STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 88042

This is to certify that: CAMILLE NAILLON AND
JEREMY NAILLON
492 N 1100 W
BLACKFOOT, ID 83221-5151

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
35-14837	WR/DECREED	2/23/1950	0.080 cfs	16.0 af	N/A	4.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
35-14837	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
35-14837	35-14837	0.080 cfs	16.0 af	N/A	4.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.080 cfs**	**16.0 af**	**N/A**	**4.0**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 14th day of August, 2023.

Regional Manager

Transfer No. 88042

SCANNED
AUG 14 2023

WATER RIGHT NO. 35-14837

As Modified by Transfer No. 88042

In accordance with the approval of Transfer No. 88042, Water Right No. 35-14837 is now described as follows:

Right Holder: JEREMY NAILLON AND
CAMILLE NAILLON
492 N 1100 W
BLACKFOOT, ID 83221-5151

Priority Date: 2/23/1950

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	4/01	to	10/31	0.080 cfs	16.0 af
				0.080 cfs	16.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 7 Twp 02S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	34E	7	4.0																4.0

POU Total Acres: 4.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 88042

SCANNED
AUG 14 2023

WATER RIGHT NO. 35-14837

As Modified by Transfer No. 88042

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
AUG 14 2023

Attachment to Transfer Approval 88042

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 50 100 200 Feet

N
W E
S

SCANNED
AUG 14 2023

Date: 8/14/2023

RECEIVED

JUN 09 2023

Department of Water Resources
Eastern Region

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Jeremy & Camille Naillon Phone 208-960-5116

Mailing address 492 N 1100 W Blackfoot Idaho 83221 Email jeremynaillon@gmail.com

☐ 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**.

AMENDED

☐ 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.

Signature of Applicant or Authorized Representative — Jeremy Naillon (Print Name and Title if applicable) — 06/09/2023 (Date)

Signature of Applicant or Authorized Representative — Camille Naillon (Print Name and Title if applicable) — 06/09/2023 (Date)

A. PURPOSE OF TRANSFER

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

2. Is this a transfer for changes pursuant to Idaho Code §42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. 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 **Part1A.3**.

Proposing to change the POD and POU from a post water right split. We are rearranging the POU to reflect how we plan to irrigate. The POD will be changed to a well located on our property.

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JUN 21 2023

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. All	Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☑	☐	35-14837	0.08 cfs/16 AF	Irrigation	4/1 to 10/31	Ground Water
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 0.08 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.08 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			NE	NE	7	02S	34E	Bingham	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	34E	7	4																4
Total Acres (for irrigation use)																			4

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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:
Pump to sprinkler lines. We will install a measuring device if required.

b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
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:

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The area that the water right is being removed from will be dried up, excluding the 0.5 acres we irrigate for our domestic exemption.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
No other water rights or shares overlap my property, other than our domestic exeption.

g. 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:

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JUN 21 2023

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IDAHO DEPARTMENT OF WATER RESOURCES **6/9/2023**

Proof Report

Water Right 35-14837

Owner Type	Name and Address
Current Owner	JEREMY NAILLON 492 N 1100 W BLACKFOOT, ID 83221-5151 (208) 960-5116
Current Owner	CAMILLE NAILLON 492 N 1100 W BLACKFOOT, ID 83221-5151 (208) 960-5116

Priority Date: 2/23/1950
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	0.080 CFS	16.0 AF
	Total Diversion		0.080 CFS	16.0 AF

Source and Point(s) of Diversion:

GROUND WATER	SWNENE	Sec. 7, Twp 02S, Rge 34E, BINGHAM County

Place Of Use:
IRRIGATION within BINGHAM County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	34E	7	4.0																4.0

POU Total Acres: 4.0

Conditions of Approval:

1.	C18	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.		RIGHT NO. 35-02164B, 35-2164A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

35-14837

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Dates and Other Information:
Decreed Date: 2/19/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 120
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:

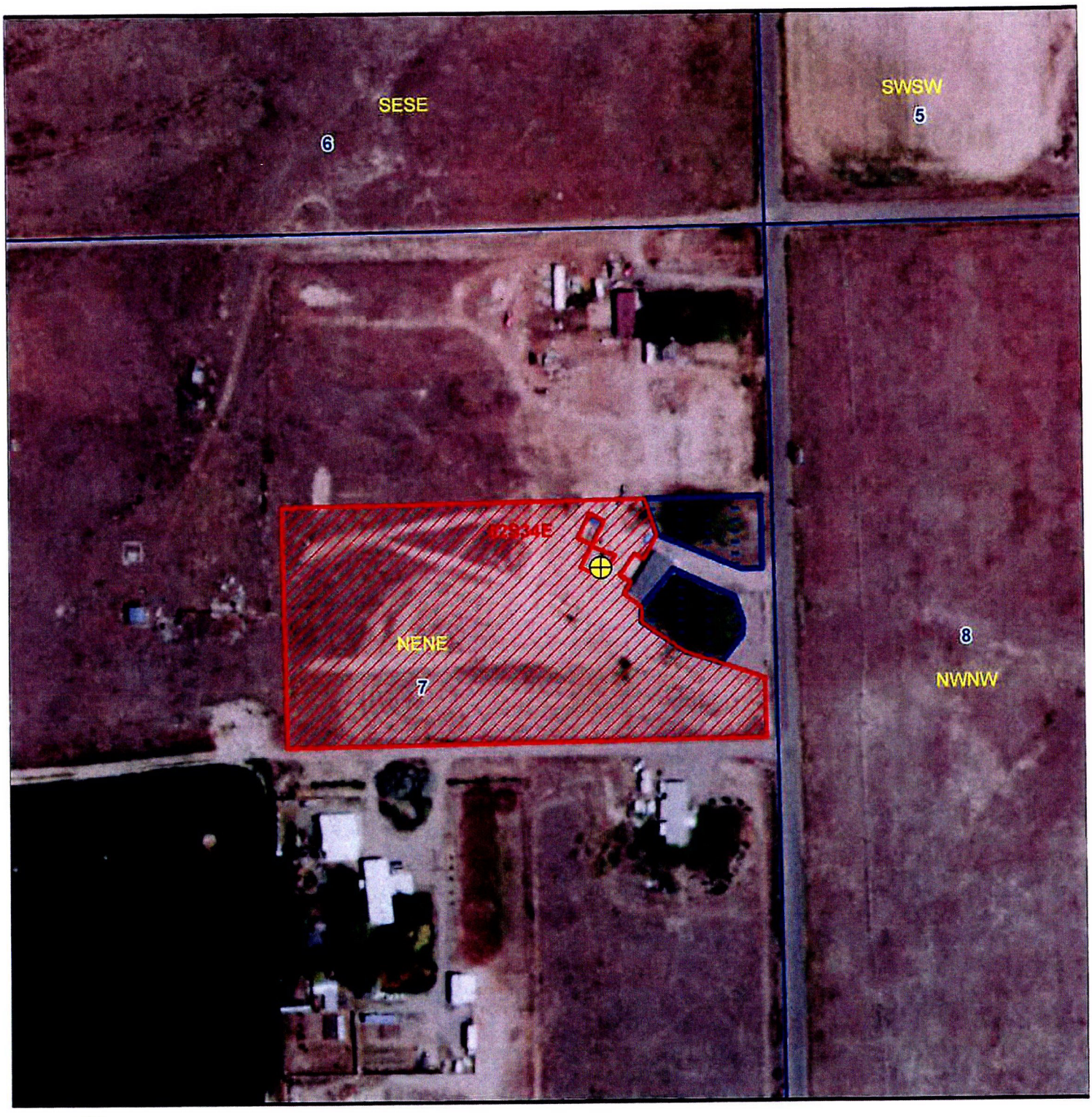
N/A

35-14837

SCANNED
JUN 21 2023

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Naillon Transfer



- Proposed POD
- Proposed POU 4 Acres
- Domestic Ex 0.5 Acres
- Township/Range
- Sections
- QQ

0 0.025 0.05 0.075 0.1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

JNEBEKER_IDWR

88042

SCANNED
JUN 21 2023

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

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**.

