

RECEIVED
FEB 14 2014
DEPT. OF WATER RESOURCES
SOUTHERN REGION

RECEIVED
DEC 12 2013
DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for an entire water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right or to report an ownership change for a portion of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☒ Ownership change

1. APPLICANT(S) Leroy and Karla Robinson Phone (208) 673-5516

2. MAILING ADDRESS 1170 E. 810 S. City Albion

State ID Zip 83311 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☒ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 45-10827, 45-10828

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is .46 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
12S	25E	5		NW	NW		Cassia	Groundwater	
12S	25E	5		NW	NW		Cassia	Groundwater	

6. 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:

The systems consists of existing wells used for stockwater. Measuring and controlling works could be added in the future as necessary.

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

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

- c. 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(s), or

☐☒

currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe _____

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and ¼ ¼ of section information. The *Map Tool*, available at <http://maps.idwr.idaho.gov/TransferApplicationLayouts/> provides a satisfactory template for creating the required map.

8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Leroy Robinson

Signature of applicant or authorized agent

Leroy Robinson

Print name and title if applicable

12/10/13
Date

Karla Robinson

Signature of applicant or authorized agent

Karla Robinson

Print name and title if applicable

12/10/13
Date

9. **FEE** - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The *Fee Schedule* is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the *Application for Transfer Instructions*.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by DM

Date 12/12/2013

Fee paid \$550- Date 2/14/2014

Received by BW

Receipt # 5033905

Preliminary review completed by _____

Date

+ 5033906

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/6/2013

WATER RIGHT NO. 45-10828

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LINDSEY W DIMOND PO BOX 456 ALBION, ID 83311 (208)673-6281

Priority Date: 05/20/1978

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.23 CFS	
Total Diversion			0.23 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENWNW|Sec. 05|Township 12S|Range 25E|CASSIA County

Place(s) of use:

Place of Use Legal Description: STOCKWATER CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
12S	25E	5		NWNW										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. 12S25E052400 STOCKWATER, 200 HD DAIRY CATTLE

Dates:

Licensed Date:

Decreed Date: 07/24/1998

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

1998 JUL 24 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-10828

NAME AND ADDRESS: LINDSEY W DIMOND
PO BOX 456
ALBION, ID 83311

SOURCE: GROUNDWATER

QUANTITY: 0.23 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/20/1978

POINT OF DIVERSION: T12S R25E S05 NENWN Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.23 CFS

PLACE OF USE: Stockwater Within Cassia County
T12S R25E S05 NWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

