

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 45-2375F
Date Received: 11/16/2001
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

WAYMENT FARMS INC
781 S 250 E
BURLEY ID 83318

Phone: (208) 678-4976

2. Date of Priority: 04/28/1951

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11S	23E	35	SE SW SW	CASSIA	
11S	23E	35	SE SW SW	CASSIA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
COMMERCIAL	01/01 12/31	0.07	23.4

7. Total Quantity Appropriated is:
0.07 C.F.S. and/or 23.4 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
11S	23E	26	SE SW	COMMERCIAL	
			SW SW	COMMERCIAL	
			NW SW	COMMERCIAL	
			NE SW	COMMERCIAL	

11S	23E	35	SE	SW	STOCKWATER
			SW	SW	STOCKWATER
			SE	SW	COMMERCIAL
			NW	SW	COMMERCIAL
			NE	SW	COMMERCIAL
			SE	NW	COMMERCIAL
			SW	NW	COMMERCIAL
			NW	NW	COMMERCIAL
			NE	NW	COMMERCIAL
12S	23E	2	NE	NW	STOCKWATER

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks: Transfer #67078 (5658)

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The total instantaneous diversion of water from all points of diversion under Rights 45-2375F, 45-4144B and 45-10254 shall not exceed 0.25 cfs, nor total combined annual volume of 75.7 af.

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

Commercial use is for a dairy located in SESW, S35, T11S, R23E.

The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.

The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT**

TRANSFER NO. 67078

AMENDED**RECEIVED**

This is to certify that: WAYMENT FARMS INC
781 S 250 E
BURLEY ID 83318
(208)678-4976

NOV 26 2001

Department of Water Resources
Southern Region

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. 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	Acres	Total	Source
45-2375A	AJC/License	04/28/1951	2.27 cfs		240.0	240.0	GROUND WATER
45-4144	AJC/Statutory Claim	04/01/1957	1.20 cfs		80.0	80.0	GROUND WATER
45-10254	AJC/Beneficial Use	05/01/1960	0.09 cfs	34.6 af	2.0	2.0	

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-2375A	YES	YES	YES	NO	YES	YES
45-4144	YES	YES	YES	NO	YES	YES
45-10254	NO	NO	YES	YES	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
45-2375A	45-2375F	0.07 cfs	23.4 af	N/A	N/A	45-2375G	2.17 cfs		228.7	228.7
45-4144	45-4144B	0.09 cfs	17.7 af	N/A	N/A	45-4144A	1.11 cfs		74.1	74.1
45-10254	45-10254	0.09 cfs	34.6 af	2.0	2.0		N/A	N/A	N/A	N/A
TOTALS		0.25 cfs	75.7 af	2.0	2.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of November, 2001

[Signature]
Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2375F
As Modified by Transfer No. 67078

In accordance with the approval of Transfer No. 67078, Water Right No. 45-2375F is now described as follows.

Right Holder: WAYMENT FARMS INC
 781 S 250 E
 BURLEY ID 83318

Priority Date: 04/28/1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.07 CFS	23.4 AF
			0.07 CFS	23.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSW Sec. 35 Twp 11S Rge 23E CASSIA County

GROUND WATER SESWSW Sec. 35 Twp 11S Rge 23E CASSIA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11S 23E 35											X	X					
12S 23E 2					X												

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11S 23E 26									X	X	X	X					
11S 23E 35					X	X	X	X	X	X		X					

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-2375F, 45-4144B and 45-10254 shall not exceed 0.25 cfs, nor total combined annual volume of 75.7 af.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

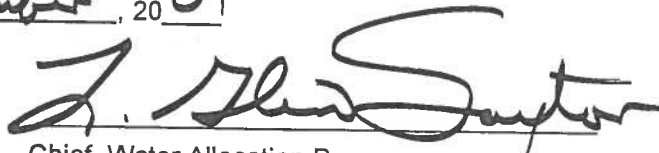
WATER RIGHT NO. 45-2375F
As Modified by Transfer No. 67078

CONDITIONS OF APPROVAL

5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. Commercial use is for a dairy located in SESW, S35, T11S, R23E.
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 21st day of November, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2375G
As Modified by Transfer No. 67078

In accordance with the approval of Transfer No. 67078, Water Right No. 45-2375G is now described as follows.

