

Transfer No. 71876

Receipt No. 5031345

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information CARTER DILLMAN
3154 N 4750 E
MURTAUGH ID 83344
(208)432-5242
And
LAUREL DILLMAN
3154 N 4750 E
MURTAUGH ID 83344
(208)432-5242

RECEIVED
MAR 26 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Will this transfer result in an ownership change? ☒ Yes ☐ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
45-13621	AJC/License	0.04	13.6	213.0	3.4	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-13621	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

We recently purchased this property with this water right and want to change the point of diversion for the right to an existing well on our property.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
45-13621	0.04 cfs		3.4	13.6 af
TOTAL	0.04 cfs		3.4	13.6 af

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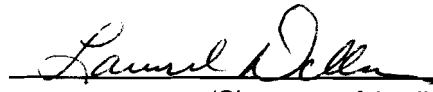
Receipt No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



(Signature of Applicant)



(Signature of Applicant)

Current Water Right No. 45-13621

Priority Date: July 14, 1983
Origin: Adjudication Recommendation
Basis: License
Status: Active

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.04 CFS	13.6 AFA	
	Total Diversion	0.04 CFS	13.6 AFA	

GROUND WATER SESWNE Sec. 21 Twp 11S Rge 20E TWIN FALLS
County

[illegible]

Conditions/Remarks:

1. THIS RIGHT IS A PORTION OF FORMER RIGHT 45-7280.
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. USE OF THIS RIGHT IS COMBINED WITH WATER FROM MILNER LOW LIFT IRRIGATION DIST.

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Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
n/a

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 71876
Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-13621

Priority Date: July 14, 1983
Origin: Adjudication
 Recommendation
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.04 CFS	13.6 AFA	
Total Diversion		0.04 CFS	13.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESWNE Sec. 21 Twp 11S Rge 20E TWIN FALLS
County