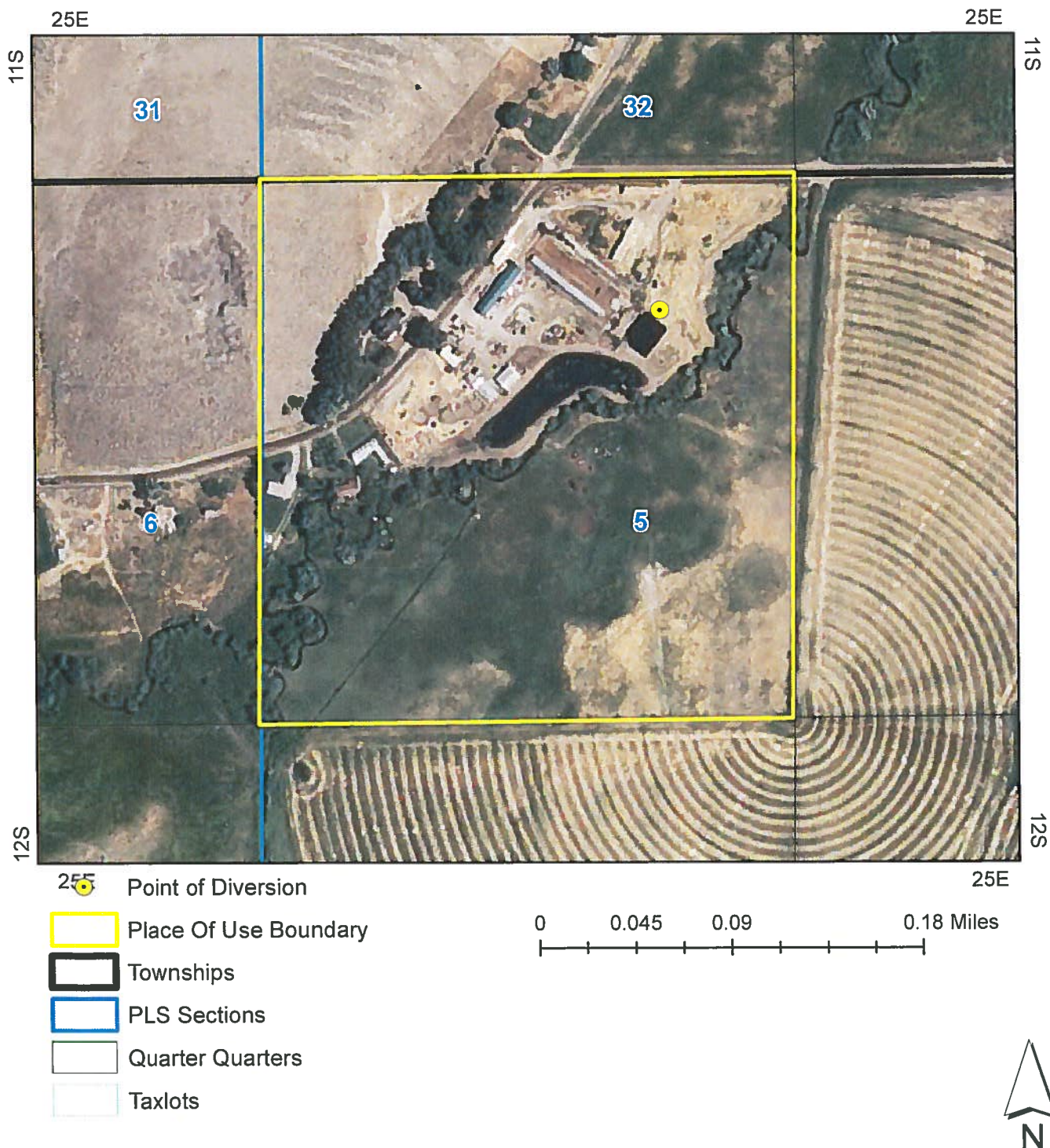

Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

State of Idaho
Department of Water Resources

Water Right
45-10828

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/6/2013

WATER RIGHT NO. 45-10827

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LINDSEY W DIMOND PO BOX 456 ALBION, ID 83311 (208)673-6281

Priority Date: 06/05/1968

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.23 CFS	
Total Diversion			0.23 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNWNW|Sec. 05|Township 12S|Range 25E|CASSIA County

Place(s) of use:

Place of Use Legal Description: STOCKWATER CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
12S	25E	5		NWNW										

Conditions of Approval:

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2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. 12S25E052400 STOCKWATER, 200 HEAD DAIRY CATTLE

Dates:

Licensed Date:

