

AMENDED
 Transfer No. 76020
 Receipt No. S031156

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

AMENDED**PART 1****RECEIVED**

1. Applicant Information WESTERN MORTGAGE & REALTY CO
 PO BOX 3110
 PASCO WA 99302-3110
 (509) 545-4545

DEC 31 2009
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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
36-16815	WR/License	3.90	1,132.0	283.0	1,813.0	GROUND WATER

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
36-16815	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

This transfer moves 283 acres of water from the Stormcircle farm to the Keco farm permissible place of use.

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**

Does not apply.

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

Does not apply.

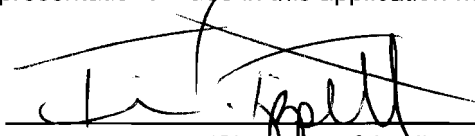
5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-16815	3.90 cfs	283.0	8,627.4	1,132.0 af
TOTAL	3.90 cfs	283.0	8,627.4	1,132.0 af

Transfer No. 76020
Receipt No. S031156

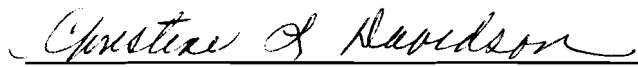
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.


(Signature of Applicant)

Vice President
(Title or Office)

Subscribed and sworn to before me this 30 day of December, 2009.


(Notary Public)

My commission expires 9.19.10



Transfer No. 76020
Receipt No.S031156

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

Current Water Right No. 36-16815

Priority Date: February 20, 1990
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.90 CFS	1,132.0 AFA	
	Total Diversion	3.90 CFS	1,132.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNWSE	Sec. 24 Twp 07S	Rge 22E	LINCOLN County
GROUND WATER	L2 (SWSWNE)	Sec. 30 Twp 07S	Rge 23E	LINCOLN County
GROUND WATER	NWNWSW	Sec. 1 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESESE	Sec. 1 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	L1 (NWNENE)	Sec. 2 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	SWSWSE	Sec. 2 Twp 08S	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	
07S 22E 13									35.0	35.0							70.0
07S 22E 24	31.0	31.0	31.0	31.0	35.0	35.0	39.0	37.0	37.0	35.0	10.0	4.0	30.0	30.0	29.0	30.0	475.0
07S 22E 25	30.0	23.9	26.3	27.8													108.0
07S 23E 19	36.0	36.0	36.0	36.0									32.0	32.0	32.0	32.0	272.0
08S 22E 1	16.0	21.0	36.0	30.0	24.0	12.0	30.0	40.0	38.0	32.0	34.0	30.0	38.0	40.0	38.0	32.0	491.0
08S 22E 2	33.0	34.0	33.0	33.0									33.0	33.0	33.0	33.0	265.0
08S 22E 12					33.0	33.0	33.0	33.0									132.0

Total Acres: 1813

Conditions/Remarks:

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. 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.
3. Rights 36-16570, 36-16573 and 36-16576 when combined shall not exceed the irrigation of 1705 acres.
4. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. 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.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. Rights 36-16570, 36-16573, 36-16576, and 36-16585 when combined shall not exceed a total diversion rate of 25.03 cfs, a total annual maximum diversion volume of 6819.9 af at the field headgate, and the irrigation of 1816.8 acres.
10. The total instantaneous diversion of water from all points of diversion under Rights 36-16570, 36-16573 and 36-16576 shall not exceed 25.03 a total combined annual diversion volume of 6,819.9 af and the irrigation of 1705 acres within the place of use described above in a single irrigation season.

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.
12. Rights 36-16570 and 36-16573 when combined shall not exceed a total annual maximum diversion volume of 4095.4 af at the field headgate, and the irrigation of 1697.9 acres.
13. Prior to the diversion and use of water under Transfer approval 68937, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.

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?
YES

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

The Stormcircle farm will have a reduction of acres but the rights for that farm are being placed in a PPU in companion transfer 76028.

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. 36-16815

Priority Date: February 20, 1990

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.90 CFS	1,132.0 AFA	
	Total Diversion	3.90 CFS	1,132.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSESW	Sec. 26 Twp 06S	Rge 23E	MINIDOKA County
GROUND WATER	SESWNE	Sec. 31 Twp 06S	Rge 23E	LINCOLN County
GROUND WATER	SESESW	Sec. 32 Twp 06S	Rge 23E	LINCOLN County
GROUND WATER	NWNWNE	Sec. 33 Twp 06S	Rge 23E	LINCOLN County
GROUND WATER	NESESW	Sec. 33 Twp 06S	Rge 23E	LINCOLN County
GROUND WATER	SWNENE	Sec. 31 Twp 06S	Rge 24E	MINIDOKA County
GROUND WATER	L7 (SESESW)	Sec. 31 Twp 06S	Rge 24E	MINIDOKA County
GROUND WATER	NWNWSW	Sec. 32 Twp 06S	Rge 24E	MINIDOKA County
GROUND WATER	NENESE	Sec. 32 Twp 06S	Rge 24E	MINIDOKA County
GROUND WATER	NWSENW	Sec. 33 Twp 06S	Rge 24E	MINIDOKA County
GROUND WATER	SESWSW	Sec. 33 Twp 06S	Rge 24E	MINIDOKA County
GROUND WATER	NENESW	Sec. 1 Twp 07S	Rge 23E	MINIDOKA County
GROUND WATER	L2 (NWNWNE)	Sec. 3 Twp 07S	Rge 23E	MINIDOKA County

