

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

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GARR G WAYMENT
C/O WAYMENT FARMS
781 S 250 E
BURLEY ID USA 83318

Phone: (208)678-4976

2. Date of Priority: 04/28/1951

3. Source: GROUND WATER , GROUND WATER , GROUND WATER , GROUND WATER Trib. to: ,
, ,

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
11S	23E	29	SW	SE	SE	CASSIA	
11S	23E	28	SW	SE	SW	CASSIA	
11S	23E	26	SW	NW	SW	CASSIA	
11S	23E	26	NW	SE	SW	CASSIA	

5. Description of diverting works:

Existing well, 200 hp motor w/40 hp booster, mainline to sprinklers

Existing well, 300 hp motor w/60 hp booster, mainline to sprinklers

Existing well, 200 hp motor w/40 hp booster, mainline to sprinklers

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	2.17	914.8

7. Total Quantity Appropriated is:
2.17 C.F.S. and/or 914.8 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	NE	SW	IRRIGATION	11
			NW	SW	IRRIGATION	24
			SW	SW	IRRIGATION	41
			SE	SW	IRRIGATION	39
Section Acres						115
11S	23E	28	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	36.5
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	32.2
Section Acres						308.7
11S	23E	29	NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	34.1
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
Section Acres						154.1
11S	23E	35	NE	NW	IRRIGATION	41
			NW	NW	IRRIGATION	38
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	39
			NE	SW	IRRIGATION	18
			NW	SW	IRRIGATION	38
Section Acres						214
Total Acres						791.8

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: **Per approved Transfer #70323**

This right is limited to the irrigation of 228.7 acres within the place of use described above in a single irrigation season.

The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.

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.

Use of water under this right will 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. 130.

Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

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.

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.

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.

15. Basis of Claim: License

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70323**

This is to certify that: WAYMENT FARMS INC

781 S 250 E
BURLEY ID 83318
(208)678-4976

And

GARR G WAYMENT
C/O WAYMENT FARMS
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. 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

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
45-2375G	AJC/License	04/28/1951	2.17 cfs	914.8 af	N/A	228.7	GROUND WATER
45-4144A	AJC/Beneficial Use	03/15/1958	1.11 cfs	136.4 af	N/A	74.1	GROUND WATER
45-2691	AJC/License	12/20/1962	3.40 cfs	1024.0 af	256.0	329.0	GROUND WATER
45-12887	AJC/License	04/28/1951	3.097 cfs	800.0 af	N/A	200.0	GROUND WATER
45-13413	AJC/Beneficial Use	06/30/1985	0.75 cfs	N/A	73.0	329.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-2375G	NO	NO	YES	YES	NO	NO
45-4144A	NO	NO	YES	YES	NO	NO
45-2691	NO	NO	YES	YES	NO	NO
45-12887	NO	NO	YES	YES	NO	NO
45-13413	NO	NO	YES	YES	NO	NO

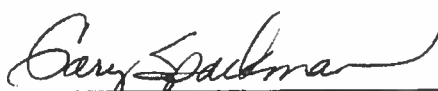
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70323

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
45-2375G	45-2375G	2.17 cfs	914.8 af	228.7	791.8		N/A	N/A	N/A	N/A
45-4144A	45-4144A	1.11 cfs	136.4 af	74.1	791.8		N/A	N/A	N/A	N/A
45-2691	45-2691	3.40 cfs	1024.0 af	256.0	791.8		N/A	N/A	N/A	N/A
45-12887	45-12887	3.10 cfs	800.0 af	200.0	791.8		N/A	N/A	N/A	N/A
45-13413	45-13413	0.75 cfs	N/A	73.0	791.8		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		8.67 cfs	2875.2 af	791.8	791.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of December, 20 03



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-4144A

As Modified by Transfer No. 70323

In accordance with the approval of Transfer No. 70323, Water Right No. 45-4144A is now described as follows.

Right Holder: WAYMENT FARMS INC

781 S 250 E

BURLEY ID 83318

Priority Date: March 15, 1958

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	136.4 AF
			1.11 CFS	136.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	NWSESW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
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 26									11.0	24.0	41.0	39.0					115.0
11S 23E 28									40.0	40.0	40.0	40.0	36.5	40.0	40.0	32.2	308.7
11S 23E 29													40.0	34.1	40.0	40.0	154.1
11S 23E 35					41.0	38.0	40.0	39.0	18.0	38.0							214.0

Total Acres: 791.8

WATER RIGHT NO. 45-4144A
As Modified by Transfer No. 70323

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 74.1 acres within the place of use described above in a single irrigation season.
2. Rights 45-4144A and 45-12887 when combined shall not exceed a total diversion rate of 3.10 cfs and the irrigation of 234.1 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.
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 lands above.
5. Use of water under this right will 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. 130.
6. Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 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.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 1st day of December, 20 03



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2375G

As Modified by Transfer No. 70323

In accordance with the approval of Transfer No. 70323, Water Right No. 45-2375G is now described as follows.

Right Holder: GARR G WAYMENT
C/O WAYMENT FARMS
781 S 250 E
BURLEY ID 83318

Priority Date: April 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	914.8 AF
			2.17 CFS	914.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	NWSESW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
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 26									11.0	24.0	41.0	39.0					115.0
11S 23E 28									40.0	40.0	40.0	40.0	36.5	40.0	40.0	32.2	308.7
11S 23E 29													40.0	34.1	40.0	40.0	154.1
11S 23E 35					41.0	38.0	40.0	39.0	18.0	38.0							214.0

Total Acres: 791.8

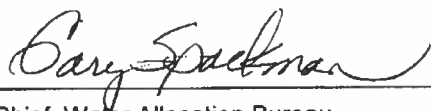
WATER RIGHT NO. 45-2375G
As Modified by Transfer No. 70323

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 228.7 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.
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.
4. Use of water under this right will 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. 130.
5. Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 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.
7. 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.
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.

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 1st day of December, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-12887
As Modified by Transfer No. 70323

In accordance with the approval of Transfer No. 70323, Water Right No. 45-12887 is now described as follows.