Decreed Date: 07/24/1998

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

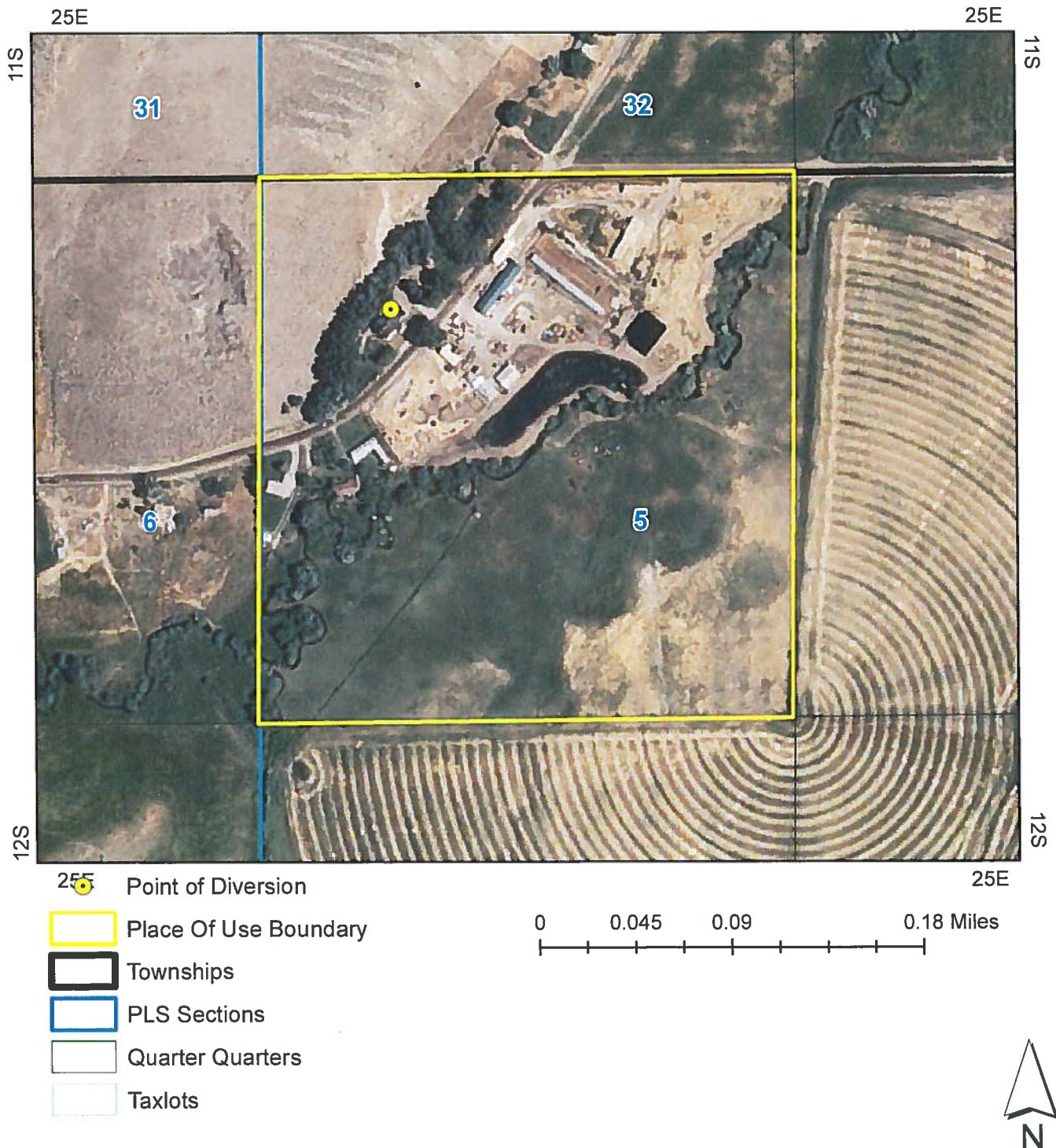
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
45-10827

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 45-10827

NAME AND ADDRESS: LINDSEY W DIMOND
 PO BOX 456
 ALBION, ID 83311

SOURCE: GROUNDWATER

QUANTITY: 0.23 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/05/1968

POINT OF DIVERSION: T12S R25E S05 NWNWN Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.23 CFS

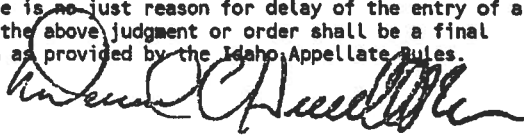
PLACE OF USE: Stockwater Within Cassia County
 T12S R25E S05 NWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

