

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72524

This is to certify that: MC CLELLAN FARMS INC
 C/O STEVE MC CLELLAN
 369 N 1250 S
 PAUL ID 83347
 (208)438-8181

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>
36-2245	WR/Decreed	02/19/1954	3.32 cfs	N/A	166.0	444.0	GROUND WATER
36-2265	WR/Decreed	07/14/1954	1.54 cfs	N/A	77.0	444.0	GROUND WATER
36-4004	WR/Decreed	04/10/1958	2.76 cfs	N/A	201.0	444.0	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>
36-2245	YES	YES	NO	YES	YES	YES
36-2265	YES	YES	NO	NO	YES	YES
36-4004	YES	YES	NO	YES	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>
36-2245	36-16472	0.47 cfs	56.8 af	N/A	N/A	36-16471	2.85 cfs	N/A	142.5	381.2
36-2265	36-16468	0.22 cfs	26.4 af	N/A	N/A	36-16467	1.32 cfs	N/A	66.1	381.2
36-4004	36-16470	0.39 cfs	68.8 af	N/A	N/A	36-16469	2.37 cfs	N/A	172.6	381.2
COMBINED TOTALS		1.08 cfs	152.0 af	N/A	N/A		6.54 cfs	1524.8 af	381.2	381.2

Detailed Water Right Description(s) attached

Dated this 29th day of March, 20 07


 Acting Administrator, Water Management Division

SUPPORT DATA

IN FILE # 36-02245

WATER RIGHT NO. 36-16467
As Modified by Transfer No. 72524

In accordance with the approval of Transfer No. 72524, Water Right No. 36-16467 is now described as follows.

Right Holder: MC CLELLAN FARMS INC
 C/O STEVE MC CLELLAN
 369 N 1250 S
 PAUL ID 83347

Priority Date: July 14, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	1.32 CFS
DOMESTIC	01/01 to	12/31	0.04 CFS
			1.32 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENE Sec. 6 Twp 09S Rge 22E MINIDOKA County

GROUND WATER SESENE Sec. 6 Twp 09S Rge 22E 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	
09S	22E	6			36.0				33.0	36.0	40.0	44.0	40.0	36.0	11.2	40.0	35.0	30.0	381.2
									L 5			L 6	L 7						

Total Acres: 381.2

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6																X	

CONDITIONS OF APPROVAL

1. Use of this right with rights 36-16469 and 36-16471 is limited to a total combined annual diversion volume of 1524.8 af.
2. This right is limited to the irrigation of 66.1 acres within the place of use described above in a single irrigation season.
3. Use of this right with rights 36-16469 and 36-16471 is limited to the irrigation of a combined total of 381.2 acres in a single irrigation season.

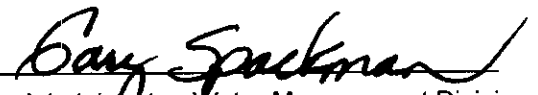
WATER RIGHT NO. 36-16467
As Modified by Transfer No. 72524

CONDITIONS OF APPROVAL

4. The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
5. The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
6. Rights 36-16469 and 36-16471 are also diverted through the point of diversion located within the SESENE, Sec 6, T09S, R22E described above.
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.

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 29th day of March, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 36-16468
As Modified by Transfer No. 72524

In accordance with the approval of Transfer No. 72524, Water Right No. 36-16468 is now described as follows.

Right Holder: MC CLELLAN FARMS INC
 C/O STEVE MC CLELLAN
 369 N 1250 S
 PAUL ID 83347

Priority Date: July 14, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to	12/31	0.22 CFS	26.4 AF
STOCKWATER	01/01 to	12/31	0.22 CFS	26.4 AF
			0.22 CFS	26.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENE Sec. 6 Twp 09S Rge 22E MINIDOKA County

GROUND WATER SENE Sec. 6 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 22E 6			X	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	
09S 22E 6			X	X				X					X	X		X	

CONDITIONS OF APPROVAL

1. 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.
2. Rights 36-16468, 36-16470, and 36-16472 when combined shall not exceed a total diversion rate of 1.08 cfs and a total annual maximum diversion volume of 152.0 af.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

**WATER RIGHT NO. 36-16468
As Modified by Transfer No. 72524**

CONDITIONS OF APPROVAL

4. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Prior to the diversion and use of water under Transfer approval 72524, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
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. Rights 36-16470 and 36-16472 are also diverted through the points of diversion described above.
9. Commercial use is for a dairy operation.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 29th day of March, 20 07


Acting Administrator, Water Management Division

**WATER RIGHT NO. 36-16469
As Modified by Transfer No. 72524**

In accordance with the approval of Transfer No. 72524, Water Right No. 36-16469 is now described as follows.