GROUND WATER	SESENW	Sec. 11 Twp 07S	Rge 23E	MINIDOKA County
GROUND WATER	NWSENW	Sec. 12 Twp 07S	Rge 23E	MINIDOKA County
GROUND WATER	NWSESW	Sec. 12 Twp 07S	Rge 23E	MINIDOKA County
GROUND WATER	NESWNE	Sec. 13 Twp 07S	Rge 23E	MINIDOKA County
GROUND WATER	NESWNW	Sec. 13 Twp 07S	Rge 23E	MINIDOKA County
GROUND WATER	NESWNE	Sec. 14 Twp 07S	Rge 23E	MINIDOKA County
GROUND WATER	SENESE	Sec. 14 Twp 07S	Rge 23E	MINIDOKA County
GROUND WATER	NWNWNW	Sec. 15 Twp 07S	Rge 23E	MINIDOKA County
GROUND WATER	NENENE	Sec. 24 Twp 07S	Rge 23E	MINIDOKA County
GROUND WATER	NESWSW	Sec. 24 Twp 07S	Rge 23E	MINIDOKA County
GROUND WATER	NWNESE	Sec. 4 Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	NENESE	Sec. 6 Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	NWSWNW	Sec. 11 Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	NENWSW	Sec. 16 Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	SESWNE	Sec. 20 Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	NWSWNW	Sec. 21 Twp 07S	Rge 24E	MINIDOKA County

Describe the proposed diversion system

Existing wells.

