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DEPT. OF WATER RESOURCES
SOUTHERN REGION

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Transfer No. 76954

Receipt No. 5031712

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

1. Applicant Information SALMON FALLS LAND & LIVESTOCK CO INC
95A BELL RAPIDS RD
HAGERMAN ID 83332
(208)837-6053

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-16880	WR/Decreed	3.45			79.0	UPPER TUCKER SPRINGS

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-16880	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

To correctly describe the acres that will continue to be irrigated after 8 acres are removed pursuant to transfer 76938.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

DNA

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

None

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-16880	3.45 cfs		79.0	
TOTAL	3.45 cfs	79.0	79.0	

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

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.

Michael G. Kinslee
(Signature of Applicant)

V.P.
(Title or Office)

Subscribed and sworn to before me this 2ND day of DECEMBER, 20 10

[Signature]
(Notary Public)

My commission expires 12/15/11

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

Current Water Right No. 36-16880

Priority Date: October 01, 1908

Origin: Water Right

Basis: Decreed

Status: Active

Source: UPPER TUCKER SPRINGS **Tributary:** RILEY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.24 CFS		
IRRIGATION	02/15 11/30	3.45 CFS		
Total Diversion		3.45 CFS		

Source and Point(s) of Diversion:

UPPER TUCKER SPRINGS NWSESE Sec. 36 Twp 07S Rge 13E GOODING 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	
07S 13E 35									X	X	X	X			X		
08S 13E 2	X		X								L 2	L 1					

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	
07S 13E 35									5.0	20.5	8.0	18.0			11.0		62.5
08S 13E 2	11.5		5.0								L 2	L 1					16.5

Total Acres: 79

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-136B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.0 CFS.

APPROPRIATOR IS PHYSICALLY REQUIRED TO AND MAY CONTINUE TO RECEIVE 8.0 CFS AT THE POINT WHERE THE WATER LEAVES HIS FISH PROPAGATION FACILITY AND ENTERS THE IRRIGATION PLACE OF USE. THE DIFFERENCE BETWEEN THE QUANTITY RECEIVED AND THE QUANTITY BENEFICIALLY USED FOR IRRIGATION MAY BE SPREAD ACROSS THE PLACE OF USE TO DRAIN INTO THE HUNT DITCH BOTH FOR PURPOSE OF EROSION CONTROL AND FOR PURPOSE OF PREVENTING INJURY TO USERS OF WATER FROM THE HUNT DITCH AND FURTHER DOWNSTREAM USERS. APPROPRIATOR IS ENTITLED TO CONTINUE THIS PRACTICE BUT MAY NOT CALL OUT JUNIOR RIGHTS FOR THE DIFFERENCE BETWEEN THE QUANTITY RECEIVED AND THE QUANTITY BENEFICIALLY USED.

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. WATER IS DELIVERED THROUGH PIPELINE DITCH.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-00028, 36-00194, 36-00136B, 36-02478 AND 36-08325.

Documentation of Ownership of the Current Place of Use

Warranty Deed

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

NO

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

Modify or reshape acres at place of use.

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
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-16880

Priority Date: October 01, 1908

Origin: Water Right

Basis: Decreed

Status: Active

Source: UPPER TUCKER SPRINGS **Tributary:** RILEY CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.24 CFS		
IRRIGATION	02/15 11/30	3.45 CFS		
Total Diversion		3.45 CFS		

Source and Point(s) of Diversion:

UPPER TUCKER SPRINGS NWSESE Sec. 36 Twp 07S Rge 13E GOODING County

Describe the proposed diversion system

Point of Diversion # 1 Existing diversion to pipeline ditch.