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

Priority Date: April 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	11/15	3.10 CFS	800.0 AF
			3.10 CFS	800.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	NWSESW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
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 26									11.0	24.0	41.0	39.0					115.0
11S 23E 28									40.0	40.0	40.0	40.0	36.5	40.0	40.0	32.2	308.7
11S 23E 29													40.0	34.1	40.0	40.0	154.1
11S 23E 35					41.0	38.0	40.0	39.0	18.0	38.0							214.0

Total Acres: 791.8

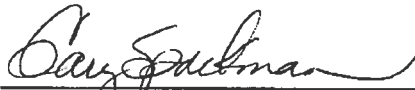
WATER RIGHT NO. 45-12887
As Modified by Transfer No. 70323

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 200 acres within the place of use described above in a single irrigation season.
2. Rights 45-4144A and 45-12887 when combined shall not exceed a total diversion rate of 3.10 cfs and the irrigation of 234.1 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.
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 lands above.
5. Use of water under this right will 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. 130.
6. Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 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.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 15th day of December, 20 03



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2691
As Modified by Transfer No. 70323

In accordance with the approval of Transfer No. 70323, Water Right No. 45-2691 is now described as follows.

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

Priority Date: December 20, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	3.40 CFS	1,024.0 AF
			3.40 CFS	1,024.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	NWSESW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
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 26									11.0	24.0	41.0	39.0					115.0
11S 23E 28									40.0	40.0	40.0	40.0	36.5	40.0	40.0	32.2	308.7
11S 23E 29													40.0	34.1	40.0	40.0	154.1
11S 23E 35					41.0	38.0	40.0	39.0	18.0	38.0							214.0

Total Acres: 791.8

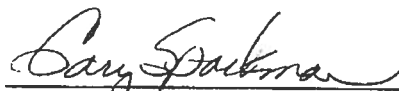
WATER RIGHT NO. 45-2691
As Modified by Transfer No. 70323

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 256 acres within the place of use described above in a single irrigation season.
2. Rights 45-2691 and 45-13413 when combined shall not exceed a total diversion rate of 3.4 cfs and a total annual maximum diversion volume of 1024 af at the field headgate.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.
4. Right No. 45-13413 is an expansion of this right pursuant to Section 42-1416B of the Idaho Code.
5. 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.
6. Use of water under this right will 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. 130.
7. Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 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.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.

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 15th day of December, 20 03



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13413
As Modified by Transfer No. 70323

In accordance with the approval of Transfer No. 70323, Water Right No. 45-13413 is now described as follows.

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

Priority Date: June 30, 1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.75 CFS	
			0.75 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	NWSESW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
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	26									11.0	24.0	41.0	39.0					115.0
11S	23E	28									40.0	40.0	40.0	40.0	36.5	40.0	40.0	32.2	308.7
11S	23E	29													40.0	34.1	40.0	40.0	154.1
11S	23E	35					41.0	38.0	40.0	39.0	18.0	38.0							214.0

Total Acres: 791.8

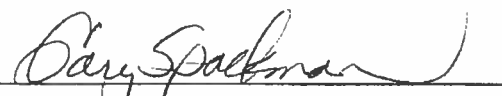
WATER RIGHT NO. 45-13413
As Modified by Transfer No. 70323

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 73 acres within the place of use described above in a single irrigation season.
2. Rights 45-2691 and 45-13413 when combined shall not exceed a total diversion rate of 3.4 cfs and a total annual maximum diversion volume of 1024 af at the field headgate.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.
4. This right is an expansion of Right No. 45-2691 pursuant to Section 42-1416B of the Idaho Code.
5. 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.
6. Use of water under this right will 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. 130.
7. Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 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.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.

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 1st day of December, 20 03


Chief, Water Allocation Bureau

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 45-2375G
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	29	SW SE SE	CASSIA	
11S	23E	28	SW SE 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
IRRIGATION	03/15	11/15	2.17	

7. Total Quantity Appropriated is:
2.17 C.F.S.

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	28	SW	SE	IRRIGATION 40
			NW	SE	IRRIGATION 40
			NE	SE	IRRIGATION 36.5
			SE	SW	IRRIGATION 40

NE	SW	IRRIGATION	40
SE	SE	IRRIGATION	32.2
		Section Acres	228.7
		Total Acres	228.7

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)

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.

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.

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.

15. Basis of Claim: License

Antler

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT**

TRANSFER NO. 67078

AMENDED**RECEIVED**

NOV 26 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 21st day of November, 2001

J. Blum Saylor
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

- 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.

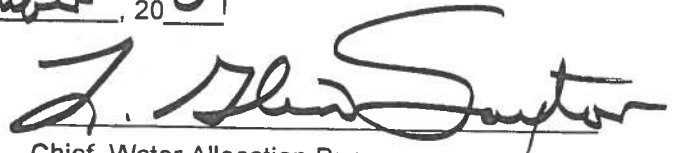
WATER RIGHT NO. 45-2375F
As Modified by Transfer No. 67078

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

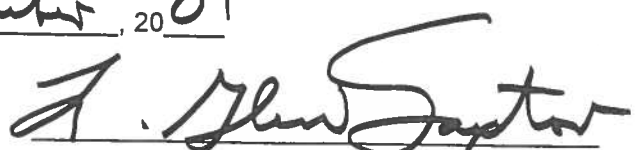
Total Acres: 228.7

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	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

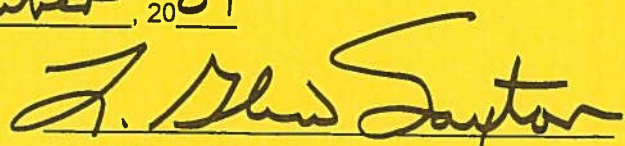
Total Acres: 74.1

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
	<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					

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												

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.

