to 1.0 miles south of the center of the City of Albion (Main and Market streets). The 5 irrigation water rights allow for the irrigation of a total of 150 acres and the diversion of up to 5.24 cfs.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#New_Listings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before **December 4, 2017**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH: November 16 and 23, 2017





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 9, 2017

LEROY ROBINSON
KARLA ROBINSON
PO BOX 486
ALBION, ID 83311

RE: Transfer No. 81602
Water Right No(s). 45-11043, 45-244A, 45-260A, 45-326, 45-7183

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 11/16/2017 and 11/23/2017**. 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 **December 4, 2017**.

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,


Denise Maline
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 9, 2017

DONALD GUNDERSON
WATER DISTRICT #45F
1047 E 1000 S
ALBION ID 83311

RE: Transfer No. 81602
Water Right No(s). 45-244A, 45-260A, 45-326, 45-7183, 45-11043

Dear Don:

A copy of the above referenced application is enclosed. Please review the application, then 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)

Maline, Denise

From: Maline, Denise
Sent: Thursday, November 09, 2017 9:35 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News ad.doc

Attached please find **(1)** legal notice being submitted for publication on November 16th & 23rd, 2017. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you,

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, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 9, 2017

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 36-17120

RE: Transfer No. 81602

Water Right No(s): 45-11043, 45-244A, 45-260A, 45-326, 45-7183

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 December 4, 2017. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-17120

RESERVE HOLDINGS LLC

PO BOX 536

RUPERT, ID 83350

Point of Diversion NESE S4 T09S R25E MINIDOKA County Source GROUND WATER Tributary

Use: DIVERSION TO STORAGE 01/01 to 12/31 2.7 CFS

Use: INDUSTRIAL FROM STORAGE 01/01 to 12/31 10 AF

Use: INDUSTRIAL STORAGE 01/01 to 12/31 15.9 AF

Total Diversion: 2.7 CFS

Date Filed: 10/10/2017

Place Of Use: INDUSTRIAL STORAGE, INDUSTRIAL FROM STORAGE

T09S R25E S4 NESE

Application for Permit proposes to appropriate up to 2.7 cfs from an existing well into two proposed ponds with a total storage volume of 15.9 acre-feet (10.0 AF storage volume plus evaporative losses) for year-round industrial use at a gravel pit. The point of diversion is located approximately 3.3 miles east and 0.2 mile north of Acequia. The proposed place of use is located approximately 3.0 to 3.3 miles east and 0.2 mile north to 0.1 mile south of Acequia. The application includes a mitigation plan to cover evaporative losses from the ponds.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81602**

LEROY ROBINSON and KARLA ROBINSON, PO BOX 486, ALBION, ID 83311; has filed Application No. 81602 for changes to the following water rights within CASSIA County(s): Right No(s). 45-11043, 45-244A, 45-260A, 45-326, 45-7183. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes shifting the place of use (POU) of 15 acres to contiguous lands for 5 surface water irrigation rights. The proposed POU is located approximately 1.2 to 2.0 miles east and 0.5 to 1.0 miles south of the center of the City of Albion (Main and Market streets). The 5 irrigation water rights allow for the irrigation of a total of 150 acres and the diversion of up to 5.24 cfs.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before **December 4, 2017**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on November 16th & 23rd, 2017

TRANSFER SYNOPSIS

Date: November 6, 2017
To: Transfer # 81602 File
From: Benny Walker
Re: Transfer Summary

Application proposes shifting the place of use (POU) of 15 acres to contiguous lands for 5 surface water irrigation rights. The proposed POU is located approximately 1.2 to 2.0 miles east and 0.5 to 1.0 miles south of the center of the City of Albion (Main and Market streets). The 5 irrigation water rights allow for the irrigation of a total of 150 acres and the diversion of up to 5.24 cfs. The POU involved with the application is located within Water District 45F so water master comments will be solicited.

MEMORANDUM

TO: Transfer # 81602 File

FROM: Benny Walker

DATE: November 6, 2017

SUBJECT: Filing Fee

The filing fee of, \$500.00, for this transfer is based on a percentage of the amount of water proposed to be transferred or changed, 0.52 cfs. The transfer proposes to change the place of use of 15 acres out of a total of 150 allowable acres to be irrigated, or 10 percent. Therefore the fee is based on 10 percent of the combined total of 5.24 cfs allowed to be diverted which equals 0.52 cfs. The transfer fee schedule for a transfer involving 0.21-1.00 cfs indicates that the filing fee is \$500.00. The applicant submitted the fee of \$500.00 receipt S036356.