

Transfer No. 72751

Receipt No. 5028595

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

RECEIVED
APR 28 2006
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

1. Applicant Information GLEN TRAIL TRUST
 PO BOX 509
 TWIN FALLS ID 83303-0509
 (208)737-5025

And

RICHARD E TRAIL TRUST
 PO BOX 509
 TWIN FALLS ID 83303
 (208)737-5025

Will this transfer result in an ownership change? No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-2079	AJC/Decreed	4.13	1,160.0	290.0	530.0	GROUND WATER
36-2157	AJC/Decreed	4.04	960.0	240.0	530.0	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
36-2079	NO	NO	YES	NO	NO	NO
36-2157	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

The original boundary between this farm and the one to the west was based on an old road that skirted Hazelton Butte. Small portions of each farm were traded in 2004 to square up both farms for more efficient use of sprinklers. This transfer moves 4 acres worth of water from the Star Falls Ag farm to this farm, and also adds 15 acres to the decreed place of use on this farm. Star Falls Ag filed T72746 to move all of their water rights to their present farm. Under the land swap, each owner retained all of their water rights.

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

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

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-2079	4.13 cfs	290.0	545.0	1,160.0 af
36-2157	4.04 cfs	240.0	545.0	960.0 af
TOTAL	8.17 cfs	530.0	545.0	2,120.0 af

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APPLICATION FOR TRANSFER OF WATER RIGHT
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.

Richard T. Trail Trust
by Steven W. Benson
(Signature of Applicant)

Property Officer
(Title or Office)



Subscribed and sworn to before me this 28th day of April, 2006.

I. E. Stanton
(Notary Public)

My commission expires 10-25-06

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

Current Water Right No. 36-2079

Priority Date: October 26, 1948

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	10/31	4.13 CFS	1,160.0 AFA	
	Total Diversion		4.13 CFS	1,160.0 AFA	

Source and 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												4.0	38.0	29.0	39.0	33.0	143.0
10S 20E 22			38.0	38.0													76.0
10S 20E 23	39.0	40.0	39.0	38.0	40.0	38.0	38.0	39.0									311.0

Total Acres: 530

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-02157 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.17 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2120.0 AF.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 290 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE 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.

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

Small portions of the 2 adjacent farms were traded in 2004, with each owners retaining their water rights. Land will be still irrigated, but with other water rights from a different well.

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. 36-2157

Priority Date: December 04, 1951

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	10/31	4.04 CFS	960.0 AFA	
	Total Diversion		4.04 CFS	960.0 AFA	

Source and 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													4.0	38.0	29.0	39.0	33.0	143.0
10S	20E	22																		76.0
10S	20E	23	39.0	40.0	39.0	38.0	40.0	38.0	38.0	39.0										311.0

Total Acres: 530

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-02079 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.17 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2120.0 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 31 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. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE 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.

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

Small portions of the 2 adjacent farms were traded in 2004, with each owners retaining their water rights. Land will be still irrigated, but with other water rights from a different well.

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. 36-2079

Priority Date: October 26, 1948

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	04/01 10/31	4.13 CFS	1,160.0 AFA	
	Total Diversion	4.13 CFS	1,160.0 AFA	

Source and 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

Describe the proposed diversion system**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

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-2157

Priority Date: December 04, 1951

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	4/01 10/31	4.04 CFS	960.0 AFA	
	Total Diversion	4.04 CFS	960.0 AFA	

Source and 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

Describe the proposed diversion system**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



T72751 Trail Trusts

NE 1/4 Sec. 23

SE 1/4 Sec. 14

POD

POD