

RECEIVED

JAN 19 2016

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

Transfer No. 80419

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 AND KARLA ROBINSONCheck 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: _____

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 19 2016

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant LEROY ROBINSON Phone _____
Mailing Address PO BOX 486, ALBION ID 83311 Email _____
Name of Applicant KARLA ROBINSON Phone _____
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.

	<u>Leroy Robinson</u>	<u>1/12/16</u>
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	<u>Karla Robinson</u>	<u>1/12/16</u>
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
45-244A	No	Yes	No	No	No	No	No
45-260A	No	Yes	No	No	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 change the ownership of water right 45-244A that was inadvertently left off a
previously filed notice of change in water right ownership form. In addition the application proposes
to change the points of diversion to a place located on the applicants property.

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
45-260A	0.700 cfs	N/A	133.0	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	2.920 cfs	N/A	N/A	150.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 2.92 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. 45-260A

Current Water Right Owner

LEROY ROBINSON
PO BOX 486
ALBION, ID 83311

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

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

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

**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 new head gate will be 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:

No change is proposed to the place or purpose of use.

- 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:

None

- 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. 45-260A

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

NESENW

Sec. 16 Twp 12S Rge 25E CASSIA County

HOWELL CREEK

SESWNE

Sec. 9 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											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 partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 133 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. 45-260A, 45-7183, 45-11043 and 45-244A
4. 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.

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

Current Water Right No. 45-244A

Current Water Right Owner
GOODMAN LLC
PO BOX 543
ALBION, ID 83311

Priority Date: 4/12/1892

Origin: Water Right

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	2.220 CFS	
Total Diversion			2.220 CFS	

Source and Point(s) of Diversion:

HOWELL CREEK	SESWNE	Sec. 9 Twp 12S Rge 25E CASSIA County
HOWELL CREEK	NESENW	Sec. 16 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											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:

- 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.
- 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. 45-260A, 45-7183, 45-11043 and 45-244A
- 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 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