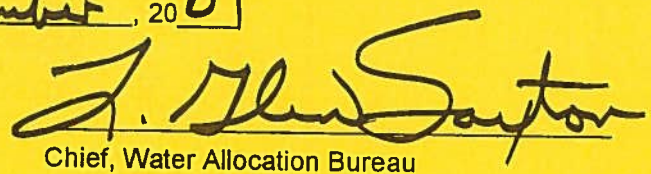
WATER RIGHT NO. 45-4144B
As Modified by Transfer No. 67078

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

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
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	23E	35											1.9	.1					2.0

Total Acres: 2

PLACE OF USE: DOMESTIC

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						

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

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

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

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
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)

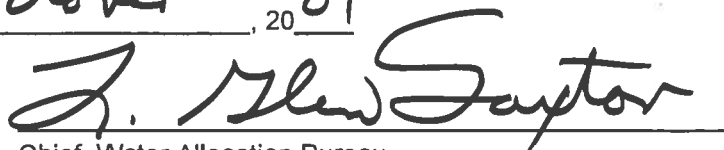
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-2375A	YES	YES	YES	NO	YES	YES
45-4144	YES	YES	YES	NO	YES	YES
45-10254	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
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


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						

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.

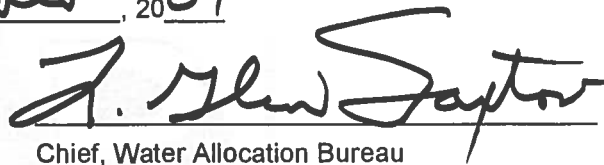
WATER RIGHT NO. 45-2375F
As Modified by Transfer No. 67078

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

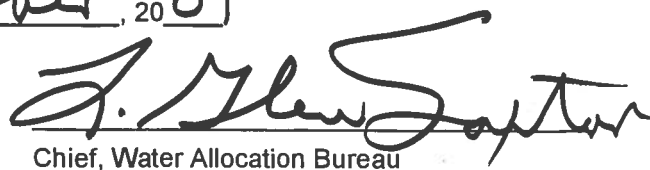
Total Acres: 74.1

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.

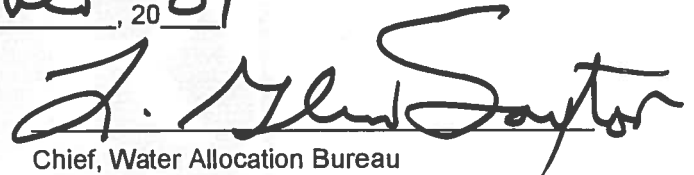
WATER RIGHT NO. 45-4144B
As Modified by Transfer No. 67078

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
 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
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 23E 35											1.9	.1					2.0

Total Acres: 2

PLACE OF USE: DOMESTIC

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						

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

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: A45-02375A
Date Received: 3/08/1989
Receipt No: 5006485 AD
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARR WAYMENT 208-678-2989
Address: RT. 2 BOX 2472
BURLEY, ID 83318

2. Date of Priority: APR 28, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	23E	28	SW	SE	SW		CASSIA
		29	SW	SE	SE		CASSIA

5. Description of diverting works:
TWO WELLS WITH 200 H.P. PUMPS DELIVERING TO PIPELINES TO PIVOTS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.270		

7. Total Quantity Appropriated is:
2.270 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 720.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11S	23E	28	NE	SW		IRR	40.0
			SE	SW		IRR	40.0

A45-02375A

Page 1

Date: 03/08/89

MICROFILM

MAR 08 1989

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	23E	28	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	240.0
						Total Acres	240.0

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:
NONE

14. Remarks:
TRANS. 2265.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

[Signature]

Date: 3-8-89

Date: _____

State of Idaho

County of

Twin Falls

)
) SS.
)

Subscribed and sworn (or affirmed) before me this

8th day

of

March

19

89

[Signature]
Notary Public

Seal

Residing at

Kimberly, Id.

My Commission Expires

6/30/99

VERIFIED BY 1/13/04
01/13/2004

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

RIGHT NUMBER: 45-2375G
NAME AND ADDRESS: GARR G WAYMENT
781 S 250 E
BURLEY ID 83318

SOURCE: GROUND WATER
QUANTITY: 2.170 CFS
914.800 AFY

TRIBUTARY:

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.

The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.

PRIORITY DATE: 04/28/1951

POINT OF DIVERSION:

T11S R23E S26 SWNWSW Within CASSIA County
T11S R23E S26 NWSSEW Within CASSIA County
T11S R23E S28 SWSSEW Within CASSIA County
T11S R23E S29 SWSSEW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.170 CFS 914.80 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T11S R23E S26	NESW	11.0	T11S R23E S26 NWSW 24.0
T11S R23E S26	SWSW	41.0	T11S R23E S26 SESW 39.0
T11S R23E S28	NESW	40.0	T11S R23E S28 NWSW 40.0
T11S R23E S28	SWSW	40.0	T11S R23E S28 SESW 40.0
T11S R23E S28	NESE	36.5	T11S R23E S28 NWSE 40.0
T11S R23E S28	SWSE	40.0	T11S R23E S28 SESE 32.2
T11S R23E S29	NESE	40.0	T11S R23E S29 NWSE 34.1
T11S R23E S29	SWSE	40.0	T11S R23E S29 SESE 40.0
T11S R23E S35	NENW	41.0	T11S R23E S35 NWNW 38.0
T11S R23E S35	SWNW	40.0	T11S R23E S35 SENW 39.0
T11S R23E S35	NESW	18.0	T11S R23E S35 NWSW 38.0

791.8 ACRES TOTAL

This right is limited to the irrigation of 228.7 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.

01/13/2004

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

EXPLANATORY MATERIAL: License

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.

Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

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

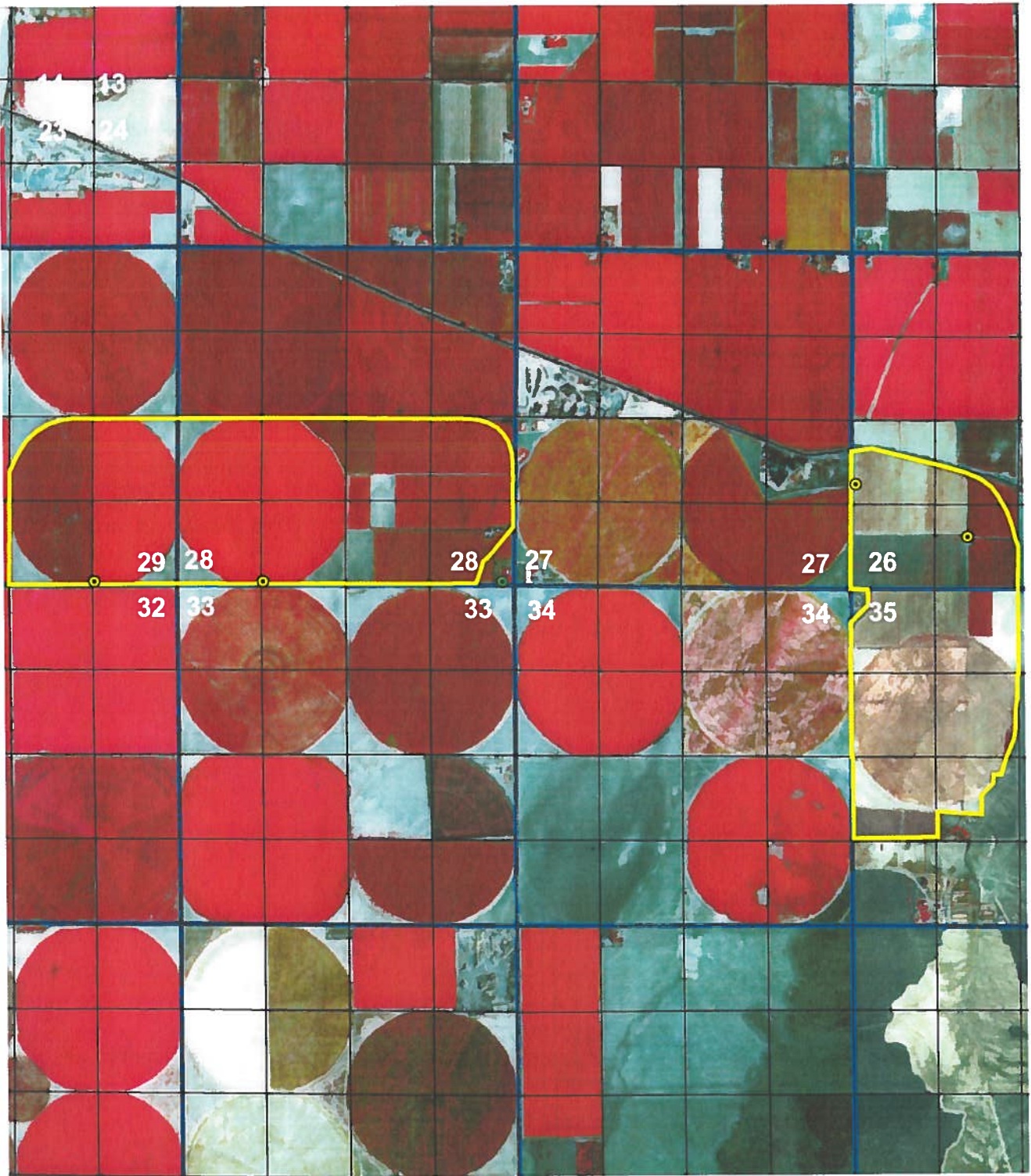
Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

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 this water right in the ongoing Snake River Basin Adjudication.

45-2375G, 45-2691, 45-4144A, 45-12887, & 45-13413



1320 0 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON JAN. 14, 2004

TWP 11S, RNG 23E, SEC. 26, 28, 29, & 35

- 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

Adjudication Recommendation Report 45-2375G V1

WATER RIGHT NUMBER: 45-2375G V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	NEWEL P BAKER
Current Owner	BURLEY, ID 83318 GARR G WAYMENT 781 S 250 E BURLEY, ID 83318 (208)678-4976

Priority Date: 04/28/1951

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	03/15 to 11/15	2.170 CFS	914.80 AF
	<u>Total Diversion:</u>	2.170 CFS	914.80 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4SW1/4	Sec. 26, Twp 11S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	NW1/4SE1/4SW1/4	Sec. 26, Twp 11S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4SE1/4SE1/4	Sec. 29, Twp 11S, Rge 23E, B.M.
CASSIA County		
GROUND WATER	SW1/4SE1/4SW1/4	Sec. 28, Twp 11S, Rge 23E, B.M.
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	26									11.0	24.0	41.0	39.0					115.0
11S	23E	28									40.0	40.0	40.0	40.0	36.5	40.0	40.0	32.2	308.7
11S	23E	29													40.0	34.1	40.0	40.0	154.1
11S	23E	35					41.0	38.0	40.0	39.0	18.0	38.0							214.0

Total Acres: 791.8

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-2375G V1

Total Acres: 791.8

Conditions of Approval:

1. 067 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.
2. 131 Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. 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.
4. R05 Use of water under this right will 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. 130.
5. R64 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.
6. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. 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.
8. T09 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.
9. WB4 The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.
10. X27 This right is limited to the irrigation of 228.7 acres within the place of use described above in a single irrigation season.

Remarks:

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-2375G V1

Comments:

1. PSKAGGS 10/17/2001 9:12:11 AM Transferred Right

Comment: This is now a approved transfer, transfer number = 67078

2. jroberts 11/28/2001 Recommendation

Comment: THIS RECOMMENDATION IS BASED ON APPROVED TRANSFER #67078. ADDED VOLUME.

3. jroberts 1/13/2004 New Recommendation

Comment: This recommendation per approved transfer #70323.

4. jroberts 1/13/2004 Transfer #70323 Conditions

Comment: WATER RIGHT NO. 45 2375G V1

X27 This right is limited to the irrigation of 228.7 acres within the place of use described above in a single irrigation season.

WB4 The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.

R64 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.

R05 Use of water under this right will 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. 130.

131 Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

067 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.

T09 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.

T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-2375G 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:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

WATER RIGHT NO. 45-2375G
As Modified by Transfer No. 70323

In accordance with the approval of Transfer No. 70323, Water Right No. 45-2375G is now described as follows.

Right Holder: GARR G WAYMENT
 C/O WAYMENT FARMS
 781 S 250 E
 BURLEY ID 83318

Priority Date: April 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	914.8 AF
			2.17 CFS	914.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	NWSESW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
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 26									11.0	24.0	41.0	39.0					115.0
11S 23E 28									40.0	40.0	40.0	40.0	36.5	40.0	40.0	32.2	308.7
11S 23E 29													40.0	34.1	40.0	40.0	154.1
11S 23E 35					41.0	38.0	40.0	39.0	18.0	38.0							214.0

Total Acres: 791.8

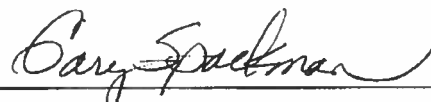
WATER RIGHT NO. 45-2375G
As Modified by Transfer No. 70323

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 228.7 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.
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.
4. Use of water under this right will 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. 130.
5. Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 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.
7. 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.
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.

