

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71925**

This is to certify that: MOO VIEW COW PALACE
474 E 550 S
BURLEY ID 83318
(208)312-2464

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>
45-7186B	WR/Decreed	11/16/1974	10.37 cfs	4316 af	N/A	1,079.0	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

45-691	WR/Decreed	05/01/1882	0.85 cfs	N/A	193.0	1,951.0	WHITE CREEK
45-7004	WR/Decreed	09/06/1967	6.40 cfs	1280 af	N/A	320.0	GROUND WATER
45-7186A	WR/Decreed	12/07/1974	6.12 cfs	2208 af	N/A	552.0	GROUND WATER
45-690	WR/Decreed	05/01/1882	3.20 cfs	N/A	N/A	1,951.0	DAYLEY CREEK, LUNCH CREEK, UNNAMED STREAM

Purpose of Transfer (Changes Proposed)

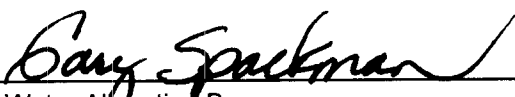
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-7186B	YES	NO	YES	NO	YES	YES

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>
45-7186B	45-13905	0.30 cfs	217.2 af	N/A	N/A	45-13904	10.07 cfs	3964 af	N/A	991.0
COMBINED										
TOTALS		0.30 cfs	217.2 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 6th day of November, 20 06



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 45-7186B

WATER RIGHT NO. 45-13904
As Modified by Transfer No. 71925

In accordance with the approval of Transfer No. 71925, Water Right No. 45-13904 is now described as follows.

Right Holder: MOO VIEW COW PALACE
 474 E 550 S
 BURLEY ID 83318

Priority Date: November 16, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	10.07 CFS	3,964.0 AF
			10.07 CFS	3,964.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENE	Sec. 31 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	NWNW	Sec. 32 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	NWNW	Sec. 32 Twp 11S	Rge 24E	CASSIA 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	
12S 23E 12	21.0	15.0	6.0	40.0					34.0				8.0	34.0			158.0
12S 24E 5					33.0	33.0	37.0	33.0	7.0	37.0							180.0
					L3	L4											
12S 24E 6	39.0	39.0	39.0	39.0	41.0	38.0	38.0	41.0	41.0	38.0	38.0	40.0	40.0	40.0	30.0	30.0	611.0
	L1	L2			L3	L4	L5			L6	L7						
12S 24E 7						25.0	17.0										42.0
					L1	L2											

Total Acres: 991

CONDITIONS OF APPROVAL

1. Use of the rights listed below is limited to the irrigation of a combined total of 1863 acres in a single irrigation season. Combined right nos. 45-7004, 45-7186A, 45-13904, 45-690 and 45-691.
2. When combined the following rights shall provide no more than .02 cfs per acre nor more than 4 afa per acre. Combined right nos. 45-7004, 45-7186A, 45-13904, 45-690 and 45-691.
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.

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 6th day of November, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13905
As Modified by Transfer No. 71925

In accordance with the approval of Transfer No. 71925, Water Right No. 45-13905 is now described as follows.

Right Holder: MOO VIEW COW PALACE
 474 E 550 S
 BURLEY ID 83318

Priority Date: November 16, 1974

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	0.30 CFS	217.2 AF
COMMERCIAL	01/01	to 12/31	0.30 CFS	217.2 AF
			0.30 CFS	217.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNENE	Sec. 31 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	NWNWNW	Sec. 32 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	NWNWNW	Sec. 32 Twp 11S	Rge 24E	CASSIA 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	
12S	23E	12	X	X	X	X				X	X				X	X			

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	
12S	23E	12	X	X	X	X				X									

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 71925, 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.
2. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. 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.

WATER RIGHT NO. 45-13905
As Modified by Transfer No. 71925

4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. Commercial use is for a dairy operation.
6. Right 45-13904 is also diverted through the point(s) of diversion described above, Right 45-7004 may be diverted from one of the points of diversion located in the NWNWNW of Section 32, T11S, R24E, and Right 45-7186A may be diverted from both of the points of diversion located in the NWNWNW of Section 32, T11S, R24E.
7. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 6th day of November, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-690
As Modified by Transfer No. 71925

In accordance with the approval of Transfer No. 71925, Water Right No. 45-690 is now described as follows.

Right Holder: MOO VIEW COW PALACE
 474 E 550 S
 BURLEY ID 83318

Priority Date: May 01, 1882

Source: DAYLEY CREEK LUNCH CREEK UNNAMED STREAM	Tributary: SINKS SINKS SINKS
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<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to 11/15	3.20 CFS
STOCKWATER	03/15 to 11/15	0.05 CFS
		3.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

LUNCH CREEK	NESESE	Sec. 5	Twp 12S	Rge 24E	CASSIA County
UNNAMED STREAM	SWSSENW	Sec. 7	Twp 12S	Rge 24E	CASSIA County
DAYLEY CREEK	NENESE	Sec. 7	Twp 12S	Rge 24E	CASSIA 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	
11S	24E	31	40.0			40.0									40.0	40.0	40.0	40.0	240.0
11S	24E	32	39.0	39.0	39.0	39.0	39.0	39.0	39.0	39.0	40.0	40.0			40.0	40.0			472.0
11S	24E	33					40.0	40.0	40.0	40.0									160.0
12S	23E	12	21.0	15.0	6.0	40.0					34.0				8.0	34.0			158.0
12S	24E	5					33.0	33.0	37.0	33.0	7.0	37.0							180.0
							L 3	L 4											
12S	24E	6	39.0	39.0	39.0	39.0	41.0	38.0	38.0	41.0	41.0	38.0	38.0	40.0	40.0	40.0	30.0	30.0	611.0
			L 1	L 2			L 3	L 4	L 5			L 6	L 7						
12S	24E	7						25.0	17.0										42.0
							L 1	L 2											