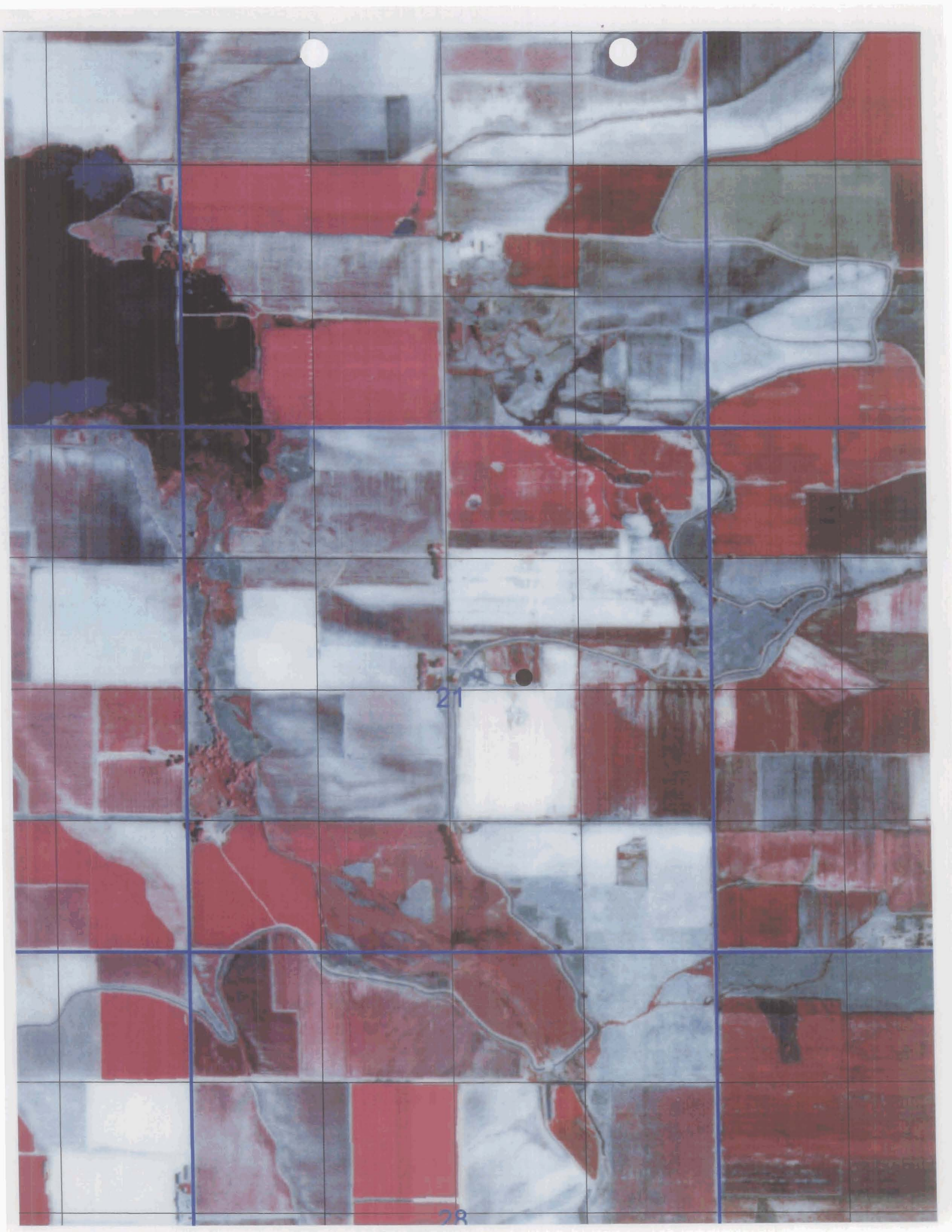
Describe the proposed diversion system

Point of Diversion # 1 Existing Domestic Well

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S	20E	21			3.4														3.4

Total Acres: 3.4



21

28

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
260 Third Avenue North
Twin Falls, ID 83303

TWIN FALLS COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE CO.
4:31:12 pm 04-01-2005
2005-006745
NO. PAGES: 6 FEE: \$18.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: CNICE

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **102494 (dd)**

Date: **March 31, 2005**

For Value Received, **Robert G. Widmier and Diane Widmier, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Carter L. Dillman and Laurel E. Dillman, husband and wife**, hereinafter called the Grantee, whose current address is **3154 North 4750 East, Murtaugh, ID 83344**, the following described premises, situated in **Twin Falls County, Idaho**, to-wit:

See Attached Exhibit A

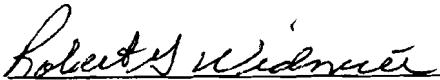
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

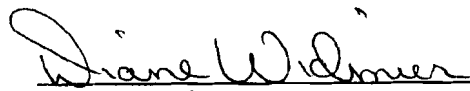
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 03/31/2005

Warranty Deed
- continued

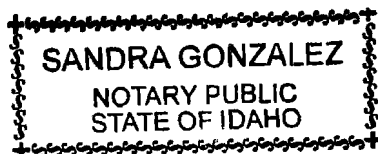
File No.: 102494 (dd)

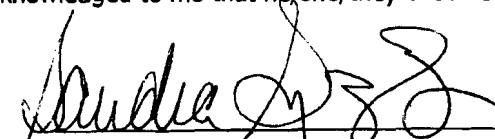
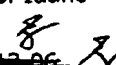

Robert G. Widmier


Diane Widmier

STATE OF Idaho)
SS.
COUNTY OF Twin Falls)

On this **31st day of March, 2005**, before me, a Notary Public in and for said State, personally appeared **Robert G. Widmier and Diane Widmier**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.




Notary Public for the State of Idaho
Residing at: ~~Jerome, Idaho~~ 
My Commission Expires ~~1-13-06~~ 

Residing at: Twin Falls, Idaho
Commission Expires: 01-29-2009

“EXHIBIT A”

PARCEL 1:

TOWNSHIP 11 SOUTH, RANGE 20 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

SECTION 21: A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$ NE $\frac{1}{4}$, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ONE QUARTER (N $\frac{1}{4}$) CORNER OF SAID SECTION 21, FROM WHICH THE CENTER ONE QUARTER (C $\frac{1}{4}$) CORNER OF SAID SECTION 21 BEARS S00°15'35"E-2632.69 FEET, THENCE S00°15'35"E ALONG THE WEST BOUNDARY OF THE NE $\frac{1}{4}$ OF SAID SECTION 21 FOR A DISTANCE OF 2604.50 FEET, THENCE S89°45'18"E FOR A DISTANCE OF 600.20 FEET TO THE TRUE POINT OF BEGINNING:

THENCE N00°15'35"W FOR A DISTANCE OF 200.00 FEET;

THENCE S89°49'45"E FOR A DISTANCE OF 230.60 FEET;

THENCE S03°01'04"W FOR A DISTANCE OF 201.14 FEET;

THENCE S89°27'17"W FOR A DISTANCE OF 161.94 FEET;

THENCE N86°54'26"W FOR A DISTANCE OF 57.26 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

A 20.00 FOOT WIDE ACCESS AND UTILITY EASEMENT FOR THE PURPOSE OF INGRESS, EGRESS AND UTILITIES, SAID EASEMENT BEING ON, OVER, UNDER AND ACROSS A 20.00 FOOT WIDE STRIP OF LAND THAT IS CENTERED ON THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTH ONE QUARTER (N $\frac{1}{4}$) CORNER OF SAID SECTION 21, THENCE S00°15'35"E ALONG THE WEST BOUNDARY OF THE NE $\frac{1}{4}$ OF SAID SECTION 21 FOR A DISTANCE OF 2427.82 FEET TO THE TRUE POINT OF BEGINNING:

THENCE S79°18'02"E FOR A DISTANCE OF 127.24 FEET;

THENCE S67°13'03"E FOR A DISTANCE OF 260.86 FEET;

THENCE S71°36'58" E FOR A DISTANCE OF 62.55 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE LEFT;

THENCE SOUTHEASTERLY ALONG THE ARC OF THE CURVE LEFT FOR A DISTANCE OF 178.62 FEET TO A POINT ON THE WEST BOUNDARY OF THE BEFORE DESCRIBED PARCEL AND BEING THE TERMINUS POINT OF SAID EASEMENT, SAID ARC HAVING A RADIUS OF 454.06 FEET AND A CHORD BEARING AND DISTANCE OF S82°45'16"E-177.47 FEET.

THE SIDELINE BOUNDARIES OF THE DESCRIBED EASEMENT SHALL BE LENGTHENED AND/OR SHORTENED AS NECESSARY TO INTERSECT THE WEST BOUNDARY OF THE NE $\frac{1}{4}$ OF SECTION 21 AND THE WEST BOUNDARY OF THE BEFORE DESCRIBED PARCEL.

PARCEL 3:

TOWNSHIP 11 SOUTH, RANGE 20 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

SECTION 21: A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$ NE $\frac{1}{4}$, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ONE QUARTER (N $\frac{1}{4}$) CORNER OF SAID SECTION 21, FROM WHICH THE CENTER ONE QUARTER (C $\frac{1}{4}$) CORNER OF SAID SECTION 21 BEARS S00°15'35"E-2632.69 FEET, THENCE S00°15'35"E ALONG THE WEST BOUNDARY OF THE NE $\frac{1}{4}$ OF SAID SECTION 21 FOR A DISTANCE OF 2604.50 FEET, THENCE S89°45'18"E FOR A DISTANCE OF 83.66 FEET TO A POINT IN THE CENTER OF THE MILNER LOW LIFT CANAL AND BEING THE TRUE POINT OF BEGINNING: THENCE N16°40'58"E ALONG THE CENTER OF THE MILNER LOW LIFT CANAL FOR A DISTANCE OF 97.64 FEET; THENCE N23°28'00"E ALONG THE CENTER OF THE MILNER LOW LIFT CANAL FOR A DISTANCE OF 30.05 FEET TO THE POINT OF CURVATURE OF A CURVE RIGHT; THENCE NORTHEASTERLY ALONG THE CENTER OF THE MILNER LOW LIFT CANAL AND THE ARC OF THE CURVE RIGHT FOR A DISTANCE OF 437.14 FEET TO THE POINT OF TANGENCY, SAID ARC HAVING A RADIUS OF 501.15 FEET AND A CHORD BEARING AND DISTANCE OF N48°28'11"E-423.41 FEET; THENCE N73°26'38"E ALONG THE CENTER OF THE MILNER LOW LIFT CANAL FOR A DISTANCE OF 133.20 FEET; THENCE N73°29'52"E ALONG THE CENTER OF THE MILNER LOW LIFT CANAL FOR A DISTANCE OF 22.89 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE RIGHT; THENCE NORTHEASTERLY ALONG THE CENTER OF THE MILNER LOW LIFT CANAL AND ON THE ARC OF THE CURVE RIGHT FOR A DISTANCE OF 256.27 FEET, SAID ARC HAVING A RADIUS OF 566.86 FEET AND A CHORD BEARING AND DISTANCE OF N86°26'56"E-254.09 FEET; THENCE LEAVING THE CENTER OF THE MILNER LOW LIFT CANAL ON A BEARING OF S03°01'04"W FOR A DISTANCE OF 265.28 FEET; THENCE N89°49'45"W FOR A DISTANCE OF 230.60 FEET; THENCE S00°15'35"E FOR A DISTANCE OF 200.00 FEET; THENCE N89°45'18"W FOR A DISTANCE OF 516.54 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT: THE FOLLOWING DESCRIBED PARCEL OF LAND:

COMMENCING AT A POINT ON THE WEST BOUNDARY OF THE NE $\frac{1}{4}$ OF SAID SECTION 21, SAID POINT BEING LOCATED S00°15'35"E-2476.03 FEET FROM THE NORTH ONE QUARTER (N $\frac{1}{4}$) CORNER OF SAID SECTION 21, THENCE N89°44'25"E FOR A DISTANCE OF 289.71 FEET TO THE TRUE POINT OF BEGINNING: THENCE N00°53'33"W FOR A DISTANCE OF 6.25 FEET;

THENCE N89°06'27"E FOR A DISTANCE OF 6.25 FEET;
THENCE S00°53'33"E FOR A DISTANCE OF 6.25 FEET;
THENCE S89°06'27"W FOR A DISTANCE OF 6.25 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 4:

ONE THIRD INTEREST IN AND TO A DOMESTIC WELL AND APPURTENANCES, AND THE FOLLOWING DESCRIBED PARCEL OF LAND:
COMMENCING AT A POINT ON THE WEST BOUNDARY OF THE NE¼ OF SAID SECTION, SAID POINT BEING LOCATED S00°15'35"E-2476.03 FEET FROM THE NORTH ONE QUARTER (N¼) CORNER OF SAID SECTION 21, THENCE N89°44'25"E FOR A DISTANCE OF 289.71 FEET TO THE TRUE POINT OF BEGINNING:
THENCE N00°53'33"W FOR A DISTANCE OF 6.25 FEET;
THENCE N89°06'27"E FOR A DISTANCE OF 6.25 FEET;
THENCE S00°53'33"E FOR A DISTANCE OF 6.25 FEET;
THENCE S89°06'27"W FOR A DISTANCE OF 6.25 FEET TO THE TRUE POINT OF BEGINNING.

AND

A 20.00 FOOT WIDE ACCESS AND UTILITY EASEMENT, SAID EASEMENT BEING ON, OVER, UNDER AND ACROSS A STRIP OF LAND THAT IS ENCOMPASSED BY THE FOLLOWING DESCRIBED BOUNDARY:
COMMENCING AT A POINT ON THE WEST BOUNDARY OF THE NE¼ OF SAID SECTION 21, SAID POINT BEING LOCATED S00°15'35"E-2417.63 FEET FROM THE NORTH ONE QUARTER(N¼) CORNER OF SAID SECTION 21 AND BEING THE TRUE POINT OF BEGINNING:
THENCE S79°18'02"E FOR A DISTANCE OF 130.23 FEET;
THENCE S67°13'03"E FOR A DISTANCE OF 15.15 FEET TO A POINT ON THE WESTERLY BOUNDARY OF THE BEFORE DESCRIBED PARCEL.
THENCE S26°55'04"W ALONG THE WESTERLY BOUNDARY OF THE BEFORE DESCRIBED PARCEL FOR A DISTANCE OF 20.05 FEET;
THENCE N67°13'03"W FOR A DISTANCE OF 11.58 FEET;
THENCE N79°18'02"W FOR A DISTANCE OF 124.24 FEET TO A POINT ON THE WEST BOUNDARY OF THE NE¼ OF SAID SECTION 21;
THENCE N00°15'35"W ALONG THE WEST BOUNDARY OF THE NE¼ OF SAID SECTION 21 FOR A DISTANCE OF 20.37 FEET TO THE TRUE POINT OF BEGINNING.

