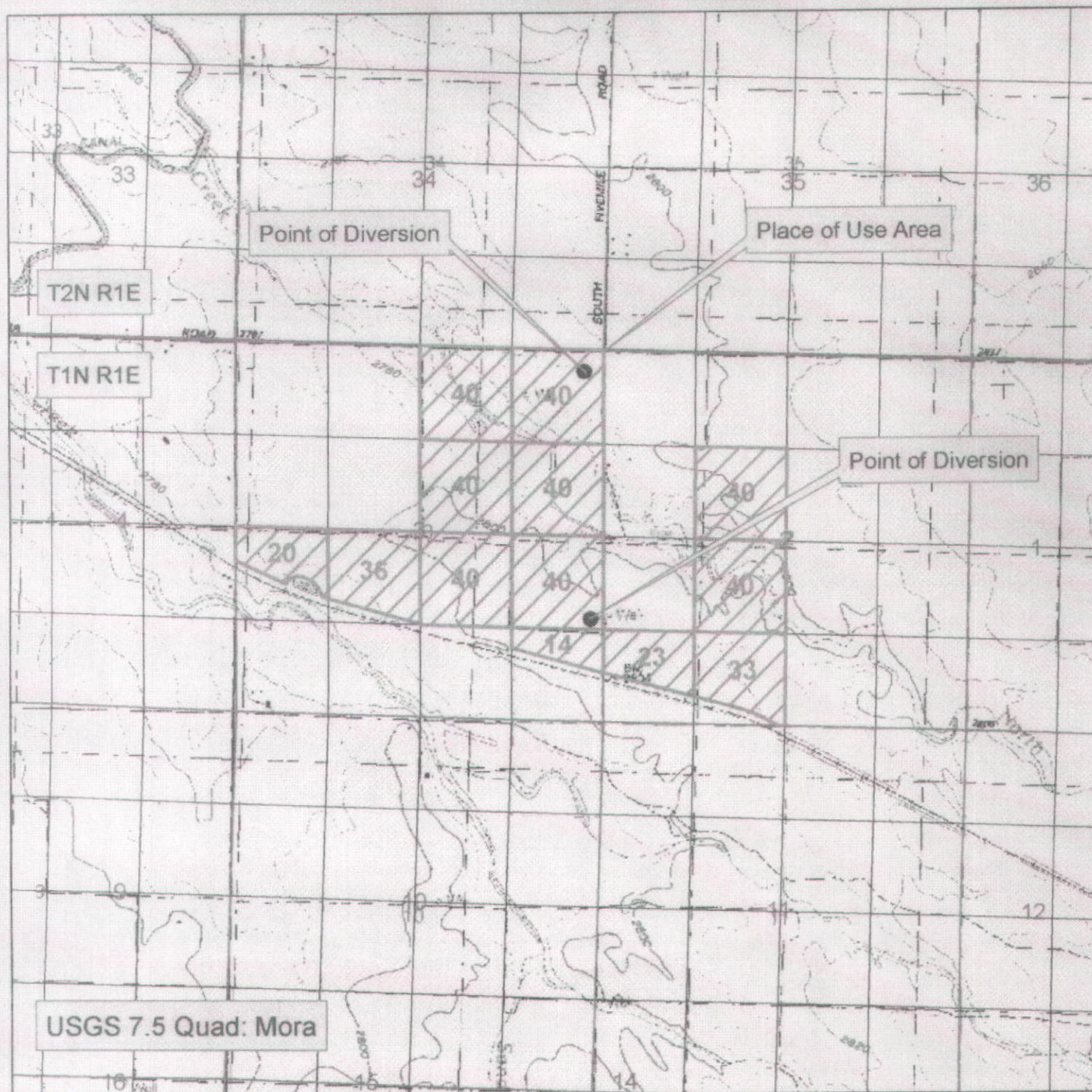


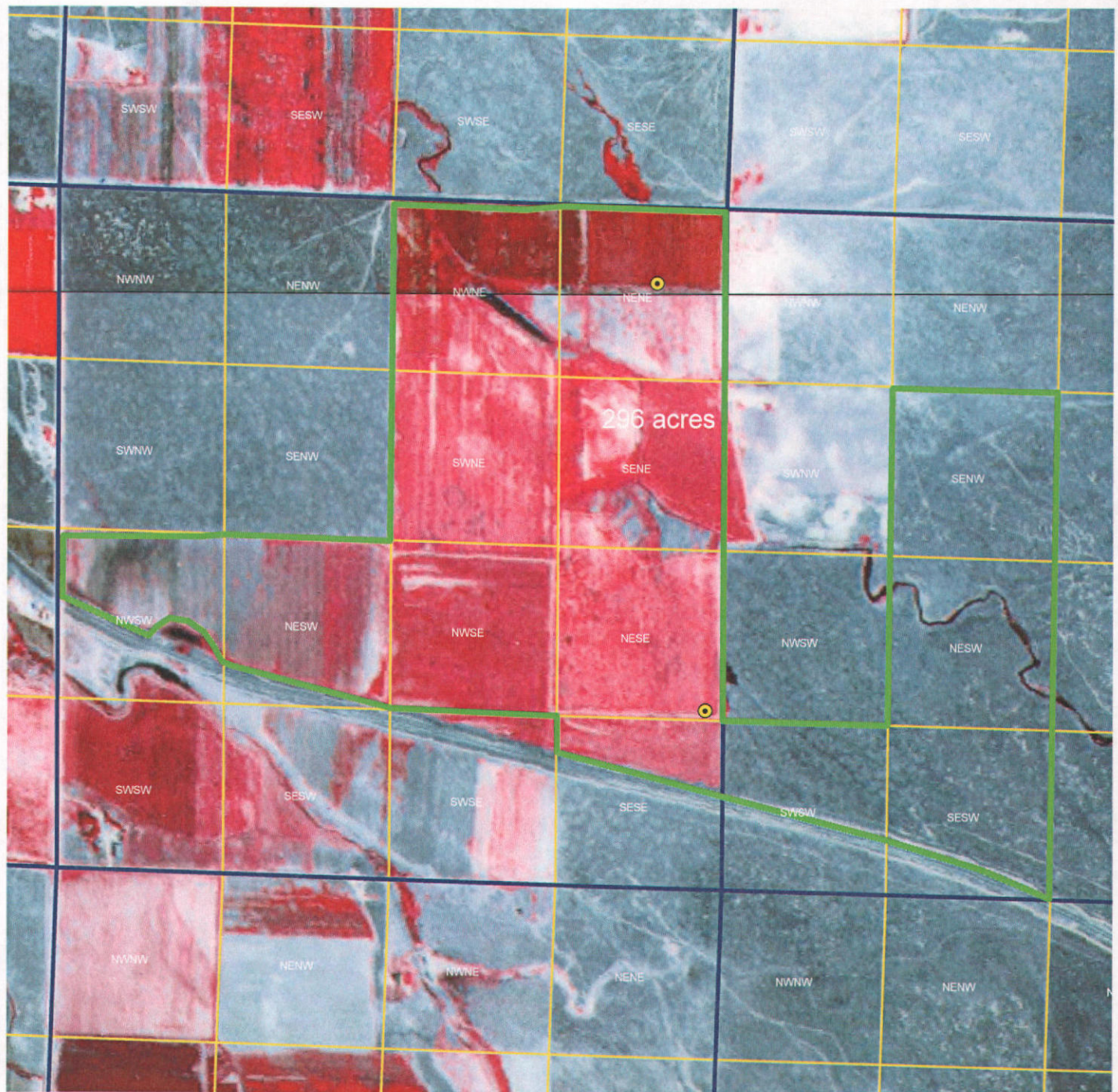
**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

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



Scale: 1 inch equals 2000 feet.

Idaho Department of Water Resources
63-2986, 63-31951, 63-31953
T01N R01E S2, 3



- Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



700 0 700 1400 2100 Feet

IDWR
Prepared by: Sandy Egbert
Date: 9-19-05
1987 Photography

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-31953
Date Received: 8/28/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LAVAR K THORNTON Phone: (208)922-5779
2800 S TEN MILE RD
KUNA ID USA 83634

WILMA M THORNTON Phone: (208)922-5779
2800 S TEN MILE
KUNA ID USA 83634

LAYNE THORNTON Phone: (208)922-4658
3224 SWAN FALLS RD
KUNA ID USA 83634

LORI THORNTON Phone: (208)922-4658
3224 SWAN FALLS RD
KUNA ID USA 83634

2. Date of Priority: 10/01/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	01E	3	SE NE SE	ADA	
01N	01E	3	NE NE NE 1	ADA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1.33	315

7. Total Quantity Appropriated is:
1.33 C.F.S. and/or 315 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01E	2	SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
			SW	SW		IRRIGATION	23
			SE	SW		IRRIGATION	33
						Section Acres	136
01N	01E	3	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			NE	SW		IRRIGATION	36
			NW	SW		IRRIGATION	20
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	14
						Section Acres	310
						Total Acres	446

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-7474.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Rights 63-2986, 63-31951 and 63-31953 shall not exceed 5.62 cfs, nor a total combined annual volume of 1327.5 af and the irrigation of 296 acres within the place of use described above.

This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Rights 63-2986, 63-31950, 63-31951 and 63-31952 are also diverted through the points of diversion described above.

15. Basis of Claim: License

WATER RIGHT NO. 63-31953
As Modified by Transfer No. 71321

In accordance with the approval of Transfer No. 71321, Water Right No. 63-31953 is now described as follows.

