

Transfer No. 74475
Receipt No.E033783

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

1. Applicant Information STEPHEN B KING
3318 W 3300 N
MOORE ID 83255-8724
(208)554-3062

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
34-2402	WR/License	3.20	560.0		160.0	GROUND WATER
34-2388A	WR/License	1.60			81.0	GROUND WATER
34-7067A	WR/License	0.91			56.0	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
34-2402	YES	NO	YES	NO	NO	NO
34-2388A	NO	NO	YES	YES	NO	NO
34-7067A	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

rearrange the pou into the current system and add two existing point of diversion to 34-2388a and 34-7067a. split part of water right 34-2402 that service a 78 acres tract with no BLR overlap

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
34-13947	1.64 cfs	82.0	170.0	287.0 af
34-2388A	1.60 cfs	81.0	170.0	283.5 af
34-7067A	0.91 cfs	56.0	170.0	196.0 af
TOTAL	4.15 cfs	170.0	170.0	595.0 af

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

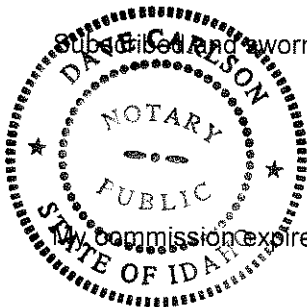
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Stephen B. King
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 21 day of Feb, 2008.

Dave Carlson
(Notary Public)



My commission expires 2/26/2008

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

Current Water Right No. 34-2402

Priority Date: February 21, 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	3.20 CFS	560.0 AFA	
Total Diversion		3.20 CFS	560.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNWNE Sec. 16 Twp 05N Rge 26E BUTTE County

GROUND WATER SESWNE Sec. 16 Twp 05N Rge 26E 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	
05N 26E 16		32.0	32.0	1.0									28.0	35.0	27.0	5.0	160.0

Total Acres: 160

Conditions/Remarks:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.09 CFS.
COMBINED RIGHT NOS.: 34-00301B, 34-00892B, 34-00893B, 34-02388A AND 34-07067A.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 248 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00301B, 34-00892B, 34-00893B, 34-02388A AND 34-07067A.
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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✓ R 34-2402

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4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT NO. 34-02444 IS ALSO DIVERTED THROUGH POINT OF DIVERSION IN T04N, R26E, S16, NWNWNE, AS DESCRIBED ABOVE.
UNPERFORATED CASING SHALL BE INSTALLED AND MAINTAINED TO A DEPTH OF 50 FEET OR THE FIRST CONFINING LAYER, WHICHEVER IS DEEPER.

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

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. 34-2388A

Priority Date: September 16, 1960

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	1.60 CFS		
	Total Diversion	1.60 CFS		

Source and Point(s) of Diversion:

GROUND WATER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE County
(Rediversion)

GROUND WATER NWNESW Sec. 15 Twp 05N Rge 26E 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	
05N	26E	15									32.0	24.0							56.0
05N	26E	16															25.0		25.0

Total Acres: 81

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHT NO. 34-07067A IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 283.5 AF.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.09 CFS.
COMBINED RIGHT NOS.: 34-00301B, 34-00892B, 34-00893B, 34-02402 AND 34-07067A.
- LAND ON THE WEST SIDE OF THE BIG LOST RIVER IS IRRIGATED VIA AN EXCHANGE OF WATER WITH THE BIG LOST RIVER. WATER FROM THE WELL IS INJECTED INTO THE ISLAND CANAL AND AN EQUAL AMOUNT IS REDIVERTED FROM THE BIG LOST RIVER AT THE POINT OF REDIVERSION ABOVE.
WATER MAY BE REDIVERTED FROM THE BIG LOST RIVER ONLY WHEN THERE IS CURRENT DEMAND FOR THE WATER INJECTED INTO THE ISLAND CANAL BY ISLAND CANAL WATER USERS WITH CURRENTLY DELIVERABLE PRIORITIES DOWNSTREAM FROM THE POINT OF INJECTION.

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3. USE OF THIS RIGHT WITH RIGHT NO. 34-07067A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 81 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 248 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00301B, 34-00892B, 34-00893B, 34-02402 AND 34-07067A.
4. 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.
5. RIGHT NOS. 34-07067A, 34-07067B AND 34-02388B ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
6. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
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?

