

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70269

This is to certify that: SCOTT O SEARLE
621 E 600 S
BURLEY ID 83318
(208)654-2817

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>
45-7028	AJC/License	03/19/1968	3 cfs	N/A		227.0	GROUND WATER
45-7151	AJC/License	08/29/1973	1.38 cfs	N/A		227.0	GROUND WATER
45-7358B	AJC/License	03/20/1979	1.54 cfs	N/A		154.0	GROUND WATER
45-7338	AJC/License	01/31/1978	1.54 cfs	N/A		77.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

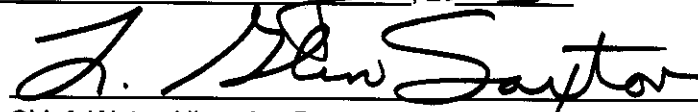
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-7028	NO	NO	YES	YES	NO	NO
45-7151	NO	NO	YES	YES	NO	NO
45-7358B	NO	NO	YES	YES	NO	NO
45-7338	NO	NO	YES	YES	NO	NO

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>
45-7028	45-7028	3.00 cfs	600.0 af	150.0	458.0		N/A	N/A	N/A	N/A
45-7151	45-7151	1.38 cfs	276.0 af	69.0	458.0		N/A	N/A	N/A	N/A
45-7358B	45-7358B	1.54 cfs	616.0 af	154.0	458.0		N/A	N/A	N/A	N/A
45-7338	45-7338	1.54 cfs	308.0 af	77.0	458.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		5.50 cfs	1800.0 af	450	458		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of February, 2003


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7028
As Modified by Transfer No. 70269

In accordance with the approval of Transfer No. 70269, Water Right No. 45-7028 is now described as follows.

Right Holder: SCOTT O SEARLE
 621 E 600 S
 BURLEY ID 83318

Priority Date: March 19, 1968

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	3.00 CFS	600.0 AF
			3.00 CFS	600.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 29 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SESE	Sec. 29 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SESESE	Sec. 29 Twp 11S	Rge 24E	CASSIA 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	
11S 24E 28					37.0	38.0	39.0	40.0									154.0
11S 24E 29	35.0	38.0	38.0	38.0									39.0	39.0	38.0	39.0	304.0

Total Acres: 458

CONDITIONS OF APPROVAL

1. Rights 45-7028 and 457151 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 876 af at the field headgate, and the irrigation of 219 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-7028, 45-7151, 45-7338, and 45-7358B shall not exceed 5.50 cfs, nor total combined annual volume of 1800.0 af for irrigation of 450 acres in a single irrigation season within the place of use described above.
3. This right is limited to the irrigation of 150 acres within the place of use described above in a single irrigation season.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. 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.
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.

WATER RIGHT NO. 45-7028
As Modified by Transfer No. 70269

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
11. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

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 19th day of February, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7151
As Modified by Transfer No. 70269

In accordance with the approval of Transfer No. 70269, Water Right No. 45-7151 is now described as follows.

Right Holder: SCOTT O SEARLE
 621 E 600 S
 BURLEY ID 83318

Priority Date: August 29, 1973

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	1.38 CFS	276.0 AF
			1.38 CFS	276.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 29 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SESE	Sec. 29 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SESESE	Sec. 29 Twp 11S	Rge 24E	CASSIA 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	
11S	24E	28					37.0	38.0	39.0	40.0									154.0
11S	24E	29	35.0	38.0	38.0	38.0									39.0	39.0	38.0	39.0	304.0

Total Acres: 458

CONDITIONS OF APPROVAL

1. Rights 45-7028 and 457151 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 876 af at the field headgate, and the irrigation of 219 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-7028, 45-7151, 45-7338, and 45-7358B shall not exceed 5.50 cfs, nor total combined annual volume of 1800.0 af for the irrigation of 450 acres in a single irrigation season within the place of use described above.
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. This right is limited to the irrigation of 69 acres within the place of use described above in a single irrigation season.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. 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.

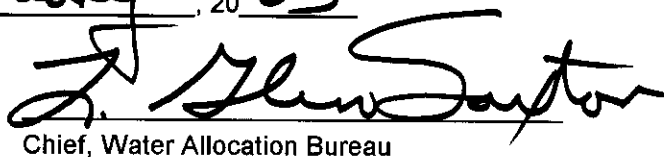
WATER RIGHT NO. 45-7151
As Modified by Transfer No. 70269

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
11. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

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 19th day of February, 20 03


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7338
As Modified by Transfer No. 70269

In accordance with the approval of Transfer No. 70269, Water Right No. 45-7338 is now described as follows.

Right Holder: SCOTT O SEARLE
 621 E 600 S
 BURLEY ID 83318

Priority Date: January 31, 1978

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	1.54 CFS	308.0 AF
			1.54 CFS	308.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 29 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SESE	Sec. 29 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SESESE	Sec. 29 Twp 11S	Rge 24E	CASSIA 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	
11S	24E	28					37.0	38.0	39.0	40.0									154.0
11S	24E	29	35.0	38.0	38.0	38.0									39.0	39.0	38.0	39.0	304.0

Total Acres: 458

CONDITIONS OF APPROVAL

1. Rights 45-7028, 45-7151, 45-7338 and 45-7358 B when combined shall not exceed a total diversion rate of 5.50 cfs, a total annual maximum diversion volume of 1800.0 af at the field headgate, and the irrigation of 458 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-7028, 45-7151, 45-7338, and 45-7358B shall not exceed 5.50 cfs, nor total combined annual volume of 1800.0 af for the irrigation of 450 acres in a single irrigation season within the place of use described above.
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. This right is limited to the irrigation of 77 acres within the place of use described above in a single irrigation season.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. 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.

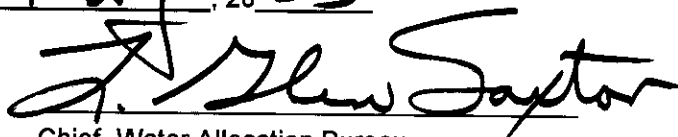
WATER RIGHT NO. 45-7338
As Modified by Transfer No. 70269

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
11. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

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 19th day of February, 2003


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7358B
As Modified by Transfer No. 70269

In accordance with the approval of Transfer No. 70269, Water Right No. 45-7358B is now described as follows.

Right Holder: SCOTT O SEARLE
 621 E 600 S
 BURLEY ID 83318

Priority Date: March 20, 1979

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	1.54 CFS	616.0 AF
			1.54 CFS	616.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 29 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SESE	Sec. 29 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SESESE	Sec. 29 Twp 11S	Rge 24E	CASSIA 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	
11S	24E	28					37.0	38.0	39.0	40.0									154.0
11S	24E	29	35.0	38.0	38.0	38.0								39.0	39.0	38.0	39.0		304.0

Total Acres: 458

CONDITIONS OF APPROVAL

1. Rights 45-7028, 45-7151, 45-7338 and 45-7358 B when combined shall not exceed a total diversion rate of 5.50 cfs, a total annual maximum diversion volume of 1800.0 af at the field headgate, and the irrigation of 458 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-7028, 45-7151, 45-7338, and 45-7358B shall not exceed 5.50 cfs, nor total combined annual volume of 1800.0 af for the irrigation of 450 acres in a single irrigation season within the place of use described above.
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. This right is limited to the irrigation of 154 acres within the place of use described above in a single irrigation season.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. 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.

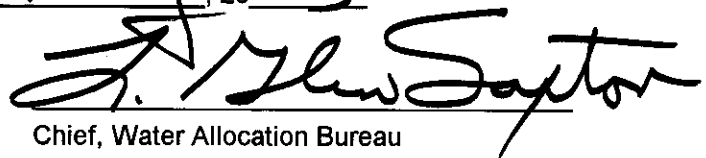
WATER RIGHT NO. 45-7358B
As Modified by Transfer No. 70269

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
11. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

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 19th day of February, 20 03


Chief, Water Allocation Bureau