

Transfer No. 73545
 Receipt No. 5029440

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

1. Applicant Information RICHARD B DALLEY
 PO BOX 705
 RUPERT ID 83350
 (208)436-1889
 And
 SHAUNA H DALLEY
 131 E 100 N
 RUPERT ID 83350
 (208)436-5730
 And
 RICHARD B DALLEY JR
 PO BOX 705
 RUPERT ID 83350
 (208)436-1889
 And
 STACEY D DALLEY
 PO BOX 705
 RUPERT ID 83350
 (208)436-6541

RECEIVED

MAY 02 2007

DEPT. OF WATER RESOURCES
 SOUTHERN REGION

WITHDRAWN

Will this transfer result in an ownership change? _____ Yes

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-16485	WR/Decreed	1.63	492.0	123.0	264.0	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
36-16485	NO	YES	YES	YES	NO	NO

Describe the reason for the proposed changes

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T73873 moves early-priority water from Sec. 7 & 18 to Sec. 34, while this transfer moves late-priority water from Sec. 34 to Sec. 7 & 18. The same land will continue to be irrigated after both transfers are approved, subject to priority cutbacks. Transfer also adds Richard B. Dalley Jr. & Stacey Dalley as owners of the land in Sec. 7.

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
36-16485	1.63 cfs	123.0	813.6	492.0 af
TOTAL				

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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.

Richard Dalley, Jr.
Stacy D. Dalley
RB Dalley

Shawn H. Dalley

(Signature of Applicant)

owner

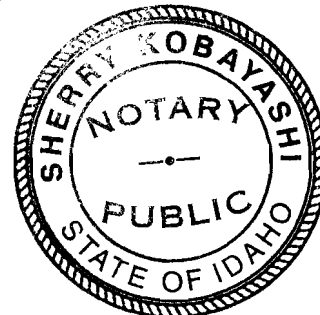
(Title or Office)

Subscribed and sworn to before me this 2nd day of May, 2007.

Sherry Kobayashi

(Notary Public)

My commission expires 12/14/07



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

Current Water Right No. 36-16485

Priority Date: September 10, 1984

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<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	1.63 CFS	492.0 AFA	
	Total Diversion	1.63 CFS	492.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESWNW Sec. 34 Twp 06S Rge 23E MINIDOKA 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
06S 23E 34					33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0					264.0

Total Acres: 264

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. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 70415, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point 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.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

6. This right is limited to the irrigation of 240 acres within the place of use described above in a single irrigation season.
7. 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.
8. Rights 36-2149, 36-16128 and 36-16130 when combined shall not exceed the irrigation of 264 acres.
9. 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

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

None - T72873 moves earlier-priority rights to land being dried up under this transfer in an exchange. Land in Sec. 34 should be immune from priority cuts after transfers are approved.

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. 36-16485

Priority Date: September 10, 1984

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 11/15	1.63 CFS	492.0 AFA	
	Total Diversion	1.63 CFS	492.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWSE	Sec. 7 Twp 07S Rge 24E	MINIDOKA County
GROUND WATER	NESWNE	Sec. 18 Twp 07S Rge 24E	MINIDOKA County
GROUND WATER	NWSENW	Sec. 18 Twp 07S Rge 24E	MINIDOKA County
GROUND WATER	NWSESW	Sec. 18 Twp 07S Rge 24E	MINIDOKA County
GROUND WATER	NESWSE	Sec. 18 Twp 07S Rge 24E	MINIDOKA County

Describe the proposed diversion system

Point of Diversion # 1 Existing well, motor, pump, mainlines to other wells & sprinklers

Point of Diversion # 2 Existing well, motor, pump, mainlines to other wells and sprinklers

Point of Diversion # 3 Existing well, motor, pump, mainlines to other wells & sprinklers

Point of Diversion # 4 Existing well, motor, pump, mainlines to other wells & sprinklers

Point of Diversion # 5 Existing well, motor, pump, mainlines to other wells & sprinklers

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	7									40.0	20.8	20.8	40.0	40.0	40.0	40.0	40.0	281.6
												L 3	L 4						
07S	24E	18	40.0	36.0	37.0	40.0	40.0	20.0	20.0	40.0	40.0	20.0	15.0	39.0	40.0	36.0	36.0	33.0	532.0
								L 1	L 2			L 3	L 4						

Total Acres: 813.6