

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 75406**

This is to certify that: LOWELL B CURTIS And JULINA CURTIS  
 1930 E 2200 N  
 TWIN FALLS ID 83301  
 (208) 655-4134

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 47-17254     | AJC/License         | 01/26/1970      | 0.26 cfs    | 126.3 af      | 37.5              | 152.0              | GROUND WATER  |
| 47-17255     | AJC/License         | 01/26/1970      | 0.85 cfs    | 412.7 af      | 122.5             | 487.0              | GROUND WATER  |
| 47-17256     | AJC/License         | 06/28/1957      | 0.45 cfs    | 219.5 af      | 58.0              | 152.0              | GROUND WATER  |
| 47-17257     | AJC/License         | 06/28/1957      | 1.44 cfs    | 702.5 af      | 187.0             | 487.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 47-17254              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 47-17255              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 47-17256              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 47-17257              | NO           | NO         | YES        | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 47-17254               | <b>47-17254</b>                  | 0.26 cfs             | 126.3 af               | 37.5              | 512.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 47-17255               | <b>47-17255</b>                  | 0.85 cfs             | 412.7 af               | 122.5             | 512.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 47-17256               | <b>47-17256</b>                  | 0.45 cfs             | 219.5 af               | 58.0              | 512.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 47-17257               | <b>47-17257</b>                  | 1.44 cfs             | 702.5 af               | 187.0             | 512.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>3 cfs</b>         | <b>1461 af</b>         | <b>405</b>        | <b>512</b>         |                                    | N/A                   | N/A                     | N/A                         | N/A                          |

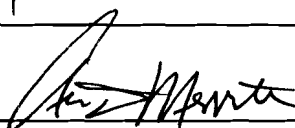
Detailed Water Right Description(s) attached

Dated this 2<sup>nd</sup> day of April, 2009

**SUPPORT DATA**

IN FILE # 47-17254

For

  
 Chief, Water Allocation Bureau

**WATER RIGHT NO. 47-17254**  
**As Modified by Transfer No. 75406**

In accordance with the approval of Transfer No. 75406, Water Right No. 47-17254 is now described as follows.

**Right Holder:** LOWELL B CURTIS  
1930 E 2200 N  
TWIN FALLS ID 83301

And

JULINA L CURTIS  
1930 E 2200 N  
TWIN FALLS ID 83301

**Priority Date:** January 26, 1970

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/01       | to 11/01  | 0.26 CFS              | 126.3 AF      |
|                       |             |           | 0.26 CFS              | 126.3 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      SWSWNW                      Sec. 12 Twp 13S   Rge 15E   TWIN FALLS  
County

GROUND WATER                      SWSWNW                      Sec. 12 Twp 13S   Rge 15E   TWIN FALLS  
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   |        |       |
| 12S | 15E | 25  |      |      |      |      |      | 32.0 | 32.0 |      |    |    | 32.0 | 32.0 |    |      |      |      | 128.0  |       |
| 12S | 15E | 35  |      |      |      |      |      |      |      |      |    |    |      |      |    | 31.0 | 33.0 | 32.0 | 32.0   | 128.0 |
| 13S | 15E | 1   |      |      |      |      | 31.0 | 31.0 | 32.0 | 34.0 |    |    |      |      |    |      |      |      | 128.0  |       |
|     |     |     |      |      |      |      | L 3  | L 4  |      |      |    |    |      |      |    |      |      |      |        |       |
| 13S | 15E | 2   | 32.0 | 32.0 | 32.0 | 32.0 |      |      |      |      |    |    |      |      |    |      |      |      | 128.0  |       |
|     |     |     | L 1  | L 2  |      |      |      |      |      |      |    |    |      |      |    |      |      |      |        |       |