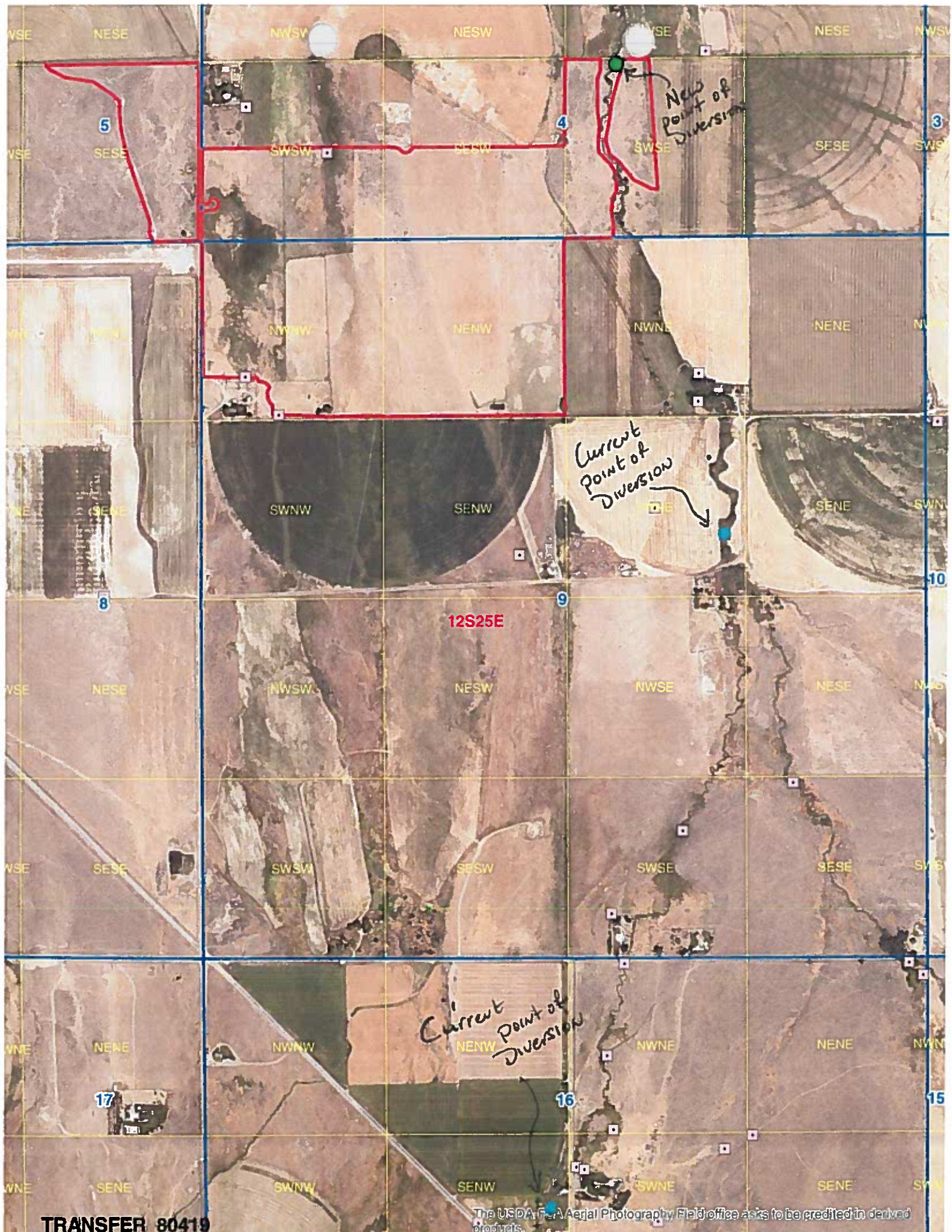
FOR DEPARTMENT USE ONLY

Transfer Contains 9 pages and attachments.

Received By BW Date 10/22/2015 Prelim. Check By Date

Fee Paid \$ 845.00 Date 10/22/15 Received By BW Receipt # S035066

Add'l Fee Paid Date Received By Receipt #



TRANSFER 80419

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



TRANSFER 80419

RECEIVED

OCT 22 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

GOODMAN LLC

410 S. Broadway St
Leavenworth, KS 66048

10 October 2015

To Whom It May Concern

This letter is to advise all parties concerned that the Goodman LLC has sold the Goodman LLC 180 acre ranch in Albion, Idaho to Mr. Leroy Robinson of Albion, Idaho.

The Goodman LLC hereby authorizes Mr. Leroy Robinson to change the point of diversion for the water right on Howell Creek of the above mentioned property to any other location that he might find advantageous. Mr. Robinson is also authorized to make any other changes to the water right or water channels that he may choose to make.

Sincerely,


Jon R. Goodman
Managing Partner, Goodman LLC

TRANSFER 80419

CASSIA COUNTY
RECORDED FOR:
TITLEONE - RUPERT
04:18:47 PM 06-22-2015
2015-002785
NO. PAGES: 1 FEE: \$10.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: HYoung
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

WARRANTY DEED

#15251830

FOR VALUE RECEIVED, Jon R. Goodman, as trustee of the Corbin Goodman Trust, does hereby release, remise, grant, bargain, sell and convey unto T. LeRoy Robinson and Karla Robinson, husband and wife, of P.O. Box 486, Albion, Idaho 83311, its undivided 12.222% in the following described property, located in Cassia County, Idaho, to wit:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO,

Section 4: S4S4SW4 and W4SW4SE4

Section 5: SE4SE4

Section 9: N4NW4

together with appurtenances.

Subject to easements and rights of way which are apparent or of record and 2015 property taxes and assessments.

DATED this 19TH day of June, 2015.

Corbin Goodman Trust

By: Jon R. Goodman
Jon R. Goodman

STATE OF KANSAS)
County of Leavenworth) ss.

On this 19th day of June, in the year of 2015, before me the undersigned notary public in and for said state, personally appeared Jon R. Goodman, known or identified to me to be the trustee of the Corbin Goodman Trust, and the person whose name is subscribed herein, and acknowledged to me that he executed the same on behalf of said trust.

