

MEMORANDUM

TO: **FILE** 45-2541

FROM: **VAULT**

RE: **TRANSFER #** 70431

DATE: 4/21/03

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 45-2503

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JUL 28 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER NO.)
70431 IN THE NAME OF FARMLAND)
RESERVE INC.)
_____)

**PRELIMINARY ORDER CORRECTING
TRANSFER APPROVAL**

This matter having come before the Department of Water Resources (Department) as a result of an application for transfer of water rights, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On April 21, 2003, the Department approved Application for Transfer No. 70431 (transfer) changing the place of use and adding points of diversion under several water rights including Water Right No. 45-13403.
2. Water Right License No. 45-13403 was approved by the Department on December 14, 2003 in the amount of 3 cfs for irrigation of 150 acres with a priority date of December 22, 2000.
3. Water Right No. 45-13403 as described on pages 15 and 16 of the transfer approval did not list the priority date of the water right due to a clerical error.

CONCLUSIONS OF LAW

1. The transfer approval should accurately describe each established water right as changed by the transfer pursuant to Section 42-222, *Idaho Code*.
2. The Department should correct the transfer approval to show the priority date established under Water Right No. 45-13403 as December 22, 2000.

ORDER

IT IS HEREBY ORDERED that the approval for Transfer No. 70431 is **CORRECTED** by adding the priority date of December 22, 2000 to Water Right No. 45-13403.

Dated this 12th day of May, 2003.



L. GLEN SAXTON, P.E.
Administrator
Water Management Division

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70431

This is to certify that: FARMLAND RESERVE INC

C/O OLS 2WW
50 E N TEMPLE ST
SALT LAKE CITY UT 84150
(801)715-9100

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>
45-7497	AJC/License	04/03/1982	3.88 cfs	1893 af		1,177.0	GROUND WATER
45-2530	AJC/License	06/19/1956	1.94 cfs	636 af		159.0	GROUND WATER
45-2541	AJC/License	03/13/1957	1.7 cfs	829.6 af	307.0	307.4	GROUND WATER
45-2518	AJC/License	03/13/1956	1.78 cfs	400 af	100.0	206.0	GROUND WATER
45-2503	AJC/License	09/08/1955	2.1 cfs	880 af		220.0	GROUND WATER
45-7019	AJC/License	09/25/1967	1.5 cfs	376 af	94.0	94.5	GROUND WATER
45-13403	WR/License	12/22/2000	3 cfs	N/A		150.0	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>
45-7497	NO	NO	YES	YES	NO	NO
45-2530	NO	NO	YES	YES	NO	NO
45-2541	NO	NO	YES	YES	NO	NO
45-2518	NO	NO	YES	YES	NO	NO
45-2503	NO	NO	YES	YES	NO	NO
45-7019	NO	YES	YES	YES	NO	NO
45-13403	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>
45-7497	45-7497	3.88 cfs	1893 af	1,177.0	3887.4		N/A	N/A	N/A	N/A
45-2530	45-2530	1.94 cfs	636 af	159.0	3887.4		N/A	N/A	N/A	N/A
45-2541	45-2541	1.7 cfs	829.6 af	307.0	3887.4		N/A	N/A	N/A	N/A
45-2518	45-2518	1.78 cfs	400 af	100.0	3887.4		N/A	N/A	N/A	N/A

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APR 21 2003

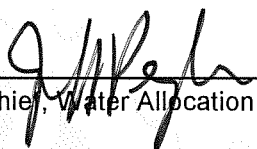
WATER RIGHT NO. 45-2503
As Modified by Transfer No. 70431

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
45-2503	45-2503	2.1 cfs	880 af	220.0	3887.4		N/A	N/A	N/A	N/A
45-7019	45-7019	1.5 cfs	376 af	94.0	3887.4		N/A	N/A	N/A	N/A
45-13403	45-13403	3 cfs	311.4 af	150.0	3887.4		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		12.9 cfs	5326.0 af	2207.0	3887.4		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21 day of April, 2003

For  _____
 Chief, Water Allocation Bureau

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