

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73415

This is to certify that: LAYNE HARRIS
 PO BOX 63
 NEWDALE ID 83436
 (208)458-4936

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>
22-12900	WR/Decreed	05/01/1965	0.64 cfs	259 af	74.0	244.0	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
22-7397	AJC/License	05/20/1982	3.16 cfs	553 af		158.0	GROUND WATER
22-2200	AJC/License	05/14/1961	2.7 cfs	595 af	170.0	244.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

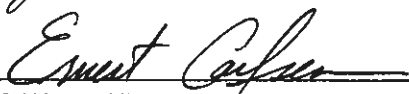
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-12900	NO	YES	NO	NO	NO	NO

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>
22-12900	22-12900	0.64 cfs	259 af	N/A	74.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.64 cfs	259 af	N/A	74.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13 day of May, 2009

for 
 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 22-12900

WATER RIGHT NO. 22-12900
As Modified by Transfer No. 73415

In accordance with the approval of Transfer No. 73415, Water Right No. 22-12900 is now described as follows.

Right Holder: LAYNE HARRIS
 PO BOX 63
 NEWDALE ID 83436

Priority Date: May 01, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.64 CFS	259.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENE Sec. 10 Twp 06N Rge 41E MADISON 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			
06N	41E	3																	37.0	37.0	74.0

Total Acres: 74

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 74 acres within the place of use described for this right.
2. Rights 22-7397 and 22-12900 when combined shall not exceed a total diversion rate of 3.16 cfs, and the irrigation of 232 acres.
3. 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.
4. This right is based upon an enlargement of Right No. 22-7397 pursuant to Section 42-1426, Idaho Code.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 22-12900
As Modified by Transfer No. 73415

CONDITIONS OF APPROVAL

8. 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.
9. Right 22-7397 is also diverted through the point(s) of diversion described above.
10. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

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 13 day of May, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 22-2200
As Modified by Transfer No. 73415

In accordance with the approval of Transfer No. 73415, Water Right No. 22-2200 is now described as follows.

Right Holder: CAROL OSTERMILLER

8881 E HWY 33
 PO BOX 142
 NEWDALE ID 83436

Or

BOYD E HOWARD
 PO BOX 76
 NEWDALE ID 83436

Or

REESE J GODFREY
 8671 E HWY 33
 NEWDALE ID 83436

Priority Date: May 14, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.70 CFS	595.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec. 3 Twp 06N Rge 41E MADISON 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		
06N	41E	3	28.0	2.0	24.0	39.0												38.0	39.0	170.0
			L1	L2																

Total Acres: 170

WATER RIGHT NO. 22-2200
As Modified by Transfer No. 73415

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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 13 day of May, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 22-7397
As Modified by Transfer No. 73415

In accordance with the approval of Transfer No. 73415, Water Right No. 22-7397 is now described as follows.

Right Holder: R LAYNE HARRIS
 PO BOX 63
 NEWDALE ID 83436

Priority Date: May 20, 1982

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.16 CFS	553.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENE Sec. 10 Twp 06N Rge 41E MADISON 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	
06N	41E	10	40.0	40.0	40.0	38.0													158.0

Total Acres: 158

CONDITIONS OF APPROVAL

1. Right Nos. 22-7397 and 22-12900 are limited to the irrigation of a combined total of 232 acres in a single irrigation season.
2. Right Nos. 22-7397 and 22-12900 are limited to a total combined diversion rate of 3.16 cfs.
3. Right No. 22-12900 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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 13 day of May, 2009

Ernest Carlson
 for Chief, Water Allocation Bureau