Right Holder: GARR WAYMENT
 800 S 250 E
 BURLEY ID 83318

Priority Date: 04/28/1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	2.17 CFS	
		2.17 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 28 Twp 11S Rge 23E CASSIA County

GROUND WATER SWSESE Sec. 29 Twp 11S Rge 23E CASSIA 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	
11S	23E	28									40.0			40.0	36.5	40.0	40.0	32.2	228.7

Total Acres: 228.7

CONDITIONS OF APPROVAL

1. Approval of Transfer 67078 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. 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 lands 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 21st day of November, 2001


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-4144A
As Modified by Transfer No. 67078

In accordance with the approval of Transfer No. 67078, Water Right No. 45-4144A is now described as follows.

Right Holder: WAYMENT FARMS INC
781 S 250 E
BURLEY ID 83318

Priority Date: 04/01/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	1.11 CFS	
		1.11 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 28 Twp 11S Rge 23E CASSIA County

GROUND WATER SWSESE Sec. 29 Twp 11S Rge 23E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S 23E 29															34.1	40.0	74.1

Total Acres: 74.1

CONDITIONS OF APPROVAL

1. Approval of Transfer 67078 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. 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 lands 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 21st day of November, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-4144B
As Modified by Transfer No. 67078

In accordance with the approval of Transfer No. 67078, Water Right No. 45-4144B is now described as follows.

Right Holder: WAYMENT FARMS
 781 S 250 E
 BURLEY ID 83318

Priority Date: 04/01/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.09 CFS	17.7 AF
STOCKWATER	01/01	to 12/31	0.09 CFS	17.7 AF
			0.09 CFS	17.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSW Sec. 35 Twp 11S Rge 23E CASSIA County

GROUND WATER SESWSW Sec. 35 Twp 11S Rge 23E CASSIA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 23E 26									X	X	X	X					
11S 23E 35					X	X	X	X	X	X		X					

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 23E 35											X	X					
12S 23E 2					X												

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-2375F, 45-4144B and 45-10254 shall not exceed 0.25 cfs, nor total combined annual volume of 75.7 af.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

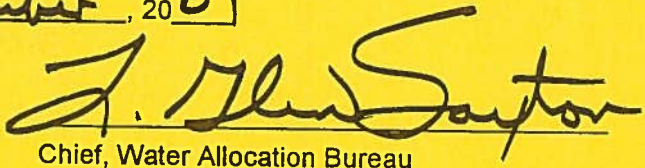
WATER RIGHT NO. 45-4144B
As Modified by Transfer No. 67078

CONDITIONS OF APPROVAL

4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. Commercial use is for a dairy located in SESW, S35, T11S, R23E.
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 21st day of November, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-10254
As Modified by Transfer No. 67078

In accordance with the approval of Transfer No. 67078, Water Right No. 45-10254 is now described as follows.

Right Holder: WAYMENT FARMS INC
 781 S 250 E
 BURLEY ID 83318

Priority Date: 05/01/1960

Source: SPRING
 GROUND WATER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.05 CFS	21.6 AF
COMMERCIAL	01/01	to 12/31	0.05 CFS	5.4 AF
IRRIGATION	03/15	to 11/15	0.06 CFS	4.0 AF
DOMESTIC	01/01	to 12/31	0.07 CFS	3.6 AF
			0.09 CFS	34.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSW Sec. 35 Twp 11S Rge 23E CASSIA County

GROUND WATER SESWSW Sec. 35 Twp 11S Rge 23E CASSIA County

SPRING NENW Sec. 13 Twp 12S Rge 23E CASSIA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11S 23E 35											X	X					
12S 23E 2					X												

