

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70106

This is to certify that: BOWLER RANCHES INC
PO BOX 760
AMERICAN FALLS ID 83211
(208)226-2611

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>
35-8332	WR/License	12/05/1983	2.64 cfs	528 af	N/A	132.0	GROUND WATER
35-13383	WR/License	04/17/1984	5.65 cfs	1188 af	N/A	297.0	GROUND WATER
35-13408	WR/Decreed	03/28/1974	4.74 cfs	948 af	N/A	237.0	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

35-7402	WR/Decreed	03/28/1974	1.94 cfs	388 af	97.0	100.9	GROUND WATER
35-13381	WR/License	08/14/1989	1.22 cfs	244 af	N/A	61.0	GROUND WATER
35-13409	WR/Decreed	03/28/1974	0.08 cfs	16 af	4.0	100.9	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>
35-8332	YES	YES	YES	NO	NO	NO
35-13383	YES	YES	YES	NO	NO	NO
35-13408	YES	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

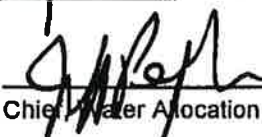
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-8332	35-13411	0.14 cfs	43.2 af	10.8	56.5	35-13410	2.42 cfs	484.8 af	N/A	121.2
35-13383	35-13413	0.78 cfs	163.2 af	40.8	56.5	35-13412	4.87 cfs	1024.8 af	N/A	256.2
35-13408	35-13415	0.10 cfs	20.0 af	5.0	56.5	35-13414	4.64 cfs	928.0 af	N/A	232.0

COMBINED

TOTALS		1.02 cfs	226.0 af	N/A	56.5		N/A	N/A	N/A	N/A
---------------	--	-----------------	-----------------	------------	-------------	--	------------	------------	------------	------------

Detailed Water Right Description(s) attached

Dated this 1st day of May, 2003

For  Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13411
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13411 is now described as follows.

Right Holder: BOWLER RANCHES INC
PO BOX 760
AMERICAN FALLS ID 83211

Priority Date: December 05, 1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.14 CFS	43.2 AF
			0.14 CFS	43.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 23 Twp 08S Rge 29E POWER 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
08S	29E	23																	56.5
									15.5	11.0	19.0	11.0							

Total Acres: 56.5

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 70106, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
2. This right is limited to the irrigation of 10.8 acres within the place of use described above in a single irrigation season.
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. Rights 35-7402, 35-13409, 35-13411, 13413, 35-13414, 35-13415 is also diverted through the point of diversion described above.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. 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.
8. 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.120.

WATER RIGHT NO. 35-13411
As Modified by Transfer No. 70106

CONDITIONS OF APPROVAL

9. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
10. Rights 35-7401, 35-13410 and 35-13411 when combined shall not exceed a total diversion rate of 5.28 cfs.

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 12th day of May, 20 03

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13413
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13413 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: April 17, 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	0.78 CFS	163.2 AF
			0.78 CFS	163.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 23 Twp 08S Rge 29E POWER 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	
08S	29E	23							15.5	11.0	19.0	11.0							56.5
Total Acres:			56.5																

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 70106, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
2. This right is limited to the irrigation of 40.8 acres within the place of use described above in a single irrigation season.
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. Rights 35-7402, 35-13409, 35-13411, 13413, 35-13414, 35-13415 is also diverted through the point of diversion described above.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. 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.
8. 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.120.

WATER RIGHT NO. 35-13413
As Modified by Transfer No. 70106

CONDITIONS OF APPROVAL

9. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
10. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 May, 20 03


For Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13415
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13415 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: March 28, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.10 CFS	20.0 AF
			0.10 CFS	20.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 23 Twp 08S Rge 29E POWER 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
08S 29E 23																	56.5
							15.5	11.0	19.0	11.0							

Total Acres: 56.5

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 70106, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
2. This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season.
3. Rights 35-07402, 35-13409, 35-13411, 35-13413, 35-13414, and 35-13415 are also diverted through the point of diversion described above.
4. 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.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. 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.

WATER RIGHT NO. 35-13415
As Modified by Transfer No. 70106

CONDITIONS OF APPROVAL

8. 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. 120.
9. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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 May, 20 03


for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13410
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13410 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: December 05, 1983

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	2.42 CFS	484.8 AF
			2.42 CFS	484.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESW Sec. 13 Twp 08S Rge 29E POWER 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	
08S	30E	18									30.3	30.3	30.3	30.3					121.2
Total Acres:																			

CONDITIONS OF APPROVAL

1. Rights 35-07401 and 35-13410, 35-13411 when combined shall not exceed a total diversion rate of 5.28 cfs.
2. Right 35-07401 is also diverted through the point of diversion described above.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. Approval of this transfer does not confirm the validity of this water right.