AND

A 5.00 FOOT WIDE BUILDING MAINTENANCE EASEMENT, SAID EASEMENT BEING ENCOMPASSED BY THE FOLLOWING DESCRIBED BOUNDARY:
COMMENCING AT A POINT ON THE WEST BOUNDARY OF THE NE¼ OF SAID SECTION 21, SAID POINT BEING LOCATED S00°15'35"E-2604.50 FEET, THENCE S89°45'18"E FOR A DISTANCE OF 177.39 FEET TO THE TRUE POINT OF BEGINNING:
THENCE CONTINUING S89°45'18"E FOR A DISTANCE OF 130.15 FEET;

THENCE S00°14'42"W FOR A DISTANCE OF 5.00 FEET;
THENCE N89°45'18"W FOR A DISTANCE OF 130.15 FEET;
THENCE N00°14'42"E FOR A DISTANCE OF 5.00 FEET TO THE TRUE POINT OF
BEGINNING.

SUBJECT TO:

1. A 20.00 FOOT WIDE ACCESS AND UTILITY EASEMENT FOR THE PURPOSE OF
INGRESS, EGRESS AND UTILITIES, SAID EASEMENT BEING ON, OVER, UNDER AND
ACROSS A 20.00 FOOT WIDE STRIP OF LAND THAT IS CENTERED ON THE
FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTH ONE QUARTER (N¼) CORNER OF SAID SECTION 21,
THENCE S00°15'35"E ALONG THE WEST BOUNDARY OF THE NE¼ OF SAID SECTION
21 FOR A DISTANCE OF 2427.82 FEET, THENCE S79°18'02"E FOR A DISTANCE OF
127.24 FEET, THENCE S67°13'03"E FOR A DISTANCE OF 13.37 FEET TO A POINT ON
THE WEST BOUNDARY OF THE BEFORE DESCRIBED 5.29 ACRE PARCEL AND
BEING THE TRUE POINT OF BEGINNING:

THENCE CONTINUING S67°13'03"E FOR A DISTANCE OF 247.50 FEET TO THE POINT
OF CURVATURE OF A NON-TANGENT CURVE LEFT;
THENCE SOUTHEASTERLY ALONG THE ARC OF THE CURVE LEFT FOR A
DISTANCE OF 178.62 FEET TO A POINT ON THE EAST BOUNDARY OF THE BEFORE
DESCRIBED 5.29 ACRE PARCEL AND BEING THE TERMINUS POINT OF SAID
EASEMENT.

THE SIDE LINES OF THE DESCRIBED EASEMENT SHALL BE LENGTHENED AND/OR
SHORTENED AS NECESSARY TO INTERSECT THE WESTERLY AND EASTERLY
BOUNDARIES OF THE BEFORE DESCRIBED PARCEL.

2. AN EASEMENT FOR THE USE AND MAINTENANCE OF AN EXISTING DOMESTIC
WELL AND APPURTENANCES. THE EASEMENT SHALL INCLUDE THE RIGHT OF
INGRESS AND EGRESS AND BE OF SUFFICIENT WIDTH TO MAINTAIN THE WELL
AND APPURTENANCES.

3. AN EASEMENT FOR THE USE AND MAINTENANCE OF EXISTING BURIED
DOMESTIC WATER LINES. THE EASEMENT FOR THE EXISTING BURIED DOMESTIC
WATER LINES SHALL COMMENCE AT THE WELL AND BE 15.0 FEET WIDE AND
CENTERED ON THE EXISTING BURIED WATER LINES FROM THE WELL TO A POINT
ON THE WEST BOUNDARY AND A POINT ON THE NORTH BOUNDARY OF THE
BEFORE DESCRIBED PARCEL.

4. EASEMENT TO THE CANAL COMPANY FOR THE USE AND MAINTENANCE OF
THE IRRIGATION CANALS AND LATERALS THAT LIE WITHIN THE BOUNDARIES OF
THE BEFORE DESCRIBED PARCELS.

State of Idaho)
County of Twin Falls) ss.

I hereby certify the foregoing to be a full, true
and correct copy of the original.

KRISTINA GLASCOCK

TWIN FALLS COUNTY CLERK

Lin Geiger 3-26-2010
DEPUTY CLERK DATE