Right Holder: LAVAR K THORNTON And
 WILMA M THORNTON
 2800 S TEN MILE RD
 KUNA ID 83634

Priority Date: October 01, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.33 CFS	315.0 AF
			1.33 CFS	315.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L1 (NENENE)	Sec. 3	Twp 01N	Rge 01E	ADA County
GROUND WATER	SENESE	Sec. 3	Twp 01N	Rge 01E	ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	2								40.0	40.0			23.0	33.0				136.0
01N	01E	3	40.0	40.0	40.0	40.0					36.0	20.0				40.0	40.0	14.0	310.0

Total Acres: 446

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

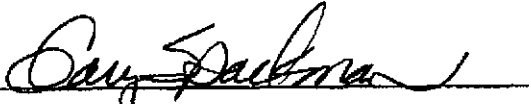
WATER RIGHT NO. 63-31953
As Modified by Transfer No. 71321

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 63-2986, 63-31951 and 63-31953 shall not exceed 5.62 cfs, nor a total combined annual volume of 1327.5 af and the irrigation of 296 acres within the place of use described above.
6. This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.
7. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
10. Rights 63-2986, 63-31950, 63-31951 and 63-31952 are also diverted through the points of diversion described above.

This water right 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.

Dated this 27th day of December, 2004


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71321

This is to certify that: LAVAR K THORNTON And
WILMA THORNTON And
LAYNE THORNTON And
LORI THORNTON
2800 S TEN MILE RD
KUNA ID 83634
(208)922-5779

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 Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
63-2986	AJC/License	04/12/1954	0.92 cfs	360.0 af	N/A	80.0	GROUND WATER
63-3404	AJC/License	04/16/1964	3.68 cfs	670.5 af	N/A	229.0	GROUND WATER
63-7474	AJC/License	10/01/1971	1.81 cfs	427.5 af	N/A	95.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-2986	NO	NO	YES	YES	NO	NO
63-3404	YES	NO	YES	NO	NO	NO
63-7474	YES	NO	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
63-2986	63-2986	0.92 cfs	360.0 af	80.0	446.0	N/A	N/A	N/A	N/A	N/A
63-3404	63-31951	3.60 cfs	652.5 af	225.0	446.0	63-31950	0.08 cfs	18.0 af	N/A	4.0
63-7474	63-31953	1.33 cfs	315.0 af	70.0	446.0	63-31952	0.48 cfs	112.5 af	N/A	25.0
COMBINED TOTALS		5.85 cfs	1327.5 af	296.0	446.0		0.54 cfs	130.5 af	N/A	29.0

Detailed Water Right Description(s) attached

Dated this 27th day of December, 2004

SUPPORT DATA
IN FILE # 63-2986


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

RECEIVED

JUN 02 2004

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1
REVISEDWATER RESOURCES
Name Wesley and Linda Var K. and Wilma M. Thornton; Layne and Lori Thornton Phone (208) 922-5779; 922-4658Post Office address 2800 S. Ten Mile Rd. Kuna, ID 83634

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s)* ☐ Change place of use *63-2986 only☐ Change nature of use ☐ Change period of use ☐ Other _____2. Describe the reason for the proposed changes Create permissible place of use

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
<u>63-7474 "A"</u>	<u>10/1/1971</u>	<u>1.33 cfs/315.0 af</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Oct. 31</u>
<u>63-3404 "A"</u>	<u>4/16/1964</u>	<u>3.60 cfs/652.5 af</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Oct. 31</u>
<u>63-2986</u>	<u>4/12/1954</u>	<u>0.92 cfs/360.0 af</u>	<u>irrigation</u>	<u>Mar. 1</u> to <u>Nov. 15</u>

2. Total amount of water being transferred 5.85 cubic feet per second and/or 1327.5 acre-feet per annum.3. Source of water ground water tributary to NA

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
1	NE	NE	NE	3	1N	1E	Ada	
	SE	NE	SE	3	1N	1E	Ada	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1E	2								40	40		23	33					136
		3	40	40	40	40					36	20			40	40		14	310

Total Acres 446**

**295 acres within a 446 acre PPU

6. General Information:

a. Description of diversion system Two wells with electric pumps.

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

X 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:

Acres within PPU will be rotated in and out of irrigation on an annual basis.

Remarks:

1) The total combined diversion rate under these rights not to exceed 5.60 cfs.2) The total combined diversion rate under 63-2986 and 63-3404 "A" not to exceed 4.50 cfs.**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

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

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

Witness my hand this _____ day of _____, 20 _____.

