

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4001
WATER RIGHT NO. 45-00283

This is to certify that: **LINDSEY W DIMOND**
PO BOX 456
ALBION ID 83311

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	2.00 CFS	490.4 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LAND CREEK	MARSH CREEK

Priority: 03/01/1875

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 5, Township 12S, Range 25E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	25E	5	Lot 3(NENW) 30.9	Lot 4(NWNW) 16.4	SWNW 39.5	
			SEnw 35.8			122.6
				Total number of acres irrigated:		122.6

CONDITIONS/REMARKS:

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 45F.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

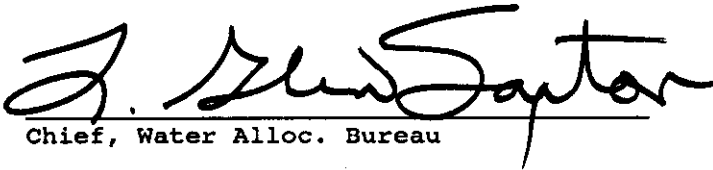
RECEIVED
SEP 28 1993

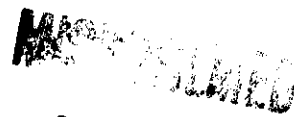
TRANSFER NO. 4001
WATER RIGHT NO. 45-00283

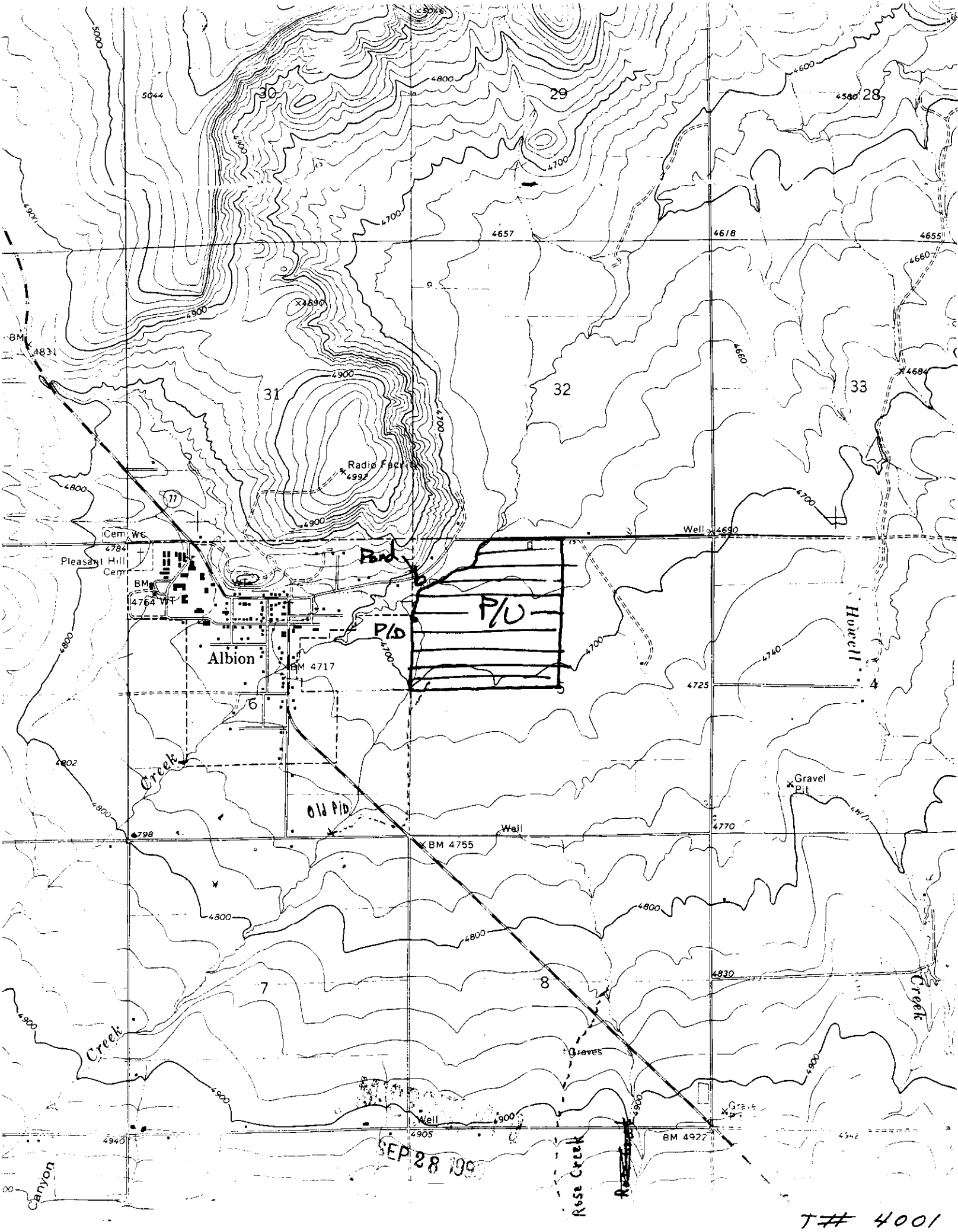
CONDITIONS/REMARKS:

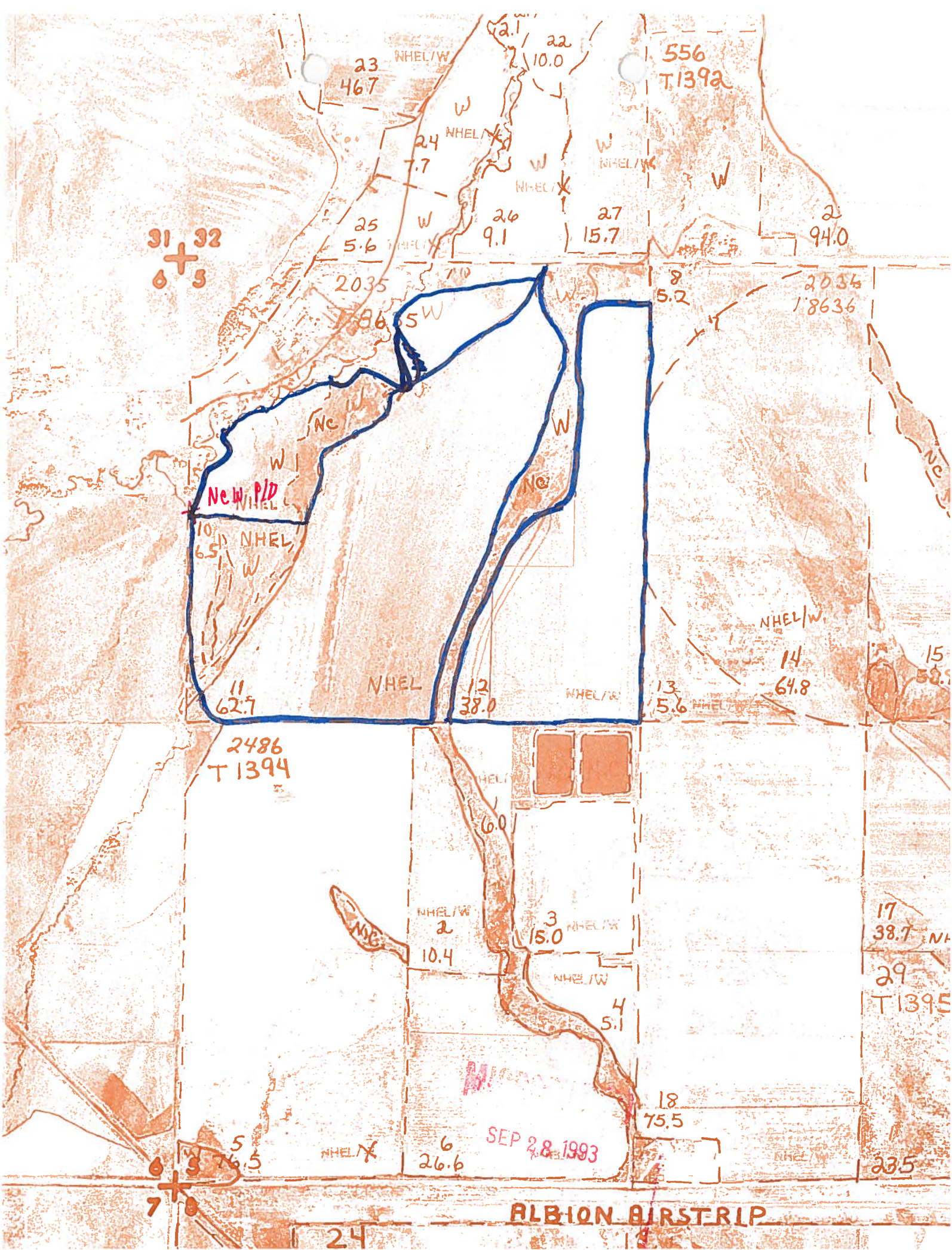
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. This right includes water used for stockwater.