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 1st day of December, 2003



Chief, Water Allocation Bureau

VERIFIED BY *X* 11/28/01

11/30/2001

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

45-2375G

NAME AND ADDRESS: GARR WAYMENT
800 S 250 E
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.17 CFS
914.8 AFY

PRIORITY DATE: 04/28/1951

POINT OF DIVERSION:

T11S R23E S28 SWSESW Within CASSIA County

T11S R23E S29 SWSESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.170 CFS 914.80 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T11S R23E S28	NESW	40.0	T11S R23E S28	SESW	40.0
T11S R23E S28	NESE	36.5	T11S R23E S28	NWSE	40.0
T11S R23E S28	SWSE	40.0	T11S R23E S28	SESE	32.2

228.7 ACRES TOTAL

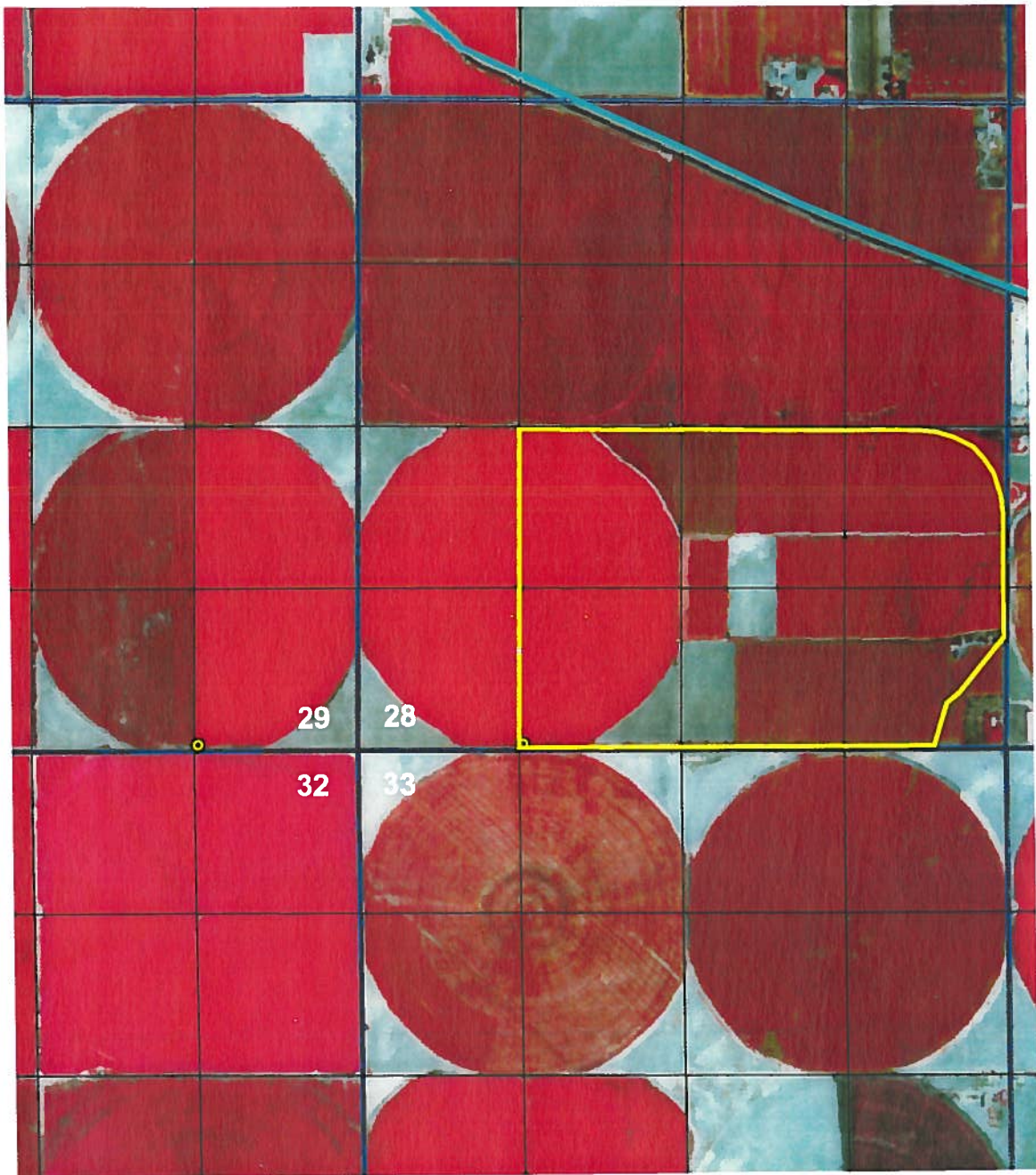
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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

45-2375G



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON NOV. 30, 2001
TWP 11S, RNG 23E, SEC. 28



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

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

WR

45-2375
10.96 cfs
1160 Ac.

TRANS.
2265

(A)
227 cfs
240 Ac.

(B)
8.69 cfs
920 Ac.

TRANS.
2638

(C)
8.31 cfs

(D)
.377 cfs
40 Ac.

AI

(A)
2.27 cfs
240 Ac.

TRANS.
67078

(F)
.07 cfs
Comm.

(G)
2.17 cfs
228.7 Ac.

(E)
.033 cfs
3.5 Ac.

(C)
8.31 cfs
880 Ac.

