

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76066

This is to certify that: WESTERN MORTGAGE & REALTY CO
 PO BOX 3110
 PASCO WA 99302-3110
 (509) 545-4545

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>
36-15616	WR/Decreed	07/13/1971	0.17 cfs	N/A	11.0	298.0	GROUND WATER
36-15618	WR/Decreed	01/11/1966	3.86 cfs	964 af	241.0	298.0	GROUND WATER
36-16789	WR/Decreed	11/01/1967	0.15 cfs	32 af	8.0	12.0	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>
36-15616	NO	NO	YES	NO	NO	NO
36-15618	NO	NO	YES	NO	NO	NO
36-16789	NO	YES	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>
36-15616	36-15616	0.17 cfs	44 af	11.0	260.0		N/A	N/A	N/A	N/A
36-15618	36-15618	3.86 cfs	964 af	241.0	260.0		N/A	N/A	N/A	N/A
36-16789	36-16789	0.15 cfs	32 af	8.0	260.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.01 cfs	1040 af	260	260		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 6th day of April, 2010

SUPPORT DATA

IN FILE # 36-15616


 Southern Region Manager

WATER RIGHT NO. 36-15616
As Modified by Transfer No. 76066

In accordance with the approval of Transfer No. 76066, Water Right No. 36-15616 is now described as follows.

Right Holder: WESTERN MORTGAGE & REALTY CO
 PO BOX 3110
 PASCO WA 99302-3110

Priority Date: July 13, 1971

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	0.17 CFS	44.0 AF
			0.17 CFS	44.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENW Sec. 4 Twp 09S Rge 22E MINIDOKA 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	
09S	22E	4	34.0	34.0	33.0	32.0	33.0	32.0	31.0	31.0									
			L 1	L 2			L 3	L 4											

Total Acres: 260

CONDITIONS OF APPROVAL

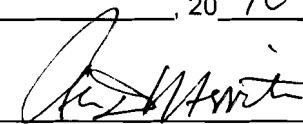
1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. Prior to the diversion and use of water under Transfer approval 76066, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. This right is limited to the irrigation of 11 acres within the place of use described above in a single irrigation season.

WATER RIGHT NO. 36-15616
As Modified by Transfer No. 76066

6. Right Nos. 36-15616 and 36-15618 are limited to a total combined diversion rate of 3.86 cfs.
7. Rights 36-15616, 36-15618 and 36-16789 when combined shall not exceed a total diversion rate of 4.01 cfs, a total annual maximum diversion volume of 1040 af at the field headgate and the irrigation of 260 acres within the place of use described above in a single irrigation season.
8. This right is based upon an enlargement of Right No. 36-15618 pursuant to Section 42-1426, Idaho Code.
9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 6th day of April, 2010



Southern Region Manager

**WATER RIGHT NO. 36-15618
As Modified by Transfer No. 76066**

In accordance with the approval of Transfer No. 76066, Water Right No. 36-15618 is now described as follows.

Right Holder: WESTERN MORTGAGE & REALTY CO
PO BOX 3110
PASCO WA 99302-3110

Priority Date: January 11, 1966

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	3.86 CFS	964.0 AF
			3.86 CFS	964.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENW Sec. 4 Twp 09S Rge 22E MINIDOKA 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	
09S	22E	4	34.0	34.0	33.0	32.0	33.0	32.0	31.0	31.0									
			L 1	L 2			L 3	L 4											

Total Acres: 260

CONDITIONS OF APPROVAL

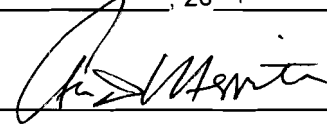
1. This right is limited to the irrigation of 241 acres within the place of use described above in a single irrigation season.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. Prior to the diversion and use of water under Transfer approval 76066, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

WATER RIGHT NO. 36-15618
As Modified by Transfer No. 76066

6. Right Nos. 36-15616 and 36-15618 are limited to a total combined diversion rate of 3.86 cfs.
7. Rights 36-15616, 36-15618 and 36-16789 when combined shall not exceed a total diversion rate of 4.01 cfs, a total annual maximum diversion volume of 1040 af at the field headgate and the irrigation of 260 acres within the place of use described above in a single irrigation season.
8. Right No. 36-15616 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 6th day of April, 20 10



Southern Region Manager

**WATER RIGHT NO. 36-16789
As Modified by Transfer No. 76066**

In accordance with the approval of Transfer No. 76066, Water Right No. 36-16789 is now described as follows.

Right Holder: WESTERN MORTGAGE & REALTY CO
PO BOX 3110
PASCO WA 99302-3110

Priority Date: November 01, 1967

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	0.15 CFS	32.0 AF
			0.15 CFS	32.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENW Sec. 4 Twp 09S Rge 22E MINIDOKA 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	
09S	22E	4	34.0	34.0	33.0	32.0	33.0	32.0	31.0	31.0									260.0
			L 1	L 2			L 3	L 4											

Total Acres: 260

CONDITIONS OF APPROVAL

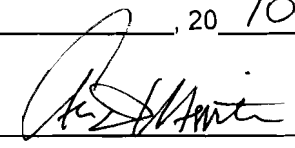
1. This right is limited to the irrigation of 8 acres within the place of use described above in a single irrigation season.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. Prior to the diversion and use of water under Transfer approval 76066, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

WATER RIGHT NO. 36-16789
As Modified by Transfer No. 76066

6. Rights 36-15616, 36-15618 and 36-16789 when combined shall not exceed a total diversion rate of 4.01 cfs, a total annual maximum diversion volume of 1040 af at the field headgate and the irrigation of 260 acres within the place of use described above in a single irrigation season.
7. 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 the SRBA partial decree date.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 6th day of April, 2010


Southern Region Manager