Total Acres: 512

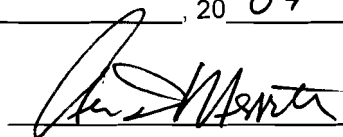
**WATER RIGHT NO. 47-17254**  
**As Modified by Transfer No. 75406**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 37.5 acres within the place of use described above in a single irrigation season.
2. Rights 47-17254, 47-17255, 47-17256 and 47-17257 when combined shall not exceed a total diversion rate of 3.00 cfs, a total annual maximum diversion volume of 1461.0 af at the field headgate, and the irrigation of 405 acres within the place of use described above.
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. 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.
5. 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 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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 2<sup>nd</sup> day of April, 20 09

  
FOR Chief, Water Allocation Bureau

**WATER RIGHT NO. 47-17255**  
**As Modified by Transfer No. 75406**

In accordance with the approval of Transfer No. 75406, Water Right No. 47-17255 is now described as follows.

**Right Holder:** LOWELL B CURTIS  
1930 E 2200 N  
TWIN FALLS ID 83301

And

JULINA L CURTIS  
1930 E 2200 N  
TWIN FALLS ID 83301

**Priority Date:** January 26, 1970

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/01       | to 11/01  | 0.85 CFS              | 412.7 AF      |
|                       |             |           | 0.85 CFS              | 412.7 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      SWSWNW                      Sec. 12 Twp 13S   Rge 15E TWIN FALLS  
County

GROUND WATER                      SWSWNW                      Sec. 12 Twp 13S   Rge 15E   TWIN FALLS  
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   |        |       |       |
| 12S | 15E | 25  |      |      |      |      |      | 32.0 | 32.0 |      |    |    | 32.0 | 32.0 |    |    |      |      |        | 128.0 |       |
| 12S | 15E | 35  |      |      |      |      |      |      |      |      |    |    |      |      |    |    | 31.0 | 33.0 | 32.0   | 32.0  | 128.0 |
| 13S | 15E | 1   |      |      |      |      | 31.0 | 31.0 | 32.0 | 34.0 |    |    |      |      |    |    |      |      |        | 128.0 |       |
| 13S | 15E | 2   | 32.0 | 32.0 | 32.0 | 32.0 | L 3  | L 4  |      |      |    |    |      |      |    |    |      |      |        | 128.0 |       |
|     |     |     | L 1  | L 2  |      |      |      |      |      |      |    |    |      |      |    |    |      |      |        |       |       |

Total Acres: 512

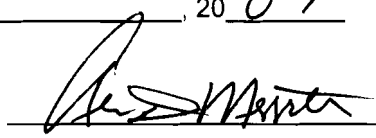
**WATER RIGHT NO. 47-17255**  
**As Modified by Transfer No. 75406**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 122.5 acres within the place of use described above in a single irrigation season.
2. Rights 47-17254, 47-17255, 47-17256 and 47-17257 when combined shall not exceed a total diversion rate of 3.00 cfs, a total annual maximum diversion volume of 1461.0 af at the field headgate, and the irrigation of 405 acres within the place of use described above.
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. 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.
5. 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 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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 2<sup>nd</sup> day of April, 2009

  
For Chief, Water Allocation Bureau

**WATER RIGHT NO. 47-17256**  
**As Modified by Transfer No. 75406**

In accordance with the approval of Transfer No. 75406, Water Right No. 47-17256 is now described as follows.

**Right Holder:** JULINA CURTIS  
1930 E 2200 N  
TWIN FALLS ID 83301

And

LOWELL B CURTIS  
1930 E 2200 N  
TWIN FALLS ID 83301

**Priority Date:** June 28, 1957

**Source:** GROUND WATER

| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|--------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 03/15              | to 11/15         | 0.45 CFS                     | 219.5 AF             |
|                              |                    |                  | 0.45 CFS                     | 219.5 AF             |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      SWSWNW                      Sec. 12 Twp 13S   Rge 15E   TWIN FALLS  
County