(D)
.377 cfs
40 Ac.
(Combo. w/ -23764
+ claimed 22 - 12887)

Log for claim A45-02375A

Spatial Dynamics MWY

4/27/00

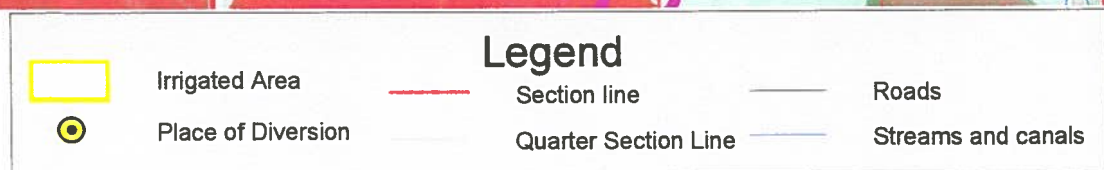
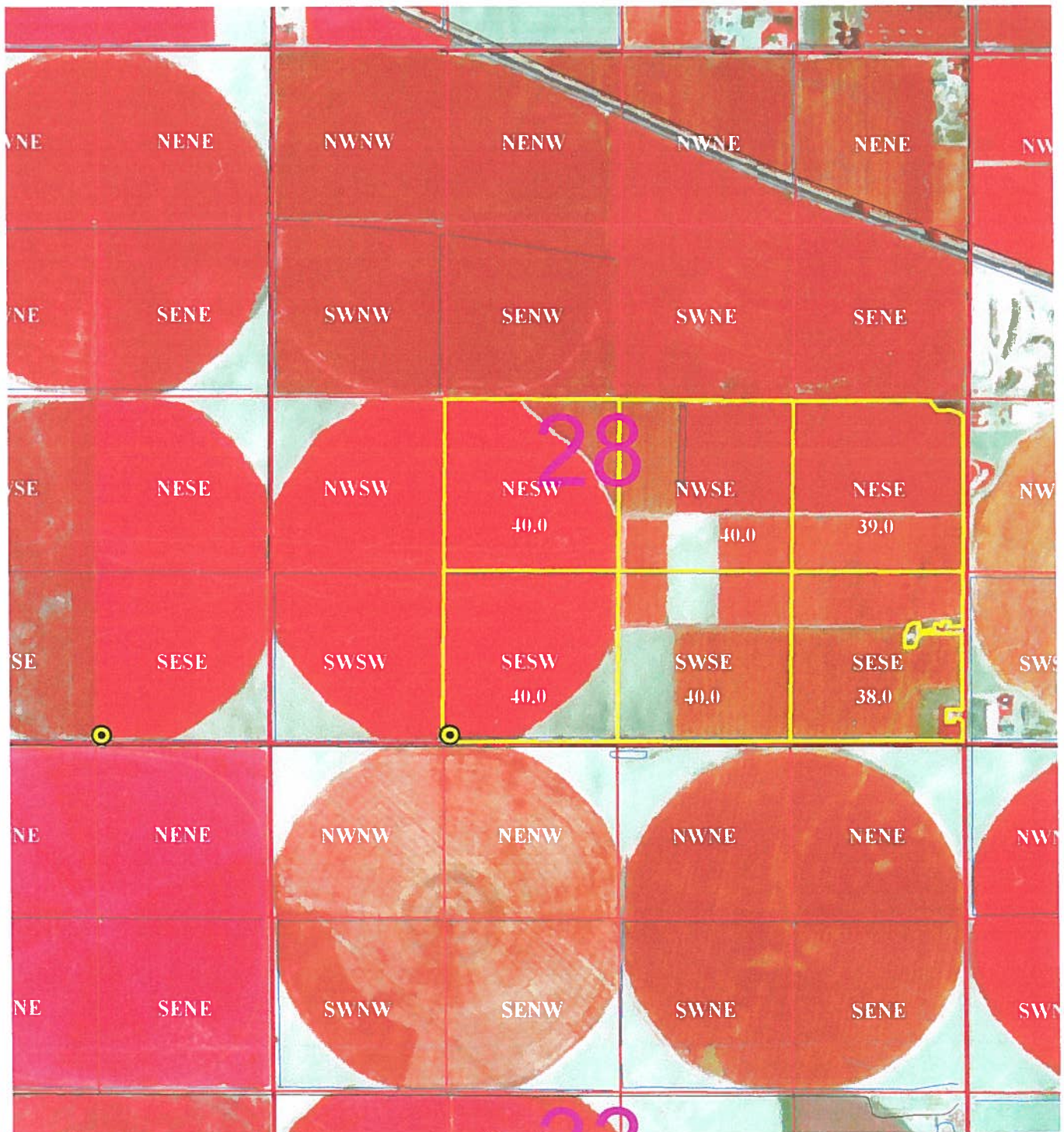
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s23e	28	NESW	40	40	
11s23e	28	SESW	40	40	
11s23e	28	NESE	40	39	
11s23e	28	NWSE	40	40	
11s23e	28	SWSE	40	40	
11s23e	28	SESE	40	38	
Totals:			240	237	