For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:
 - a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
 - b. License No. 63-7474 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 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 ground water tributary to NA
4. Date or priority 10/1/1971
5. Water is used for the following purposes:

amount 1.81 cfs / 427.5 afa for irrigation purposes from Apr. 1 to Oct. 31
(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 1.81 cubic feet per second and/or 427.5 afa acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
1		NE	NE	3	1N	1E	Ada	
		NE	SE	3	1N	1E	Ada	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1E	2							20										20
		3									36	20					5	14	75

Total Acres 95

9. Describe any other water rights used for the same purpose as described above none

PART 2

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 1.33 cfs / 315 afa for irrigation purposes from Apr. 1 to Oct. 31
 (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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
1		NE	NE	3	1N	1E	Ada	
		NE	SE	3	1N	1E	Ada	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1E	3									36	20						14	70

Total Acres 70

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

1. amount 0.48 cfs / 112.5 afa for irrigation purposes from Apr. 1 to Oct. 31
 (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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
1		NE	NE	3	1N	1E	Ada	
		NE	SE	3	1N	1E	Ada	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1E	2							20										20
		3															5		5

Total Acres 25

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-3404 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 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 ground water tributary to NA4. Date or priority 4/16/1964

5. Water is used for the following purposes:

amount 3.68 cfs / 670.5 afa for irrigation purposes from Apr. 1 to Oct. 31
(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 3.68 cubic feet per second and/or 670.5 afa acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
1	NE	NE	NE	3	1N	1E	Ada	
	SE	NE	SE	3	1N	1E	Ada	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1E	3	37	36	39	36									38	39			225
		2							4										4

Total Acres 2299. Describe any other water rights used for the same purpose as described above 63-2986

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 3.60 cfs / 652.5 for irrigation purposes from Apr. 1 to Oct. 31
 (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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
1	NE	NE	NE	3	1N	1E	Ada	
	SE	NE	SE	3	1N	1E	Ada	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1E	3	37	36	39	36					38	39							225

Total Acres 225**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. amount 0.08 cfs / 18.0 afa for irrigation purposes from Apr. 1 to Oct. 31
 (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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
1	NE	NE	NE	3	1N	1E	Ada	
	SE	NE	SE	3	1N	1E	Ada	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1E	2							4										4

Total Acres 4

REVISED
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-2986 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 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 ground water tributary to NA4. Date or priority 4/12/1954

5. Water is used for the following purposes:

amount 0.92 cfs/ 360.0 afa for irrigation purposes from Mar. 1 to Nov. 15
(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 0.92 cubic feet per second and/or 360.0 afa acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
1	NE	NE	NE	3	1N	1E	Ada	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	1E	3	37	37	6														80

Total Acres 809. Describe any other water rights used for the same purpose as described above 63-3404

PART 2

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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