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

(SEAL)

Stephanie A. Gordon
Notary Public
Residing at Leavenworth, KS
My Commission expires 9.30.17



CASSIA COUNTY
RECORDED FOR:
TITLEONE - RUPERT
04:18:34 PM 06-22-2015
2015-002782
NO. PAGES: 2 FEE: \$13.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: HYoung
Electronically Recorded by Simplifile

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STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

WARRANTY DEED

15251830

FOR VALUE RECEIVED, Goodman, LLC, an Idaho limited liability company, the Grantor, does hereby grant, bargain, sell and convey unto T. LeRoy Robinson and Karleen L. Robinson, husband and wife, the Grantee, whose current address is P.O. Box 486, Albion, Idaho 83311, its undivided 61.112% interest in the property described as follows:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO,

Section 4: S4S4SW4 and W4SW4SE4

Section 5: SE4SE4

Section 9: N4NW4

Subject to easements and rights of way which are apparent or of record, including the following exceptions:

Right-of-way contained in Warranty Deed from Roland Baird, a bachelor, to D.C. Harris, whose wife's name is Hilda Harris, dated May 25, 1948, and recorded November 14, 1949, as Instrument No. 167429 in Book 55 of Deeds, Page 290, records of Cassia County, Idaho, which reads as follows: "Together with Right-of-way for live-stock to Howell Creek on the South edge of the W4SW4SE4 of Section 4, Township 12 South, Range 25 East of the Boise Meridian."

Easement conveyed to James O. Chatburn and Bethea Chatburn, his wife, by Quitclaim Deed from Kate Bridger, a widow, dated January 15, 1969, and recorded January 17, 1969, as Instrument No. 44419 on Film No. 59, records of Cassia County, Idaho, across the SW4SW4SE4 of Section 4, Township 12 South, Range 25 East of the Boise Meridian.

Agreement for Purchase of Power between the Raft River Rural Electric Cooperative, Inc., Seller, and Helen Goodman, Consumer, dated June 20, 1978, and recorded July 25, 1978, as Instrument No. 109649 on Film No. 119, records of Cassia County, Idaho, covering the S4S4SW4 of Section 4, Township 12 South, Range 25 East of the Boise Meridian.

Together with all water and water rights and ditches and ditch rights used thereon or appurtenant thereto including

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

CASSIA COUNTY
RECORDED FOR:
TITLEONE - RUPERT
04:18:39 PM 06-22-2015
2015-002783
NO. PAGES: 1 FEE: \$10.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: HYoung
Electronically Recorded by Simplifile

WARRANTY DEED

#15251830

FOR VALUE RECEIVED, Marsha Ellen Goodman, a widow, does hereby release, remise, grant, bargain, sell and convey unto T. LeRoy Robinson and Karla Robinson, husband and wife, of P.O. Box 486, Albion, Idaho 83311, her undivided 13.333% in the following described property, located in Cassia County, Idaho, to wit:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO,

Section 4: S~~1~~S~~1~~SW~~1~~4 and W~~1~~SW~~1~~SE~~1~~4

Section 5: SE~~1~~SE~~1~~4

Section 9: N~~1~~NW~~1~~4

together with appurtenances.

Subject to easements and rights of way which are apparent or of record and 2015 property taxes and assessments.

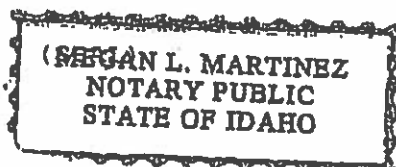
DATED this 22nd day of June, 2015.

Marsha Ellen Goodman
Marsha Ellen Goodman

STATE OF IDAHO)
) ss.
County of Cassia)

On this 22nd day of June, in the year of 2015, before me the undersigned notary public in and for said state, personally appeared Marsha Ellen Goodman, known or identified to me to be the person whose name is subscribed herein, and acknowledged to me that she executed the same.

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



Megan L. Martinez
Notary Public
Residing at Burley, ID
My Commission expires 9/27/2020

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

CASSIA COUNTY
RECORDED FOR:
TITLEONE - RUPERT
04:18:43 PM 06-22-2015
2015-002784
NO. PAGES: 1 FEE: \$10.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: HYoung
Electronically Recorded by Simplifile

WARRANTY DEED

#15251830

FOR VALUE RECEIVED, William Goodman, a married man dealing in his sole and separate property, does hereby release, remise, grant, bargain, sell and convey unto T. LeRoy Robinson and Karla Robinson, husband and wife, of P.O. Box 486, Albion, Idaho 83311, his undivided 13.333% in the following described property, located in Cassia County, Idaho, to wit:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO,

Section 4: S4S4SW4 and W4SW4SE4

Section 5: SE4SE4

Section 9: N4NW4

together with appurtenances.