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 13th day of May, 20 03


 Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13412
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13412 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: April 17, 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	4.87 CFS	1,024.8 AF
			4.87 CFS	1,024.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENW Sec. 19 Twp 08S Rge 30E POWER 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	
08S	30E	19																	
Total Acres: 256.2							30.5	28.9	30.2	31.2	31.2	30.2	37.0	37.0					256.2

CONDITIONS OF APPROVAL

1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. Approval of this transfer does not confirm the validity of this water right.
5. Rights 35-13381 and 35-13412 when combined shall not exceed a total diversion rate of 4.91 cfs.

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 May, 2003

For  Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13414
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13414 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: March 28, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	4.64 CFS	928.0 AF
			4.64 CFS	928.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 23 Twp 08S Rge 29E POWER 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	
08S	29E	23	20.0	36.0	40.0	35.0	24.0				31.0	9.0			11.0	26.0			232.0
Total Acres:																			232

CONDITIONS OF APPROVAL

1. Rights 35-07402, 35-13409, 35-13411, 35-13413, 35-13414, and 35-13415 are also diverted through the point of diversion described above.
2. 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 1st day of May, 2003

For 
 Chief Water Allocation Bureau

WATER RIGHT NO. 35-7402
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-7402 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: March 28, 1974

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	1.94 CFS	388.0 AF
			1.94 CFS	388.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 23 Twp 08S Rge 29E POWER 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
08S 29E 14									.5			19.0	2.4	10.0	39.0	30.0	100.9

Total Acres: 100.9

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 70093, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
2. This right is limited to the irrigation of 97 acres within the place of use described above in a single irrigation season.
3. Rights 35-07402, 35-13409, 35-13411, 35-13413, 35-13414, and 35-13415 are also diverted through the point of diversion described above.
4. 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.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. 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.

WATER RIGHT NO. 35-7402

As Modified by Transfer No. 70106

8. 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. 120.
9. 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 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 May, 20 03

For


Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13381
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13381 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: August 14, 1989

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	1.22 CFS	244.0 AF
			1.22 CFS	244.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 19 Twp 08S Rge 30E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
08S	30E	30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	61.0
							30.5	30.5											

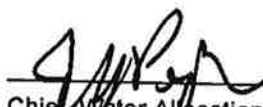
Total Acres: 61

CONDITIONS OF APPROVAL

1. Rights 35-13381 and 35-13412 when combined shall not exceed a total diversion rate of 4.91 cfs.
2. Approval of this transfer does not confirm the validity of this water right.
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. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 May, 20 03

For  Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13409
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13409 is now described as follows.

Right Holder: BOWLER RANCHES INC
PO BOX 760
AMERICAN FALLS ID 83211

Priority Date: March 28, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.08 CFS	16.0 AF
			0.08 CFS	16.0 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER NWNENW Sec. 23 Twp 08S Rge 29E POWER 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
08S	29E	14								.5				19.0	2.4	10.0	39.0	100.9

Total Acres: 100.9

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 70093, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
2. This right is limited to the irrigation of 4 acres within the place of use described above in a single irrigation season.
3. Rights 35-07402, 35-13409, 35-13411, 35-13413, 35-13414, and 35-13415 are also diverted through the point of diversion described above.
4. 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.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. 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.

WATER RIGHT NO. 35-13409

As Modified by Transfer No. 70106

8. 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.120.
9. 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 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 May, 20 03


For Chief, Water Allocation Bureau

Transfer No. 70.106

12/aren
(221-1317-cell)
226-2773

PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes We Are drying up acres to create
a partial pivot.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. <u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
A) <u>35-8332</u>	<u>12/05/1983</u>	<u>0.14 cfs</u>	<u>Irrigation</u>	<u>4/01</u> to <u>11/01</u>
				to
*) <u>35-8347</u>	<u>4/17/1984</u>	<u>0.78 cfs</u>	<u>" "</u>	<u>4/01</u> to <u>10/31</u>
A) <u>35-1400</u>	<u>2/28/1974</u>	<u>0.10 cfs</u>	<u>" "</u>	<u>4/01</u> to <u>11/01</u>