D. 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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

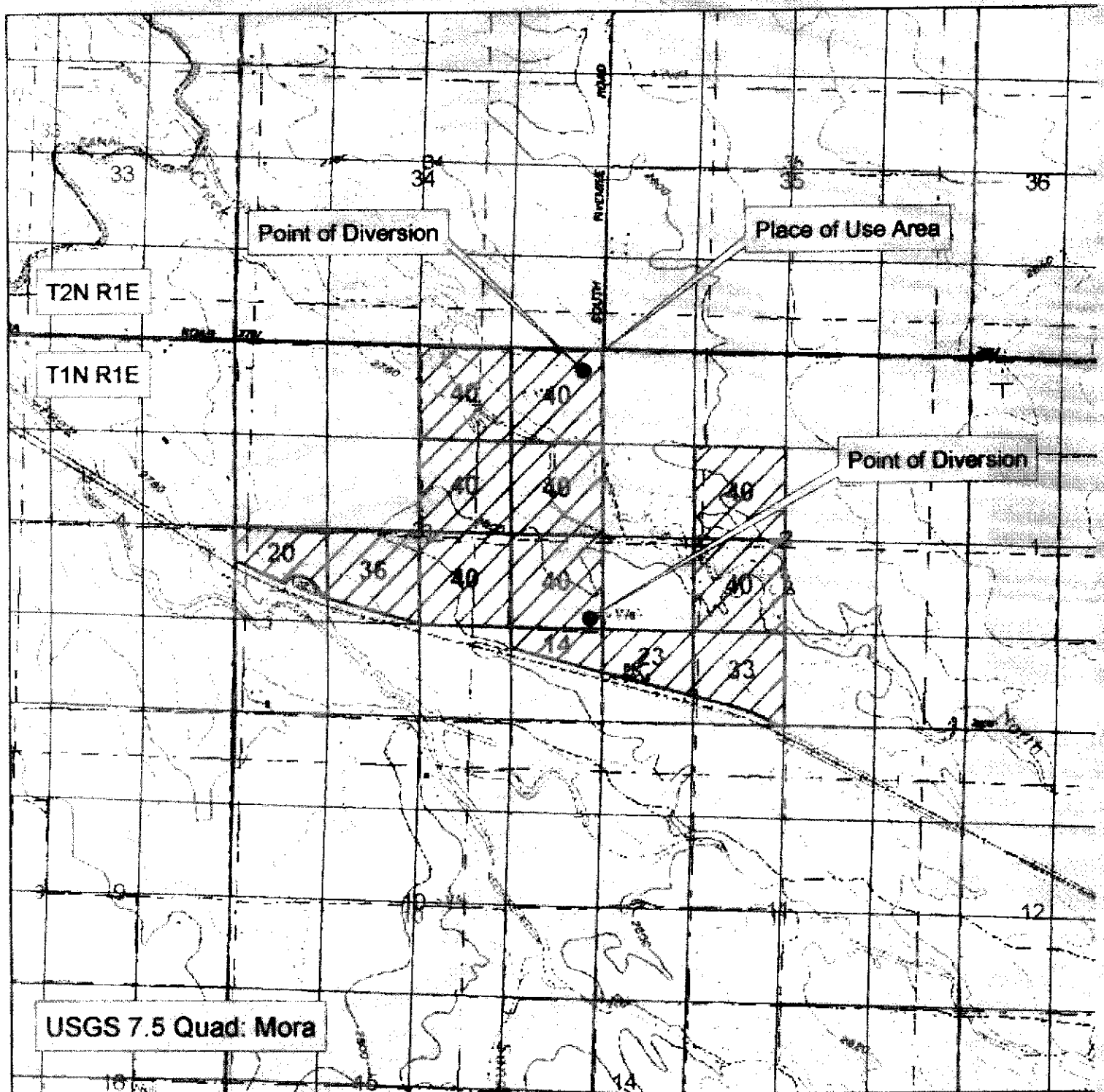
Total Acres _____

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 the rights described in part 1. Clearly depict the land by section, township and range number.



B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount(cfs/af-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: _____

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.

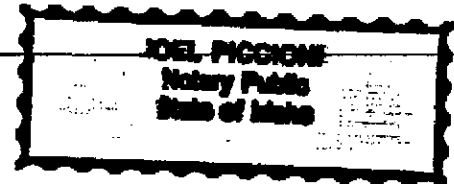
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Lavar K. Thompson
William M. Thornton
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of May, 2004

Jul
(Notary Public)

My commission expires 4-16-07

**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by DAN Date 6-2-04 Protest filed by _____

Prelim. Check by DAN Fee \$450.00

Receipted by DAN FOR KB. Date 12-9-03 42031166

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

**WELLS
FARGO**

Wells Fargo Bank Northwest, Inc.

Boise Metro Business Banking Center
MAC U1801-013
119 North 9th Street
Boise, ID 83702

December 3, 2003

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Water Right Transfer by LaVar Thornton and Layne Thornton

Gentlemen:

Wells Fargo Bank is the mortgage holder on property located in Section 3, T 1N, R1E that was purchased from Anthony Miller by LaVar and Layne Thornton. We understand that the Thornton's are proposing a water right transfer to create a permissible place of use for water right 63-2986 and their portions of water rights 63-3404 and 63-7474. The permissible place of use would include the mortgage lands in Section 3, and other Thornton lands in Section 2. The bank does not oppose this proposed transfer.

Please contact me with any questions.

Sincerely,



Norman G. Jensen
Vice President & Business Banker

viewed and approved:

[Handwritten signatures]

WARRANTY DEED

THIS INDENTURE made this 7th day of November, 2003, by and between the following Grantors: 1) YSIDRO MUGUIRA, an unmarried person, as to an undivided one-third (1/3) interest, 2) JOHN L. CRAWFORD, as Personal Representative of the ESTATE OF SUSIE F. CRAWFORD, deceased, In the Third Judicial District Court of the State of Idaho, in and for the County of Canyon, Probate No. CV2001, as to an undivided one-third (1/3) interest, and 3) MARY JANE WILDMAN VIETTI and BARBARA WILDMAN STEMMER, co-trustees of the WILLIAM C. WILDMAN FAMILY TRUST dated October 30, 1985, acting by and through their attorney-in-fact, Ysidro Muguir, as to an undivided one-third (1/3) interest; and

The following Grantees: LAVAR K. and WILMA M. THORNTON, husband and wife, as to an undivided one-half (1/2) interest, and LAYNE D. and LORIL THORNTON, husband and wife, as to an undivided one-half (1/2) interest, as tenants in common, whose current address is 2800 S. Ten Mile Rd., Kuna, Idaho 83634:

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors do hereby grant, bargain, sell, convey and transfer to Grantees the following described real property situate in Ada County, Idaho:

SE1/4 NW1/4 and NE1/4 SW1/4 and S2 SW1/4, except the Union Pacific right-of-way, all in Section 2, T1N, R1E, B.M., also known as Ada County Tax Parcel # S2102240000.

Together with all appurtenances thereto, but subject to any restrictions or covenants of record or visible on the premises and any and all assessments and taxes which may be a lien not yet due and payable. Grantors hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, except those of record or visible on the premises and current taxes; and that they will warrant and defend the same from all lawful claims whatsoever.

TO HAVE AND TO HOLD unto the said Grantees, their heirs and assigns forever.

