

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76542

This is to certify that: THOMAS J WILKE And/Or
JENINE M WILKE
6420 JOHNSTONE RD
HOMEDALE ID 83628
(208)337-5495

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
63-2827	WR/Decreed	07/27/1950	2.7 cfs	774 af		172.0	GROUND WATER
63-2930	WR/Decreed	02/23/1953	0.53 cfs	273.3 af		91.0	GROUND WATER
63-3227	WR/Decreed	03/21/1961	2.07 cfs	1067.5 af		426.0	GROUND WATER
63-2887	WR/Decreed	12/04/1951	1.26 cfs	427.5 af		95.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-2827	NO	NO	YES	YES	NO	NO
63-2930	NO	NO	YES	YES	NO	NO
63-3227	YES	NO	YES	YES	NO	NO
63-2887	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
63-2827	63-2827	2.7 cfs	774 af	172.0	518.2		N/A	N/A	N/A	N/A
63-2930	63-2930	0.53 cfs	273.3 af	91.0	518.2		N/A	N/A	N/A	N/A
63-3227	63-33414	2.03 cfs	1048 af	418.2	518.2	63-33413	0.04 cfs	19.5 af	N/A	7.8
63-2887	63-2887	1.26 cfs	427.5 af	95.0	518.2		N/A	N/A	N/A	N/A

COMBINED

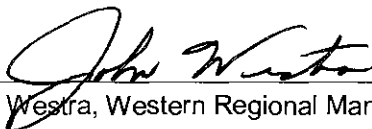
TOTALS	6.52 cfs	2522.8 af	518.2	N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 28th day of September, 20 10

Support Data found in

63-2827


John Westra, Western Regional Manager

WATER RIGHT NO. 63-2827
As Modified by Transfer No. 76542

In accordance with the approval of Transfer No. 76542, Water Right No. 63-2827 is now described as follows.

Right Holder: THOMAS J WILKE And
 JENINE M WILKE
 6420 JOHNSTONE RD
 HOMEDALE ID 83628

Priority Date: July 27, 1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	2.70 CFS	774.0 AF
			2.70 CFS	774.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 29 Twp 03N	Rge 03W CANYON County
GROUND WATER	NWNE	Sec. 32 Twp 03N	Rge 03W CANYON County
GROUND WATER	SENW	Sec. 32 Twp 03N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 32 Twp 03N	Rge 03W CANYON 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	
03N 03W 29									12.0	27.5	40.0	36.0		.5	25.5	1.0	142.5
03N 03W 30									1.2	1.4			1.0				1.0
03N 03W 32	25.0	34.0	40.0	5.0	40.0	40.0	40.0	40.0	39.5	37.0			2.0	32.2			374.7

Total Acres: 518.2

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right is limited to the irrigation of 172 acres within the authorized place of use in a single irrigation season.

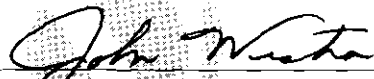
WATER RIGHT NO. 63-2827
As Modified by Transfer No. 76542

CONDITIONS OF APPROVAL

6. Rights 63-2827, 63-2930, 63-33413 and 63-33414 when combined shall not exceed the irrigation of 431 acres.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
10. The following rights are diverted through points of diversion described above: 63-2827, 63-2887, 63-2930, 63-33414. Right 63-33413 is also diverted through the point of diversion located in the SENW, S32, T3N, R3W.
11. Use of this right is combined with water from Wilder Irrigation District.

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 28th day of September, 20 10


John Westra, Western Regional Manager

WATER RIGHT NO. 63-2887
As Modified by Transfer No. 76542

In accordance with the approval of Transfer No. 76542, Water Right No. 63-2887 is now described as follows.

Right Holder: THOMAS J WILKE And
 JENINE M WILKE
 6420 JOHNSTONE RD
 HOMEDALE ID 83629

Priority Date: December 04, 1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	1.26 CFS	427.5 AF
			1.26 CFS	427.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 29 Twp 03N	Rge 03W CANYON County
GROUND WATER	NWNE	Sec. 32 Twp 03N	Rge 03W CANYON County
GROUND WATER	SENW	Sec. 32 Twp 03N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 32 Twp 03N	Rge 03W CANYON 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	
03N 03W 29									12.0	27.5	40.0	36.0		.5	25.5	1.0	142.5
03N 03W 30									1.2	1.4				1.0			1.0
03N 03W 32	25.0	34.0	40.0	5.0	40.0	40.0	40.0	40.0	39.5	37.0			2.0	32.2			374.7

Total Acres: 518.2

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right is limited to the irrigation of 95 acres within the authorized place of use in a single irrigation season.

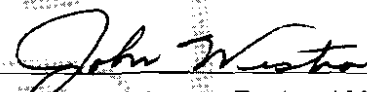
WATER RIGHT NO. 63-2887
As Modified by Transfer No. 76542

CONDITIONS OF APPROVAL

6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. The following rights are diverted through points of diversion described above: 63-2827, 63-2887, 63-2930, 63-33414. Right 63-33413 is also diverted through the point of diversion located in the SENW, S32, T3N, R3W.
10. Use of this right is combined with water from Wilder Irrigation District.

