

Transfer No. 72054
Receipt No. S024115

CORRECTED

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

RECEIVED**DEC 22 2008**

DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Applicant Information BARBARA J CARNEY
225 N 1250 W
PAUL ID 83347
(208)438-5348

And

GARY CARNEY
225 N 1250 W
PAUL ID 83347
(208)438-5348

Will this transfer result in an ownership change? No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-7408	WR/Decreed	1.84		92.0	180.0	GROUND WATER
36-7560	WR/Decreed	5.45	1,324.0		331.0	GROUND WATER
36-7603	WR/Decreed	1.76		88.0	180.0	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
36-7408	NO	NO	YES	YES	NO	NO
36-7560	NO	NO	YES	YES	NO	NO
36-7603	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

This application ties together the existing groundwater rights and 2 wells on 2 adjacent farms for maximum efficiency of water use. Both farms also have groundwater shares from the A & B Irrigation District. Both sources are co-mingled as needed to properly irrigated this land, as there are not enough shares for all the ground. The transfer also changes the decreed place of use somewhat to reflect current irrigation practices.

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
36-7408	1.84 cfs	92.0	779.0	368.0 af
36-7560	5.45 cfs	331.0	779.0	1,324.0 af
36-7603	1.76 cfs	88.0	779.0	352.0 af
TOTAL	7.51 cfs	511.0	779.0	2,044.0 af

Transfer No. 72054
Receipt No. S024115

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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.

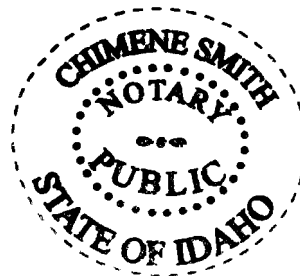
x Gary Carney
(Signature of Applicant)

x Barbara Carney
(Title of Office)

Subscribed and sworn to before me this 19th day of December, 2008.

Chimene Smith
(Notary Public)

My commission expires 1/30/13



Transfer No. 72054
Receipt No.S024115

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

Current Water Right No. 36-7408

Priority Date: November 21, 1973
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	3/15 11/15	1.84 CFS		
	Total Diversion	1.84 CFS		

Source and Point(s) of Diversion:

GROUND WATER SESWSE Sec. 2 Twp 09S Rge 21E JEROME 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				
09S	21E	2									20.0	18.0	40.0	31.0					8.0	40.0	23.0	180.0

Total Acres: 180

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-07603 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.06 CFS, AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 720 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 36-07603 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 180 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 92 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. 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.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Page 5

5. RIGHT NO. 36-07603 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Transfer creates ppu of 2 adjacent farms under 2 existing well; well supplement A & B Irrig.
District groundwater rights on this same land.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 72054
Receipt No. S024115

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

Current Water Right No. 36-7560

Priority Date: March 03, 1976
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	3/15	11/15	5.45 CFS	1,324.0 AFA	
	Total Diversion		5.45 CFS	1,324.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESENE Sec. 2 Twp 09S Rge 21E JEROME 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	
09S	21E	1		7.0	34.0	36.0	13.0	1.0		11.0	13.0	5.0	19.0	17.0	36.0	19.0	30.0	37.0	278.0
09S	21E	2			11.0	5.0			6.0	8.0	13.0				3.0	7.0			53.0

Total Acres: 331

Conditions/Remarks:

1. PROPERTY IS ALSO KNOWN AS T09S, R21E, S01, TRACTS A, E, F & G. PROPERTY IS ALSO KNOWN AS T09S, R21E, S02, TRACTS H & G.
2. 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.
3. USE OF THIS RIGHT IS COMBINED WITH WATER FROM A & B IRRIGATION DIST.

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?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Transfer creates ppu of 2 adjacent farms using 2 private wells; wells supplement A & B Irrig District shares, which also come from wells.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 72054
Receipt No. S024115

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

Current Water Right No. 36-7603

Priority Date: January 29, 1976
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	3/15 11/15	1.76 CFS		
	Total Diversion	1.76 CFS		

Source and Point(s) of Diversion:

GROUND WATER SESWSE Sec. 2 Twp 09S Rge 21E JEROME 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	
09S	21E	2									20.0	18.0	40.0	31.0		8.0	40.0	23.0	180.0

Total Acres: 180

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-07408 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.06 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 720 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 36-07408 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 180 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 88 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. 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.
4. RIGHT NO. 36-07408 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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?

No

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Transfer creates ppu of 2 adjacent farms with existing private wells; wells supplement A & B Irrig. District shares, which also come from groundwater.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-7408

Priority Date: November 21, 1973

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	1.84 CFS	368.0 AFA	
	Total Diversion	1.84 CFS	368.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESENE Sec. 2 Twp 09S Rge 21E JEROME County

GROUND WATER SESWSE Sec. 2 Twp 09S Rge 21E JEROME County

Describe the proposed diversion system

Point of Diversion # 1 Existing well, motor, pump, booster motor & pump, mainline to sprinklers

Point of Diversion # 2 Existing well, motor, pump, mainline to 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	
09S	21E	1	21.0	37.0	32.0	24.0	20.0	38.0	40.0	40.0	30.0	1.0	11.0	32.0	36.0	39.0	33.0	434.0	
			L 2			L 3	L 4												
09S	21E	2		38.0	38.0				20.0	38.0	14.0	37.0	31.0	37.0	36.0	36.0	20.0	345.0	

Total Acres: 779

Transfer No. 72054
 Receipt No.S024115

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-7560

Priority Date: March 03, 1976

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	5.45 CFS	1,324.0 AFA	
	Total Diversion	5.45 CFS	1,324.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESENE Sec. 2 Twp 09S Rge 21E JEROME County

GROUND WATER SESWSE Sec. 2 Twp 09S Rge 21E JEROME County

Describe the proposed diversion system

Point of Diversion # 1 Existing well, motor, pump, booster motor & pump, mainline to sprinklers

Point of Diversion # 2 Existing well, motor, pump, mainline to 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	
09S	21E	1		21.0	37.0	32.0	24.0	20.0	38.0	40.0	40.0	30.0	1.0	11.0	32.0	36.0	39.0	33.0	434.0
				L 2				L 3	L 4										
09S	21E	2			38.0	38.0				20.0	38.0	14.0	37.0	31.0	37.0	36.0	36.0	20.0	345.0

Total Acres: 779

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-7603

Priority Date: January 29, 1976

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	1.76 CFS	352.0 AFA	
	Total Diversion	1.76 CFS	352.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESENE Sec. 2 Twp 09S Rge 21E JEROME County

GROUND WATER SESWSE Sec. 2 Twp 09S Rge 21E JEROME County

Describe the proposed diversion system

Point of Diversion # 1 Existing well, motor, pump, booster motor & pump, mainline to sprinklers

Point of Diversion # 2 Existing well, motor, pump, mainline to 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	
09S	21E	1		21.0	37.0	32.0	24.0	20.0	38.0	40.0	40.0	30.0	1.0	11.0	32.0	36.0	39.0	33.0	434.0
				L 2				L 3	L 4										
09S	21E	2			38.0	38.0				20.0	38.0	14.0	37.0	31.0	37.0	36.0	36.0	20.0	345.0

Total Acres: 779

