

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69618

RECEIVED
MAR 10 2002
Department of Water Resources
Southern Region

This is to certify that: CORNELISON & OLSEN GENERAL PARTNERSHIP
PO BOX 396
REXBURG ID 83440-0396
(208)356-4402

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
35-2179B	AJC/License	07/08/1950	3.44 cfs	1136.0 af	284.0	307.1	GROUND WATER
35-13280	AJC/Beneficial Use	04/01/1984	0.26 cfs			307.1	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
35-2179B	NO	NO	YES	NO	NO	NO
35-13280	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
35-2179B	35-2179B	3.44 cfs	1136.0 af	284.0	307.1		N/A	N/A	N/A	N/A
35-13280	35-13280	0.26 cfs	N/A	N/A	307.1		N/A	N/A	N/A	N/A
TOTALS		3.44 cfs	1228.4 af		307.1		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of March, 2002

[Signature]
Chief, Water Allocation Bureau

RECEIVED

MAR 07 2002

Department of Water Resources
Eastern Region

WATER RIGHT NO. 35-2179B
As Modified by Transfer No. 69618

In accordance with the approval of Transfer No. 69618, Water Right No. 35-2179B is now described as follows.

Right Holder: CORNELISON & OLSEN GENERAL PARTNERSHIP
 PO BOX 396
 REXBURG ID 83440-0396

Priority Date: 07/08/1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.44 CFS	1,136.0 AF
			3.44 CFS	1,136.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 7 Twp 01S Rge 36E BINGHAM 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	
01S 36E 6											22.0						22.0
											L 7						
01S 36E 7					17.0	36.0	39.5	37.0	34.0	35.0	35.0	37.0					270.5
						L 1	L 2				L 3	L 4					
01S 36E 18					8.4	6.2											14.6
						L 1											

Total Acres: 307.1

CONDITIONS OF APPROVAL

- Right 35-2179B is limited to the irrigation of 284.0 acres within the place of use described above in a single irrigation season.
- Right 35-13280 is an enlargement of Right 35-2179B pursuant to Section 42-1426, Idaho Code.
- Rights 35-2179B and 35-13280 when combined shall not exceed a total diversion rate of 3.44 cfs, a total annual maximum diversion volume of 1228.4 af at the field headgate, and the irrigation of 307.1 acres.
- 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.
- The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

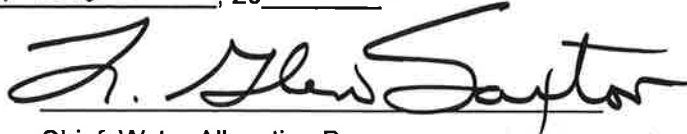
WATER RIGHT NO. 35-2179B
As Modified by Transfer No. 69618

CONDITIONS OF APPROVAL

7. 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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 4th day of March, 20 02



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13280
As Modified by Transfer No. 69618

In accordance with the approval of Transfer No. 69618, Water Right No. 35-13280 is now described as follows.

Right Holder: CORNELISON & OLSEN GENERAL PARTNERSHIP
 PO BOX 396
 REXBURG ID 83440-0396

Priority Date: 04/01/1984

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.26 CFS	
			0.26 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESE Sec. 7 Twp 01S Rge 36E BINGHAM 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	
01S 36E 6											22.0						22.0
											L 7						
01S 36E 7					17.0	36.0	39.5	37.0	34.0	35.0	35.0	37.0					270.5
						L 1	L 2				L 3	L 4					
01S 36E 18					8.4	6.2											14.6
						L 1											

Total Acres: 307.1

CONDITIONS OF APPROVAL

- Right 35-13280 is for an enlargement of 23.1 acres within the place of use described above in a single irrigation season.
- Right 35-13280 is an enlargement of Right 35-2179B pursuant to Section 42-1426, Idaho Code.
- This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
- Rights 35-2179B and 35-13280 when combined shall not exceed a total diversion rate of 3.44 cfs, a total annual maximum diversion volume of 1228.4 af at the field headgate, and the irrigation of 307.1 acres.
- 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. 35-13280
As Modified by Transfer No. 69618

CONDITIONS OF APPROVAL

6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 4th day of March, 2002


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant: **Cornelison & Olsen** Phone: **208-356-4402**

Post Office address: **P.O. Box 396, Rexburg, Idaho 83440-0396**

A. PURPOSE OF TRANSFER

1. ☒ Change place of use
2. Describe the reason for the proposed changes: **3.5 acres in the shared place of use for both rights included in this transfer, located in the east 1/2 of Section 7, Township 1S, Range 36E, have been identified in the Snake River Basin Adjudication ("SRBA") as being on ground owned by the Bureau of Land Management. This transfer seeks to move these irrigated acres to the SWNW of Section 7, Township 1S, Range 36E, which are lands owned by the applicant on the corner of a pivot where handlines are already in place. The effect is to increase the number of acres in the SWNW from 36 acres to 39.5 acres and to eliminate 1.6 acres in the SWNE, 0.7 acres in the NWSE, and 1.2 acres in the SWSE.**