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11S 23E 26									X	X	X	X					
11S 23E 35					X	X	X	X	X	X		X					

WATER RIGHT NO. 45-10254
As Modified by Transfer No. 67078

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
11S	23E	35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													1.9	.1					2.0

Total Acres: 2

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
11S	23E	35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X						

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-2375F, 45-4144B and 45-10254 shall not exceed 0.25 cfs, nor total combined annual volume of 75.7 af.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. Commercial use is for a dairy located in SESW, S35, T11S, R23E.
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
8. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Approval of Transfer 67078 does not confirm Claimed Right 45-10254.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 45-10254
As Modified by Transfer No. 67078

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 21st day of November, 2001


Chief, Water Allocation Bureau

Robertson, Jean

From: Skaggs, Pam
Sent: Wednesday, November 21, 2001 10:00 AM
To: Robertson, Jean
Subject: RE: Transfer #67078...

Hi Jeanie,

Okay, you are right. Who knows. Anyway, Glen signed an Amended Approval this morning that shows the corrected stock water place of use in the S1/2 of the SW instead of the NW. That is the only change made to the approval. You will need to update your claim records, because I can't at this point. Hope you don't find anything else! Sorry for our oversight.

Pam

-----Original Message-----

From: Robertson, Jean
Sent: Tuesday, November 20, 2001 11:55 AM
To: Skaggs, Pam
Subject: Transfer #67078...

Hi Pam,

This thing is back again! I was trying to do the data entry for the recommendations and was having trouble making sense out of the shapes. I think that there's a typo in the PoU for the Stockwater use. On the application and map, the PoU's were in the SWSW and the SESW of Section 35, T11S, R23E and the NENW of Section 2, T12S, R23E. In the approved transfer, the PoU's in section 35 got switched to the SWNW and SENW. I didn't notice this before but I guess it wasn't the type of thing I was looking for. Anyway, what is the process to correct this?
Thanks, Jeanie

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 45-2375F
Date Received:
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

WAYMENT FARMS INC
781 S 250 E
BURLEY ID 83318

Phone: (208)678-4976

2. Date of Priority: 04/28/1951

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
11S	23E	35	SE	SW	SW	CASSIA	
11S	23E	35	SE	SW	SW	CASSIA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	01/01	12/31	0.07	23.4

7. Total Quantity Appropriated is:
0.07 C.F.S. and/or 23.4 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
11S	23E	26	SE	SW	COMMERCIAL	
			SW	SW	COMMERCIAL	
			NW	SW	COMMERCIAL	
			NE	SW	COMMERCIAL	

11S	23E	35	SE	NW	STOCKWATER
			SW	NW	STOCKWATER
			SE	SW	COMMERCIAL
			NW	SW	COMMERCIAL
			NE	SW	COMMERCIAL
			SE	NW	COMMERCIAL
			SW	NW	COMMERCIAL
			NW	NW	COMMERCIAL
			NE	NW	COMMERCIAL
12S	23E	2	NE	NW	STOCKWATER

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks: Transfer #67078 (5658)

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The total instantaneous diversion of water from all points of diversion under Rights 45-2375F, 45-4144B and 45-10254 shall not exceed 0.25 cfs, nor total combined annual volume of 75.7 af.

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

Commercial use is for a dairy located in SESW, S35, T11S, R23E.

The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.

The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 67078

Southern
RECEIVED
NOV - 1 2001
Department of Water Resources
Southern Region

This is to certify that: WAYMENT FARMS INC
781 S 250 E
BURLEY ID 83318
(208)678-4976

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. 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	Acres	Total	Source
45-2375A	AJC/License	04/28/1951	2.27 cfs		240.0	240.0	GROUND WATER
45-4144	AJC/Statutory Claim	04/01/1957	1.20 cfs		80.0	80.0	GROUND WATER
45-10254	AJC/Beneficial Use	05/01/1960	0.09 cfs	34.6 af	2.0	2.0	