Total Acres: 1863

WATER RIGHT NO. 45-690
As Modified by Transfer No. 71925

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	
11S 24E 31	X			X									X	X	X	X	
11S 24E 32	X	X	X	X	X	X	X	X		X	X		X	X			
11S 24E 33					X	X	X	X									
12S 23E 12	X	X	X	X					X				X	X			
12S 24E 5					X	X	X	X	X	X							
12S 24E 6	X	X	X	X	L3	L4	X	X	X	X	X	X	X	X	X	X	
12S 24E 7	L1	L2			L3	L4	L5			L6	L7						
						X	X										
					L1	L2											

CONDITIONS OF APPROVAL

- When combined the following rights shall provide no more than .02 cfs per acre nor more than 4 afa per acre. Combined right nos. 45-7004, 45-7186A, 45-13904, 45-690 and 45-691.
- Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
- Use of the rights listed below is limited to the irrigation of a combined total of 1863 acres in a single irrigation season. Combined right nos. 45-7004, 45-7186A, 45-13904, 45-690 and 45-691.
- The source recommended as Unnamed Stream is also known as Antelope Spring Creek.
- The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
- This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
- The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
- 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 6th day of November, 20 06


 Chief, Water Allocation Bureau

Right Holder: MOO VIEW COW PALACE
474 E 550 S
BURLEY ID 83318

Tributary: SINKS

LOCATION OF POINT(S) OF DIVERSION
WHITE CREEK SWNW Sec. 18 Twp 12S Rge 24E CASSIA County

[illegible][illegible]

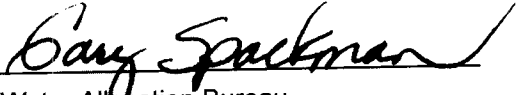
WATER RIGHT NO. 45-691
As Modified by Transfer No. 71925

CONDITIONS OF APPROVAL

1. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
2. This right is limited to the irrigation of 193 acres within the place of use described above in a single irrigation season.
3. When combined the following rights shall provide no more than .02 cfs per acre nor more than 4 afa per acre. Combined right nos. 45-7004, 45-7186A, 45-13904, 45-690 and 45-691.
4. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. Use of the rights listed below is limited to the irrigation of a combined total of 1863 acres in a single irrigation season. Combined right nos. 45-7004, 45-7186A, 45-13904, 45-690 and 45-691.
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 6th day of November, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7004
As Modified by Transfer No. 71925

In accordance with the approval of Transfer No. 71925, Water Right No. 45-7004 is now described as follows.

Right Holder: MOO VIEW COW PALACE
 474 E 550 S
 BURLEY ID 83318

Priority Date: September 06, 1967

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	6.40 CFS	1,280.0 AF
			6.40 CFS	1,280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENENE	Sec. 32 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	NWNWNW	Sec. 32 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SWSWSW	Sec. 32 Twp 11S	Rge 24E	CASSIA 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	
11S 24E 31	40.0			40.0									40.0	40.0	40.0	40.0	240.0
11S 24E 32									40.0	40.0							80.0

Total Acres: 320

CONDITIONS OF APPROVAL

1. Use of the rights listed below is limited to the irrigation of a combined total of 1863 acres in a single irrigation season. Combined right nos. 45-7004, 45-7186A, 45-13904, 45-690 and 45-691.
2. When combined the following rights shall provide no more than .02 cfs per acre nor more than 4 afa per acre. Combined right nos. 45-7004, 45-7186A, 45-13904, 45-690 and 45-691.
3. 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.
4. 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 6th day of November, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7186A
As Modified by Transfer No. 71925

In accordance with the approval of Transfer No. 71925, Water Right No. 45-7186A is now described as follows.

Right Holder: MOO VIEW COW PALACE
 474 E 550 S
 BURLEY ID 83318

Priority Date: December 07, 1974

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	6.12 CFS	2,208.0 AF
			6.12 CFS	2,208.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNW	Sec. 32 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	NWNW	Sec. 32 Twp 11S	Rge 24E	CASSIA 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	
11S	24E	32	39.0	39.0	39.0	39.0	39.0	39.0	39.0	39.0					40.0	40.0			392.0
11S	24E	33					40.0	40.0	40.0	40.0									160.0

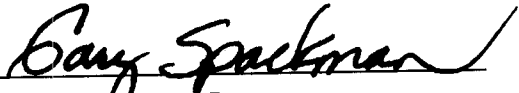
Total Acres: 552

CONDITIONS OF APPROVAL

- When combined the following rights shall provide no more than .02 cfs per acre nor more than 4 afa per acre. Combined right nos. 45-7004, 45-7186A, 45-13904, 45-690 and 45-691.
- Use of the rights listed below is limited to the irrigation of a combined total of 1863 acres in a single irrigation season. Combined right nos. 45-7004, 45-7186A, 45-13904, 45-690 and 45-691.
- 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 6th day of November, 20 06


 Chief, Water Allocation Bureau