

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72396

This is to certify that: THE DUNCAN LIMITED PARTNERSHIP

750 E 100 S
RUPERT ID 83350
(208)436-1214

And

PKD PROPERTIES LC
750 E 100 S
RUPERT ID 83350
(208)436-1214

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>
36-16060	WR/Decreed	05/02/1953	3.82 cfs	1222 af	N/A	305.5	GROUND WATER
36-16383	WR/Decreed	02/23/1948	3.63 cfs	1160 af	N/A	290.0	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>
36-16060	NO	NO	YES	YES	NO	NO
36-16383	NO	NO	YES	YES	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>
36-16060	36-16060	3.82 cfs	1222 af	305.5	640.0		N/A	N/A	N/A	N/A
36-16383	36-16383	3.63 cfs	1160 af	290.0	640.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		7.45 cfs	2382 af	595.5	640		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of October, 20 07

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 36-16060

WATER RIGHT NO. 36-16383**As Modified by Transfer No. 72396**

In accordance with the approval of Transfer No. 72396, Water Right No. 36-16383 is now described as follows.

Right Holder: PKD PROPERTIES LC

750 E 100 S

RUPERT ID 83350

And

THE DUNCAN LIMITED PARTNERSHIP

750 E 100 S

RUPERT ID 83350

Priority Date: February 23, 1948**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	3.63 CFS	1,160.0 AF
			3.63 CFS	1,160.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 19 Twp 07S Rge 25E MINIDOKA County

GROUND WATER NESESE Sec. 19 Twp 07S Rge 25E MINIDOKA 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	
07S	25E	19	40.0	40.0	40.0	40.0													320.0
07S	25E	20					40.0	40.0	40.0	40.0	40.0	40.0	40.0						320.0

Total Acres: 640

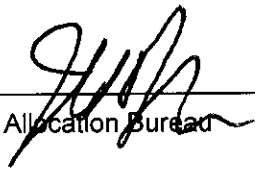
WATER RIGHT NO. 36-16383
As Modified by Transfer No. 72396

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. Prior to the diversion and use of water under Transfer approval 72396 the right holder shall install and maintain acceptable measuring devices), including data loggers), at the authorized points 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.
4. This right is limited to the irrigation of 290 acres within the place of use described above in a single irrigation season.
5. Rights 36-16060 and 36-16383 when combined shall not exceed a total diversion rate of 7.45 cfs, a total annual maximum diversion volume of 2382 af at the field headgate, and the irrigation of 595.5 acres.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 1st day of October, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16060
As Modified by Transfer No. 72396

In accordance with the approval of Transfer No. 72396, Water Right No. 36-16060 is now described as follows.

Right Holder: PKD PROPERTIES LC
 750 E 100 S
 RUPERT ID 83350

And

THE DUNCAN LIMITED PARTNERSHIP
 750 E 100 S
 RUPERT ID 83350

Priority Date: May 02, 1953

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	3.82 CFS	1,222.0 AF
			3.82 CFS	1,222.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 19 Twp 07S Rge 25E MINIDOKA County

GROUND WATER NESESE Sec. 19 Twp 07S Rge 25E MINIDOKA 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	
07S	25E	19	40.0	40.0	40.0	40.0													320.0
07S	25E	20					40.0	40.0	40.0	40.0	40.0	40.0	40.0						320.0

Total Acres: 640

WATER RIGHT NO. 36-16060
As Modified by Transfer No. 72396

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. Prior to the diversion and use of water under Transfer approval 72396 the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
4. This right is limited to the irrigation of 305.5 acres within the place of use described above in a single irrigation season.
5. Rights 36-16060 and 36-16383 when combined shall not exceed a total diversion rate of 7.45 cfs, a total annual maximum diversion volume of 2382 af at the field headgate, and the irrigation of 595.5 acres.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 1st day of October, 20 07



Chief, Water Allocation Bureau