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-2375A	YES	YES	YES	NO	YES	YES
45-4144	YES	YES	YES	NO	YES	YES
45-10254	NO	NO	YES	YES	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
45-2375A	45-2375F	0.07 cfs	23.4 af	N/A	N/A	45-2375G	2.17 cfs		228.7	228.7
45-4144	45-4144B	0.09 cfs	17.7 af	N/A	N/A	45-4144A	1.11 cfs		74.1	74.1
45-10254	45-10254	0.09 cfs	34.6 af	2.0	2.0		N/A	N/A	N/A	N/A
TOTALS		0.25 cfs	75.7 af	2.0	2.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of October, 2001

J. Glen Saxton
Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2375F
As Modified by Transfer No. 67078

In accordance with the approval of Transfer No. 67078, Water Right No. 45-2375F is now described as follows.

Right Holder: WAYMENT FARMS INC
 781 S 250 E
 BURLEY ID 83318

Priority Date: 04/28/1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.07 CFS	23.4 AF
			0.07 CFS	23.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSW Sec. 35 Twp 11S Rge 23E CASSIA County

GROUND WATER SESWSW Sec. 35 Twp 11S Rge 23E CASSIA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 23E 35							X	X									
12S 23E 2					X												

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 23E 26									X	X	X	X					
11S 23E 35					X	X	X	X	X	X		X					

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-2375F, 45-4144B and 45-10254 shall not exceed 0.25 cfs, nor total combined annual volume of 75.7 af.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

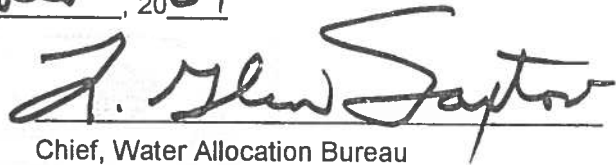
WATER RIGHT NO. 45-2375F
As Modified by Transfer No. 67078

CONDITIONS OF APPROVAL

5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. Commercial use is for a dairy located in SESW, S35, T11S, R23E.
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 17th day of October, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2375G
As Modified by Transfer No. 67078

In accordance with the approval of Transfer No. 67078, Water Right No. 45-2375G is now described as follows.

Right Holder: GARR WAYMENT
 800 S 250 E
 BURLEY ID 83318

Priority Date: 04/28/1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	2.17 CFS	
		2.17 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 28 Twp 11S Rge 23E CASSIA County

GROUND WATER SWSESE Sec. 29 Twp 11S Rge 23E CASSIA 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						
11S	23E	28													40.0				40.0	36.5	40.0	40.0	32.2	228.7

Total Acres: 228.7

CONDITIONS OF APPROVAL

1. Approval of Transfer 67078 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. 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 lands 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 17th day of October, 2001


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-4144A
As Modified by Transfer No. 67078

In accordance with the approval of Transfer No. 67078, Water Right No. 45-4144A is now described as follows.

Right Holder: WAYMENT FARMS INC
781 S 250 E
BURLEY ID 83318

Priority Date: 04/01/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	1.11 CFS	
		1.11 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 28 Twp 11S Rge 23E CASSIA County

GROUND WATER SWSESE Sec. 29 Twp 11S Rge 23E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S 23E 29															34.1	40.0	74.1

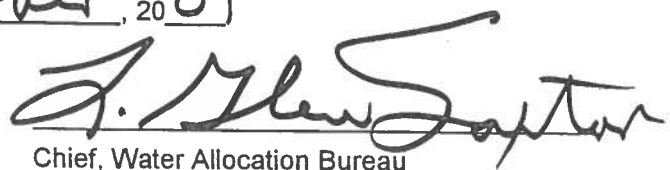
Total Acres: 74.1

CONDITIONS OF APPROVAL

1. Approval of Transfer 67078 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. 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 lands 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 17th day of October, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-4144B
As Modified by Transfer No. 67078

In accordance with the approval of Transfer No. 67078, Water Right No. 45-4144B is now described as follows.

