

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75439

This is to certify that: GARNER LAND LLC
 22 N YALE RD
 DECLO ID 83323
 (208) 349-5740

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>
43-13634	WR/Decreed	06/30/1953	5.25 cfs	1120 af	N/A	280.0	GROUND WATER
43-13638	WR/Decreed	03/18/1960	0.21 cfs	196 af	49.0	280.0	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>
43-13634	YES	YES	YES	YES	NO	NO
43-13638	YES	YES	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>
43-13634	43-13643	0.68 cfs	144 af	N/A	36.0	43-13642	4.57 cfs	976 af	N/A	244.0
43-13638	43-13641	0.03 cfs	25.2 af	6.3	36.0	43-13640	0.18 cfs	170.8 af	42.7	244.0
COMBINED										
TOTALS		0.71 cfs	144 af	N/A	36		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of June, 2009


 For _____
 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 43-13634

WATER RIGHT NO. 43-13640
As Modified by Transfer No. 75439

In accordance with the approval of Transfer No. 75439, Water Right No. 43-13640 is now described as follows.

Right Holder: GW FINANCE COMPANY LLC
22 N YALE RD
DECLO ID 83323

Priority Date: March 18, 1960

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	0.18 CFS	170.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 7 Twp 11S Rge 27E 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	27E	7	30.0	30.0	30.5	30.5	31.0	28.5	30.5	33.0								244.0	
								L 1	L 2										

Total Acres: 244

WATER RIGHT NO. 43-13640
As Modified by Transfer No. 75439

CONDITIONS OF APPROVAL

1. Use of this right with right no. 43-13642 is limited to a total combined annual diversion volume of 976 af.
2. Right includes accomplished change in place of use pursuant to section 42-1425, idaho code.
3. Use of this right with right no. 43-13642 is limited to the irrigation of a combined total of 244 acres in a single irrigation season.
4. Right includes accomplished change in point of diversion pursuant to section 42-1425, idaho code.
5. This right is limited to the irrigation of 42.7 acres within the place of use described above 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.

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 30th day of June, 2009



For Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13641
As Modified by Transfer No. 75439

In accordance with the approval of Transfer No. 75439, Water Right No. 43-13641 is now described as follows.

Right Holder: GARNER LAND LLC
 22 N YALE RD
 DECLO ID 83323

Priority Date: March 18, 1960

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	0.03 CFS	25.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER SWNWSW Sec. 3 Twp 11S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S	27E	3			16.7				5.3	3.0							11.0		36.0

Total Acres: 36

WATER RIGHT NO. 43-13641
As Modified by Transfer No. 75439

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. Rights 43-13641 and 43-13643 when combined shall not exceed a total diversion rate of 0.71 cfs, a total annual maximum diversion volume of 144 af at the field headgate, and the irrigation of 36 acres.
3. This right is limited to the irrigation of 6.3 acres within the place of use described above in a single irrigation season.
4. 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.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 30th day of June, 2009



5012 Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13642
As Modified by Transfer No. 75439

In accordance with the approval of Transfer No. 75439, Water Right No. 43-13642 is now described as follows.

Right Holder: GW FINANCE COMPANY LLC
 22 N YALE RD
 DECLO ID 83323

Priority Date: June 30, 1953

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	4.57 CFS	976.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 7 Twp 11S Rge 27E 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	27E	7	30.0	30.0	30.5	30.5	31.0	28.5	30.5	33.0									244.0
								L 1	L 2										

Total Acres: 244

WATER RIGHT NO. 43-13642
As Modified by Transfer No. 75439

CONDITIONS OF APPROVAL

1. Use of this right with right no. 43-13640 is limited to the irrigation of a combined total of 244 acres in a single irrigation season.
2. Use of this right with right no. 43-13640 is limited to a total combined annual diversion volume of 976 af.
3. Right includes accomplished change in point of diversion pursuant to section 42-1425, idaho code.
4. Right includes accomplished change in place of use pursuant to section 42-1425, idaho code.
5. 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 30th day of June, 2009



FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13643
As Modified by Transfer No. 75439

In accordance with the approval of Transfer No. 75439, Water Right No. 43-13643 is now described as follows.

Right Holder: GARNER LAND LLC
 22 N YALE RD
 DECLO ID 83323

Priority Date: June 30, 1953

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	0.68 CFS	144.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER SWNWSW Sec. 3 Twp 11S Rge 27E 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	27E	3			16.7				5.3		3.0						11.0		36.0

Total Acres: 36

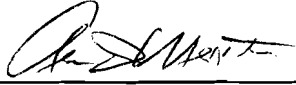
WATER RIGHT NO. 43-13643
As Modified by Transfer No. 75439

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. Rights 43-13641 and 43-13643 when combined shall not exceed a total diversion rate of 0.71 cfs, a total annual maximum diversion volume of 144 af at the field headgate, and the irrigation of 36 acres.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

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 30th day of June, 2009



For Chief, Water Allocation Bureau