Audit:	03/08/89	MERRITT	03/30/95	POST-STD
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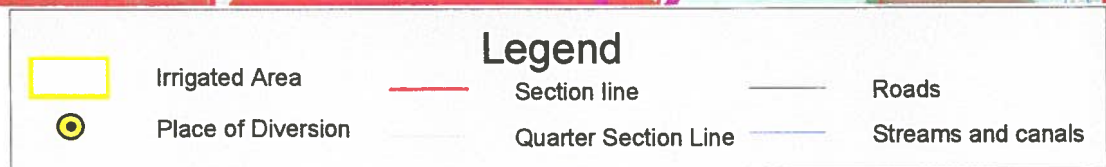
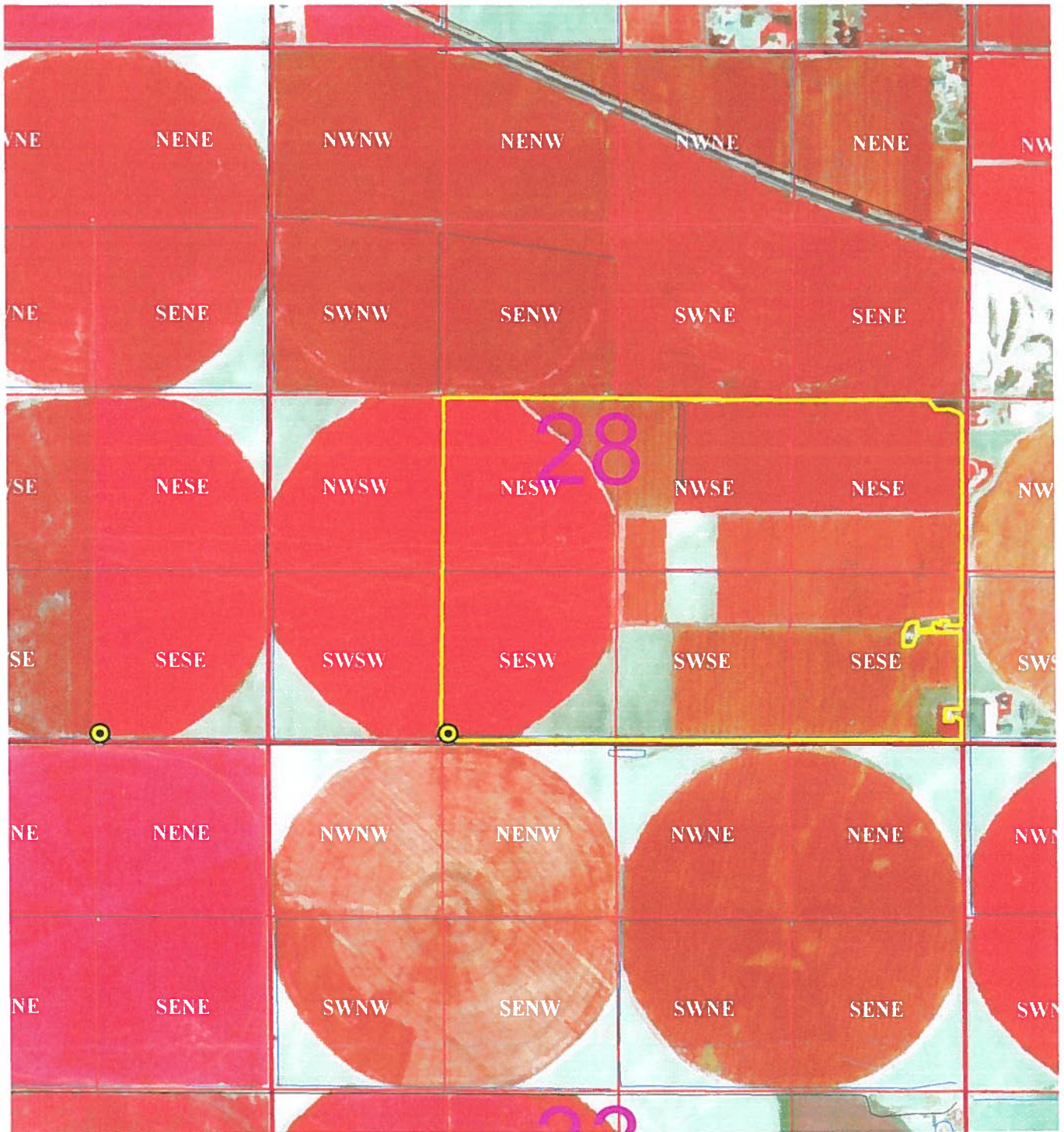
Water Right Claim Number A45-02375A

04/27/2000

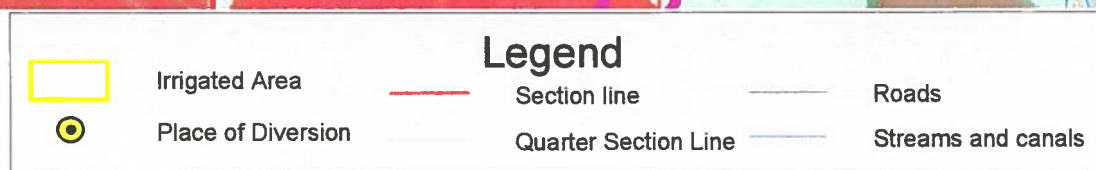
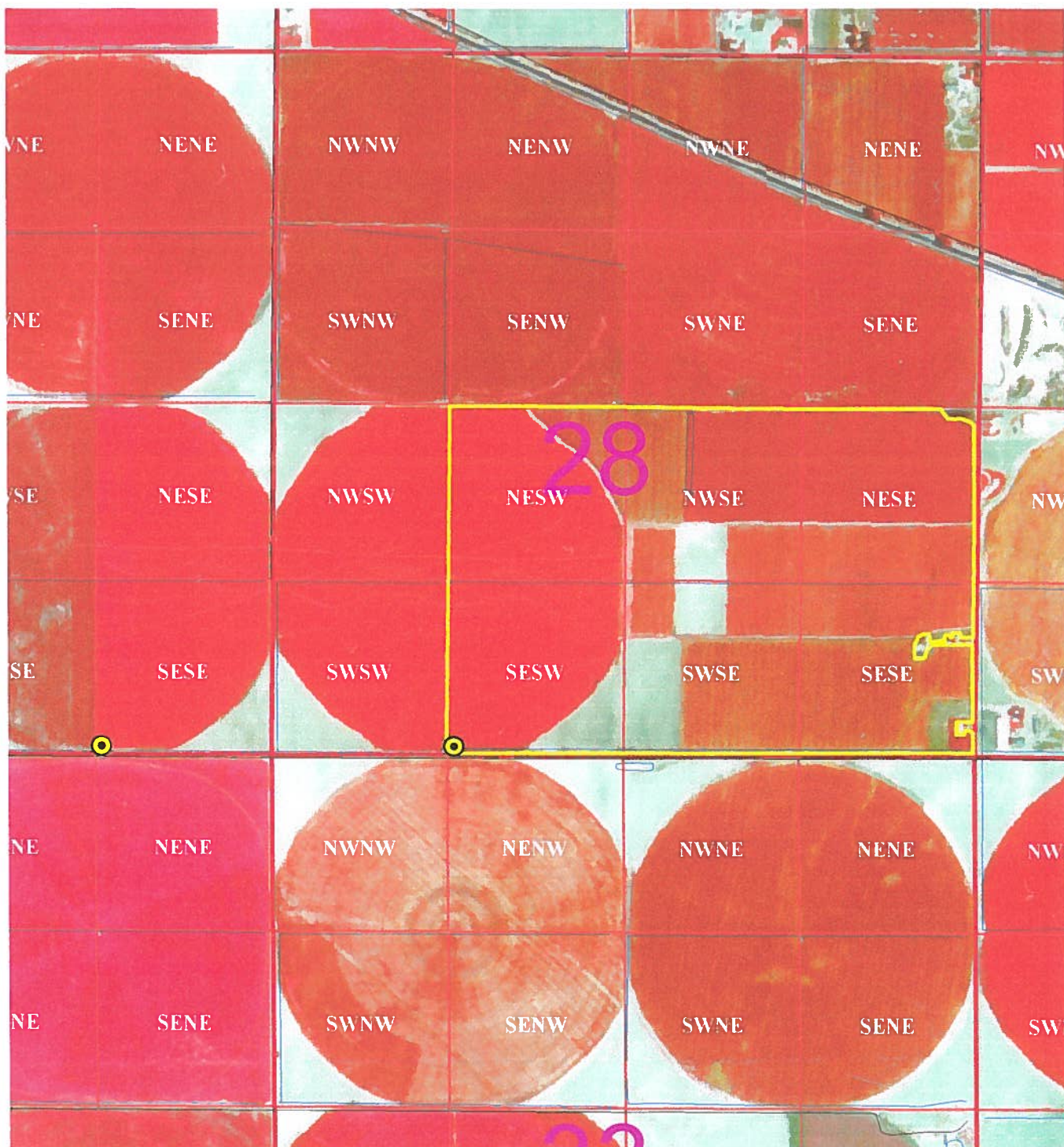
Township , 11S23E



