

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74350

This is to certify that: **WARNER LAND AND LIVESTOCK**
 3040 S 2300 E
 WENDELL ID 83355
 (208) 536-6402

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>
36-7263	WR/Decreed	09/19/1972	0.26 cfs	N/A	N/A	128.0	GROUND WATER
36-2306	WR/Decreed	08/20/1956	2.3 cfs	N/A	N/A	128.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

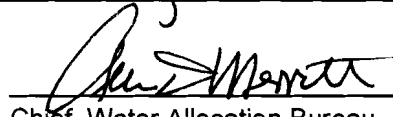
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-7263	NO	YES	NO	NO	NO	NO
36-2306	NO	YES	NO	NO	NO	NO

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>
36-7263	36-7263	0.26 cfs	99.5 af	N/A	128.0		N/A	N/A	N/A	N/A
36-2306	36-2306	2.3 cfs	512 af	N/A	128.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.56 cfs	512 af	N/A	128.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of January, 20 08

FOR 
 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2306
As Modified by Transfer No. 74350

In accordance with the approval of Transfer No. 74350, Water Right No. 36-2306 is now described as follows.

Right Holder: WARNER LAND AND LIVESTOCK
 3040 S 2300 E
 WENDELL ID 83355

Priority Date: August 20, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.30 CFS	512.0 AF
			2.30 CFS	512.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWNE Sec. 6 Twp 08S Rge 16E GOODING 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	
08S 16E 6	37.0	39.0	34.0	18.0													128.0

Total Acres: 128

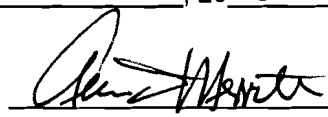
WATER RIGHT NO. 36-2306
As Modified by Transfer No. 74350

CONDITIONS OF APPROVAL

1. Rights 36-2306 and 36-7263 when combined shall not exceed a total diversion rate of 2.56 cfs, a total annual maximum diversion volume of 512 af at the field headgate, and the irrigation of 128 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 74350, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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. The following rights are diverted through point(s) of diversion described above: 36-2306 and 36-7263
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 January, 20 08


FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 36-7263
As Modified by Transfer No. 74350

In accordance with the approval of Transfer No. 74350, Water Right No. 36-7263 is now described as follows.

Right Holder: WARNER LAND AND LIVESTOCK
 3040 S 2300 E
 WENDELL ID 83355

Priority Date: September 19, 1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/10	0.26 CFS	99.5 AF
			0.26 CFS	99.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWNE Sec. 6 Twp 08S Rge 16E GOODING County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
08S 16E 6	37.0	39.0	34.0	18.0													128.0

Total Acres: 128

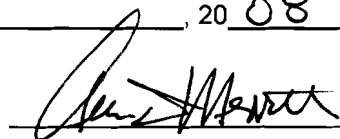
WATER RIGHT NO. 36-7263
As Modified by Transfer No. 74350

CONDITIONS OF APPROVAL

1. Rights 36-2306 and 36-7263 when combined shall not exceed a total diversion rate of 2.56 cfs, a total annual maximum diversion volume of 512 af at the field headgate, and the irrigation of 128 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/10 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/27/2001.
4. 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. Prior to the diversion and use of water under Transfer approval 74350, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 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.
7. The following rights are diverted through point(s) of diversion described above: 36-2306 and 36-7263
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 January, 20 08



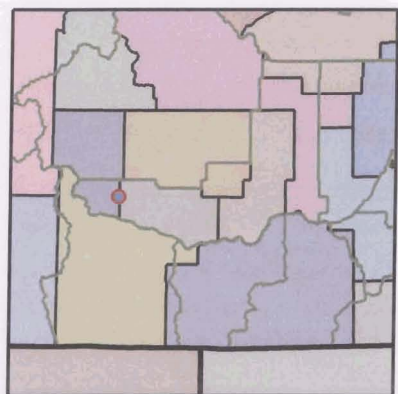
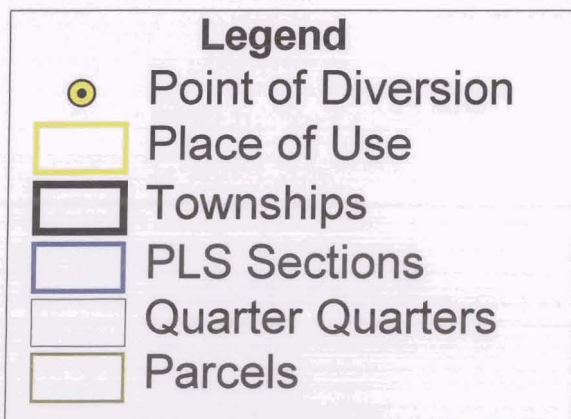
FOR Chief, Water Allocation Bureau



