

Transfer No. 74350

Receipt No. 5029857

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

RECEIVED**DEC 04 2007**DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Applicant Information WARNER LAND AND LIVESTOCK
 3040 S 2300 E
 WENDELL ID 83355
 (208) 536-6402

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

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

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-2306	WR/Decreed	2.30			128.0	GROUND WATER
36-7263	WR/Decreed	0.26			128.0	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
36-2306	NO	YES	NO	NO	NO	NO
36-7263	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

To change point of diversion to reflect where well is actually located.

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**

NA

B. Describe the effects on other water uses resulting from the proposed change

NA

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-2306	2.30 cfs		128.0	
36-7263	0.26 cfs		128.0	
TOTAL	2.56 cfs		128.0	512.0 af

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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.

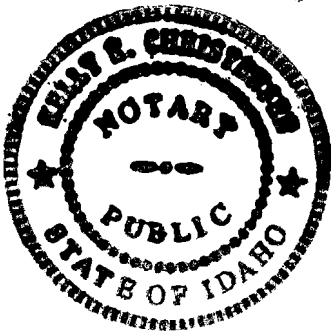
Thomas F. Warner
(Signature of Applicant)

Partner
(Title or Office)

Subscribed and sworn to before me this 4th day of December, 2007

Kelly K. Christensen
(Notary Public)

My commission expires 4-2-2010



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

Current Water Right No. 36-2306

Priority Date: August 20, 1956

Origin: Water Right

Basis: Decreed

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	3/15 11/15	2.30 CFS		
	Total Diversion	2.30 CFS		

Source and Point(s) of Diversion:

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

PLACE OF USE: IRRIGATION

<u>Twp</u> <u>Rge</u> <u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<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

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-07263 IS LIMITED TOTAL COMBINED DIVERSION RATE OF 2.56 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 512 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 36-07263 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 128 ACRES IN A SINGLE IRRIGATION SEASON.
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.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT NO. 36-07263 IS 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

No change

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. 36-7263

Priority Date: September 19, 1972

Origin: Water Right

Basis: Decreed

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	4/01 10/10	0.26 CFS		
	Total Diversion	0.26 CFS		

Source and Point(s) of Diversion:

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

PLACE OF USE: IRRIGATION

<u>Twp</u> <u>Rge</u> <u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<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

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-02306 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.56 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 512 AF.
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 10 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. USE OF THIS RIGHT WITH RIGHT NO. 36-02306 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 128 ACRES IN A SINGLE IRRIGATION SEASON.

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 NO. 36-02306 IS 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
No change

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. 36-2306

Priority Date: August 20, 1956

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	03/15 11/15	2.30 CFS		
	Total Diversion	2.30 CFS		

Source and Point(s) of Diversion:

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

Describe the proposed diversion system

Point of Diversion # 1 WELL, PUMP (100 HP), PIPELINE AND 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	
08S 16E 6	37.0	39.0	34.0	18.0													128.0

Total Acres: 128

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

Proposed Water Right No. 36-7263

Priority Date: September 19, 1972

Origin: Water Right

Basis: Decreed

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	4/01	10/10	0.26 CFS		
	Total Diversion		0.26 CFS		

Source and Point(s) of Diversion:

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

Describe the proposed diversion system

Point of Diversion # 1 WELL, PUMP (100 HP), PIPELINE AND 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	
08S	16E	6	37.0	39.0	34.0	18.0													128.0

Total Acres: 128

An aerial photograph of a rural landscape featuring a grid of agricultural fields. The fields are mostly rectangular, with some circular or semi-circular shapes. The colors range from light tan to dark brown. Handwritten annotations in black ink are present: 'WELL LOCATION' with an arrow pointing to a small dot in the upper right quadrant, '6' near the center, and 'T08S R16E' in the bottom left corner.

WELL
LOCATION

6

T08S
R16E

No. L 3134 Return to: SECRETARY OF STATE 450 NORTH FOURTH STREET PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Due no later than July 31, 2007 Annual Report Form 1. Mailing Address - Correct in this box, if applicable WARNER LAND AND LIVESTOCK, LIMITED PAULINE-WARNER THOMAS F. WARNER 3040 SOUTH 2300 EAST WENDELL, ID	2. Registered Agent and Office NO PO BOX PAULINE-WARNER THOMAS F. WARNER 3040 SOUTH 2300 EAST WENDELL, ID 3. New Registered Agent Signature <i>Thomas F. Warner</i>
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4. Limited Partnerships: Enter Names and Business Addresses of General Partners.

<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
PARTNER	THOMAS F. WARNER	3040 S. 2300 E.	WENDELL	ID	83355
PARTNER	J. PAUL WARNER	1200 LAURA LANE	SULPHUR	LA	70663

5. Organized Under the Laws of: IDAHO L 3134	6. Signature <i>Thomas F. Warner</i> Date <i>9/11/07</i> Name (Typed or Printed) <i>THOMAS F. WARNER</i> Title <i>Partner</i>
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Issued 05/01/2007

Do Not Tape or Staple

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