

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73557

This is to certify that: WILLIAM J And SUSAN MILLENKAMP
 471 N 300 W
 JEROME ID 83338
 (208) 731-5518

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>
36-16242	WR/Decreed	06/11/1957	0.08 cfs	N/A	N/A	N/A	GROUND WATER
36-16244	WR/Decreed	05/11/1957	0.24 cfs	59 af	N/A	N/A	GROUND WATER
36-4157F	WR/Decreed	06/01/1956	0.33 cfs	49.2 af	N/A	N/A	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>
36-16242	NO	YES	NO	NO	NO	NO
36-16244	NO	YES	NO	NO	NO	NO
36-4157F	NO	YES	NO	NO	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>
36-16242	36-16242	0.08 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-16244	36-16244	0.24 cfs	59 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-4157F	36-4157F	0.33 cfs	49.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.65 cfs	108.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of April, 2008

 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 36-4157F

WATER RIGHT NO. 36-16242
As Modified by Transfer No. 73557

In accordance with the approval of Transfer No. 73557, Water Right No. 36-16242 is now described as follows.

Right Holder: WILLIAM J And SUSAN MILLENKAMP
 471 N 300 W
 JEROME ID 83338

Priority Date: June 11, 1957

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate
STOCKWATER	01/01 to	12/31	0.08 CFS
COMMERCIAL	01/01 to	12/31	0.08 CFS
			0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 27 Twp 07S	Rge 16E	JEROME County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 28 Twp 07S	Rge 16E	JEROME County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 28 Twp 07S	Rge 16E	JEROME County
GROUND WATER	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 28 Twp 07S	Rge 16E	JEROME County

PLACE OF USE: STOCKWATER AND COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 16E 27						X	X										
07S 16E 28		X	X	X	X			X						X			

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. The well previously used under Rights 36-4157F, 36-16242, and 45-16244 located within the SWNW of Section 27 (T07S, R16E) shall be abandoned in a manner which complies with Department well abandonment rules.
3. Rights 36-16242 and 36-16244 when combined shall not exceed a total diversion rate of 0.32 cfs.

WATER RIGHT NO. 36-16242
As Modified by Transfer No. 73557

4. Beginning on the date of approval of Transfer 71604 Rights 36-16242 and 36-16244 when combined are limited to the following schedule of allowed diversion volume from all points of diversion. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual volume each time an increase according to the schedule is sought.

Year 2005 the rights are limited to 42.6 afa.

Years 2006 through 2008 the rights are limited to 49.2 afa.

Years 2009 through 2019 the rights are limited to 52.5 afa.

Years 2020 through 2039 the rights are limited to 55.8 afa.

Year 2040 and beyond the rights are limited to 59.0 afa.

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. Prior to the diversion and use of water under Transfer approval 73557, the right holder shall install and maintain acceptable magmeter measuring device(s) with digital readout, including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications. A lockable enclosure shall be provided around each data logger and Water District 130 shall install a padlock and have exclusive access to the data logger(s).
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. Rights 36-4157F and 36-16244 are also diverted through the point(s) of diversion described above.
9. All annual diversions shall be reported to IDWR through Water District 130. At the discretion of the WD130 Watermaster, annual diversions may be reported to WD130 through the North Snake Ground Water District.
10. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 71604. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
11. Commercial use is for a feedlot operation.
12. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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.

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 10th day of April, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16244
As Modified by Transfer No. 73557

In accordance with the approval of Transfer No. 73557, Water Right No. 36-16244 is now described as follows.

Right Holder: WILLIAM J And SUSAN MILLENKAMP
 471 N 300 W
 JEROME ID 83338

Priority Date: May 11, 1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to	12/31	0.24 CFS	59.0 AF
STOCKWATER	01/01 to	12/31	0.24 CFS	59.0 AF
			0.24 CFS	59.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 27 Twp 07S	Rge 16E	JEROME County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 28 Twp 07S	Rge 16E	JEROME County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 28 Twp 07S	Rge 16E	JEROME County
GROUND WATER	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 28 Twp 07S	Rge 16E	JEROME County

PLACE OF USE: STOCKWATER AND COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 16E 27						X	X										
07S 16E 28		X	X	X	X			X					X				

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- The well previously used under Rights 36-4157F, 36-16242, and 45-16244 located within the SWNW of Section 27 (T07S, R16E) shall be abandoned in a manner which complies with Department well abandonment rules.
- Rights 36-16242 and 36-16244 when combined shall not exceed a total diversion rate of 0.32 cfs.

WATER RIGHT NO. 36-16244
As Modified by Transfer No. 73557

4. Beginning on the date of approval of Transfer 71604 Rights 36-16242 and 36-16244 when combined are limited to the following schedule of allowed diversion volume from all points of diversion. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual volume each time an increase according to the schedule is sought.

Year 2005 the rights are limited to 42.6 afa.

Years 2006 through 2008 the rights are limited to 49.2 afa.

Years 2009 through 2019 the rights are limited to 52.5 afa.

Years 2020 through 2039 the rights are limited to 55.8 afa.

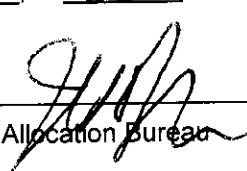
Year 2040 and beyond the rights are limited to 59.0 afa.

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. Prior to the diversion and use of water under Transfer approval 73557, the right holder shall install and maintain acceptable magmeter measuring device(s) with digital readout, including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications. A lockable enclosure shall be provided around each data logger and Water District 130 shall install a padlock and have exclusive access to the data logger(s).
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. All annual diversions shall be reported to IDWR through Water District 130. At the discretion of the WD130 Watermaster, annual diversions may be reported to WD130 through the North Snake Ground Water District.
9. Rights 36-4157F and 36-16242 are also diverted through the point(s) of diversion described above.
10. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 71604. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
11. Commercial use is for a feedlot operation
12. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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.

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 10th day of April, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-4157F
As Modified by Transfer No. 73557

In accordance with the approval of Transfer No. 73557, Water Right No. 36-4157F is now described as follows.

Right Holder: WILLIAM J And SUSAN MILLENKAMP
 471 N 300 W
 JEROME ID 83338

Priority Date: June 01, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.33 CFS	49.2 AF
			0.33 CFS	49.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE¼NW¼NW¼	Sec. 27 Twp 07S	Rge 16E	JEROME County
GROUND WATER	SE¼NE¼	Sec. 28 Twp 07S	Rge 16E	JEROME County
GROUND WATER	SE¼NE¼	Sec. 28 Twp 07S	Rge 16E	JEROME County
GROUND WATER	NE¼NW¼	Sec. 28 Twp 07S	Rge 16E	JEROME County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	16E	27						X		X									
07S	16E	28		X	X	X	X										X		

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- The well previously used under Rights 36-4157F, 36-16242, and 45-16244 located within the SWNW of Section 27 (T07S, R16E) shall be abandoned in a manner which complies with Department well abandonment rules.
- Rights 36-16242 and 36-16244 are also diverted through the point(s) of diversion described above.
- Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 73557, the right holder shall install and maintain acceptable magmeter measuring device(s) with digital readout, including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications. A lockable enclosure shall be provided around each data logger and Water District 130 shall install a padlock and have exclusive access to the data logger(s).
7. All annual diversions shall be reported to IDWR through Water District 130. At the discretion of the WD130 Watermaster, annual diversions may be reported to WD130 through the North Snake Ground Water District.
8. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
9. Use of water under this right may be affected by an agreement between the parties in connection with prior Transfer 68529 that created water right 36-4157F.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

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 10th day of April, 20 08



Chief, Water Allocation Bureau