[Handwritten signature of John L. Crawford]

JOHN L. CRAWFORD, Personal Representative
of the ESTATE OF SUSIE F. CRAWFORD

WARRANTY DEED - 1

228283/DM



PIONEER TITLE COMPANY

OF ADA COUNTY
8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

WT
SKT
ST
LT

WARRANTY DEED

For Value Received

Anthony H. Miller and Terry L. Miller, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

LaVar K. Thornton and Wilma M. Thornton, husband and wife; and Layne Thornton and Lori Thornton,
husband and wife

hereinafter referred to as Grantee, whose current address is 2800 Ten Mile Road, Kuna, ID 83634
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that 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.

Dated: July 29, 2003

Anthony H. Miller

Terry L. Miller

STATE OF IDAHO. County of Ada, ss.

On this 5th day of August in the year of 2003, before me, the undersigned, a notary public, personally appeared Anthony H. Miller & Terry L. Miller 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.

Notary Public of Idaho
Residing at ~~Boise, ID~~ Nampa, ID
Commission expires: 3-9-2006

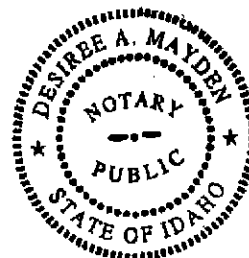


EXHIBIT A

PARCEL I

Part of Section 3, Township 1 North, Range 1 East of the Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the corner common to the corner of Sections 3, 4, 9 and 10, Township 1 North, Range 1 East of the Boise Meridian;
Thence North along the section line a distance of 2,673.04 feet to the West quarter corner of Section 3, Township 1 North, Range 1 East of the Boise Meridian, the real point of beginning;
Thence South 89 degrees 20' East, a distance of 2,618.31 feet to a point which is the center of Section 3, Township 1 North, Range 1 East of the Boise Meridian;
Thence South 0 degree 48' East, a distance of 1,312.07 feet to a point on the North railroad right of way of the Union Pacific Railroad;
Thence North 76 degrees 42' West, a distance of 832.35 feet to a point of curvature;
Thence curve right on a curve whose central angle is 13 degrees 07'39", whose radius is 8,494.37 feet, whose tangent is 977.39 feet and whose length of curve is 1,946.21 feet; and whose long chord bears North 70 degrees 08'10" West a distance of 1,941.96 feet to a point on the section line;
Thence North along the section line, a distance of 491.07 feet to the real point of beginning.

EXCEPT that portion deeded over to A.C.H.D. in Warranty Deed recorded January 31, 1997 as Instrument Number 97007691.

PARCEL II

Lots 1 and 2;
Southwest quarter of the Northeast quarter in Section 3, Township 1 North, Range 1 East, Boise Meridian, Ada County, Idaho.

PARCEL III

Southeast quarter of the Northeast quarter and the portion of the North half of the Southeast quarter lying Northerly of the railroad right of way, in Section 3, Township 1 North, Range 1 East of the Boise Meridian, Ada County, Idaho,

PARCEL IV

That portion of the Southeast quarter of the Southeast quarter of Section 3, Township 1 North, Range 1 East of Boise Meridian, Ada County, Idaho, lying Northerly of the railroad right of way.

RESERVING UNTO THE GRANTOR: An easement being 60 feet in width beginning at the corner common to Section 2 and 3, Township 1 North, Range 1 East (being the northeast corner of Section 3 and the northwest corner of Section 2), running thence south 1,400 feet. (said point of beginning is commonly referred to Kuna Mora Road) SUBJECT TO: the right of the grantee to use said easement for agricultural purposes. Upon the sale or transfer or lease of the real property described above, at the option of the grantor, said use being granted to the grantee may be terminated. Said easement shall otherwise be considered exclusive for the grantor.

NO DAIRY ANIMALS, CATTLE, HOGS OR POULTRY MAY BE KEPT ON THE ABOVE DESCRIBED PROPERTY FOR COMMERCIAL PURPOSES IN EXCESS OF 250 TOTAL ANIMALS.

gm / dhm
SRT W
LH J.P.

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31953

NAME AND ADDRESS: LAVAR K THORNTON
2800 S TEN MILE RD
KUNA ID 83634

WILMA M THORNTON
2800 S TEN MILE
KUNA ID 83634

LAYNE THORNTON
3224 SWAN FALLS RD
KUNA ID 83634

LORI THORNTON
3224 SWAN FALLS RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.330 CFS
315.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-2986, 63-31951 and 63-31953 shall not exceed 5.62 cfs, nor a total combined annual volume of 1327.5 af and the irrigation of 296 acres within the place of use described above.

PRIORITY DATE: 10/01/1971

POINT OF DIVERSION:

T01N R01E S3 NENENE Lot 1 Within ADA County

T01N R01E S3 SENESE Within ADA County

Rights 63-2986, 63-31950, 63-31951 and 63-31952 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.330 CFS 315.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T01N R01E S02	SENE	40.0	T01N R01E S02	NESW	40.0
T01N R01E S02	SWSW	23.0	T01N R01E S02	SESW	33.0
T01N R01E S03	NENE	40.0	T01N R01E S03	NWNE	40.0
T01N R01E S03	SWNE	40.0	T01N R01E S03	SENE	40.0
T01N R01E S03	NESW	36.0	T01N R01E S03	NWSW	20.0
T01N R01E S03	NESE	40.0	T01N R01E S03	NWSE	40.0
T01N R01E S03	SESE	14.0			

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

446 ACRES TOTAL

This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by Transfer 71321 within one year of the date of this approval.