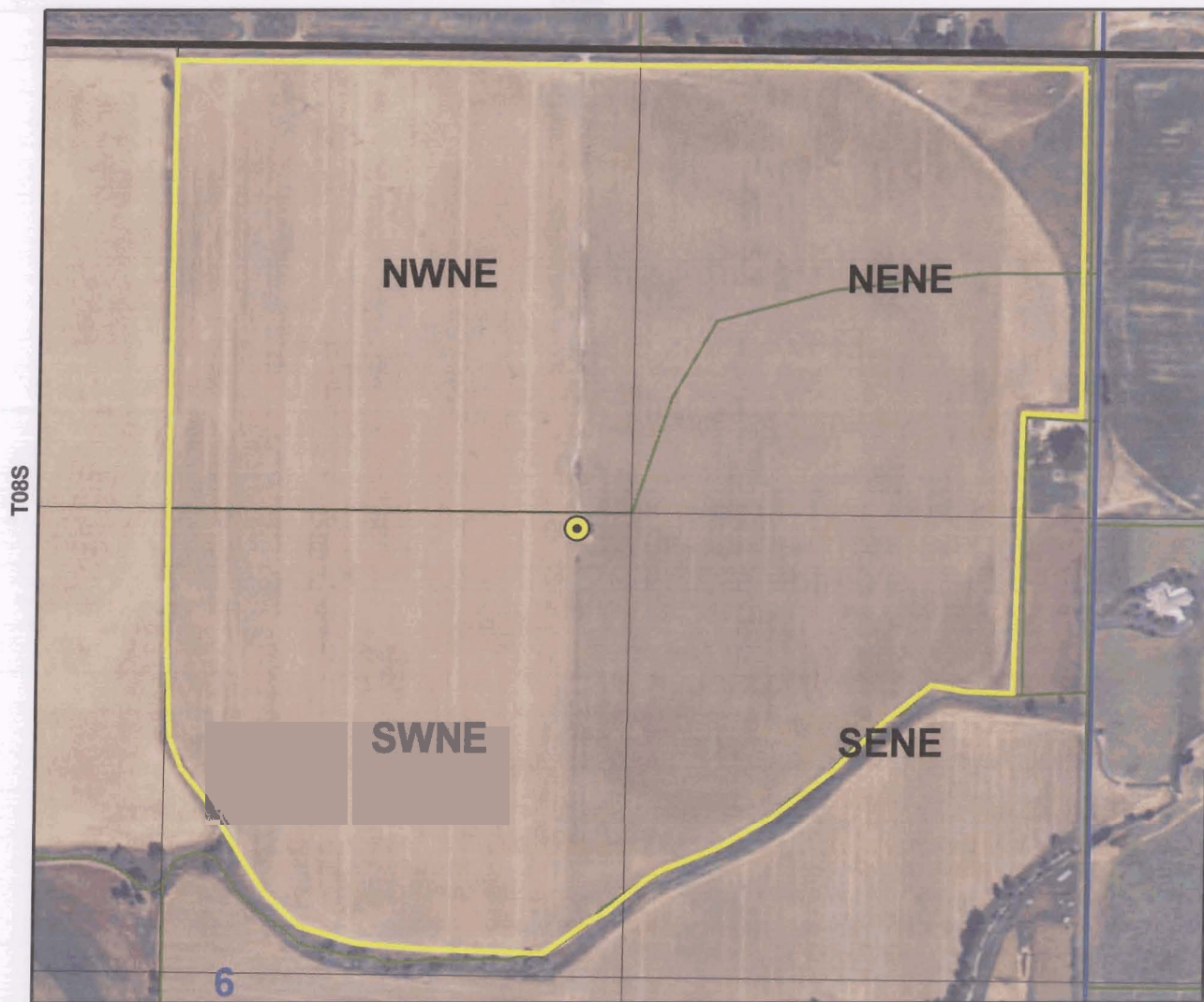
Idaho Department of Water Resources

*Approved Transfer 74350
of Rights 36-2306 & 36-7263*

R16E



Gooding County
IDWR Basin 36



0

0.2

0.4 Miles

Prepared by A. Merritt
On Thursday, January 10, 2008
2004 Aerial Photography

Owner: Warner Land And Livestock

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.