WALKER RIGGS NOS. 45-10827 / & 45-10828 TRANSFER



Legend

- 45-10827 & 45-10828 Current PODs
- 45-10827 & 45-10828 Proposed PODs
- Section Lines
- Quarter Quarters

Bing Aerial Photo



Prepared by:
Luke H. Marchant

WARRANTY DEED

#28846

252866

For Value Received

LINDSEY W. DIMOND AND JANALEE A. DIMOND, HUSBAND AND WIFE

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

T. LEROY ROBINSON AND KARLA L. ROBINSON, HUSBAND AND WIFE
Address: 514 SOUTH 450 EAST, BURLEY, ID 83318

Hereinafter called the Grantee, the following described premises situated in CASSIA County, Idaho, to-wit:

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

Section 5: NW¼, EXCEPTING THEREFROM that part of the NW¼NW¼ of said Section 5, more particularly described as follows:

Beginning at the Northwest corner of said Section 5; thence South 0°43' West along section line for 701.20 feet to a point which shall be known as the True Point of Beginning;
Thence North 70°57'23" East for 141.01 feet along the Southerly side of a county road to a point;
Thence North 59°40'04" East for 152.42 feet along the Southerly side of a county road to a point;
Thence South 30°54'13" East for 250.05 feet to a point on the South bank of a creek;
Thence South 0°43' West for 155.57 feet to a point;
Thence North 89°17' West for 394.39 feet to a point on the section line;
Thence North 0°43' East for 242.22 feet along section line to the True Point of Beginning.

TOGETHER WITH ALL WATER AND WATER RIGHTS DITCHES AND DITCH RIGHTS USED THEREON OR APPURTENANT THERETO, INCLUDING BUT NOT LIMITED TO THOSE ARISING UNDER LICENSE NO. 45-0283 (LAND CREEK) 45-0528 (ROSE CREEK) AND 45-0529 (MARSH CREEK).

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 1997.

Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and Heritage Valley - Dennis Sandrock, as Consumer, dated August 6, 1976 and recorded May 10, 1977 as Instrument No. 98414 on Film No. 108, records of Cassia County, Idaho, covering the SW¼NW¼ of Section 5, Township 12 South, Range 25 East of the Boise Meridian.

Oil and Gas Lease between Lee G. Dimond and Leola W. Dimond, husband and wife, as lessor, and Faith Financial Services, as Lessee, dated May 23, 1981 and recorded June 22, 1981 as Instrument No. 136061 on Film No. 143, records of Cassia County, Idaho.

Notice of Assignment of Working Interest executed by Kirlin Enterprises, Inc., recorded October 9, 1984 as Instrument No. 164218 on Film No. 167, records of Cassia County, Idaho.

Agreement For Electric Service executed by Lindsey Dimond to Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, dated June 5, 1992 and recorded July 1, 1992 as Instrument No. 219772 on Film No. 236, records of Cassia County, Idaho. (Affects the NW¼NW¼ Section 5, Township 12 Range 25 East of the Boise Meridian.)

Agreement For Electric Service executed by Lindsay Dimond to Raft River Rural Electric Cooperative, Inc. an Idaho Rural electric Cooperative of Malta, dated October 13, 1993 and recorded October 25, 1993 as Instrument No. 227236 on Film no. 249, records of Cassia County, Idaho. (Affects the

• NW¼NW¼ Section 5 Township 12, Range 25 East of the Boise Meridian)

Agreement For Electric Service executed by Lindsay Dimond to Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, dated October 13, 1993 and recorded October 25, 1993 as Instrument No. 227237 on Film No. 249, records of Cassia County, Idaho. (Affects the NW¼NW¼ Section 5, Township 12, Range 25 East of the Boise Meridian)

Agreement For Electric Service executed by Lindsay Dimond to Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, dated January 7, 1994 and recorded January 14, 1994 as Instrument No. 228712 on Film No. 252, records of Cassia County, Idaho. (Affects the NW¼NW¼ of Section 5, Township 12, Range 25, East of the Boise Meridian.)