Township , 11S23E



Township , 11S23E



WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 05/09/95
PAGE:

WATER RIGHT NUMBER	NAME	CFS
45-02375	BAKER , NEWEL P.	
45-02375A	KUNZLER , WILLIAM J. KUNZLER , REESE	2.27
45-02375B	ALLRED BROTHERS	
45-02375C	ALLRED , JACKSON W SMITH , MIRIAM ALLRED	8.31
45-02375D	WAYMENT FARMS INC.	0.37

RECEIVED

MAY 18 1995

Amount 10.96 second feet

Priority.....April 28, 1951

NEWEL P. BAKER

The right hereby confirmed dates from April 28, 1951;

~~Section~~ ~~26~~ ~~26080000~~

Description and location of use:

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
d day of July , 19 56 .

State Reclamation Engineer.

45 2375

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 22070

This proof is for Completion of works & Beneficial Use In Water District No.

1. Name of applicant Newel P. Baker, 1459 Burton Ave., Burley, Idaho
2. Source of water supply: Subterranean from wells
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ & SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, 1 of Section 28
T. 11 S. R. 23 E. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: #200 hp U.S. Motor
#904987, Worthington Turb. Pump #1402574
#2- 250 hp U.S. Motor 940394, Fairbanks Morse Turb. P.M. 8571
#3- 200 hp West Motor #913671 " " " #P.M. 7945

5. Water is used for: Irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

South Half Section 27;E $\frac{1}{2}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$ Section 28;East Half Section 33; (This is not in proof, but in notice)All Section 34;Twp. 11 South, Range 23 East, B. M.See map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Crops are potatoes - hay - grain - beetsThis examination was made on the 15 day of May, 1946(Signed) E. M. Humphrey Examiner.

22070

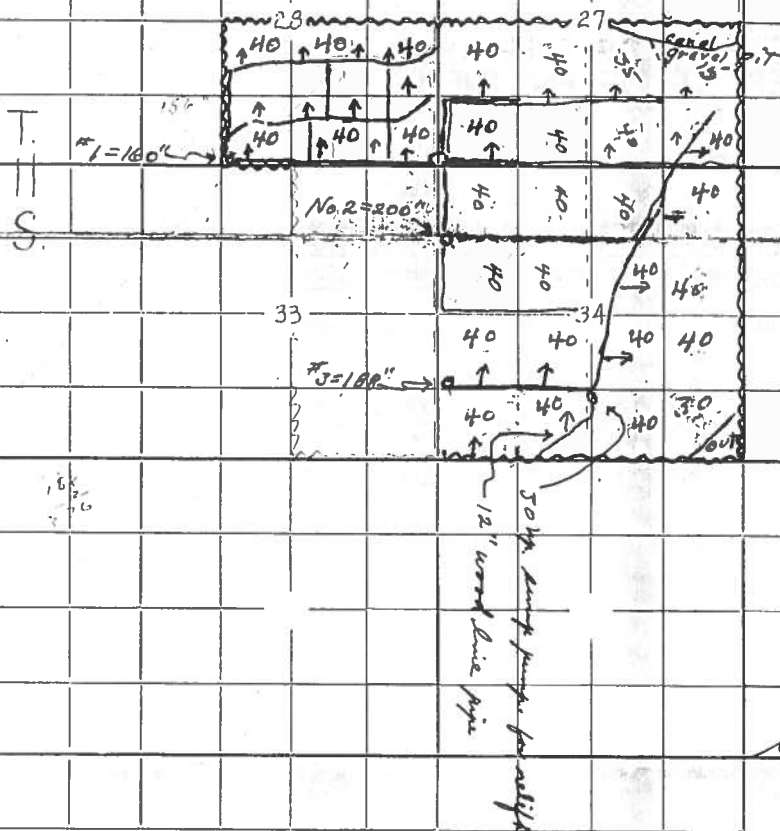
27. well 300' - 212 - 185 inches
69
81

4.20

3-20 No. 20 500' in 27. 138
1338. 188"

TO BUNLEY

R-23E.



Sub-divisions = 30
Area = 1160 a.
Q =

160	#1
200	#2
188	#3
548	

Sparling meter used.
Lowell Baker along.
Measured #1 twice.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22070REPORT ON PROOF OF Completion of Works & Beneficial Use

NEWEL P. BAKER, 1459 Burton Avenue, Burley, Idaho

10.96 cfs
max

app. 240/s
Sub. 30
Acres 1160

1 - 9250 sq. ft. 017671
4400 1810 rpm 2403
To Molar Pump PM 193
Core, Base 6' x 8'
Check type not on photo
Control on a panel on
N. side 4' T = 56 1/2
X 3.1 + 10 blue switches
+ controls
160.5 East thru 12' x 5'
pipe into core dist.
basin. 10' x 7' x 7 1/4'