Subject to easements and rights of way which are apparent or of record and 2015 property taxes and assessments.

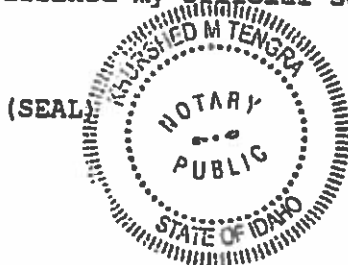
DATED this 19 day of June, 2015.


William Goodman

STATE OF IDAHO)
County of ADA) ss.

On this 19th day of June, in the year of 2015, before me the undersigned notary public in and for said state, personally appeared William Goodman, known or identified to me to be the person whose name is subscribed herein, and acknowledged to me that he executed the same.

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




Notary Public
Residing at Boise, ID
My Commission expires 03/26/2019

Matthew C Darrington, Esq.
ANTHONY DARRINGTON PLLC
Attorneys at Law
P.O. Box 536
Rupert, Idaho 83350-0536
Telephone: (208) 260-5280
Facsimile: (208) 260-5281
matl@minicassialaw.com
ISB No. 7939

RECEIVED

FEB 14 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

Attorneys for Leroy and Karla Robinson

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

AFFIDAVIT OF
LEROY ROBINSON

STATE OF IDAHO)
) ss.
County of Minidoka)

Leroy Robinson, being first duly sworn on oath, deposes and states:

1. That your affiant is one of the applicants in regard to numerous transfer applications currently pending before the Department.
2. That in various records and documents I am identified as Leroy Robinson, T. Leroy Robinson or Thomas Leroy Robinson.
3. That these are all names that have been used to identify me.
4. That I request that the Department recognize each of these names in identifying me and that the Department use Leroy Robinson to identify me hereinafter.

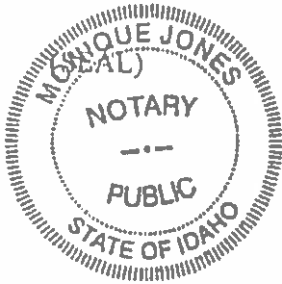
FURTHER THIS AFFIANT SAITH NAUGHT.

AFFIDAVIT OF LEROY ROBINSON--I

TRANSFER 80419

Leroy Robinson
Leroy Robinson

SUBSCRIBED AND SWORN to before me this 13 day of February, 2014.

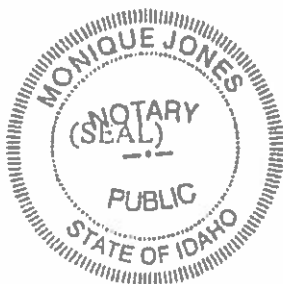


Monique Jones
Notary Public for Idaho
Residing at: Burley, ID
My Commission expires: 7-9-18

RECEIVED
FEB 14 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

Karla Robinson
Karla Robinson

SUBSCRIBED AND SWORN to before me this 13 day of February, 2014.



Monique Jones
Notary Public for Idaho
Residing at: Burley, Id.
My Commission expires: 7-9-18

RECEIVED

OCT 22 2015

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

Transfer No. 80419

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 AND 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: _____

OCT 22 2015

DEPT OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant LEROY ROBINSON Phone _____
Mailing Address PO BOX 486, ALBION ID 83311 Email _____

Name of Applicant KARLA ROBINSON Phone _____
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
Print Name and Title if applicable

10/22/15
Date

Karla Robinson
Signature of Applicant or Authorized Representative

Karla Robinson
Print Name and Title if applicable

10/22/15
Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	45-244A	No	Yes	No	No	No	No
	45-260A	No	Yes	No	No	No	No
	45-7183	No	Yes	No	No	No	No
	45-11043	No	Yes	No	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 change the ownership of water right 45-244A that was inadvertently left off a
previously filed notice of change in water right ownership form. In addition the application proposes
to change the points of diversion to a place located on the applicants property.