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 30, 1997

Lindsay W. Dimond
LINDSEY W. DIMOND

Jamalee A. Dimond
JAMALEE A. DIMOND

STATE OF IDAHO)
COUNTY OF CASSIA) ss.

On this 30TH day of DECEMBER, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared LINDSEY W. DIMOND AND JAMALEE A. DIMOND, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

BARBARA EHLE
A NOTARY PUBLIC &
STATE OF IDAHO
MY COMMISSION EXPIRES 6-12-2003

Barbara Ehle
Notary Public
Residing at Burley, Idaho
My Commission expires: 6-12-2003

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

FILM 294

1997 DEC 30 P 4: 48

252866

SAGUA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER

LEE 600 DEPUTY [Signature]

QUITCLAIM DEED

For Value Received

LeRoy Robinson, a married man dealing with his sole and separate property

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

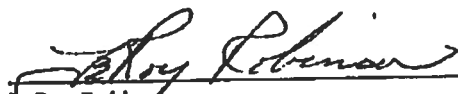
T. LeRoy Robinson, a married man dealing with his sole and separate property
ADDRESS: P.O. Box 154, Albion ID 83311

Hereinafter called the grantee, the following described premises, in CASSIA County, Idaho to-wit:

SEE ATTACHED EXHIBIT "A"

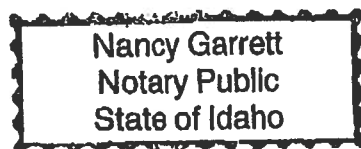
TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

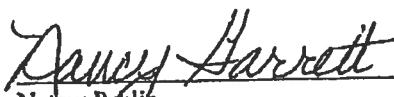
Dated: November 25, 2009


LeRoy Robinson

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 25th day of November, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared LeRoy Robinson, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.




Nancy Garrett
Notary Public
Residing at: Burley, ID
My Commission expires: 2-5-2014

Escrow #13439
CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
2:11:08 pm 12-04-2009
2009-006121
NO. PAGES: 2
FEE: \$6.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: M. KARR

WARRANTY DEED

FOR VALUE RECEIVED, BERNICE ROBINSON, the Grantor herein, do hereby grant, bargain, sell and convey unto LEROY ROBINSON, whose mailing address is P.O. Box 154, Albion, Idaho 83311, the Grantees herein, the property described on Exhibit "A" attached hereto and made a part hereof, located in Cassia County, Idaho.

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

DATED this 17th day of Sept, 2009.

Bernice Robinson
BERNICE ROBINSON

STATE OF IDAHO)
ss.
County of Cassia)

On this 17th day of Sept, 2009, before me, a Notary Public in and for said State, personally appeared Bernice Robinson, known to me to be the person whose name is subscribed to the within instrument, 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.

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
2:08:45 pm 09-24-2009
2009-004798
NO. PAGES: 2 FEE: \$6.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: VIKI

ALFRED E. BARRUS
NOTARY
PUBLIC
STATE OF IDAHO
NOTARY PUBLIC FOR IDAHO
Residing at: Burley, Idaho
My Commission Expires: 9/16/2010

EXHIBIT "A"

* * * * *

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

Section 2: W1/2, S1/2SE1/4

* * * * *

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE
MERIDIAN

Section 10: NE1/4NE1/4

* * * * *

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

Section 11: W1/2W1/2

* * * * *

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

Section 14: W1/2NW1/4

* * * * *

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

Section 15: NE1/4, N1/2SE1/4

EXHIBIT "A"

TOWNSHIP 11 SOUTH, RANGE 23 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