2. Total amount of water being transferred 1.02 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total Acres 56.5

PART 1

6. General Information:

a. Description of diversion system Well + pump to pivots

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
Yes X 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:
The land will return to Dryland Farming
~~with irrigation~~

d. Remarks:
Corp officers - Nancy Ross - Pres X Sec
Ralph Bowler - Deceased
Dotty Bowler - Sec

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

For the Director

page 3 of 12

Transfer No. 70106
Receipt No. _____

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

Current Water Right No. 35-8332

Priority Date: 12/05/1983
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 10/31	2.64 CFS	528.0 AFA	
	Total Diversion	2.64 CFS	528.0 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	08S	29E	13	SESW		POWER

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	
08S 30E 18									33.0	33.0	33.0	33.0					132.0

Total Acres: 132

Conditions/Remarks:

1. Rights 35-07401 and 35-08332 when combined shall not exceed a total diversion rate of 5.28 cfs. Right 35-07401 is also diverted through the point(s) of diversion described above.
2. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
3. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

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?

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-8332

T70104

WATER RIGHT NUMBER: 35-8332

Owner Type Name and Address
 Current Owner BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS, ID 83211
 (208)226-2611
 Current Owner POWER COUNTY IMPLEMENT
 PO BOX 760
 AMERICAN FALLS, ID 83211

Priority Date: 12/05/1983

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.640 CFS	528.00 AF

<u>Total Diversion:</u>	2.640 CFS	528.00 AF
-------------------------	-----------	-----------

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4 Sec. 13, Twp 08S, Rge 29E, B.M.
 POWER 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	
08S	30E	18									33.0	33.0	33.0	33.0					132.0

Total Acres: 132

Conditions of Approval:

1. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

Remarks:

1. General: Rights 35-07401 and 35-08332 when combined shall not exceed a total diversion rate of 5.28 cfs. Right 35-07401 is also diverted through the point(s) of diversion described above.

Comments:Dates and Other Information:

Licensed Date: 4/21/1997

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

PART 2

Transfer No. 7006

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.14 cfs for Irrigation purposes from 4/01 to 11/01
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	SW	13	8S	29E	Power	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	30E	18									2.7	2.7	2.7	2.7					10.8

Total Acres 10.8

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

1. amount 2.42 cfs for Irrigation purposes from 4/01 to 11/01
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	SW	13	8S	29E	Power	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	30E	18									30.3	30.3	30.3	30.3					121.2

Total Acres 121.2

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

Current Water Right No. 35-8347

Priority Date: 04/17/1984
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

Tributary to:

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	4/01	10/31	5.95 CFS	1,252.0 AFA	
Total Diversion			5.95 CFS	1,252.0 AFA	

Source and Point(s) of Diversion:

Source	Twp	Range	Section	1/4 of 1/4 of 1/4	Lot	County
GROUND WATER	08S	30E	19	NENW		POWER

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	
08S 30E 19					39.0	38.0	39.0	40.0	40.0	39.0	39.0	39.0					313.0

Total Acres: 313

Conditions/Remarks:

1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

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?

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-8347

WATER RIGHT NUMBER: 35-8347

Owner Type Name and Address
 Current Owner BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS, ID 83211
 (208)226-2611

Priority Date: 04/17/1984

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	5.950 CFS	1,252.00 AF

<u>Total Diversion:</u>	
5.950 CFS	1,252.00 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4

Sec. 19, Twp 08S, Rge 30E, B.M.

POWER 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	
08S	30E	19					39.0	38.0	39.0	40.0	40.0	39.0	39.0	39.0					313.0

Total Acres: 313

Conditions of Approval:

1. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

Remarks:Comments:

1. VAULT 8/13/1992 Proof of Beneficial Use Rcvd
 Comment: Proof of Beneficial Use Rcvd

Dates and Other Information:

Licensed Date: 3/24/1994
 Decreed Date:
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:

Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

3. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.78 cfs for Irrigation purposes from 4-01 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	NW	19	8S	30E	Power	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	30E	19						1.6	8.8	8.8	8.8	8.8	2	2					40.8

Total Acres 40.8

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

1. amount 5.17 cfs for Irrigation purposes from 4-01 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	NW	19	8S	30E	Power	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	30E	19					39	36.4	30.2	31.2	31.2	30.2	37	37					272.2

Total Acres 272.2

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

Current Water Right No. 35-7400

Priority Date: 03/28/1974
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	4.82 CFS	964.0 AFA	
Total Diversion			4.82 CFS	964.0 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	08S	29E	23	NWNENW		POWER

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	
08S 29E 23	22.0	36.0	40.0	37.0	26.0				31.0	9.0			13.0	27.0			241.0

Total Acres: 241

Conditions/Remarks:

- Basin 35
- RIGHT NO. 3607402 IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.
 - 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.