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	
07S 13E 35									X	X	X	X			X		
08S 13E 2	X										L 2	L 1					
			L 2														

PLACE OF USE: IRRIGATION

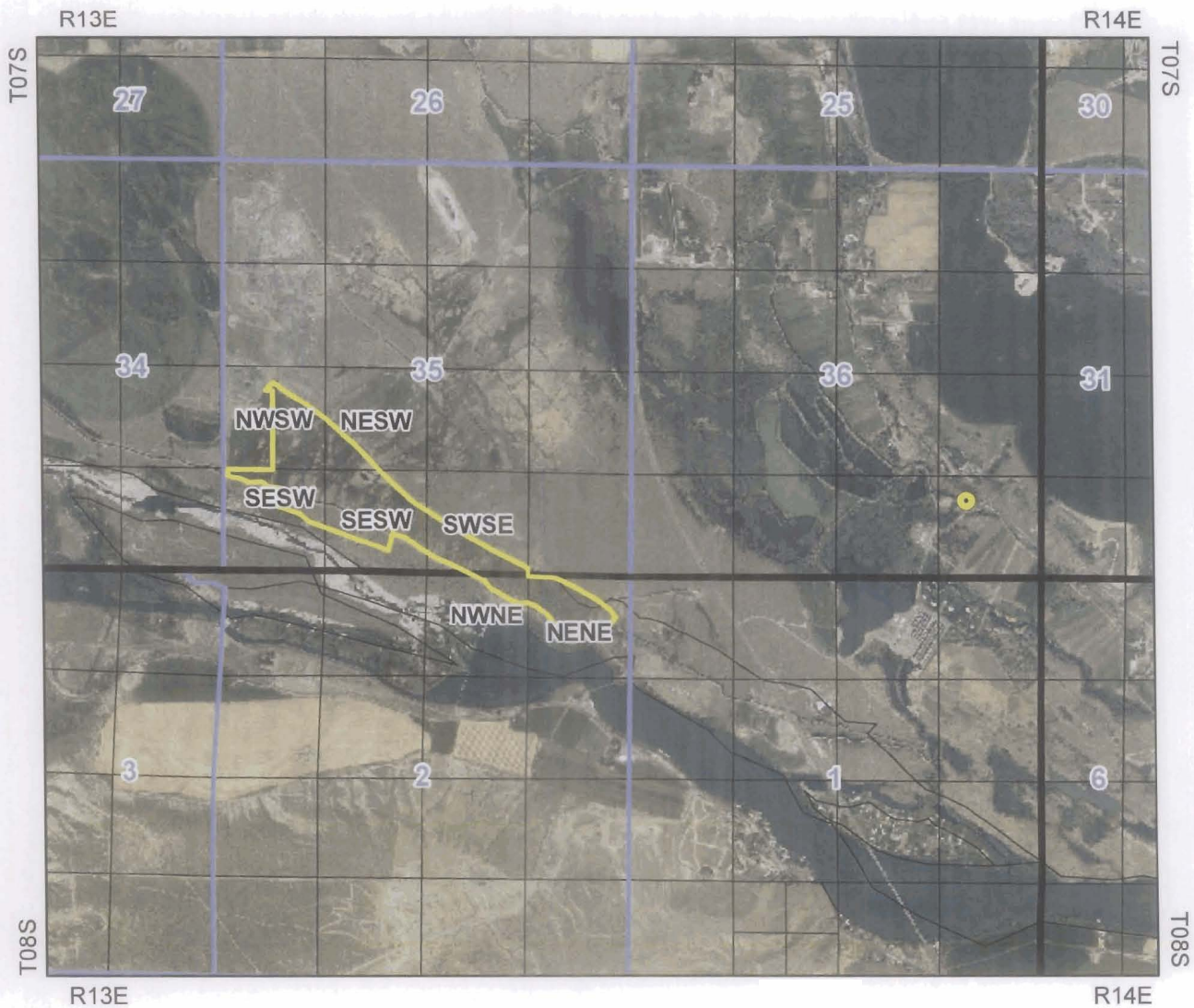
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 13E 35									5.6	14.0	11.0	23.0			11.0		64.6
08S 13E 2	10.7		3.7								L 2	L 1					14.4
			L 2														

Total Acres: 79.0

State of Idaho
Department of Water Resources
Transfer Of Water Right

Transfer No. 76954

Water Service Area Boundary for Salmon Falls Land & Livestock Co Inc
Rights: 36-16880



Legend

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.25 0.5 1 Miles