✓ Section 25: E1/2NE1/4

* * * * *

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

Section 2: W1/2, S1/2SE1/4

* * * * *

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE
MERIDIAN

Section 10: NE1/4NE1/4

* * * * *

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

Section 11: W1/2W1/2

* * * * *

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

Section 14: W1/2NW1/4

* * * * *

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

Section 15: NE1/4, N1/2SE1/4

Matthew C Darrington, Esq.
ANTHON DARRINGTON PLLC
Attorneys at Law
P.O. Box 536
Rupert, Idaho 83350-0536
Telephone: (208) 260-5280
Facsimile: (208) 260-5281
matt@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:

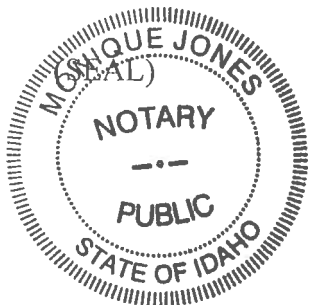
1. That your affiant is one of the applicants in regard to numerous transfer applications currently pending before the Department.
2. That in various records and documents I am identified as Leroy Robinson, T. Leroy Robinson or Thomas Leroy Robinson.
3. That these are all names that have been used to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

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

Matthew C Darrington, Esq.
ANTHON DARRINGTON PLLC
Attorneys at Law
P.O. Box 536
Rupert, Idaho 83350-0536
Telephone: (208) 260-5280
Facsimile: (208) 260-5281
matt@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
KARLA ROBINSON

STATE OF IDAHO)
) ss.
County of Minidoka)

Karla 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 Karla Robinson, Karla L Robinson, or Karleen Lenora 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 Karla Robinson to identify me hereinafter.

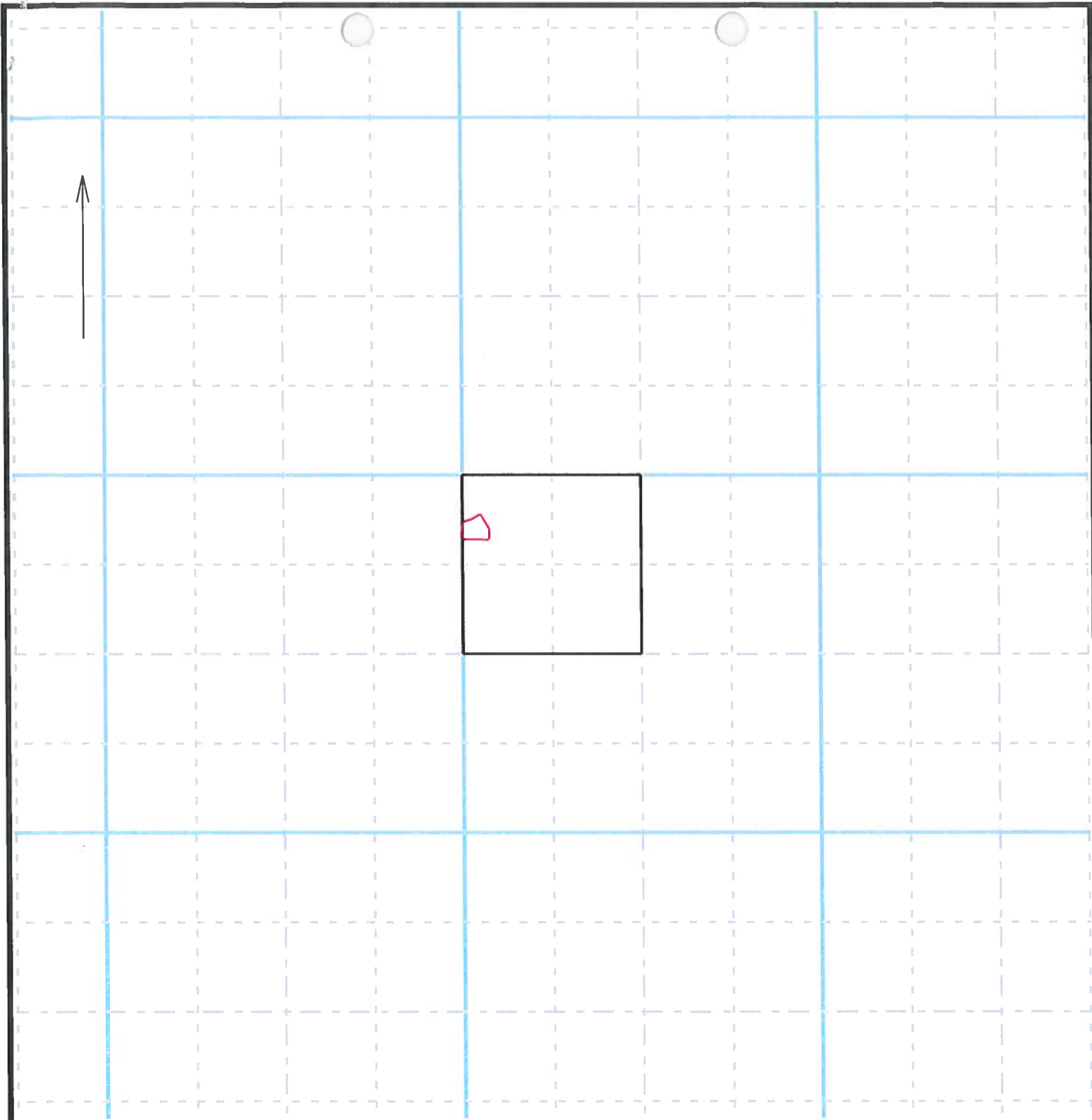
• FURTHER THIS AFFIANT SAITH NAUGHT.