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.

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

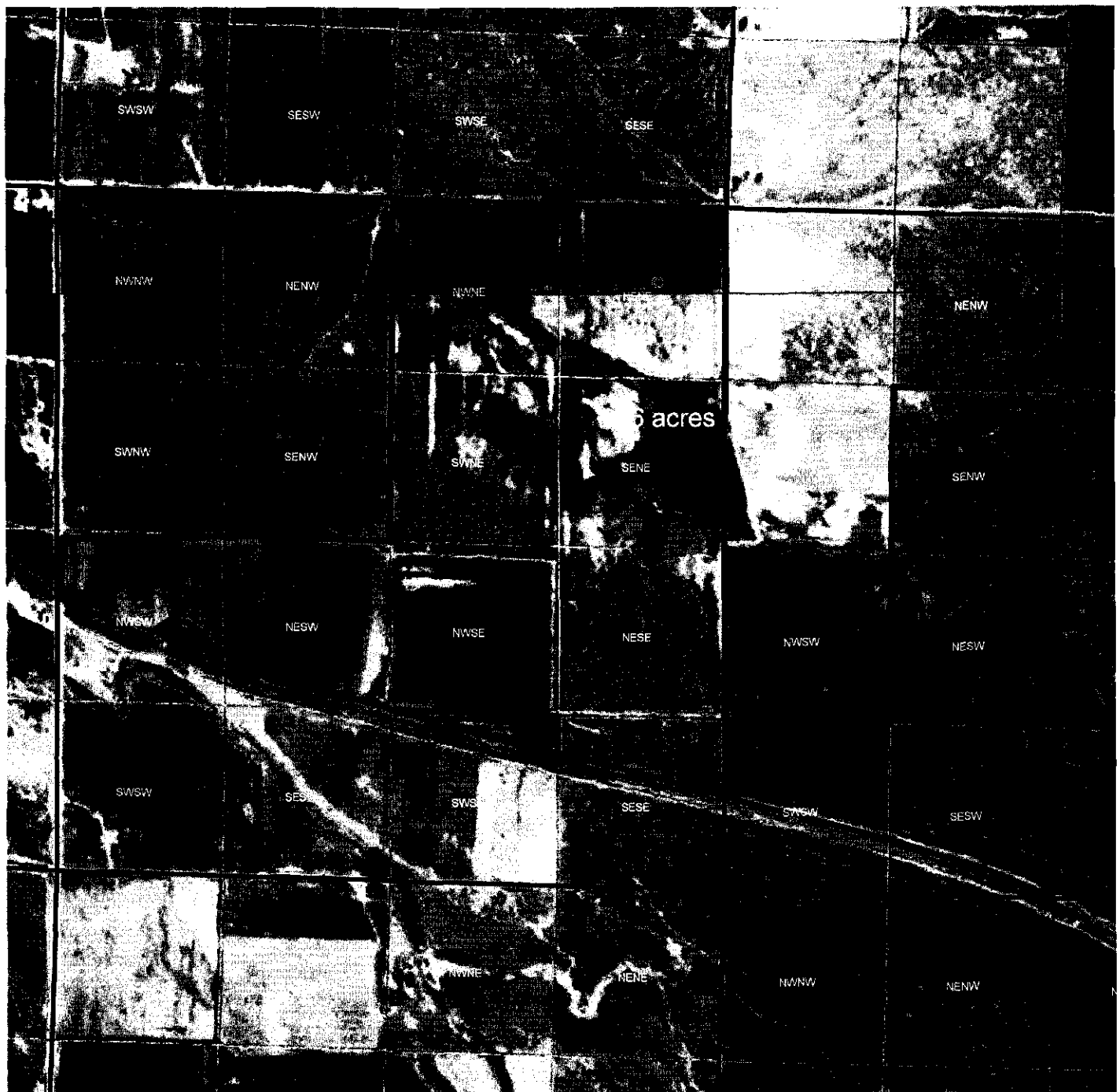
Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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

Idaho Department of Water Resources

63-2986, 63-31951, 63-31953

T01N R01E S2, 3



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



700 0 700 1400 2100 Feet

IDWR
 Prepared by: Sandy Egbert
 Date: 9-19-05
 1987 Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31953 V1