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?

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

NO If yes, describe _____

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED
 (If the entire right is to be changed by the applicant, omit part B and C.)

amount

0.10 cfs

for

Irrigation

purposes from

4-1

to

11-1

cfs/ac-ft)

amount

for

purposes from

to

cfs/ac-ft)

amount

for

purposes from

to

cfs/ac-ft)

Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	NW	NE	NW	23	8S	29E	Power	

Lands irrigated or place of use:

wp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3	29E	23	1			1	1								1	1			5

Total Acres 5

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

amount

4.72 cfs

for

Irrigation

purposes from

4-1

to

11-1

(cfs/ac-ft)

amount

for

purposes from

to

(cfs/ac-ft)

amount

for

purposes from

to

(cfs/ac-ft)

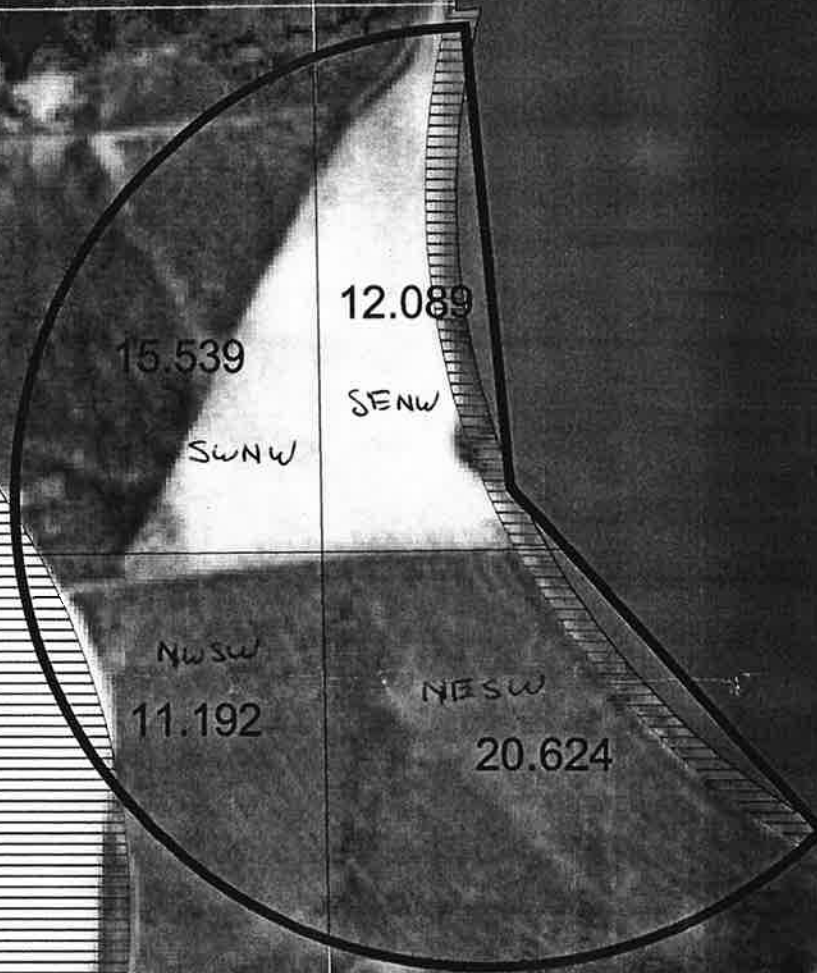
Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	NW	NE	NW	23	8S	29E	Power	

i. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	29E	23	21	36	40	36	25			31	9				12	26			236

Total Acres 236



PART 3

3. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

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

Nancy Morgan

(Signature of Applicant)

President

Subscribed and sworn to before me this 15 day of August, 20 02.

Denton T. Graves

(Notary Public)



My commission expires 4-23-03

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 4 attachments

Received by AWT Date 8-16-02 Protest filed by _____

Prelim. Check by KW Fee 290.00

Received by HWT #E028068 Date 8-16-02

Published in Power Co. Press Copies of protest forwarded by _____

Pub. Dates Aug 28 and Sept 4, 2002 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____