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



4/17/2014

Scale: 1 inch= 2000 feet

File:

+Tract 1: 160.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=10560 ft.

--Tract 2: 2.5860 Acres (112647 Sq. Feet), Closure: s16.5106e 0.01 ft. (1/140521), Perimeter=1336 ft.

Net Area= 157.4140 Acres, (6856953) Sq. Feet.

01 /ne,nw,5,12s,25e

02 s0w 2640.00

03 s90w 2640.00

04 n0e 2640.00

05 n90e 2640.00

06 @0 -

07 /nw,5,12s,25e

08 /s0.43w 701.2

09 n70.5723e 141.01

10 n59.4004e 152.42

11 s30.5413e 250.05

12 s0.43w 155.57

13 n89.17w 394.39

14 n0.43e 242.22

WARRANTY DEED

#28846

252866

For Value Received

LINDSEY W. DIMOND AND JANALEE A. DIMOND, HUSBAND AND WIFE

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

T. LEROY ROBINSON AND KARLA L. ROBINSON, HUSBAND AND WIFE
Address: 514 SOUTH 450 EAST, BURLEY, ID 83318

Hereinafter called the Grantee, the following described premises situated in CASSIA County, Idaho, to-wit:

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

Section 5: NW¼, EXCEPTING THEREFROM that part of the NW¼NW¼ of said Section 5, more particularly described as follows:

Beginning at the Northwest corner of said Section 5, thence South 0°43' West along section line for 701.20 feet to a point which shall be known as the True Point of Beginning;
Thence North 70°57'23" East for 141.01 feet along the Southerly side of a county road to a point;
Thence North 59°40'04" East for 152.42 feet along the Southerly side of a county road to a point;
Thence South 30°54'13" East for 250.03 feet to a point on the South bank of a creek;
Thence South 0°43' West for 155.57 feet to a point;
Thence North 89°17' West for 394.39 feet to a point on the section line;
Thence North 0°43' East for 242.22 feet along section line to the True Point of Beginning.

