

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73899

This is to certify that: LAVAR THORNTON
 2800 S TEN MILE RD
 KUNA ID 83634
 (208)922-5779

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>
63-11602	WR/License	10/12/1991	0.24 cfs	N/A	N/A	12.0	GROUND WATER
63-3469	WR/Decreed	09/24/1965	2.40 cfs	540.0 af	N/A	120.0	GROUND WATER
63-7154	WR/Decreed	09/23/1968	0.96 cfs	216.0 af	N/A	48.0	GROUND WATER
63-7247	WR/Decreed	07/21/1969	0.70 cfs	157.5 af	N/A	35.0	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>
63-11602	NO	NO	YES	NO	NO	NO
63-3469	NO	NO	YES	YES	NO	NO
63-7154	NO	NO	YES	YES	NO	NO
63-7247	NO	NO	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>
63-11602	63-11602	0.19 cfs	41.9 af	9.3	236.0		N/A	N/A	N/A	N/A
63-3469	63-3469	2.40 cfs	540.0 af	120.0	236.0		N/A	N/A	N/A	N/A
63-7154	63-7154	0.96 cfs	216.0 af	48.0	236.0		N/A	N/A	N/A	N/A
63-7247	63-7247	0.70 cfs	157.5 af	35.0	236.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.63 cfs	955.4 af	212.3	236.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of April, 2009


 John Westra, Western Regional Manager

SUPPORT DATA

IN FILE # 63-3469

WATER RIGHT NO. 63-3469
As Modified by Transfer No. 73899

In accordance with the approval of Transfer No. 73899, Water Right No. 63-3469 is now described as follows.

Right Holder: LAVAR THORNTON
 2800 S TEN MILE RD
 KUNA ID 83634

Priority Date: September 24, 1965

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	2.40 CFS	540.0 AF
			2.40 CFS	540.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 34 Twp 02N Rge 01W ADA County

GROUND WATER NESE Sec. 34 Twp 02N Rge 01W ADA 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					
02N	01W	34			36.0	40.0				12.0	28.0				20.0	40.0	39.0	21.0	236.0

Total Acres: 236

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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.
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. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
6. Rights 63-3469, 63-7154, and 63-7247 when combined shall not exceed a total diversion rate of 2.44 cfs.
7. Rights 63-3469, 63-7154, 63-7247 and 63-11602 when combined shall not exceed a total diversion rate of 2.63 cfs, a total annual maximum diversion volume of 955.4 af at the field headgate nor exceed the irrigation of 212.3 acres.

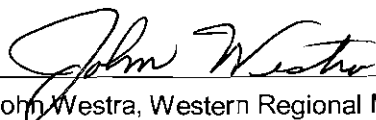
WATER RIGHT NO. 63-3469
As Modified by Transfer No. 73899

CONDITIONS OF APPROVAL

8. The following rights are diverted through points of diversion described above: 63-3469, 63-7154, 63-7247, and 63-11602.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 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.

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 April, 2009


John Westra, Western Regional Manager

WATER RIGHT NO. 63-7154
As Modified by Transfer No. 73899

In accordance with the approval of Transfer No. 73899, Water Right No. 63-7154 is now described as follows.

Right Holder: LAVAR THORNTON
 2800 S TEN MILE RD
 KUNA ID 83634

Priority Date: September 23, 1968

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	0.96 CFS	216.0 AF
			0.96 CFS	216.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESE	Sec. 34 Twp 02N Rge 01W ADA County
GROUND WATER	NESE	Sec. 34 Twp 02N Rge 01W ADA 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	
02N 01W 34			36.0	40.0				12.0	28.0				20.0	40.0	39.0	21.0	236.0

Total Acres: 236

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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.
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. This right is limited to the irrigation of 48 acres within the place of use described above in a single irrigation season.
6. Rights 63-3469, 63-7154, and 63-7247 when combined shall not exceed a total diversion rate of 2.44 cfs.

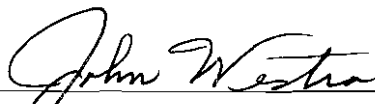
WATER RIGHT NO. 63-7154
As Modified by Transfer No. 73899

CONDITIONS OF APPROVAL

7. Rights 63-3469, 63-7154, 63-7247 and 63-11602 when combined shall not exceed a total diversion rate of 2.63 cfs, a total annual maximum diversion volume of 955.4 af at the field headgate nor exceed the irrigation of 212.3 acres.
8. The following rights are diverted through points of diversion described above: 63-3469, 63-7154, 63-7247, and 63-11602.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 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.

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 April, 2009



John Westra, Western Regional Manager

WATER RIGHT NO. 63-7247
As Modified by Transfer No. 73899

In accordance with the approval of Transfer No. 73899, Water Right No. 63-7247 is now described as follows.

Right Holder: LAVAR THORNTON
 2800 S TEN MILE RD
 KUNA ID 83634

Priority Date: July 21, 1969

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	0.70 CFS	157.5 AF
			0.70 CFS	157.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 34 Twp 02N Rge 01W ADA County

GROUND WATER NESE Sec. 34 Twp 02N Rge 01W ADA 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	
02N	01W	34			36.0	40.0				12.0	28.0				20.0	40.0	39.0	21.0	236.0

Total Acres: 236

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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.
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. This right is limited to the irrigation of 35 acres within the place of use described above in a single irrigation season.
6. Rights 63-3469, 63-7154, and 63-7247 when combined shall not exceed a total diversion rate of 2.44 cfs.

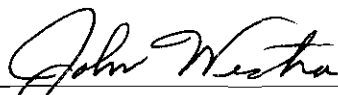
WATER RIGHT NO. 63-7247
As Modified by Transfer No. 73899

CONDITIONS OF APPROVAL

7. Rights 63-3469, 63-7154, 63-7247 and 63-11602 when combined shall not exceed a total diversion rate of 2.63 cfs per acre, a total annual maximum diversion volume of 955.4 af at the field headgate nor exceed the irrigation of 212.3 acres.
8. The following rights are diverted through points of diversion described above: 63-3469, 63-7154, 63-7247, and 63-11602.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 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.

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 April, 20 09


John Westra, Western Regional Manager

WATER RIGHT NO. 63-11602
As Modified by Transfer No. 73899

In accordance with the approval of Transfer No. 73899, Water Right No. 63-11602 is now described as follows.

Right Holder: LAVAR THORNTON
 2800 S TEN MILE RD
 KUNA ID 83634

Priority Date: October 12, 1991

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	0.19 CFS	41.9 AF
		0.19 CFS	41.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 34 Twp 02N Rge 01W ADA County

GROUND WATER NESE Sec. 34 Twp 02N Rge 01W ADA 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
02N 01W 34			36.0	40.0				12.0	28.0				20.0	40.0	39.0	21.0	236.0

Total Acres: 236

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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.
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. This right is limited to the irrigation of 9.3 acres within the place of use described above in a single irrigation season.
6. Rights 63-3469, 63-7154, 63-7247 and 63-11602 when combined shall not exceed a total diversion rate of 2.63 cfs, a total annual maximum diversion volume of 955.4 af at the field headgate nor exceed the irrigation of 212.3 acres.

WATER RIGHT NO. 63-11602
As Modified by Transfer No. 73899

CONDITIONS OF APPROVAL

7. The following rights are diverted through points of diversion described above: 63-3469, 63-7154, 63-7247, and 63-11602.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 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.
9. Portion of Right 63-11602 in the amount of 0.05 cfs and 2.7 acres shall be considered forfeited through approval of Transfer 73899.
10. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the 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 30th day of April, 20 09


John Westra, Western Regional Manager