GROUND WATER                      SWSWNW                      Sec. 12 Twp 13S   Rge 15E   TWIN FALLS  
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   |        |       |
| 12S | 15E | 25  |      |      |      |      |      | 32.0 | 32.0 |      |    |    | 32.0 | 32.0 |    |      |      |      | 128.0  |       |
| 12S | 15E | 35  |      |      |      |      |      |      |      |      |    |    |      |      |    | 31.0 | 33.0 | 32.0 | 32.0   | 128.0 |
| 13S | 15E | 1   |      |      |      |      | 31.0 | 31.0 | 32.0 | 34.0 |    |    |      |      |    |      |      |      | 128.0  |       |
| 13S | 15E | 2   | 32.0 | 32.0 | 32.0 | 32.0 | L 3  | L 4  |      |      |    |    |      |      |    |      |      |      | 128.0  |       |
|     |     |     | L 1  | L 2  |      |      |      |      |      |      |    |    |      |      |    |      |      |      |        |       |

Total Acres: 512

**WATER RIGHT NO. 47-17256**  
**As Modified by Transfer No. 75406**

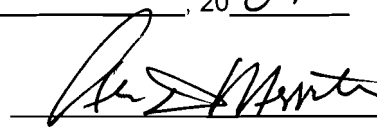
**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 58 acres within the place of use described above in a single irrigation season.
2. Rights 47-17254, 47-17255, 47-17256 and 47-17257 when combined shall not exceed a total diversion rate of 3.00 cfs, a total annual maximum diversion volume of 1461.0 af at the field headgate, and the irrigation of 405 acres within the place of use described above.
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. 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.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

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 2<sup>nd</sup> day of April, 2009

FOR

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 47-17257**  
**As Modified by Transfer No. 75406**

In accordance with the approval of Transfer No. 75406, Water Right No. 47-17257 is now described as follows.

**Right Holder:** LOWELL B CURTIS  
1930 E 2200 N  
TWIN FALLS ID 83301

And

JULINA L CURTIS  
1930 E 2200 N  
TWIN FALLS ID 83301

**Priority Date:** June 28, 1957

**Source:** GROUND WATER

| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|--------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 03/15              | to 11/15         | 1.44 CFS                     | 702.5 AF             |
|                              |                    |                  | 1.44 CFS                     | 702.5 AF             |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      SWSWNW                      Sec. 12 Twp 13S   Rge 15E   TWIN FALLS  
County

GROUND WATER                      SWSWNW                      Sec. 12 Twp 13S   Rge 15E   TWIN FALLS  
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   |        |       |       |
| 12S | 15E | 25  |      |      |      |      |     | 32.0 | 32.0 |      |      |    | 32.0 | 32.0 |    |    |      |      |        | 128.0 |       |
| 12S | 15E | 35  |      |      |      |      |     |      |      |      |      |    |      |      |    |    | 31.0 | 33.0 | 32.0   | 32.0  | 128.0 |
| 13S | 15E | 1   |      |      |      |      |     | 31.0 | 31.0 | 32.0 | 34.0 |    |      |      |    |    |      |      |        | 128.0 |       |
|     |     |     |      |      |      |      | L 3 | L 4  |      |      |      |    |      |      |    |    |      |      |        |       |       |
| 13S | 15E | 2   | 32.0 | 32.0 | 32.0 | 32.0 |     |      |      |      |      |    |      |      |    |    |      |      |        | 128.0 |       |
|     |     |     | L 1  | L 2  |      |      |     |      |      |      |      |    |      |      |    |    |      |      |        |       |       |

Total Acres: 512

**WATER RIGHT NO. 47-17257**  
**As Modified by Transfer No. 75406**

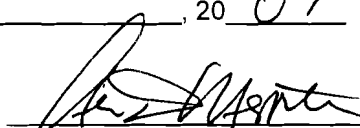
**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 187 acres within the place of use described above in a single irrigation season.
2. Rights 47-17254, 47-17255, 47-17256 and 47-17257 when combined shall not exceed a total diversion rate of 3.00 cfs, a total annual maximum diversion volume of 1461.0 af at the field headgate, and the irrigation of 405 acres within the place of use described above.
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. 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.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

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 2<sup>nd</sup> day of April, 20 09

FOR

  
Chief, Water Allocation Bureau