TOGETHER WITH ALL WATER AND WATER RIGHTS DITCHES AND DITCH RIGHTS USED THEREON OR APPURTENANT THERETO, INCLUDING BUT NOT LIMITED TO THOSE ARISING UNDER LICENSE NO. 45-0283 (LAND CREEK) 45-0528 (ROSE CREEK) AND 45-0529 (MARSH CREEK).

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 1997.

Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and Heritage Valley - Dennis Sandrock, as Consumer, dated August 6, 1976 and recorded May 10, 1977 as Instrument No. 98414 on Film No. 168, records of Cassia County, Idaho, covering the SW¼NW¼ of Section 5, Township 12 South, Range 25 East of the Boise Meridian.

Oil and Gas Lease between Lee G. Dimond and Leola W. Dimond, husband and wife, as lessor, and Faith Financial Services, as Lessee, dated May 23, 1981 and recorded June 22, 1981 as Instrument No. 136061 on Film No. 143, records of Cassia County, Idaho.

Notice of Assignment of Working Interest executed by Kirlin Enterprises, Inc., recorded October 9, 1984 as Instrument No. 164218 on Film No. 167, records of Cassia County, Idaho.

Agreement For Electric Service executed by Lindsey Dimond to Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, dated June 5, 1992 and recorded July 1, 1992 as Instrument No. 219772 on Film No. 236, records of Cassia County, Idaho. (Affects the NW¼NW¼ Section 5, Township 12 Range 25 East of the Boise Meridian.)

Agreement For Electric Service executed by Lindsay Dimond to Raft River Rural Electric Cooperative, Inc. an Idaho Rural electric Cooperative of Malta, dated October 13, 1993 and recorded October 25, 1993 as Instrument No. 227236 on Film no. 249, records of Cassia County, Idaho. (Affects the

• NW¼NW¼ Section 5 Township 12, Range 25 East of the Boise Meridian)

Agreement For Electric Service executed by Lindsay Dimond to Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, dated October 13, 1993 and recorded October 25, 1993 as Instrument No. 227237 on Film No. 249, records of Cassia County, Idaho. (Affects the NW¼NW¼ Section 5, Township 12, Range 25 East of the Boise Meridian)

Agreement For Electric Service executed by Lindsay Dimond to Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, dated January 7, 1994 and recorded January 14, 1994 as Instrument No. 228712 on Film No. 252, records of Cassia County, Idaho. (Affects the NW¼NW¼ of Section 5, Township 12, Range 25, East of the Boise Meridian.)

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all Incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 30, 1997

Lindsey W. Dimond
LINDSEY W. DIMOND

JanaLee A. Dimond
JANA LEE A. DIMOND

STATE OF IDAHO)

COUNTY OF CASSIA) ss.

On this 30TH day of DECEMBER, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared LINDSEY W. DIMOND AND JANA LEE A. DIMOND, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

BARBARA EHLE
★ NOTARY PUBLIC ★
STATE OF IDAHO

MY COMMISSION EXPIRES 6-12-2003

Barbara Ehle
Notary Public

Residing at

My Commission expires

Burley, Idaho
6-12-2003

MEMORANDUM

Date: May 6, 2014
To: Transfer 79268 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes modifying the authorized points of diversion for two stockwater rights allowing for a total diversion of 0.46 cfs used on property located approximately 0.5 miles east and 0.1 mile north of the City Park in Albion. The application proposes allowing for the diversion of water from two existing wells located on the property. The application proposes to use existing points of diversion within the place of use therefore it is recommended to process without advertising.

- **Authority to File:**
A copy of a deed was included with the application showing that the applicants own the land involved with the transfer and all appurtenant water rights. The ownership of the rights will change as a result of this transfer. An affidavit has also been included with the application requesting how to identify the applicants on all department records.
- **Water Right Validity:**
The rights involved with the transfer were decreed in the SRBA. Aerial photography indicates the use of the rights in recent years. Therefore forfeiture of the rights involved with the transfer does not appear to be an issue.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impact anticipated. No advertising is recommended.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on Economy of the Local Area:**
None 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.