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 28th day of September, 20 10


John Westra, Western Regional Manager

WATER RIGHT NO. 63-2930
As Modified by Transfer No. 76542

In accordance with the approval of Transfer No. 76542, Water Right No. 63-2930 is now described as follows.

Right Holder: THOMAS J WILKE And
 JENINE M WILKE
 6420 JOHNSTONE RD
 HOMEDALE ID 83629

Priority Date: February 23, 1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	0.53 CFS	273.3 AF
			0.53 CFS	273.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 29 Twp 03N	Rge 03W CANYON County
GROUND WATER	NWNE	Sec. 32 Twp 03N	Rge 03W CANYON County
GROUND WATER	SENW	Sec. 32 Twp 03N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 32 Twp 03N	Rge 03W CANYON 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	
03N	03W	29									12.0	27.5	40.0	36.0		.5	25.5	1.0	142.5
03N	03W	30									1.2	1.4				1.0			1.0
03N	03W	32	25.0	34.0	40.0	5.0	40.0	40.0	40.0	40.0	39.5	37.0			2.0	32.2			374.7

Total Acres: 518.2

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

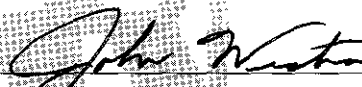
WATER RIGHT NO. 63-2930
As Modified by Transfer No. 76542

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 91 acres within the authorized place of use in a single irrigation season.
6. Rights 63-2827, 63-2930, 63-33413 and 63-33414 when combined shall not exceed the irrigation of 431 acres.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
10. The following rights are diverted through points of diversion described above: 63-2827, 63-2887, 63-2930, 63-33414. Right 63-33413 is also diverted through the point of diversion located in the SENW, S32, T3N, R3W.
11. Use of this right is combined with water from Wilder Irrigation District.

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 28th day of September, 20 10


John Westra, Western Regional Manager

WATER RIGHT NO. 63-33413
As Modified by Transfer No. 76542

In accordance with the approval of Transfer No. 76542, Water Right No. 63-33413 is now described as follows.

Right Holder: SAXTON FRUIT FARMS INC
 PO BOX 1009
 CALDWELL ID 83606-1009

Priority Date: March 21, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	0.04 CFS	19.5 AF
			0.04 CFS	19.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESENW Sec. 32 Twp 03N Rge 03W CANYON 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	
03N	03W	32																	7.8
																			7.8

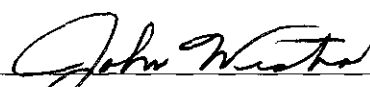
Total Acres: 7.8

CONDITIONS OF APPROVAL

1. 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.
2. The rights listed below are limited to the irrigation of a combined total of 431 acres in a single irrigation season. Combined Right Nos. 63-2827, 63-2930, 63-33413 and 63-33414.
3. Use of this right is combined with water from Wilder Irrigation District.
4. The following rights are diverted through the point of diversion described above: 63-2827, 63-2887, 63-2930, 63-33413, 63-33414.

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 28th day of September, 20 10


 John Westra, Western Regional Manager

WATER RIGHT NO. 63-33414
As Modified by Transfer No. 76542

In accordance with the approval of Transfer No. 76542, Water Right No. 63-33414 is now described as follows.

Right Holder: THOMAS J WILKE And
 JENINE M WILKE
 6420 JOHNSTONE RD
 HOMEDALE ID 83629

Priority Date: March 21, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	2.03 CFS	1,048.0 AF
			2.03 CFS	1,048.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 29 Twp 03N	Rge 03W CANYON County
GROUND WATER	NWNE	Sec. 32 Twp 03N	Rge 03W CANYON County
GROUND WATER	SESW	Sec. 32 Twp 03N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 32 Twp 03N	Rge 03W CANYON 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	
03N	03W	29									12.0	27.5	40.0	36.0		.5	25.5	1.0	142.5
03N	03W	30									2	4							1.0
03N	03W	32	25.0	34.0	40.0	5.0	40.0	40.0	40.0	40.0	39.5	37.0			2.0	32.2			374.7

Total Acres: 518.2

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

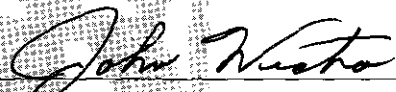
WATER RIGHT NO. 63-33414
As Modified by Transfer No. 76542

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 418.2 acres within the authorized place of use in a single irrigation season.
6. Rights 63-2827, 63-2930, 63-33413 and 63-33414 when combined shall not exceed the irrigation of 431 acres.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
10. The following rights are diverted through points of diversion described above: 63-2827, 63-2887, 63-2930, 63-33414. Right 63-33413 is also diverted through the point of diversion located in the SENW, S32, T3N, R3W.
11. Use of this right is combined with water from Wilder Irrigation District.

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 28th day of September, 20 10


John Westra, Western Regional Manager