Right Holder: WAYMENT FARMS
 781 S 250 E
 BURLEY ID 83318

Priority Date: 04/01/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.09 CFS	17.7 AF
STOCKWATER	01/01	to 12/31	0.09 CFS	17.7 AF
			0.09 CFS	17.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSW Sec. 35 Twp 11S Rge 23E CASSIA County

GROUND WATER SESWSW Sec. 35 Twp 11S Rge 23E CASSIA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 23E 26									X	X	X	X					
11S 23E 35					X	X	X	X	X	X		X					

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 23E 35							X	X									
12S 23E 2					X												

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-2375F, 45-4144B and 45-10254 shall not exceed 0.25 cfs, nor total combined annual volume of 75.7 af.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

WATER RIGHT NO. 45-4144B
As Modified by Transfer No. 67078

CONDITIONS OF APPROVAL

4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. Commercial use is for a dairy located in SESW, S35, T11S, R23E.
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 17th day of October, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-10254
As Modified by Transfer No. 67078

In accordance with the approval of Transfer No. 67078, Water Right No. 45-10254 is now described as follows.

Right Holder: WAYMENT FARMS INC

781 S 250 E

BURLEY ID 83318

Priority Date: 05/01/1960

Source: SPRING

Tributary: SINKS

GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.05 CFS	21.6 AF
COMMERCIAL	01/01	to 12/31	0.05 CFS	5.4 AF
IRRIGATION	03/15	to 11/15	0.06 CFS	4.0 AF
DOMESTIC	01/01	to 12/31	0.07 CFS	3.6 AF
			0.09 CFS	34.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSW Sec. 35 Twp 11S Rge 23E CASSIA County

GROUND WATER SESWSW Sec. 35 Twp 11S Rge 23E CASSIA County

SPRING NENW Sec. 13 Twp 12S Rge 23E CASSIA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11S 23E 35							X	X									
12S 23E 2					X												

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11S 23E 26									X	X	X	X					
11S 23E 35					X	X	X	X	X	X		X					

WATER RIGHT NO. 45-10254
As Modified by Transfer No. 67078

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
11S 23E 35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	2.0
											1.9	.1					

Total Acres: 2

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
11S 23E 35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
											X						

CONDITIONS OF APPROVAL

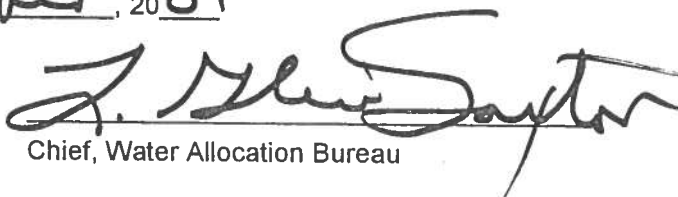
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-2375F, 45-4144B and 45-10254 shall not exceed 0.25 cfs, nor total combined annual volume of 75.7 af.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
6. Commercial use is for a dairy located in SESW, S35, T11S, R23E.
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
8. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Approval of Transfer 67078 does not confirm Claimed Right 45-10254.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 45-10254
As Modified by Transfer No. 67078

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 17th day of October, 2001


Chief, Water Allocation Bureau

VERIFIED BY: *JK 1/10/02*

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

45-2375F

NAME AND ADDRESS: WAYMENT FARMS INC
781 S 250 E
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.07 CFS
23.4 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.25 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 75.7 AF. COMBINED RIGHT NOS.: 45-2375F, 45-4144B, 45-13414 & 45-13415.

PRIORITY DATE: 04/28/1951

POINT OF DIVERSION:

T11S R23E S35 SESWSW Within CASSIA County

T11S R23E S35 SESWSW Within CASSIA County

TWO POINTS OF DIVERSION LOCATED IN T11S, R23E, S35, SESWSW.