Dated this 2nd day of September, 1993.


Chief, Water Alloc. Bureau


SEP 28 1993





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4001

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

PART 1

JUL 19 1993

Name of applicant
Department of Water Resources
Post Office addressLindsey W. DiamondPhone (208) 673-6281PO Box 456 Albion, Id. 83311

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes keep water in Land creek
until closer to pumping station

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
45-00283 3-1-1875 2.0 Irrigation 3/15 to 11/15
445-00283 " " " " to "
" " 0.03 Stockwater " to "
" " " " to "
2. Total amount of water being transferred 2.0 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Land Creek tributary to Marsh Creek
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NW	5	12S	25E	Cassia	

5. Lands irrigated or place of use: No Change

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	25E	5																	
12S	25E	5																	
12S	25E	5																	
12S	25E	5																	

Total acres 150 ?

PART 1

6. General Information:

- a. Description of diversion system Hoodgate w/ measuring device, pond,
pump to sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change
- d. Remarks:
Same land, just change of point of diversion

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights.No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

RECORDED

SEP 28 1993

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT

JUL 19 1993

PART 2

(Attach one copy for each right)

Department of Water Resources

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 45-00283 Decreed to D.I. Stark
 in case of R.L. Wood ET. AL. vs. WM. STOKES ET. AL.
 dated 3-1-1875 3-21-1875 in Albion Fourth District county of CASSIA

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Land Creek tributary to Marsh Creek4. Date or priority 3-1-1875

5. Water is used for the following purpose:

amount 2.0 for Irrigation purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 2.0 cubic feet per second and/or _____ acre-feet per annum.7. Point(s) of Diversion: Not specified

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	25E	5	<u>100 Acres</u>				<u>100 Acres</u>												
12S	25E	5	<u>100 Acres</u>				<u>100 Acres</u>												
12S	25E	5	<u>100 Acres</u>					<u>100 Acres</u>											
12S	25E	5	<u>100 Acres</u>					<u>100 Acres</u>											

Total acres 150

9. Describe any other water rights used for the same purpose as described above

A 45-00528, -00529

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
no If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

SEP 28 1993

Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT

1111 19 1993

PART 2

(Attach one copy for each right)

Department of Water Resources

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A45-00283 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Lynd Creek tributary to Sawtooth Marsh Creek

4. Date or priority 3-1-1875

5. Water is used for the following purpose:

amount 2.0 cfs for Irrig. purposes from 3-15 to 11-15
(cfs/ac-ft)
amount 0.03 cfs for Stockwater purposes from " to "
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	SE	6	125	2SE	Lassie	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
125	2SE	5					40	40	40	40									150

Total acres 150

9. Describe any other water rights used for the same purpose as described above A45-00528, 00529

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

SEP 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See attached
map

old P/D

new P/D

{ Twp 17S
R4E 25E
Sec 5.