- 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
45-260A	0.700 cfs	N/A	133.0	150.0	N/A	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	N/A
45-11043	0.800 cfs	N/A	40.0	150.0	N/A	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	N/A
COMBINED TOTALS	4.020 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 4.02 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

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

Proposed Water Right No. 45-260A

Current Water Right Owner

LEROY ROBINSON
PO BOX 486
ALBION, ID 83311

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

Superseded

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 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

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: 29.0

POU Total Acres: 150.0

Place of Use: STOCKWATER

Superseded

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 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

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: 40.0

POU Total Acres: 150.0

Superseded

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

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

Superseded

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 new head gate will be 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:

No change is proposed to the place or purpose of use.

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:

None

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. 45-260A

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

NESENW

Sec. 16 Twp 12S Rge 25E CASSIA County

HOWELL CREEK

SESWNE

Sec. 9 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																15.0	57.0
12S	25E	5											21.0	21.0				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:

- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 133 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
- 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. 45-260A, 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.

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
12S	25E	9					4.0	18.0					2.0						22.0

Right Acre Limit: 29.0

POU Total Acres: 29.0

Place of Use: STOCKWATER

Conditions/Remarks:

1. 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. 45-260A, 45-7183, 45-11043 and 45-244A
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 29 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. 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.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. 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.

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 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.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 29 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. 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. 45-260A, 45-7183, 45-11043 and 45-244A

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

Current Water Right No. 45-244A

Current Water Right Owner
 GOODMAN LLC
 PO BOX 543
 ALBION, ID 83311

Priority Date: 4/12/1892

Origin: Water Right

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	2.220 CFS	
Total Diversion			2.220 CFS	

Source and Point(s) of Diversion:

HOWELL CREEK	SESWNE	Sec. 9 Twp 12S Rge 25E CASSIA County
HOWELL CREEK	NESENW	Sec. 16 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											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. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. 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. 45-260A, 45-7183, 45-11043 and 45-244A
3. 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.

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 13 pages and _____ attachments.

Received By BW Date 10-22-2015 Prelim. Check By _____ Date _____

Fee Paid \$845 - Date 10-22-2015 Received By BW Receipt # 5035066

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

MEMORANDUM

TO: Sascha Marston
FROM: Benny Walker / Denise Maline
DATE: January 28, 2016
RE : Refund (partial) of fees for Application for Transfer 80419

On October 22, 2015 Lazy R7 Farms Inc. / Leroy & Karla Robinson paid \$845.00 for an application for transfer (S035066). This included the necessary \$25.00 fee for change of ownership. After further review, the correct fee for the application for transfer is \$660.00; together with the \$25.00 ownership change fee. (\$685.00 total)

Please issue a refund in the amount of \$160.00 to:

Lazy R7 Farms Inc.
Leroy &/or Karla Robinson
PO Box 486
Albion, ID 83311-0486
(208) 673-5516

RECEIPT #

S035066, copy attached

Copy: transfer 80419

Receipt Details for ID S035066

Status	Adjustment Type	Version
		2

General Information:				
Date Received	Date Deposited	Region	Total Amount	Payment Type
10/22/2015 1:51:59 PM	10/22/2015 2:24:00 PM	SOUTHERN	\$845.00	Check
Payee: LAZY R7 FARMS INC, ROBINSON, LEROY/ KARLA				

Account Information	
Check Number	2643

Comment Fee for Application for Transfer #80419 water rights 45-244A, 45-260A, 45-7183, 45-11043. Change of Ownership fee for 45-244A

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$820.00	TRANSFERS	64106	0229	21		1155
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	64140	0229	21		1155

→ should be \$660-



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

January 28, 2016

LEROY ROBINSON
KARLA ROBINSON
PO BOX 486
ALBION, ID 83311

RE: Transfer No. 80419
Water Right No(s). 45-244A, 45-260A

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 2/4/2016 and 2/11/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**February 22, 2016**).

