

RECEIVED

Page 1

OCT 08 2009

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

Transfer No. 76021

Receipt No. 5031130

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

1. Applicant Information CORY S THAIN  
PO BOX 1024  
BURLEY ID 83318  
(208)761-0109

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       |
|----------|--------------|------|--------|------------|-------------|--------------|
| 36-16702 | WR/Decreed   | 0.86 | 172.0  |            | 43.0        | 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 |
|----------|-------|-----|-----|---------|---------------|---------------|
| 36-16702 | NO    | NO  | YES | NO      | NO            | NO            |

Describe the reason for the proposed changes

Transfer filed to change the recorded place of use of right 36-16702 to reflect the actual land irrigated under a couple of mini pivots.

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

N/A

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

N/A

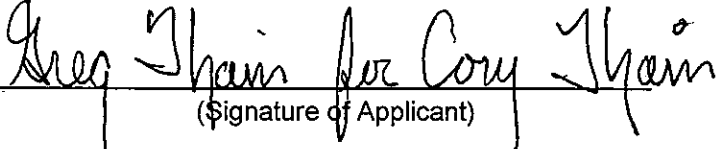
5. Total Amounts Transferred

|          | Rate     | Acre Limit | Total Acres | Volume   |
|----------|----------|------------|-------------|----------|
| 36-16702 | 0.86 cfs |            | 43.0        | 172.0 af |
| TOTAL    | 0.86 cfs |            | 43.0        | 172.0 af |

Transfer No. 76021  
Receipt No. \_\_\_\_\_

**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)

RECEIVED

Page 3

OCT 08 2009

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

Transfer No. 76021

Receipt No. \_\_\_\_\_

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

**Current Water Right No.** 36-16702

Priority Date: March 13, 1981  
Origin: Water Right  
Basis: Decreed  
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 11/01    | 0.86 CFS              | 172.0 AFA     |                    |
| Total Diversion       |                | 0.86 CFS              | 172.0 AFA     |                    |

Source and Point(s) of Diversion:

GROUND WATER SESENE Sec. 11 Twp 07S Rge 24E 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 | 24E | 11  | 6.8 | 6.3 | 6.3 | 1.7 |    |    |    |    |    |    |    |    | 6.1 | 5.4 | 5.5 | 4.9 | 43.0   |

Total Acres: 43

Conditions/Remarks:

1. 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.
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. The following rights are diverted through point of diversion described above: 36-16700 and 36-16702.
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.

6. Prior to the diversion and use of water under Transfer approval 75334, 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.
7. The period of use for the irrigation described in this approval may be extended to 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 after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 27, 2001.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

Documentation of Ownership of the Current Place of Use

IDWR records

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

Land will no longer be irrigated

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

RECEIVED

OCT 08 2009

Page 5

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

Transfer No. 76021  
Receipt No. \_\_\_\_\_

IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3A

Proposed Water Right No. 36-16702

Priority Date: March 13, 1981

Origin: Water Right

Basis: Decreed

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 11/01     | 0.86 CFS              | 172.0 AFA     |                    |
|                       | Total Diversion | 0.86 CFS              | 172.0 AFA     |                    |

Source and Point(s) of Diversion:

GROUND WATER SESENE Sec. 11 Twp 07S Rge 24E MINIDOKA County

Describe the proposed diversion system

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 24E 11  | 1.9 | 6.3 | 6.5 | 5.2 |    |    |    |    |    |    |    |    | 6.3 | 6.4 | 5.5 | 4.9 | 43.0   |

Total Acres: 43

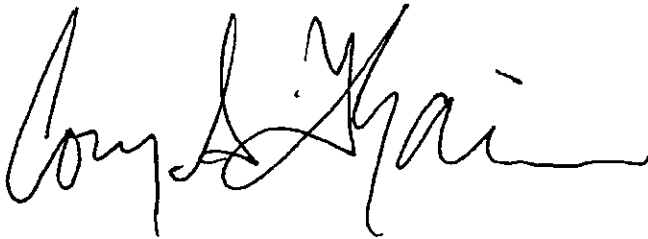
August 20, 2008

To Whom It May Concern:

I give my father, Greg S. Thain, exclusive rights to represent me and/or sign on my behalf regarding my farm including; but not limited to; water rights, rent, and taxes.

Feel free to contact me with any questions.

Thank you,

A handwritten signature in black ink, appearing to read 'Cory S. Thain', with a stylized flourish at the end.

Cory S. Thain  
(208) 761-0109

RECEIVED  
SEP 02 2008  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