B. DESCRIPTION OF RIGHTS(S) OR PORTION THEREOF, AFTER REQUESTED CHANGE:

1.	Right Number	Priority	Amount CFS/ac-ft)	Nature of Use	Period of Use
	35-2179B	07/08/1950	3.44 cfs / 1136 af	Irrigation	04-01 to 10-31
	35-13280	04/01/1984	0.26 cfs / 92.4 af	Irrigation	04-01 to 10-31

2. Total amount of water being transferred: **3.44 cfs / 1228.4 AF**

3. Source of water: **Groundwater**

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion.
	NW	NE	SW	7	01S	36E	Bingham	

5. Lands irrigated or place of use:

NE				NW				SW				SE								Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW		
01S	36E	18					8.4	6.2												14.6
01S	36E	6											22^{L-7}							22
01S	36E	7					17	36	39.5	37	34	35	35	37						270.5
																				Total Acres: 307.1

6. General Information

- a. Description of diversion system: **Single well supplies water for three pivots and handlines, all used to irrigate 307.1 acres.**
- b. Are the lands from which you propose to transfer the water right subject to any liens deeds of trust, mortgages or contracts?
No.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer: **The 3.5 acres in the east 1/2 of Section 7, Township 1S, Range 36E currently irrigated with these rights will be dried up and no longer irrigated.**
- d. Remarks:

PART 1

General Information:

a. Description of diversion system Well, pump + sprinklers.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
NA Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer.
This is BLM Land & will no longer be irrigated.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

For the Director

Page 1

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-13280

Priority Date: 04/01/1984

Origin: Adjudication Recommendation

Basis: Beneficial Use

Status: Active

Source: GROUND WATER

Trib

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.26 CFS		
	Total Diversion	0.26 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	01S	36E	7	NWNESW		BINGHAM

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	
01S 36E 6											22.0 L 7						22.0
01S 36E 7			1.6		17.0	36.0	36.0	37.0	34.0	35.0	35.0	37.0		.7	1.2		270.5
						L 1	L 2				L 3	L 4					
01S 36E 18					8.4	6.2 L 1											14.6

Total Acres: 307.1

Conditions/Remarks:

1. THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
2. 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.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-02179B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE IRRIGATION SEASON.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-13280

4. USE OF THIS RIGHT WITH RIGHT NO. 35-02179B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.44 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1228.4 AF.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-02179B PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. THIS RIGHT IS FOR AN ENLARGEMENT OF 23.1 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

Page 1

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-2179B

Priority Date: 07/08/1950

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER

Trib

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	3.44 CFS	1,136.0 AFA	
Total Diversion		3.44 CFS	1,136.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	01S	36E	7	NWNESW		BINGHAM

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	
01S 36E 6																	22.0
01S 36E 7			1.6		17.0	36.0	36.0	37.0	34.0	35.0	35.0	37.0		.7	1.2		270.5
01S 36E 18					8.4	6.2											14.6

Total Acres: 307.1

Conditions/Remarks:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- 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.
- USE OF THIS RIGHT WITH RIGHT NO. 35-13280 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE IRRIGATION SEASON.
- USE OF THIS RIGHT WITH RIGHT NO. 35-13280 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.44 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1228.4 AF.

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 35-2179B

5. RIGHT NO. 35-13280 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 284 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NA.

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer
NA.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

IDAHO DEPARTMENT OF WATER RESOURCES

CORNELISON & OLSEN

Water Right No(s).

35-02179B



0 1320 2640 3960 5280 Feet

Township(s) 1S, Range(s) 36E
Section(s) 6, 7 & 18



⊙ Point of Diversion Location

Place of Use Boundary

Section Lines

Quarter/Quarter Lines

GIS Place of Use Illustration
1987/1988 NAPP Photograph
Prepared by: Greg Taylor
Date: May 23, 1998

▨ = old place of use

▤ = new place of use

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

- A. Draw or attach a map indicating new point(s) of diversion and/or the new place of use: **See attached map**
- B. Changes in Nature of Use: **No change**

I hereby assert that no one will be injured by such change and that the change does not constitute and enlargement in use of the original right. The information contained in this application is true and correct to the best of my knowledge.

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


Scott Clawson, Manager Cornelison & Olsen Farms

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and _____ attachments

Received by HWT Date 12-17-01 Protest filed by _____

Preliminary check by _____ Fee \$ 100⁰⁰/₁₀₀

Receipted by HWT #E027734 Date _____

Published in Morning News Copies of protest forwarded by _____

Pub. dates Dec 27 & Jan 3, 2002 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for _____

_____ rec'd _____ by _____

Copy of Transfer sent to lien holder _____