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 cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, January 28, 2016 11:57 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 February 4th & 11th, 2016. 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 in advance,

Denise Maline
Administrative Assistant
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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 28, 2016

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 80419
Water Right No(s): 45-244A, 45-260A

RE: Transfer No. 80632
Water Right No(s): 47-17634

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 February 22, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80419**

LEROY ROBINSON and KARLA ROBINSON, PO BOX 486, ALBION, ID 83311; has filed Application No. 80419 for changes to the following water rights within CASSIA County(s): Right No(s). 45-244A, 45-260A. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing two points of diversion for two Howell Creek irrigation water rights for 2.92 cfs to a single location on Howell Creek. The first point of diversion is currently located approximately 2.0 miles south and 1.9 miles east of the center of the City of Albion (Main and Market streets). The application proposes to move this point of diversion approximately 1.6 miles downstream to the new point of diversion. The second point of diversion is currently located approximately 1.1 miles south and 2.1 miles east of the center of the City of Albion. The application proposes to move this point of diversion approximately 0.7 miles downstream to the same new point of diversion. The new point of diversion is located approximately 0.5 miles south and 2.0 miles east of the center of the City of Albion. The proposed point of diversion on Howell Creek will be used to divert up to 2.92 cfs for irrigation of the current places of use for these water rights.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80632**

ALEX KUNKEL and LORI KUNKEL, 1625 N 2500 E, TWIN FALLS, ID 83301; has filed Application No. 80632 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17634. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to change the point of diversion for this stock water right (47-17634) from an irrigation well to a separate small stock water well and to eliminate 2 troughs from the system leaving 5 other troughs. The well is located about 4 miles north of Rogerson and will divert 0.12 cfs and up to 6.7 acre feet of water.

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 www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. 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 together with a protest fee of \$25.00 for each application on or before February 22, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 4th & 11th, 2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 28, 2016

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

RE: Transfer No. 80419
Water Right No(s). 45-244A, 45-260A

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 watermaster, 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)

MEMORANDUM

TO: Transfer #80419 File

FROM: Benny Walker

DATE: January 25, 2016

SUBJECT: Filing Fee

The filing fee of \$685.00, for this transfer is based on the total amount of water being transferred, 2.92 cfs. The transfer fee schedule for a transfer involving 2.01-3.00 cfs indicates that the filing fee is \$660.00. An additional fee of \$25.00 for ownership change of water right 45-244A is also included, totaling \$685.00

The applicants paid a fee of \$845.00 which is an over payment of \$160.00 receipt #S035066. A refund of \$160.00 will be requested from the department financial section to the applicants during the advertising process.

MEMORANDUM

Date: January 22, 2016
To: Transfer 80419 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing two points of diversion for two Howell Creek irrigation water rights for 2.92 cfs to a single location on Howell Creek. The first point of diversion is currently located approximately 2.0 miles south and 1.9 miles east of the center of the City of Albion (Main and Market streets). The application proposes to move this point of diversion approximately 1.6 miles downstream to the new point of diversion. The second point of diversion is currently located approximately 1.1 miles south and 2.1 miles east of the center of the City of Albion. The application proposes to move this point of diversion approximately 0.7 miles downstream to the same new point of diversion. The new point of diversion is located approximately 0.5 miles south and 2.0 miles east of the center of the City of Albion. The proposed point of diversion on Howell Creek will be used to divert up to 2.92 cfs for irrigation of the current places of use for these water rights. The points of diversion involved with the application are located within Water District 45F so water master comments will be solicited. The application also proposes to change the ownership of water right 45-244A.

- **Authority to File:**
Applicant is listed as the current owner of water right 45-260A according to IDWR records. Water right 45-244A was inadvertently left off a previously filed notice of change in water right ownership form. The department has on file the associated deed from the previous ownership change which has been included with this transfer. A lien holder letter is also included giving consent for the proposed transfer
- **Water Right Validity:**
The rights involved with this transfer were decreed in 2005. Aerial photography indicates that the lands involved with the transfer have been irrigated in recent years.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated. No change is proposed to the place of use of the water rights.
- **Local Public Interest:**
Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as 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.



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 31, 2015

Leroy and Karla Robinson
P.O. Box 486
Albion, ID 83311

Re: Leroy and Karla Robinson, Transfer

Mr. and Mrs. Robinson

The Department of Water Resources (Department) has a transfer on file for Leroy and Karla Robinson for the property you purchased from Goodman LLC. A recent review of the transfer prior to advertisement revealed a correction that needed to be made before the application could be advertised.

