

AMENDED

Transfer No. 73415
Receipt No. E032670

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

1. Applicant Information LAYNE HARRIS
PO BOX 63
NEWDALE ID 83436
(208)458-4936

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

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
22-7397	AJC/License	1.97	553.0		154.0	GROUND WATER
22-2200	AJC/License	2.70	595.0	170.0	244.0	GROUND WATER
22-12900	AJC/Beneficial Use	0.64	259.0	74.0	244.0	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
22-7397	NO	NO	NO	NO	NO	NO
22-2200	NO	NO	NO	NO	NO	NO
22-12900	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

Change point of diversion to conform with current irrigation system setup.

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
22-7397	1.97 cfs		154.0	553.0 af
22-2200	2.70 cfs		170.0	595.0 af
22-12900	0.64 cfs		74.0	259.0 af
TOTAL	0.64 cfs		74.0	259.0 af

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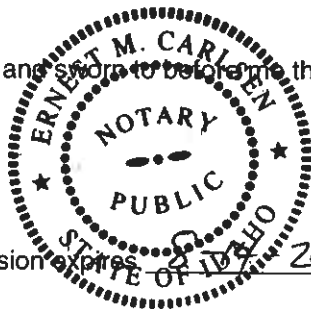
STATE OF IDAHO
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PART 1

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.

Robert L. Spurr, ATTORNEY
(Signature of Applicant)

ATTORNEY
(Title or Office)

Subscribed and sworn to before me this 1 day of May, 2008.



Ernest M. Carlson
(Notary Public)

My commission expires 8/10/2009

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

Current Water Right No. 22-7397

Priority Date: May 20, 1982
 Origin: Adjudication Recommendation
 Basis: License
 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	1.97 CFS	553.0 AFA	
Total Diversion		1.97 CFS	553.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESENE Sec. 10 Twp 06N Rge 41E MADISON 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	
06N	41E	10	39.0	38.0	40.0	37.0													154.0

Total Acres: 154

Conditions/Remarks:

1. 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.

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?

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

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

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

Current Water Right No. 22-2200

Priority Date: May 14, 1961
Origin: Adjudication Recommendation
Basis: License
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	2.70 CFS	595.0 AFA	
Total Diversion		2.70 CFS	595.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSENE Sec. 3 Twp 06N Rge 41E MADISON 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
06N 41E 3	28.0	2.0	24.0	39.0									38.0	39.0	37.0	37.0	244.0
	L 1	L 2															

Total Acres: 244

Conditions/Remarks:

1. 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.
2. Right Nos. 22-2200 and 22-12900 are limited to a total combined diversion rate of 2.7 cfs and to a total combined annual diversion volume of 854 AF.
3. This right is limited to the irrigation of 170 acres within the place of use described above in a single irrigation season.
4. The rights listed below are limited to the irrigation of a combined total of 244 acres in a single irrigation season. Combined Right Nos.: 22-2200 and 22-12900.

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5. Right No. 22-12900 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6. Right No. 22-12900 is also diverted through point of diversion described above.
7. 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?

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

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

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

Current Water Right No. 22-12900

Priority Date: May 01, 1965
Origin: Adjudication Recommendation
Basis: Beneficial Use
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	0.64 CFS	259.0 AFA	
Total Diversion		0.64 CFS	259.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSENE Sec. 3 Twp 06N Rge 41E MADISON 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	
06N	41E	3	28.0	2.0	24.0	39.0									38.0	39.0	37.0	37.0	
			L 1	L 2															

Total Acres: 244

Conditions/Remarks:

1. 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.
2. Right Nos. 22-2200 and 22-12900 are limited to a total combined diversion rate of 2.7 cfs and to a total combined annual diversion volume of 854 AF.
3. This right is limited to the irrigation of 74 acres within the place of use described above in a single irrigation season.
4. The rights listed below are limited to the irrigation of a combined total of 244 acres in a single irrigation season. Combined Right Nos.: 22-2200 and 22-12900.
5. Right No. 22-2200 is also diverted through point of diversion described above.
6. This right is for an enlargement of 74 acres within the place of use described for this right.

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7. This right is based upon an enlargement of Right No. 22-2200 pursuant to Section 42-1426, Idaho Code.
8. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

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

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. 22-7397

Priority Date: May 20, 1982
 Origin: Adjudication
 Recommendation
 Basis: Beneficial Use
 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	04/01 10/31	1.97 CFS	553.0 AFA	
	Total Diversion	1.97 CFS	553.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESENE Sec. 10 Twp 06N Rge 41E MADISON 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	
06N	41E	10	39.0	38.0	40.0	37.0													154.0

Total Acres: 154

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

Proposed Water Right No. 22-2200

Priority Date: May 14, 1961
 Origin: Adjudication
 Recommendation
 Basis: Beneficial Use
 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	2.70 CFS	595.0 AFA	
	Total Diversion	2.70 CFS	595.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSENE Sec. 3 Twp 06N Rge 41E MADISON 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	
06N	41E	3	28.0	2.0	24.0	39.0									38.0	39.0			
			L 1	L 2															

Total Acres: 170

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

Proposed Water Right No. 22-12900

Priority Date: May 01, 1965
 Origin: Adjudication
 Recommendation
 Basis: Beneficial Use
 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	0.64 CFS	259.0 AFA	
	Total Diversion	0.64 CFS	259.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESENE Sec. 10 Twp 06N Rge 41E MADISON County

Describe the proposed diversion system

Point of Diversion # 1 Well to mainline to pivots

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
06N	41E	3															37.0	37.0	74.0

Total Acres: 74