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PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

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

same use, same land, change point of diversion.

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.

Lindy R. R. R.
(Signature of Applicant)

Subscribed and sworn to before me this 31 day of March, 1992.

J. Aron O. Thaler
(Notary Public)

My commission expires 3/21/93

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachments

Received by DT Date 3/31/92 Protest filed by _____

Prelim. check by J. E. Stanton Fee \$50 5014335

Received by M. Balden Date 3-31-92

Published in So. So. Press Copies of protest forwarded by _____

Pub. dates 10/9 + 10/16/92 Hearing held by _____ Date _____

Watermaster recommendation requested on 9/30/92 Recommended for ☐ approval ☐ denial

_____ rec'd. 11/3/92 by _____

Copy of transfer sent to lien holder _____

SEP 28 1993

CONSOLIDATED TAX NOTICE AND RECEIPT
CASSIA COUNTY TAX COLLECTOR
SHIRLEY POVLSEN, COURTHOUSE
BURLEY, ID 83318

1989

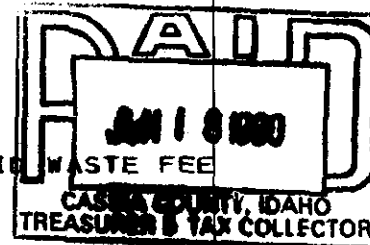
REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
204329	38-00	RP12S25E052400A	9719
HM- 13573			
PT NW1/4 S 5 T 12 R 25			
190756*			
L 44741			
I 159588			
WAC 1.850			
157.720			
TOT ACRES			
DELINQUENT CERT.			
DIMOND, LINDSEY W			
6 DIMOND, JANALEE A H/W			
P O BOX 501			
ALBION, ID 83311			

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
COUNTY	.003151	601.08	FULL PAYMENT
ALBION CEM	.000182	34.72	TAX 2,360.92;
SCH DIST 151	.008402	1,602.74	PEN.
ALBION FIRE	.000327	62.38	SUB TOT.
ALBION HIGHWAY			INT.
			TOT.
			1ST INSTALLMENT
			TAX 1,180.46;
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INSTALLMENT
			TAX 1,180.46;
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL	.012062	2,360.92	