Right Holder: MC CLELLAN FARMS INC
C/O STEVE MC CLELLAN
369 N 1250 S
PAUL ID 83347

Priority Date: April 10, 1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to 11/15	2.37 CFS
		2.37 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENE Sec. 6 Twp 09S Rge 22E 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	
09S	22E	6			36.0				33.0	36.0	40.0	44.0	40.0	36.0	11.2	40.0	35.0	30.0	381.2
									L 5			L 6	L 7						

Total Acres: 381.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 172.6 acres within the place of use described above in a single irrigation season.
2. Use of this right with right nos. 36-16467 and 36-16471 is limited to the irrigation of a combined total of 381.2 acres in a single irrigation season.
3. Use of this right with right nos. 36-16467 and 36-16471 is limited to a total combined annual diversion volume of 1524.8 af.
4. Right nos. 36-16467 and 36-16471 are also diverted through the point of diversion described above.

WATER RIGHT NO. 36-16469
As Modified by Transfer No. 72524

CONDITIONS OF APPROVAL

5. 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 29th day of March, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 36-16470
As Modified by Transfer No. 72524

In accordance with the approval of Transfer No. 72524, Water Right No. 36-16470 is now described as follows.

Right Holder: MC CLELLAN FARMS INC
 C/O STEVE MC CLELLAN
 369 N 1250 S
 PAUL ID 83347

Priority Date: April 10, 1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.39 CFS	68.8 AF
STOCKWATER	01/01	to 12/31	0.39 CFS	68.8 AF
			0.39 CFS	68.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENE Sec. 6 Twp 09S Rge 22E MINIDOKA County

GROUND WATER SENE Sec. 6 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 22E 6			X	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	
09S 22E 6			X	X				X					X	X		X	

CONDITIONS OF APPROVAL

1. Rights 36-16468, 36-16470, and 36-16472 when combined shall not exceed a total diversion rate of 1.08 cfs and a total annual maximum diversion volume of 152.0 af.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

WATER RIGHT NO. 36-16470
As Modified by Transfer No. 72524

CONDITIONS OF APPROVAL

4. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Prior to the diversion and use of water under Transfer approval 72524, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
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. Rights 36-16468 and 36-16472 are also diverted through the points of diversion described above.
9. Commercial use is for a dairy operation.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 29th day of March, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 36-16471
As Modified by Transfer No. 72524

In accordance with the approval of Transfer No. 72524, Water Right No. 36-16471 is now described as follows.

Right Holder: MC CLELLAN FARMS INC
 C/O STEVE MC CLELLAN
 369 N 1250 S
 PAUL ID 83347

Priority Date: February 19, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	2.85 CFS
DOMESTIC	01/01	to 12/31	0.04 CFS
			2.85 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENE Sec. 6 Twp 09S Rge 22E 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	
09S	22E	6			36.0			33.0	36.0	40.0	44.0	40.0	36.0	11.2	40.0	35.0	30.0	381.2	
								L 5			L 6	L 7							

Total Acres: 381.2

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6																X	

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 142.5 acres within the place of use described above in a single irrigation season.
2. Use of this right with right nos. 36-16467 and 36-16469 is limited to the irrigation of a combined total of 381.2 acres in a single irrigation season.
3. Use of this right with right nos. 36-16467 and 36-16469 is limited to a total combined annual diversion volume of 1524.8 af.
4. The following rights are also diverted through point of diversion described above: 36-16467 and 36-16469.

WATER RIGHT NO. 36-16471
As Modified by Transfer No. 72524

CONDITIONS OF APPROVAL

5. The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
6. The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
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.

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 29th day of March, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 36-16472
As Modified by Transfer No. 72524

In accordance with the approval of Transfer No. 72524, Water Right No. 36-16472 is now described as follows.

Right Holder: MC CLELLAN FARMS INC
 C/O STEVE MC CLELLAN
 369 N 1250 S
 PAUL ID 83347

Priority Date: February 19, 1954

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	0.47 CFS	56.8 AF
COMMERCIAL	01/01	to 12/31	0.47 CFS	56.8 AF
			0.47 CFS	56.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 6 Twp 09S Rge 22E MINIDOKA County
GROUND WATER	SENE	Sec. 6 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
09S 22E 6	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X	X				X					X	X		X	

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
09S 22E 6	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X	X									X				

CONDITIONS OF APPROVAL

1. 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.
2. Rights 36-16468, 36-16470, and 36-16472 when combined shall not exceed a total diversion rate of 1.08 cfs and a total annual maximum diversion volume of 152.0 af.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 36-16472
As Modified by Transfer No. 72524

CONDITIONS OF APPROVAL

4. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Prior to the diversion and use of water under Transfer approval 72524, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
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. Rights 36-16468 and 36-16470 are also diverted through the points of diversion described above.
9. Commercial use is for a dairy operation.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 29th day of March, 20 07


Acting Administrator, Water Management Division