

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72751

This is to certify that: RICHARD E TRAIL TRUST
 PO BOX 509
 TWIN FALLS ID 83303
 (208)737-5025

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>
36-2079	WR/Decreed	10/26/1948	4 13 cfs	1160 af	290.0	530.0	GROUND WATER
36-2157	WR/Decreed	12/04/1951	4 04 cfs	960 af	240.0	530.0	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>
36-2079	NO	NO	YES	NO	NO	NO
36-2157	NO	NO	YES	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>
36-2079	36-2079	4 13 cfs	1160 af	290 0	545 0		N/A	N/A	N/A	N/A
36-2157	36-2157	4 04 cfs	960 af	240 0	545 0		N/A	N/A	N/A	N/A
COMBINED TOTALS		8.17 cfs	2120 af	530.0	545.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 31st day of July, 20 07


 Administrator, Water Management Division

SUPPORT DATA

IN FILE # 36-2079

WATER RIGHT NO. 36-2079
As Modified by Transfer No. 72751

In accordance with the approval of Transfer No 72751, Water Right No 36-2079 is now described as follows

Right Holder: RICHARD E TRAIL TRUST
PO BOX 509
TWIN FALLS ID 83303

Priority Date: October 26, 1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	4 13 CFS	1,160.0 AF
			4 13 CFS	1,160.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENE Sec. 14 Twp 10S Rge 20E JEROME County

GROUND WATER NWNWNW Sec. 23 Twp 10S Rge 20E JEROME 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	
10S 20E 14													39.0	39.0	39.0	38.0	155.0
10S 20E 22			39.0	38.0													77.0
10S 20E 23	39.0	39.0	39.0	38.0	40.0	39.0	39.0	40.0									313.0

Total Acres: 545

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 290 acres within the place of use described above in a single irrigation season.
2. Rights 36-2079 and 36-2157 when combined shall not exceed a total diversion rate of 8.17 cfs, a total annual maximum diversion volume of 2120 af at the field headgate, and the irrigation of 530 acres in a single irrigation season.
3. 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
4. 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 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/27/2001

WATER RIGHT NO. 36-2079
As Modified by Transfer No. 72751

CONDITIONS OF APPROVAL

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. 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. 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
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

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 31st day of July, 2007



Administrator, Water Management Division

WATER RIGHT NO. 36-2157
As Modified by Transfer No. 72751

In accordance with the approval of Transfer No. 72751, Water Right No. 36-2157 is now described as follows

Right Holder: RICHARD E TRAIL TRUST
PO BOX 509
TWIN FALLS ID 83303

Priority Date: December 04, 1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01 to	10/31	4 04 CFS	960 0 AF
			4 04 CFS	960 0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESE Sec 14 Twp 10S Rge 20E JEROME County

GROUND WATER NWNWNW Sec 23 Twp 10S Rge 20E JEROME 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	
10S	20E	14													39 0	39 0	39 0	38 0	155 0
10S	20E	22			39 0	38 0													77 0
10S	20E	23	39 0	39 0	39 0	38 0	40 0	39 0	39 0	40 0									313 0

Total Acres: 545

CONDITIONS OF APPROVAL

- 1 This right is limited to the irrigation of 240 acres within the place of use described above in a single irrigation season.
- 2 Rights 36-2079 and 36-2157 when combined shall not exceed a total diversion rate of 8 17 cfs, a total annual maximum diversion volume of 2120 af at the field headgate, and the irrigation of 530 acres in a single irrigation season
- 3 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
- 4 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 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/27/2001

WATER RIGHT NO. 36-2157
As Modified by Transfer No. 72751

CONDITIONS OF APPROVAL

- 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 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 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.
- 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.

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 31st day of July, 2007



Administrator, Water Management Division