

Transfer No. 74214

Receipt No. E033907

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

1. Applicant Information BIRCH CREEK RANCHES LLC
5203 S 11TH E
IDAHO FALLS ID 83404
(208)522-8069

Will this transfer result in an ownership change? _____ Yes X No

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

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
33-11002-33-14874	WR/Decreed	1.80			150.0	GROUND WATER
33-2106-33-14872	WR/Decreed	3.00			150.0	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
33-14874	NO	YES	YES	NO	NO	NO
33-14872	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

combine use with a part of 33-2141 move 23.5 acres into an adjacent pivot

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
33-14874	0.28 cfs	23.5	114.0	
33-14872	0.47 cfs	23.5	114.0	
TOTAL	0.75 cfs	23.5	23.5	

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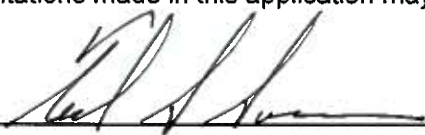
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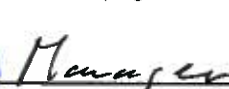
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STATE OF IDAHO
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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.



(Signature of Applicant)



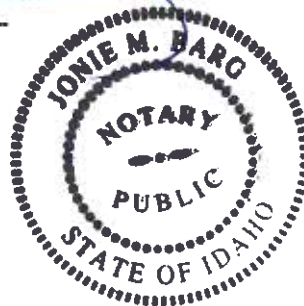
(Title or Office)

Subscribed and sworn to before me this 31st day of March, 2008.



(Notary Public)

My commission expires July 24, 2013



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

Current Water Right No. 33-14874

Priority Date: August 08, 1961

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	4/01 10/31	1.80 CFS		
	Total Diversion	1.80 CFS		

Source and Point(s) of Diversion:

GROUND WATER NENESW Sec. 19 Twp 10N Rge 27E BUTTE 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	
10N 27E 19			40.0										25.5	36.1	7.3	3.1	112.0
10N 27E 20									3.5								3.5
10N 27E 29					11.4	9.0											20.4
10N 27E 30	14.1																14.1

Total Acres: 150

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 33-02106 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 723.0 AF.
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 WITH RIGHT NOS. 33-00087, 33-02034, 33-02106 AND 33-02141 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.0 CFS.

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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

it will be dry

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

NO

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

Current Water Right No. 33-14872

Priority Date: August 07, 1961
 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	04/15 10/31	3.00 CFS		
	Total Diversion	3.00 CFS		

Source and Point(s) of Diversion:

GROUND WATER NENESW Sec. 19 Twp 10N Rge 27E BUTTE 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	
10N 27E 19			40.0										25.5	36.1	7.3	3.1	112.0
10N 27E 20									3.5								3.5
10N 27E 29					11.4	9.0											20.4
10N 27E 30	14.1																14.1

Total Acres: 150

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NOS. 33-00087, 33-02034, 33-02141 AND 33-11002 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.0 CFS.
2. USE OF THIS RIGHT WITH RIGHT NO. 33-11002 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 723.0 AF.
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.

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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

it will be dry

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

NO

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

Proposed Water Right No. 33-14874

Priority Date: August 08, 1961

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	04/01 10/31	0.28 CFS		
	Total Diversion	0.28 CFS		

Source and Point(s) of Diversion:

GROUND WATER NWSW SE Sec. 19 Twp 10N Rge 27E BUTTE County

Describe the proposed diversion system

Point of Diversion # 1 WELL AND PUMP TO OPEN DISCHARGE

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	
10N 27E 19													13.0			32.0	45.0
10N 27E 20									19.0	39.0							58.0
10N 27E 29					7.0												7.0
10N 27E 30	4.0																4.0

Total Acres: 114

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**IDAHO DEPARTMENT OF WATER RESOURCES
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PART 3A**

Proposed Water Right No. 33-14872

Priority Date: August 07, 1961

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	04/15 10/31	0.47 CFS		
	Total Diversion	0.47 CFS		

Source and Point(s) of Diversion:

GROUND WATER NWSE Sec. 19 Twp 10N Rge 27E BUTTE County

Describe the proposed diversion system**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	
10N 27E 19													13.0			32.0	45.0
10N 27E 20									19.0	39.0							58.0
10N 27E 29						7.0											7.0
10N 27E 30	4.0																4.0

Total Acres: 114