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:

FOR DEPARTMENT USE ONLY

Transfer contains_____ pages and_____ attachments.

Received by_____ Date_____ Preliminary check by_____ Date_____

Fee paid 200.00 Date 6-7-23 Receipted by M. PETTIS Receipt # E049257

Add'l fee paid_____ Date_____ Receipted by_____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/orW-9 ☐ (originals to state office)

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SCANNED
JUN 21 2023

RECEIVED
JUN 07 2023
Department of Water Resources
Eastern Region

42-222 POD - 07/18

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 a 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. See the *Application for Transfer Instructions* for help completing this form and for mailing addresses of Department offices where your application can be submitted.

SUPERCEDED

Check all that apply:

☑ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split

☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Jeremy & Camille Naillon Phone (208) 960-5116
2. **MAILING ADDRESS** 492 N 1100 West City Blackfoot
State ID Zip 83221 Email jeremynaillon@gmail.com

☐ 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) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

☐ 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)** ~~35-2164A~~ 35-14837

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

4. **TOTAL AMOUNT OF WATER** transferred is 0.080 (diversion rate) cubic feet per second and/or 16.0 (storage volume) acre-feet per annum.

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 idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			NE	NE	7	02S	34E	Bingham	Ground Water	

Transfer No. 88042

SCANNED
JUN 21 2023

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:

Pump to sprinkler lines.

SUPERCEDED

b. Who owns the property at the point(s) of diversion? Applicant

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 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:

d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☑ No

☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☑ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.*

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.

Signature of applicant or authorized agent	Print name and title if applicable	Date
	Jeremy Naillon	06/04/2023
	Camille Naillon	06-04-2023

9. **FEE** – ☑ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of $50 per water right. All other application fees are 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 _____ Date _____

Fee paid 200.00 Date 6-7-23 Receipted by M. Pettis Receipt # E049257

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

SCANNED JUN 21 2023

88042

IDAHO DEPARTMENT OF WATER RESOURCES **5/31/2023**

Proof Report

Water Right 35-14837

Owner Type	**Name and Address**
Current Owner	JEREMY NAILLON 492 N 1100 W BLACKFOOT, ID 83221-5151 (208) 960-5116
Current Owner	CAMILLE NAILLON 492 N 1100 W BLACKFOOT, ID 83221-5151 (208) 960-5116
Security Interest	IDAHO AGRICULTURAL CREDIT ASSN FLCA PO BOX 985 BLACKFOOT, ID 83221-0985 (800) 686-8910

Priority Date: 2/23/1950
Basis: Decreed
Status: Active

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	4/01	10/31	0.080 CFS	16.0 AF
	Total Diversion		0.080 CFS	16.0 AF

Source and Point(s) of Diversion:

GROUND WATER SWNENE Sec. 7, Twp 02S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	34E	7	4.0																4.0

POU Total Acres: 4.0

Conditions of Approval:

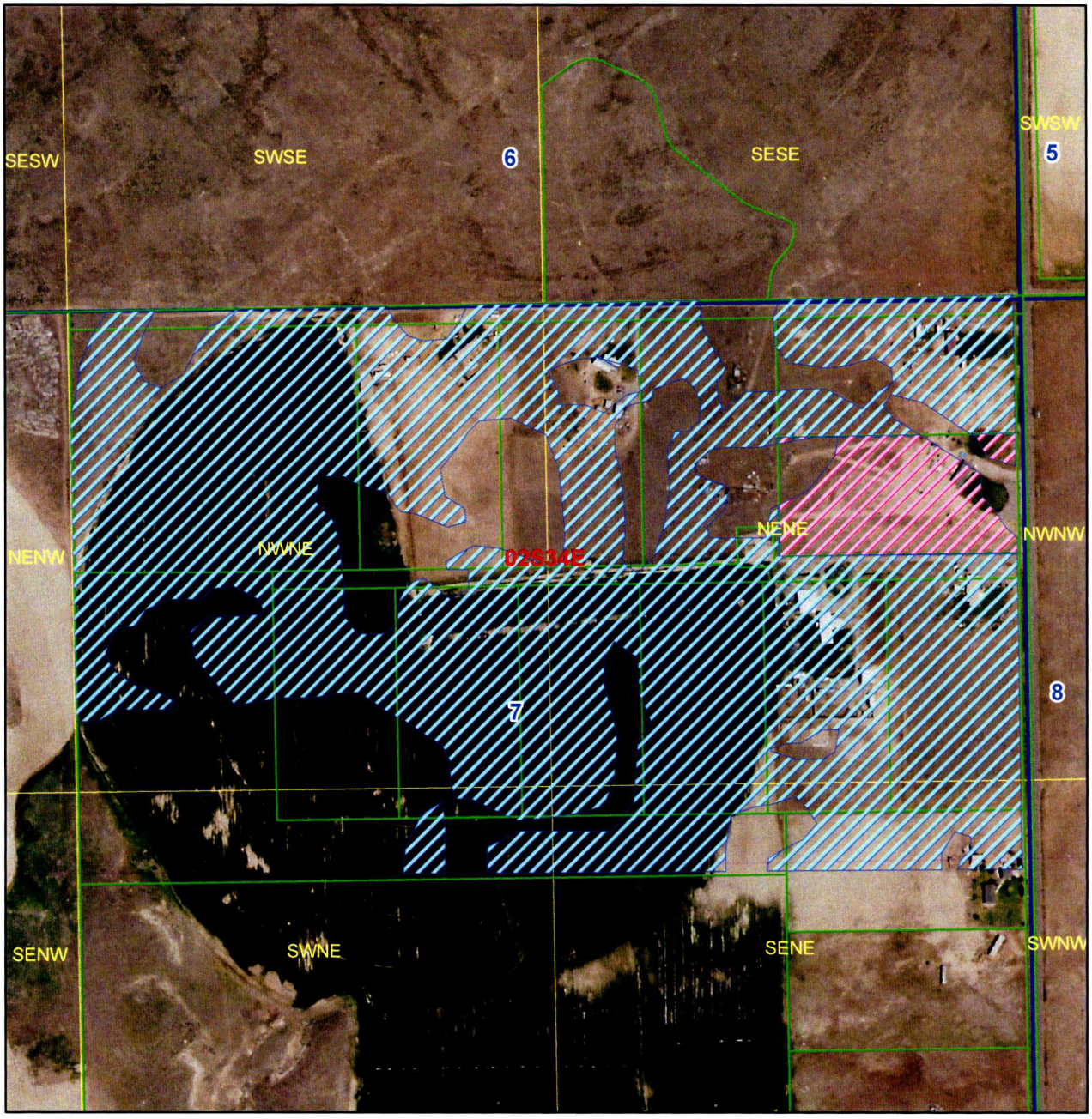
1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. RIGHT NO. 35-02164B, 35-2164A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Comments:

1 jbaily 5/31/2023 Ownership Change
water right 35-2164a was split into 35-2164A and 35-14837.

SCANNED
MAY 31 2023

Idaho Department of Water Resources



Legend

- POU 35-14837
- POU 35-2164A After Split
- Parcels
- Township/Range
- Sections
- QQ

SCANNED
MAY 31 2023

Form 42-248/42-1409(6) Rev. 6/22

RECEIVED

MAY 22 2023

Department of Water Resource
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-2164A	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-2164A 35-14887	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Merlin Smith
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Jeremy Naillon & Camille Naillon
   New owner(s) as listed on the conveyance document Name connector ☐ **and** ☐ **or**

   492 N 1100 W — Mailing address
   Blackfoot — City; ID — State; 83221 — Zip
   208-960-5116 — Telephone
   jeremynaillon@gmail.com — Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 01/13/2023.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ☒ Filing fee (see instructions for further explanation):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.