PLACE OF USE: IRRIGATION

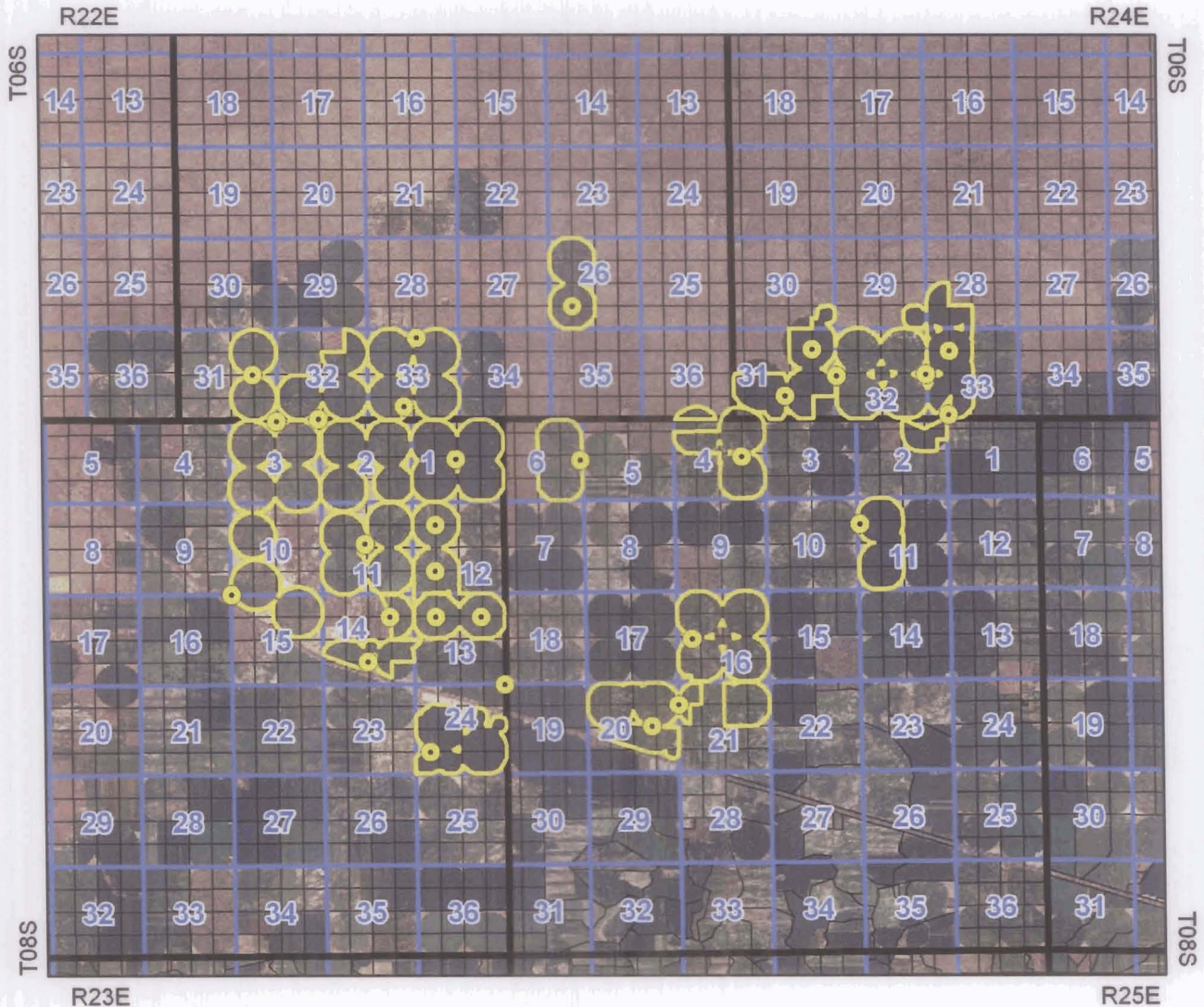
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 23E 26					33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0					264.0
06S 23E 31	32.0	31.0	32.0	32.0									31.0	32.0	32.0	31.0	253.0
06S 23E 32	31.0		32.0	32.0					33.0	32.0	30.0	31.0	33.0	33.0	31.0	31.0	349.0
06S 23E 33	33.0	33.0	34.0	34.0	33.0	33.0	35.0	34.0	33.0	33.0	32.0	32.0	33.0	33.0	32.0	32.0	529.0
06S 23E 36												7.0			20.0	9.0	36.0
06S 24E 28										33.0	39.0	39.0					111.0
06S 24E 29																35.0	35.0
06S 24E 30																30.0	30.0
06S 24E 31	39.0	40.0	35.0	29.0					38.0	40.0	15.0	34.0	37.0	40.0	37.0		384.0
06S 24E 32	33.0	33.0	39.0	38.0	33.0	33.0	38.0	39.0	39.0	38.0	33.0	34.0	38.0	39.0	33.0	33.0	573.0
06S 24E 33					39.0	38.0	39.0	39.0	39.0	38.0	20.0	33.0					285.0
07S 23E 1	18.0 L 1	18.0 L 2	39.0	39.0	18.0 L 3	18.0 L 4	39.0	39.0	36.0	36.0	33.0	33.0	36.0	36.0	33.0	33.0	504.0
07S 23E 2	18.0 L 1	18.0 L 2	39.0	39.0	19.0 L 3	18.0 L 4	37.0	40.0	28.0	27.0	39.0	39.0	33.0	22.0	21.0	36.0	473.0
07S 23E 3	18.0 L 1	18.0 L 2	38.0	37.0	18.0 L 3	18.0 L 4	37.0	38.0	28.0	27.0	39.0	39.0	27.0	27.0	39.0	39.0	487.0
07S 23E 10	8.9	8.9			26.0	25.0	38.0	37.0	25.0	21.0	38.0	40.0			15.0	6.1	288.9
07S 23E 11	33.0	33.0	32.0	32.0	24.0	25.0	39.0	38.0	35.0	35.0	32.0	32.0	33.0	33.0	34.0	32.0	522.0
07S 23E 12					33.0	33.0	33.0	33.0	33.0	33.0	39.0	39.0					276.0
07S 23E 13	33.0	39.0	34.0	33.0	39.0	38.0	33.0	33.0		2.8							284.8
07S 23E 14	33.0	8.8		32.0					36.0	28.0	.1	8.0	38.0	32.0	14.0		229.9
07S 23E 15	37.0	40.0	30.0	26.0	26.0	16.0		1.4									176.4
07S 23E 24			29.0	17.0	1.1	1.2	34.0	37.0	39.0	32.0	37.0	37.0	36.0	39.0	35.0	32.0	406.3
07S 24E 2	9.1 L 1	9.1 L 2	33.0	30.0													81.2
07S 24E 4	20.0 L 1	20.0 L 2	39.0	33.0			33.0	39.0					33.0	39.0	33.0	33.0	322.0
07S 24E 6	17.0 L 1	18.0 L 2	39.0	38.0									36.0	37.0	34.0	33.0	252.0
07S 24E 11					33.0	33.0	33.0	39.0	39.0	33.0	33.0	33.0					276.0
07S 24E 16	33.0	33.0	39.0	33.0	33.0	33.0	33.0	39.0	39.0	32.0	31.0	33.0	33.0	39.0	33.0	33.0	549.0
07S 24E 20	33.0	38.0	36.0	33.0	38.0	33.0	33.0	38.0	29.0	8.0			39.0	39.0	2.0	8.9	407.9
07S 24E 21	33.0	38.0	39.0	33.0		33.0	13.0										189.0

Total Acres: 8627.4

State of Idaho
Department of Water Resources
Transfer Of Water Right

Transfer No. 76020

Water Service Area Boundary for Western Mortgage & Realty Co
Rights: 36-16815



Legend

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

0 1.25 2.5 5 Miles

