

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71937**

This is to certify that: FARM DEVELOPMENT CORP
PO BOX 1201
BOISE ID 83701
(208)342-6524

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>
63-32075	AJC/License	04/13/1967	2.28 cfs	184.5 af	N/A	120.0	GROUND WATER
63-32633	AJC/License	03/22/1967	0.07 cfs	22.5 af	N/A	5.0	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>
63-32075	YES	YES	YES	NO	YES	YES
63-32633	NO	YES	YES	NO	YES	YES

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>
63-32075	63-32636	0.28 cfs	46.9 af	N/A	N/A	63-32635	2.00 cfs	117.0 af	N/A	105.0
63-32633	63-32633	0.07 cfs	15.6 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.35 cfs	62.5 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 31st day of May, 20 07



Administrator, Water Management Division

SUPPORT DATA

IN FILE # 63-32075

WATER RIGHT NO. 63-32635
As Modified by Transfer No. 71937

In accordance with the approval of Transfer No. 71937, Water Right No. 63-32635 is now described as follows.

Right Holder: RUBY C VICTOR And/Or
 W NOLAN VICTOR And/Or
 ROBERT J MEYERS And/Or
 KATHI L MEYERS And/Or
 RODNEY KENT MONTIERTH
 1528 ADDISON AVE E
 TWIN FALLS ID 83301

And/Or

EDWARD RAY MONTIERTH And/Or
 SUSAN L MONTIERTH And/Or
 THE ESTATE OF GOLDA D MONTIERTH
 825 HEARTLAND DR
 NAMPA ID 83686

And/Or

HERBERT R MONTIERTH JR
 6312 S ZITHER AVE
 BOISE ID 83709

Priority Date: April 13, 1967

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	2.00 CFS	117.0 AF
			2.00 CFS	117.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESE	Sec. 15 Twp 02N Rge 03W CANYON County
GROUND WATER	SWSE	Sec. 15 Twp 02N Rge 03W CANYON 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	
02N 03W 14																	80.0
02N 03W 15													20.0			5.0	25.0

Total Acres: 105

WATER RIGHT NO. 63-32635
As Modified by Transfer No. 71937

CONDITIONS OF APPROVAL

1. 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.
2. The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 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. Right 63-32632 overlaps 79 acres of the place of use described above in the W1/2SW, S14, T2N, R3W.

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 May, 20 07


Administrator, Water Management Division

WATER RIGHT NO. 63-32636
As Modified by Transfer No. 71937

In accordance with the approval of Transfer No. 71937, Water Right No. 63-32636 is now described as follows.

Right Holder: FARM DEVELOPMENT CORP
 PO BOX 1201
 BOISE ID 83701

Priority Date: April 13, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	12/31	0.28 CFS	46.9 AF
STOCKWATER	01/01	12/31	0.28 CFS	46.9 AF
			0.28 CFS	46.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESWSW	Sec. 4	Twp 01N	Rge 03W	CANYON County
GROUND WATER	NWNWNE	Sec. 9	Twp 01N	Rge 03W	CANYON County

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 03W 4									X	X	X						
01N 03W 5													X				
01N 03W 9					X	X											

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 03W 4									X	X	X						
01N 03W 5													X				
01N 03W 9					X	X											

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-32636
As Modified by Transfer No. 71937

CONDITIONS OF APPROVAL

3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. Industrial use is for a machine shop and feed preparation for a feedlot.
9. Right 63-32633 is also diverted through the points of diversion described above.

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 May, 20 07


Administrator, Water Management Division

WATER RIGHT NO. 63-32633
As Modified by Transfer No. 71937

In accordance with the approval of Transfer No. 71937, Water Right No. 63-32633 is now described as follows.

Right Holder: FARM DEVELOPMENT CORP
 PO BOX 1201
 BOISE ID 83701

Priority Date: March 22, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.07 CFS	15.6 AF
INDUSTRIAL	01/01 to	12/31	0.07 CFS	15.6 AF
			0.07 CFS	15.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESWSW	Sec. 4	Twp 01N	Rge 03W	CANYON County
GROUND WATER	NWNWNE	Sec. 9	Twp 01N	Rge 03W	CANYON County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
01N	03W	4									X		X									
01N	03W	5																				
01N	03W	9					X		X													

PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
01N	03W	4									X		X									
01N	03W	5																				
01N	03W	9					X		X													

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-32633
As Modified by Transfer No. 71937

CONDITIONS OF APPROVAL

3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. Industrial use is for a machine shop and feed preparation for a feedlot.
9. Right 63-32636 is also diverted through the points of diversion described above.

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 May, 20 07


Administrator, Water Management Division