     SUPPORT DATA IN FILE # 35-2164A
   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: _____ (Signature of new owner/claimant) _____ (Title, if applicable) 5/17/2023 (Date)
   Jeremy Naillon (Print name)

   Signature: _____ (Signature of new owner/claimant) _____ (Title, if applicable) 5-17-2023 (Date)
   Camille Naillon (Print name)

For IDWR Office Use Only:

Receipted by JB Date 5/22/2023 Receipt No. E049203 Receipt Amt. $100.-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by JB Processed by JB Date 5/31/2023

MAY 31 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

August 14, 2023

JEREMY NAILLON
CAMILLE NAILLON
492 N 1100 W
BLACKFOOT ID 83221-5151

Re: Transfer No: 88042
Water Right No(s).: 35-14837

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

SCANNED
AUG 14 2023

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,

Christina Henman
Administrative Assistant

Enclosure
CC:

SCANNED
AUG 14 2023

CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 88042
Water Right No(s).: 35-14837

JEREMY NAILLON
CAMILLE NAILLON
492 N 1100 W
BLACKFOOT ID 83221-5151

Christina Henman
Administrative Assistant

SCANNED
AUG 14 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

SCANNED
AUG 14 2023

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

SCANNED
AUG 14 2023

MEMORANDUM

Date: August 9, 2023

To: Transfer 88042

From: Jake Nebeker

Re: Review & Evaluation of Sufficiency of Information

This transfer application proposes to change the point of diversion and the place of use for water right 35-14837.

Authority to File:
The applicant is the current water right owner of record. Bingham County tax lot data shows the applicant as the current owner of the place of use and point of diversion. The applicant has authority to make the change.

Water Right Validity:
The existing place of use for water right 35-14837 has not been irrigated for at least twenty years. Water right 35-14837 is a split portion of water right 35-2164A, which was decreed in the SRBA in 2002. Merlin Smith Sr., Merlin Smith Jr. and Jennifer Smith were the decreed owners of record for water right 35-2164A. In 1996, Smith conveyed the place of use for water right 35-14837 to Darwin Park and Sheila Park. Park conveyed the property to Crumley in 2016 and Crumley conveyed the property to Jeremy and Camille Naillon, the transfer applicants, in 2023. The original point of diversion was located on the Smith property. The Naillon property has been disconnected from the Smith well since 1996. This is a circumstance out of the control of the water user which has been recognized by the Department as a defense to forfeiture in previous applications. The Department does not have clear and convincing evidence of forfeiture at this time.

Injury to Other Water Rights:
Other rights do not appear to be injured by the proposed change. The place of use is simply being rearranged, and the point of diversion is being moved 550 ft to the East to a location on the applicant's property. The quantity of water authorized to be diverted will not change as a result of the transfer. The water master was notified and did not oppose the approval of this transfer. The transfer was advertised without protest.

Enlargement of Use:
The proposed change does not appear to result in enlargement because neither volume nor irrigated acreage will increase as a result of this transfer. There are no overlapping water rights on the property.

Local Public interest:
No issues identified.

Beneficial Use/Conservation of Water Resources:
No issues identified.

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.