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. 34-7067A

Priority Date: March 22, 1974

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 11/01	0.91 CFS		
	Total Diversion	0.91 CFS		

Source and Point(s) of Diversion:

GROUND WATER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE County
(Rediversion)

GROUND WATER NWNESW Sec. 15 Twp 05N Rge 26E 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	
05N	26E	15											32.0	24.0					56.0

Total Acres: 56

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHT NO. 34-02388A IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 283.5 AF.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.09 CFS.
COMBINED RIGHT NOS.: 34-00301B, 34-00892B, 34-00893B, 34-02388A AND 34-02402.
- LAND ON THE WEST SIDE OF THE BIG LOST RIVER IS IRRIGATED VIA AN EXCHANGE OF WATER WITH THE BIG LOST RIVER. WATER FROM THE WELL IS INJECTED INTO THE ISLAND CANAL AND AN EQUAL AMOUNT IS REDIVERTED FROM THE BIG LOST RIVER AT THE POINT OF REDIVERSION ABOVE.
WATER MAY BE REDIVERTED FROM THE BIG LOST RIVER ONLY WHEN THERE IS CURRENT DEMAND FOR THE WATER INJECTED INTO THE ISLAND CANAL BY ISLAND CANAL WATER USERS WITH CURRENTLY DELIVERABLE PRIORITIES DOWNSTREAM FROM THE POINT OF INJECTION.

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3. USE OF THIS RIGHT WITH RIGHT NO. 34-02388A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 81 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 248 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00301B, 34-00892B, 34-00893B, 34-02388A AND 34-02402.
4. 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.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. RIGHT NOS. 34-02388A, 34-07067B AND 34-02388B ARE 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

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. 34-13947

Priority Date: February 21, 1961

Origin:

Basis: Decreed

Status: Pending
Transfer**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	1.64 CFS	287.0 AFA	
	Total Diversion	1.64 CFS	287.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNWNE Sec. 16 Twp 05N Rge 26E BUTTE County

GROUND WATER SESWNE Sec. 16 Twp 05N Rge 26E BUTTE County

Describe the proposed diversion system

Point of Diversion # 1 TWO WELLS, PUMPS AND SPRINKLER SYSTEM

Point of Diversion # 2 TWO WELLS, PUMPS AND SPRINKLER 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		
05N	26E	15									30.0	25.0							55.0	
05N	26E	16			.6	.4										32.0	17.0	30.0	35.0	115.0

Total Acres: 170

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

Proposed Water Right No. 34-2388A

Priority Date: September 16, 1960

Origin: Water Right

Basis: Decreed

Status: Pending
Transfer**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	1.60 CFS	324.0 AFA	
	Total Diversion	1.60 CFS	324.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSESE	Sec. 4 Twp 05N Rge 26E BUTTE County
(Rediversion)		
GROUND WATER	NWNESW	Sec. 15 Twp 05N Rge 26E BUTTE County
GROUND WATER	NWNWNE	Sec. 16 Twp 05N Rge 26E BUTTE County
GROUND WATER	SESWNE	Sec. 16 Twp 05N Rge 26E BUTTE County

Describe the proposed diversion system

Point of Diversion # 1 WELL, PUMP AND OPEN DITCHES WITH REDIVERSION AT island canal.
 Point of Diversion # 2 WELL, PUMP AND OPEN DITCHES WITH REDIVERSION AT island canal.
 Point of Diversion # 3 well/pump to sprinklers
 Point of Diversion # 4 well/pump 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	
05N	26E	15										30.0	25.0						55.0
05N	26E	16			.6	.4									32.0	17.0	30.0	35.0	115.0

Total Acres: 170

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

Proposed Water Right No. 34-7067A

Priority Date: March 22, 1974

Origin: Water Right

Basis: Decreed

Status: Pending
Transfer

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 11/01	0.91 CFS	196.0 AFA	
	Total Diversion	0.91 CFS	196.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSESE	Sec. 4 Twp 05N Rge 26E BUTTE County
(Rediversion)		
GROUND WATER	NWNESW	Sec. 15 Twp 05N Rge 26E BUTTE County
GROUND WATER	NWNWNE	Sec. 16 Twp 05N Rge 26E BUTTE County
GROUND WATER	SESWNE	Sec. 16 Twp 05N Rge 26E BUTTE County

Describe the proposed diversion system

Point of Diversion # 1 WELL, PUMP AND OPEN DITCHES WITH REDIVERSION AT island canal.
 Point of Diversion # 2 WELL, PUMP AND OPEN DITCHES WITH REDIVERSION AT island canal.
 Point of Diversion # 3 well/pump to sprinklers
 Point of Diversion # 4 well/pump 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	
05N	26E	15										30.0	25.0						55.0
05N	26E	16			.6	.4									32.0	17.0	30.0	35.0	115.0

Total Acres: 170

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

PORTION OF RIGHT No. 34-2402 BEING TRANSFERRED

Priority Date: February 21, 1961

Origin:

Basis: Decreed

Status: Pending
Transfer**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	3.20 CFS	560.0 AFA	
	Total Diversion	3.20 CFS	560.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNWNE Sec. 16 Twp 05N Rge 26E BUTTE County

GROUND WATER SESWNE Sec. 16 Twp 05N Rge 26E 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	
05N 26E 16		32.0	32.0	1.0									28.0	35.0	27.0	5.0	160.0

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POD

NWNE
REMAINING

POU

~~34-2402~~

8UNE

sec 16

sec 15

POD

NW
SE

NESE

New
POU

34-2388A
-7067A
-2402

NW5W

POD

SWSE

SESE

SW5W

S16 S15

5N 26E

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