WATER RIGHT NUMBER: 63-31953 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAVAR K THORNTON 2800 S TEN MILE RD KUNA, ID 83634 (208)922-5779
Previous Owner	ANTHONY MILLER 10597 E KUNA MORA RD KUNA, ID 83634 (208)362-5388
Current Owner	WILMA M THORNTON 2800 S TEN MILE KUNA, ID 83634 (208)922-5779
Original Owner	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS BOISE N & BOISE W STAKES KUNA MORA RD RT 2 KUNA, ID 83634
Current Owner	LAYNE THORNTON 3224 SWAN FALLS RD KUNA, ID 83634 (208)922-4658
Current Owner	LORI THORNTON 3224 SWAN FALLS RD KUNA, ID 83634 (208)922-4658

Priority Date: 10/01/1971

Basis: License

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>Annual Volume</u>
IRRIGATION	04/01 to 10/31	1.330 CFS	315.00 AF
	<u>Total Diversion:</u>	1.330 CFS	315.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4SE1/4	Sec. 3,	Twp 01N,	Rge 01E, B.M.
ADA County				
GROUND WATER	L1 (NE1/4NE1/4NE1/4)	Sec. 3,	Twp 01N,	Rge 01E, B.M.
ADA County				

Place of Use

IRRIGATION

Twp Rge Sec	NE		NW		SW		SE	
-------------	----	--	----	--	----	--	----	--

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31953 V1

			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N 01E	2									40.0	40.0		23.0	33.0					136.0
01N 01E	3		40.0	40.0	40.0	40.0					36.0	20.0			40.0	40.0		14.0	310.0

Total Acres: 446

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by Transfer 71321 within one year of the date of this approval.
2. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-2986, 63-31951 and 63-31953 shall not exceed 5.62 cfs, nor a total combined annual volume of 1327.5 af and the irrigation of 296 acres within the place of use described above.
3. X36 Rights 63-2986, 63-31950, 63-31951 and 63-31952 are also diverted through the points of diversion described above.
4. 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.
5. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
6. 01Q After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. X27 This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.
8. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:Comments:

1. pskaggs 1/3/2005 10:00:58 AM Transferred Right
 Comment: This is now a approved transfer, transfer number = 71321

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31953 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: And
 Water District Number:
 Generic Max Rate Per Acre: 0.02
 Generic Max Volume Per Acre: 4.5
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.62	1327.5	296

Combined Water Rights: 63-2986 , 63-31951 , 63-31953

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			05/19/2005	lharris	Active
Priority Date	9/19/2005 12:17:35 PM	segbert			Active
POD	9/19/2005 12:19:44 PM	segbert			Active
Source	9/19/2005 12:26:41 PM	segbert			Active
POU	9/19/2005 12:26:59 PM	segbert			Active
Use	9/19/2005 12:27:35 PM	segbert			Active
Season	9/19/2005 12:28:15 PM	segbert			Active
Quantity	9/19/2005 12:28:46 PM	segbert			Active
Summary			09/19/2005	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/19/2005 12:20:37 PM	segbert	Updated shape
POU	9/19/2005 12:27:18 PM	segbert	Updated shape for Active POU
POD	9/19/2005 12:19:45 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	9/19/2005 12:20:54 PM	segbert	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31953 V1

Summary	5/19/2005 11:23:51 AM	lharris	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Source	9/19/2005 12:26:42 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	9/19/2005 12:27:00 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	9/19/2005 12:27:36 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	9/19/2005 12:28:16 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31953 V1

Quantity	9/19/2005 12:28:47 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
General	9/19/2005 12:17:36 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Summary	9/19/2005 12:38:15 PM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

05/19/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31953

NAME AND ADDRESS: LAVAR K THORNTON
2800 S TEN MILE RD
KUNA ID 83634

WILMA M THORNTON
2800 S TEN MILE
KUNA ID 83634

LAYNE THORNTON
3224 SWAN FALLS RD
KUNA ID 83634

LORI THORNTON
3224 SWAN FALLS RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.330 CFS
315.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-2986, 63-31951 and 63-31953 shall not exceed 5.62 cfs, nor a total combined annual volume of 1327.5 af and the irrigation of 296 acres within the place of use described above.

PRIORITY DATE: 10/01/1971

POINT OF DIVERSION:

T01N R01E S3 NENENE Lot 1 Within ADA County

T01N R01E S3 SENESE Within ADA County

Rights 63-2986, 63-31950, 63-31951 and 63-31952 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.330 CFS 315.00 AFY

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

PLACE OF USE: IRRIGATION Within ADA County

T01N R01E S02	SENW	40.0	T01N R01E S02	NESW	40.0
T01N R01E S02	SWSW	23.0	T01N R01E S02	SESW	33.0

T01N R01E S03	NENE	40.0	T01N R01E S03	NWNE	40.0
T01N R01E S03	SWNE	40.0	T01N R01E S03	SENE	40.0
T01N R01E S03	NESW	36.0	T01N R01E S03	NWSW	20.0
T01N R01E S03	NESE	40.0	T01N R01E S03	NWSE	40.0
T01N R01E S03	SESE	14.0			

446 ACRES TOTAL

This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

The right holder shall accomplish the change authorized by Transfer 71321 within one year of the date of this approval.

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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