SCANNED
AUG 14 2023

EMPOWERING THE COMMUNITY SINCE 1890
IDAHO STATE JOURNAL
PR Post Register
Local • Proven • Essential

PROOF OF PUBLICATION

Idaho State Journal and Post Register

RECEIVED
JUL 10 2023
Department of Water Resources
Eastern Region

State of Idaho
County of Bingham

I, ~~Dawn Giannini, or~~ Collins Crapo first being duly sworn, depose and say: That I am the ~~Classified Manager, or~~ Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Idaho State Journal and Post Register, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Saturday, at Pocatello and Idaho Falls, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Idaho State Journal and Post Register and on IdahoPublicNotices.com for 4 day(s), first publication having been made on 06/28/2023 last publication having been made on 07/05/2023, and that the said notice was published in the regular and entire issue of said papers on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Collins Crapo

Subscribed and sworn to before me, on this 5th day of July, 2023

Vera J Powell

VERA J POWELL
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20222624
MY COMMISSION EXPIRES 5-31-2028

Notary Public
My commission expires:

_____ attached jurat _____

STATE OF IDAHO

ss.

COUNTY OF BINGHAM

On this 5th day of July, 2023 before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini or~~ Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

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

VERA J POWELL
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20222624
MY COMMISSION EXPIRES 5-31-2028

Vera J Powell

Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires:

SCANNED
JUL 19 2023

389265

AD# 389265AD#

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 88042

JEREMY NAILLON and CAMILLE NAILLON, 492 N 1100 W, BLACKFOOT, ID 83221-5151 has filed Application No. 88042 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-14837; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. Proposed point of diversion is in NENE Sec 7 T02S R34E for 0.08 cfs from ground water.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of $25.00 for each application on or before 7/17/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN
Director

Published: June 28, & July 5, 2023 (PR/ISJ2497-389265)

SCANNED
JUL 19 2023

State of Idaho
Department of Water Resources
Transfer of Water Right(s)
RECOMMENDATION FORM

RE: Transfer No. 88042

Transfer Applicant's Name: JEREMY NAILLON
CAMILLE NAILLON
492 N 1100 W
BLACKFOOT, ID 83221-5151

Watermaster's Recommendation:

a) _X_ I do not oppose approval of this application.

b) _____ I do not oppose approval of this application if it is conditioned as follows:

c) _____ I oppose approval of this application for the following reasons:

d) _____ Additional comments:

Dated this 27th day of June 2023.

Blake Sordan

Watermaster's Signature
WD120

SCANNED
JUL 19 2023

Henman, Christina

From: Henman, Christina
Sent: Wednesday, June 21, 2023 4:04 PM
To: Jordan, Blake
Subject: Application for Transfer No. 88060, 88044, 88042
Attachments: tmp9347.docx; tmpBCB5.docx; tmpE3D5.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. Please review the application, then complete the enclosed recommendation form 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 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.

Please contact this office if you have any questions regarding the application.

SCANNED
JUL 19 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

June 21, 2023

JEREMY NAILLON
CAMILLE NAILLON
492 N 1100 W
BLACKFOOT, ID 83221-5151

RE: Transfer No. 88042
Water Right No(s). 35-14837

Dear Applicant:

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 BINGHAM NEWS CHRONICLE on 6/28/2023 and 7/5/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Christina Henman
Administrative Assistant

SCANNED
JUN 21 2023

Henman, Christina

From: Henman, Christina
Sent: Wednesday, June 21, 2023 2:34 PM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for News Chronicle
Attachments: 88042 News Chronicle.docx

LEGAL NOTICE DEPARTMENT
BINGHAM NEWS CHRONICLE
PO BOX 70
BLACKFOOT, ID 83221-0070

RE: Transfer No. 88042
Water Right No(s). 35-14837

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 7/17/2023. Your cooperation is appreciated.

Thank You,

IDAHO DEPARTMENT OF WATER RESOURCES

Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

SCANNED
JUN 21 2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88042

JEREMY NAILLON and CAMILLE NAILLON, 492 N 1100 W, BLACKFOOT, ID 83221-5151 has filed Application No. 88042 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-14837; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. Proposed point of diversion is in NENE Sec 7 T02S R34E for 0.08 cfs from ground water.

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GARY SPACKMAN, Director

Published on 6/28/2023 and 7/5/2023

SCANNED
JUN 21 2023