The Department determined that the current application as filed could not be processed to change the points of diversion of all four water rights. The two water rights from Howell Creek 45-244A and 45-260A, proposing to move the point of diversion on Howell Creek can be processed. The other two rights, 45-7183 from an unnamed stream and right 45-11043 for waste water, are from different sources, and can not change their point of diversion to Howell Creek. For this reason I've drafted a new transfer application to change the points of diversions for water rights 45-244A and 45-260A to the proposed point of diversion on your property.

Enclosed is the new transfer application for your review and your signatures, along with a stamped and address envelop to the Department for you convenience.

In addition because of this change the filing fee will be reduced and a refund for the difference will be requested from our financial department and returned to you.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Benny Walker".

Benny Walker
Water Resource Agent

Enclosures

Walker, Benny

From: Merritt, Allen
Sent: Monday, November 02, 2015 11:02 AM
To: Walker, Benny
Subject: FW: Emailing: Goodman Ranch, LLC-Leroy Robinson Purchase
Attachments: Book1gundydon.xlsx

Follow Up Flag: Follow up
Flag Status: Completed

FYI

Maybe you are involved in this and maybe it makes sense...?

From: gundy@safelink.net [<mailto:gundy@safelink.net>]
Sent: Monday, November 02, 2015 11:03 AM
To: Erickson, Nathan
Cc: Merritt, Allen
Subject: Emailing: Goodman Ranch, LLC-Leroy Robinson Purchase

Hi Nathan,

The attached file that I generated on the Goodman Ranch and the action that Leroy Robinson is taken is very questionable. I have talked with Leroy but did not come up about that portion of ground not having a water right.

He has cleared the land from sage and intends on using a full circle of his pivot from his other ground (Water Right) when finished. It seems like, that if what was started with the Rose Creek Ranch others fill free to follow.

(Note, the 1892 right of Goodman's is what I call "HIGH WATER" can possible be had only at the beginning of a Spring if we had a good Winter! Any questions on this project, give me a call.

Regards,

Don G. Gunderson, Watermaster 45-F
Marsh Creek Water District 45-f
gundy@safelink.net

Your message is ready to be sent with the following file or link attachments:
Book1gundydon

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

File Prepared Date: 3/1/2007		MARSH CREEK WATER DISTRICT 45F				Report Date: 11/2/2015	
HOWELL CREEK TRIBUTARY		SNAKE RIVER ADJUDICATED					
RevUp/Die: 2/29/2008		SURFACE WATER RIGHTS					
		(Gen) 2006-2007 (posted)				COMB	
Sort						LIMIT	Div
Key:	Priority Date/Decree	CFS	IN	Total	acre	NAME:	Stream
HO	03/31/1876 45-260A	Rate: 0.7	35	150	133	PLS	Name: Howell Creek
HO	03/31/1876 45-260A					12S25E16NESENW	Goodman Ranch, LLC
HO	12/01/1880 45-326	1.22	61	150		12S25E9SESWNE	Goodman Ranch, LLC
HO	12/01/1880 45-326					12S25E16NESENW	Goodman Ranch, LLC
HO	04/12/1892 45-244A	2.22	111	150		12S25E9SESWNE	Goodman Ranch, LLC
HO	04/12/1892 45-244A					12S25E16NESENW	Goodman Ranch, LLC
Note: Leroy Robinson purchased the Goodman Ranch and now he has cleared a portion of ground that		12S 25E S05 SESW ROBINSON				LEROY	
has no water right that up till now has been in Sage Brush. He has filled in the Halard ditch						Ground Water WD140 to	
and I confronted him of that. He stated he had talked with the people downstream that						other ground, unrelated.	
would be using it if there was water to deliver off of Howell Creek. Leroy said he would							
divert the delivery system thru two ponds that are currently in place which catche's any waste							
water or ground water from domestic well for livestock.							
The ground that he has cleared will have water put to it from either of his two wells or from							
his surface water rights from both Land Creek and Marsh Creek since all of the surface rights							
all go thru a pond off of Marsh Creek.							
The ground that he has cleared is at the cross roads of 1250 East 900 South on the Northwest							
corner taking in what I believe is T11S R25E S05 SESE (160 ac) (Just East of his 1 pivot and South of his other							
pivot).							
Don G. Gunderson,							
Watermaster 45F							

RECEIVED

NOV 02 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION