

RECEIVED

SEP 14 2009

WATER RESOURCES
WESTERN REGION

Transfer No. 75865

Receipt No. W037884

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

1. Applicant Information FARMERS COOPERATIVE IRRIGATION CO LTD
102 N MAIN ST
PAYETTE ID 83661
(208)642-9424

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
65-66	WR/Decreed	12.22		13,283	13,283	PAYETTE RIVER
65-67	WR/Decreed	384.90		13,283	13,283	PAYETTE RIVER

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
Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
65-66	NO	NO	YES	NO	NO	NO
65-67	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

During the extensive and intensive review of lands served by this delivery organization, several areas where water has been delivered and used for years were identified outside the digital boundary currently on file with IDWR as our service area. This transfer is being filed to accurately reflect the entire land base served by Farmers Cooperative.

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

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

5. Total Amounts Transferred

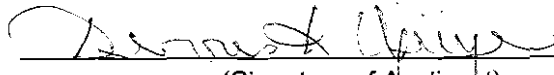
	Rate	Acre Limit	Total Acres	Volume
65-66	12.22 cfs	13,283.0	13,283.0	
65-67	384.90 cfs	13,283.0	13,283.0	
TOTAL	397.12 cfs		13,283.0	

Transfer No. 75865

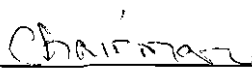
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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)



(Title or Office)

[illegible]

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

Current Water Right No. 65-66

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N 04W 31									X	X	X	X				X	
08N 05W 9			X			X	X	X	X	X	X	X	X	X	X	X	
08N 05W 10										X	X	X					
08N 05W 14							X		X	X	X	X			X		
08N 05W 15		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
08N 05W 16	X	X	X	X	X	X							X			X	
08N 05W 21																	
08N 05W 22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
08N 05W 23		X	X		X	X	X	X	X	X	X	X		X	X		
08N 05W 26					X	X	X										
08N 05W 27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
08N 05W 28	X			X									X	X		X	
08N 05W 33	X												X	L 8		L 2	
08N 05W 34	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	
08N 05W 35		X	X	X		X	X	X	X	X	X	X	X	X	X	X	
08N 05W 36									X	X	X	X	X	X	X	X	

Conditions/Remarks:

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. This right is limited to the irrigation of 13,283 acres within the boundaries of Farmers Cooperative Irrigation Co. Ltd. in a single irrigation season.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 65-66 and 65-67 when combined shall not exceed a total diversion rate of 397.12 cfs and the irrigation of 13,283 acres in a single irrigation season.
5. 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. 65.

6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. The following rights are diverted through point of diversion described above: 65-66, 65-67
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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.

Documentation of Ownership of the Current Place of Use

N/A

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

N/A

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

No change, water will continue to be used on all lands served by Farmers Cooperative.

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 2**

Transfer No. _____

Receipt No. _____

Current Water Right No. 65-67

Priority Date: 04/01/1895

Origin: Water Right

Basis: Decreed

Status: Active

Source: PAYETTE RIVER**Tributary to:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	384.90 CFS		
	Total Diversion	384.90 CFS		

Source and Point(s) of Diversion:

PAYETTE RIVER L1 (SENE) 06N 01W 5 GEM

PLACE OF USE: IRRIGATION (same as Right 65-66)Conditions/Remarks:

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. This right is limited to the irrigation of 13,283 acres within the boundaries of Farmers Cooperative Irrigation Co. Ltd. in a single irrigation season.
3. 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. 65.
4. The following rights are diverted through point of diversion described above: 65-66, 65-67
5. Rights 65-66 and 65-67 when combined shall not exceed a total diversion rate of 397.12 cfs and the irrigation of 13,283 acres in a single irrigation season.
6. 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.

7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Documentation of Ownership of the Current Place of Use

N/A

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

N/A

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

No change, water will continue to be used on all lands served by Farmers Cooperative.

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

No

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

Proposed Water Right No. 65-66

Priority Date: September 12, 1874

Origin: Water Right

Basis: Decreed

Status: Active

Source: PAYETTE RIVER

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	12.22 CFS		
	Total Diversion	12.22 CFS		

Source and Point(s) of Diversion:

PAYETTE RIVER L1 (SENE) Sec. 5 Twp 06N Rge 01W GEM County

Describe the proposed diversion system

Place of Use: See Attachments A (boundary map) and B (land list)

Transfer No. 75865
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 65-67

Priority Date: April 01, 1895

Origin: Water Right

Basis: Decreed

Status: Active

Source: PAYETTE RIVER

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	384.90 CFS		
	Total Diversion	384.90 CFS		

Source and Point(s) of Diversion:

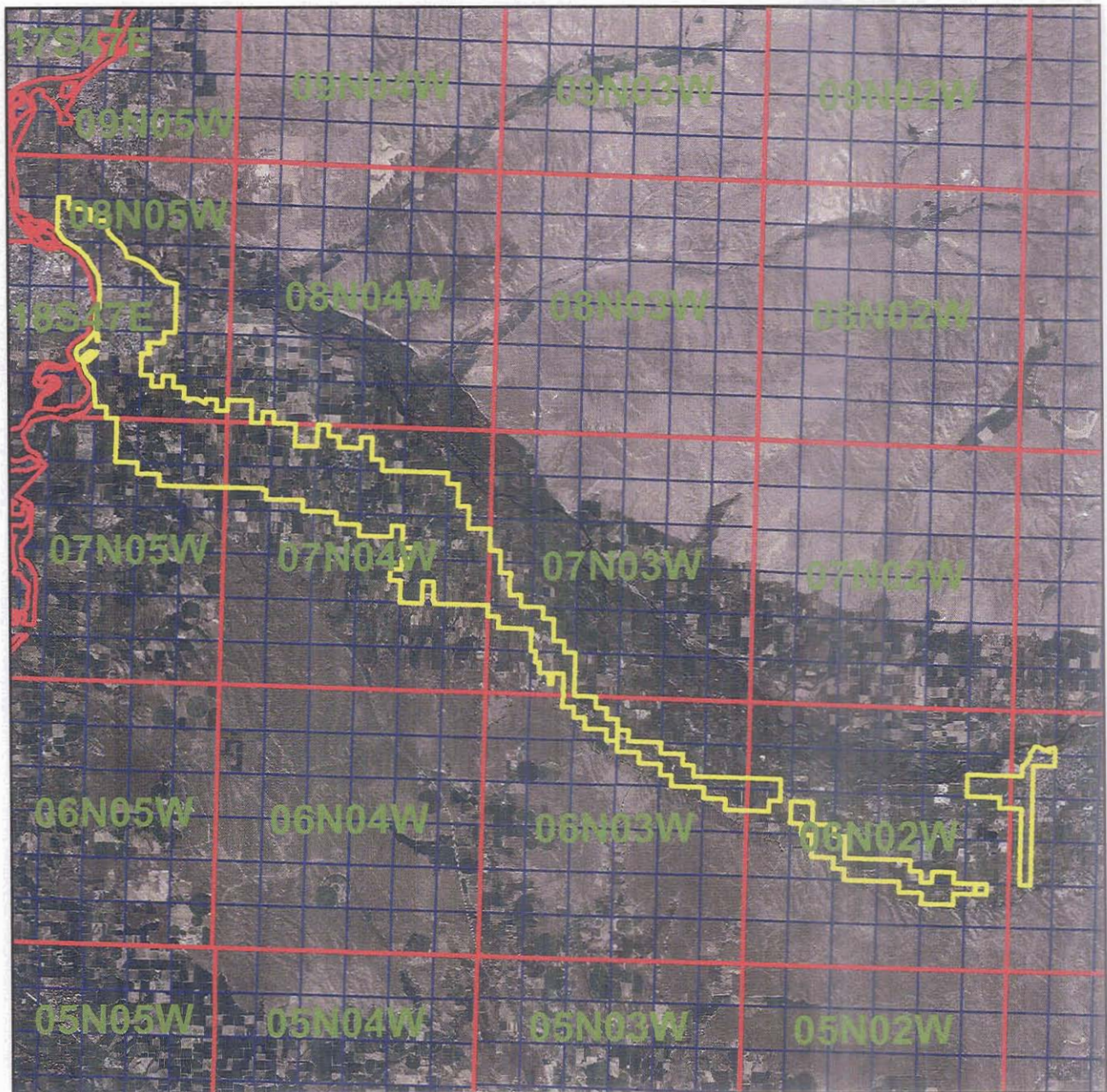
PAYETTE RIVER L1 (SENE) Sec. 5 Twp 06N Rge 01W GEM County

Describe the proposed diversion system

Place of Use: See Attachments A (boundary map) and B (land list)

Farmers Cooperative Irr. Co. T#75865

Place of Use Boundary After Transfer Approval



Attachment A

SCANNED

OCT 19 2009

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	
06N 01W 6												X			X	X	
06N 01W 7	X	X			X			X	X	X	X	X			X	X	
06N 01W 18					X	X		X	X	L 2	L 1						
06N 01W 19					X	L 1		X	X			X					
06N 02W 7											X	X			X		
06N 02W 12									X	X	X	X	X	X	X	X	
06N 02W 13	X	X															
06N 02W 17							X	X	X	X		X			X	X	
06N 02W 18		X			X	X	X	X									
06N 02W 20	X	X	X	X		L 1	L 2										
06N 02W 21						X	X		X	X		X	X	X	X	X	
06N 02W 22									X	X	X	X		X	X	X	
06N 02W 23												X		X			
06N 02W 25					X	X											
06N 02W 26	X	X	X		X	X	X	X									
06N 02W 27	X	X															
06N 03W 3											X						
06N 03W 4			X		X	X	X	X	X				X	X		X	
06N 03W 5	X				L 3	L 4											
06N 03W 10	X	X	X	X	X	X											
06N 03W 11							X	X	X	X		X		X	X	X	
06N 03W 12											X	X			X	X	
06N 03W 13	X	X	X	X	X	X											
07N 03W 18											X						
07N 03W 19						X	X	X	X	X	X	X		X	X		
07N 03W 29						X	X	X	X	X	L 3	L 4			X	X	
07N 03W 30	X	X	X	X	X	X		X									
07N 03W 32	X	X	X	X		L 1											
07N 04W 3							X			X	X	X					
07N 04W 4						X	X	X	X	X	X	X	X	X	X	X	
07N 04W 5					X	X	X	X	X	X	X	X	X	X	X	X	
07N 04W 6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

07N 04W 7	X	X	X	X	X	X	X	X					X				
07N 04W 8	X	X	X	X	X	L1	L2	X	X	X			X	X			X
07N 04W 9	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 04W 10	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 04W 11	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 04W 12							X			X	X	X					
07N 04W 13			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 04W 14	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X
07N 04W 15	X	X	X		X	X	X	X									
07N 04W 16	X	X															
07N 04W 22				X													
07N 04W 23	X	X	X	X	X	X	X	X	X	X	X	X	X				X
07N 04W 24	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 05W 1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 05W 2	L1	L2	X	X	L3	L4	X	X	X	X	X	X	X	X	X	X	X
07N 05W 3	L1	L2	X	X	L3	L4								X	X	X	X
07N 05W 11	L1	L2	X	X	X	X											
07N 05W 12	X	X	X	X	X	X	X	X									
08N 04W 31									X	X	X	X					X
08N 05W 9			X			X	X	X	X	X	X	X	X	X	X	X	X
08N 05W 10										X	L1	X	X				
08N 05W 14							X		X	X	X	X	X		X		
08N 05W 15		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08N 05W 16	X	X	L2	X	L3	X								X			X
08N 05W 21				L3										L4			L5
08N 05W 22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08N 05W 23		X	X		X	L1	L2	X	X	X	X	X		X	X		
08N 05W 26					X	X	X										
08N 05W 27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08N 05W 28	X			X		L1	L2							X	X		X
08N 05W 33	L4			L5										L7			L9
08N 05W 34	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X
08N 05W 35		X	X	X		X	X	X	X	X	X	X	X	X	X	X	X
08N 05W 36									X	X	X	X		X	X	X	X

Total Acres: 13,283