SOLID WASTE FEE

60.00

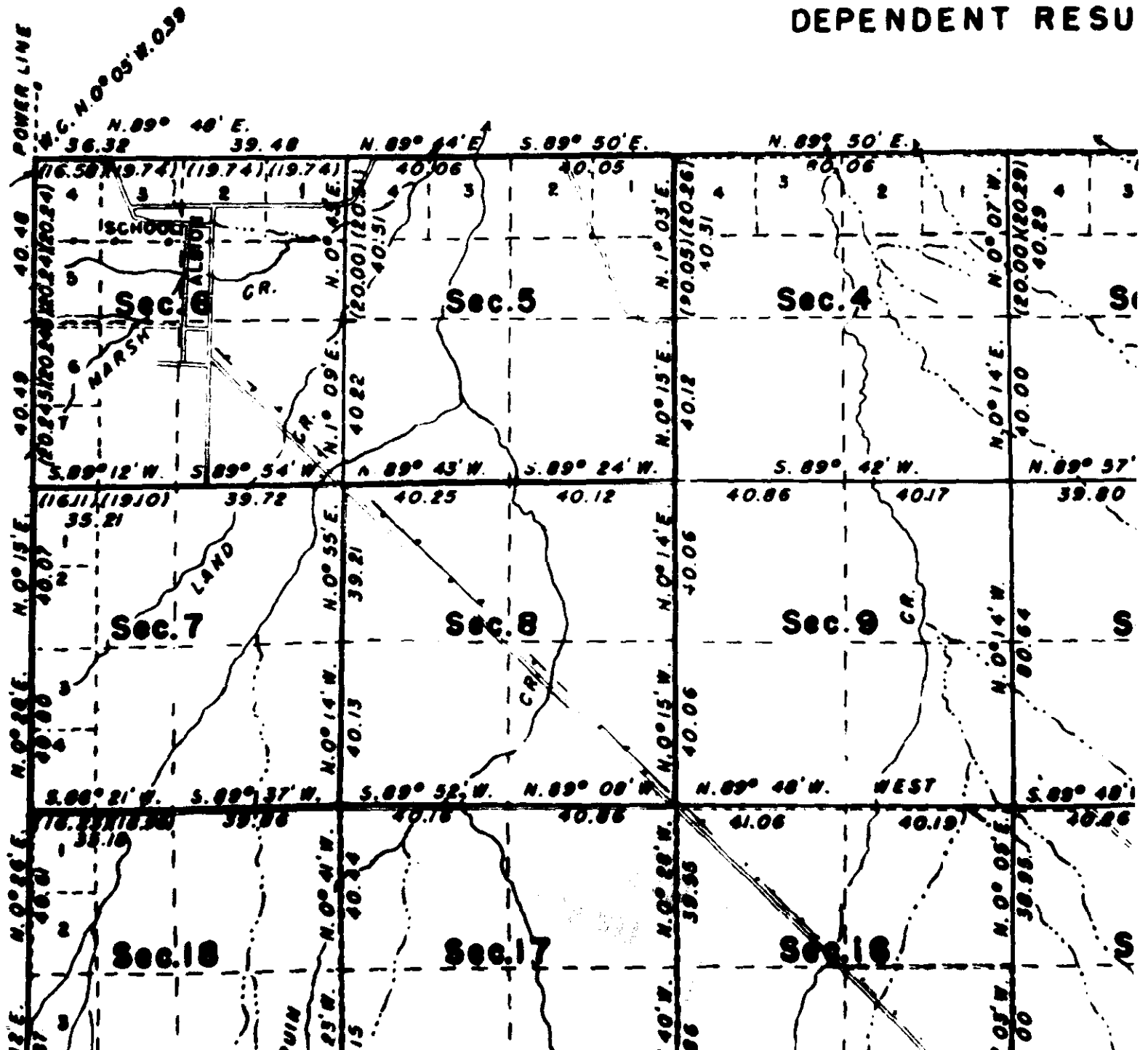


YOUR CANCELLED CHECK IS YOUR RECEIPT

HM=HOMEOWNER HD=HARDSHIP L=LAND I=IMPROVEMENTS P=PERSONAL A=ACRES WAC=WASTE L=LOT.

SEP 28 1993

DEPENDENT RESU



Water Right Number - 45-00283

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
STARK

D. I.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/01/1875 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
LAND CREEK MARSH CREEK

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 2.000
43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
2.000

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
12S 25E 5 NE NW 3 01 IRRIGATION 31 CASSIA
12S 25E 5 NW NW 4 01 IRRIGATION 31 CASSIA
12S 25E 5 SW NW 01 IRRIGATION 31 CASSIA
12S 25E 5 SE NW 01 IRRIGATION 31 CASSIA

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +
R. L. WOOD, ET. AL.

+ - - - - Decree Defendant - - - +
WM. STOKES, ET. AL.

+ - Decree Date - +
03/21/1892

Water right number - 45-00283

Prefix Translation: WATER RIGHT

[illegible]

+ - - Audit fields - 03/02/87 05/28/88 CONVERT

+ Water Rights Dates and Flags Area +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 03/02/1987	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 45F
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 03/21/1892	Presumption Flag	-		



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 3, 1993

LINDSEY W DIMOND
PO BOX 456
ALBION ID 83311-0456

RE: Transfer of Water Right No. 45-00283

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4001). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

SEP 28 1993