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER		
COMMERCIAL	01/01 12/31	0.070 CFS 23.40 AFY

PLACE OF USE:

STOCKWATER Within CASSIA County

T11S R23E S35 SWSW
T12S R23E S02 NENW

T11S R23E S35 SESW

COMMERCIAL Within CASSIA County

T11S R23E S26 NESW
T11S R23E S26 SWSW
T11S R23E S35 NENW
T11S R23E S35 SWNW
T11S R23E S35 NESW
T11S R23E S35 SESW

T11S R23E S26 NWSW
T11S R23E S26 SESW
T11S R23E S35 NWNW
T11S R23E S35 SENW
T11S R23E S35 NWSW

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

THE PLACE OF COMMERCIAL USE AUTHORIZED BY THIS APPROVAL INCLUDES LAND UPON WHICH WASTEWATER MAY BE APPLIED FOR IRRIGATION PURPOSES TO SATISFY WATER QUALITY REQUIREMENTS. WATER DIVERTED UNDER THIS APPROVAL SHALL NOT BE USED FOR IRRIGATION UNLESS THE WATER IS FIRST USED IN THE DAIRY AS AUTHORIZED BY THESE WATER RIGHTS.

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

COMMERCIAL USE IS FOR A DAIRY LOCATED IN SESW, S35, T11S, R23E.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-2375A.

45-2375F & 45-4144B



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON JAN. 9, 2002
TWP 11S, RNG 23E, SEC. 26 & 35
TWP 12S, RNG 23E, SEC. 2

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

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

11/19/2001

45-2375F

NAME AND ADDRESS: WAYMENT FARMS INC
781 S 250 E
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.07 CFS
23.4 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.25 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 75.7 AF. COMBINED RIGHT NOS.: 45-2375F, 45-4144B, & 45-10254.

PRIORITY DATE: 04/28/1951

POINT OF DIVERSION:

T11S R23E S35 SESWSW Within CASSIA County
T11S R23E S35 SESWSW Within CASSIA County
TWO POINTS OF DIVERSION LOCATED IN T11S, R23E, S35, SESWSW.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER
COMMERCIAL

01/01 12/31

0.070 CFS
23.40 AFY

PLACE OF USE:

STOCKWATER Within CASSIA County

T11S R23E S35
T12S R23E S02

SW
SWNW
NENW

T11S R23E S35

SW
SENW

COMMERCIAL Within CASSIA County

T11S R23E S26
T11S R23E S26
T11S R23E S35
T11S R23E S35
T11S R23E S35
T11S R23E S35
T11S R23E S35

NESW
SWSW
NENW
SWNW
NESW
SESW

T11S R23E S26
T11S R23E S26
T11S R23E S35
T11S R23E S35
T11S R23E S35

NWSW
SESW
NWNW
SENW
NWSW

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

THE PLACE OF COMMERCIAL USE AUTHORIZED BY THIS APPROVAL INCLUDES LAND UPON WHICH WASTEWATER MAY BE APPLIED FOR IRRIGATION PURPOSES TO SATISFY WATER QUALITY REQUIREMENTS. WATER DIVERTED UNDER THIS APPROVAL SHALL NOT BE USED FOR IRRIGATION UNLESS THE WATER IS FIRST USED IN THE DAIRY AS AUTHORIZED BY THESE WATER RIGHTS.

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

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-2375A.

COMMERCIAL USE IS FOR A DAIRY LOCATED IN SESW, S35, T11S, R23E.

Water Right 45-2375F

W.R.

45 - 2375
10.96 cfs
1160 Ac.

TRANS.
2265

(A)
227 cfs
240 Ac.

(B)
8.19 cfs
920 Ac.

TRANS.
2638

(C)
8.31 cfs

(D)
.377 cfs
40 Ac.

A.I.

(A)
2.27 cfs
240 Ac.

(E)
.033 cfs
3.5 Ac.

(C)
8.31 cfs
880 Ac.

(D)
.377 cfs
40 Ac.
(Combd. w/ -2376
\$ claimed as -1288)

TRANS.
67078

(F)
.07 cfs
Comm.

(G)
2.17 cfs
228.7 Ac.