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Transfer No. 74396STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1AUG 13 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGIONName of Applicant Brent, Lavel, Marla, Wendy Stoker Phone (208) 654-2745
Mailing address 707 E., 500 S. Burley, ID 83318 Email jhelms@cableone.net

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split Rights

2. Describe the reason for the proposed changes Change the place of use for existing irrigation water rights to an existing PPU owned by the applicant. Additional irrigation of 120 acres in the SW1/4 sec. 21.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
45-7045	12/16/1969	5.47/1656	Irrigation	4/1 to 10/31
45-13857	6/15/1950	1.78/561.8	Irrigation	4/1 to 10/31
45-13859	12/27/1960	1.78/428.3	Irrigation	4/1 to 10/31
45-13861	11/3/1970	3.90/1134	Irrigation	4/1 to 10/31
45-13863	12/26/1972	1.78/753.5	Irrigation	4/1 to 10/31
45-13865	12/26/1973	8.84/2138	Irrigation	4/1 to 10/31
45-13867	7/31/1972	1.34/268.1	Irrigation	4/1 to 10/31
45-13869	1/17/1973	1.32/499.3	Irrigation	4/1 to 10/31
45-13871	3/20/1979	1.54/617.6	Irrigation	4/1 to 10/31
45-13900	10/16/1987	2.09/1268.5	Irrigation	4/1 to 10/31
45-7358D	3/20/1979	1.59/636.3	Irrigation	4/1 to 10/31
*45-14102	5/4/1978	1.36/324.4	Irrigation	4/1 to 10/31
*45-14103	5/23/1962	0.24/155.6	Irrigation	4/1 to 10/31

116.4 ← as per revised Table 1 - 11/16/2007 jc

2. Total amount of water being transferred 28.40 cubic feet per second and/or 8138.4 acre-feet per annum
3. Source of water Ground Water Tributary to 8099.2 ← as per revised Table 1 11/16/2007 jc
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	SW	NE	NW	11	11S	24E	Cassia	Existing well #1
	SW	NW	NW	11	11S	24E	Cassia	Existing well #2
	SW	NE	NW	14	11S	24E	Cassia	Existing well #3
	NW	NW	SW	14	11S	24E	Cassia	Existing well #4
	NE	NW	NW	15	11S	24E	Cassia	Existing well #5
	SE	SE	SE	16	11S	24E	Cassia	Existing well #6
	NE	NE	NE	21	11S	24E	Cassia	Existing well #7
	NW	NW	NW	22	11S	24E	Cassia	Existing well #8
	NE	NW	NW	28	11S	24E	Cassia	Existing well #9

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5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	24E	11					30	29			38			39		38	40		214
		14		37	17		39	36	38	32	40	31	24	18		16	3.5		331.5
		15	34	41	41	39	40	20	40	41	41	40	38	40	40			38	533
		16				7.6									29			36	72.6
		21									30	10	39	41	33	40	40	39	152
		22	36	40	39	34	39	37	35	35	40	40	38	38		2.2	3.8		457
		23						0.1	0.3										0.4
		27		0.4			1.3	0.4											2.1
		28	38	36	39	39													152

Total Acres 2034.6 PPU

6. General Information:

a. Description of diversion system Existing wells, pumps laterals & sprinkler systems.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land currently irrigated under rights 35-14102 and 35-14103 will be dried up to provide water for the proposed new irrigation. Surface water shares currently utilized for irrigation of SW1/4 of Section 21 will be moved to other lands owned by the applicant.

d. Remarks:

This transfer seeks 120 additional acres to be included within existing PPU most recently modified by approved transfer #73344. Please refer to that document for combined limits of existing water rights. Water Rights marked with asterisks will be dried up at their original place of use to provide water.
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____

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PART 3**B. CHANGES IN NATURE OF USE**

- | <u>New Nature of Use</u> | <u>Amount (cfs/ac-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|--------------------------|---------------------------|------------------------|----------------------|
| Stock/Commercial | 0.51/135 | As needed | 1/1 to 12/31 |
| | | | to |
- Quantity and quality of return flows and location of discharge: none
- Describe effects on other water uses resulting from the proposed change: Land in existing place of use under water rights 45-14102 & 45-14103 will no longer be irrigated. Canal shares appurtenant to SW1/4 of Section 21 will be Moved to other lands owned by the applicant. Combined ESPA mitigation analysis indicates projected depletions resulting from these transfers will be within 5% of historical projections.

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.

(Signature of Applicant)

Print Name (and title, if applicable)

Subscribed and sworn to before me this 12th day of August, 2008

(Notary Public)

My commission expires 8/24/2011**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

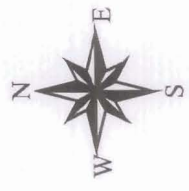
Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
 _____ received _____ by _____

Copy of transfer sent to lien holder _____

Wendy, Lavel, Marla, Brent Stoker Proposed Irrigation PPU (TWP. 11S., 24E)

- Existing Wells
- Alliance Irrigation PPU
- PLSS Township Boundaries
- PLSS Section Lines
- 40's



2006 NAIP Aerial Photo