

Transfer No. 72435
Receipt No. S028057

CORRECTED

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

RECEIVED

1. Applicant Information BIG SKY FARMS LIMITED PARTNERSHIP
PO BOX 5178
TWIN FALLS ID 83303-5178
(208)731-6530

JUL 14 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Will this transfer result in an ownership change? ✓ Yes No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-2373	WR/License	3.22	1,424.0		356.0	GROUND WATER
36-15056	WR/Decreed	0.12				GROUND WATER
36-15057	WR/Decreed	0.23				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
36-2373	YES	NO	YES	YES	YES	YES
36-15056	NO	NO	YES	YES	NO	NO
36-15057	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

This transfer ties 3 existing wells together, along with two proposed new wells, to provide water for 3 existing homes and a large feedlot to be built on this farm. Some irrigated land will be dried up to provide water for the expanded livestock use. The legal description of the north home was incorrectly decreed, so is being corrected. Only the minimum required diversion rate is being moved to the feedlot; the extra appurtenant rate from the irrigated land being dried up will be retained for irrigation of the remaining acres. The land in Sec. 36 was incorrectly decreed as being in Range 19E; the transfer corrects this to Range 18E.

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**

Any runoff from the proposed feedlot will be collected in a pond located in the SW/NW Sec. 6 T. 9S R. 19E.

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

Irrigation use on this farm will be reduced, as well over 200 acres will be taken out of production.

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5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-16389	0.32 cfs			228.1 af
36-15056	0.12 cfs			11.4 af
36-15057	0.23 cfs			10.2 af
TOTAL	0.67 cfs			237.1 af

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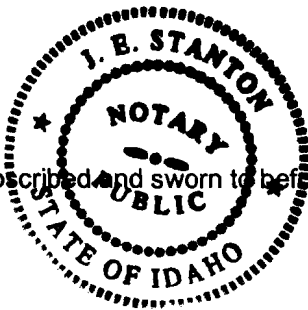
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I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Don McDaniel
(Signature of Applicant)

partner
(Title or Office)

Subscribed and sworn to before me this 14th day of July, 2006.



J. 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. 36-2373

Priority Date: January 16, 1959
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	3/15 11/15	3.22 CFS	1,424.0 AFA	
	Total Diversion	3.22 CFS	1,424.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNESE Sec. 36 Twp 08S Rge 18E 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	
08S	19E	31							12.0	10.0	27.0	21.0							70.0
									L 2			L 3							
08S	19E	36	16.0	34.0	40.0	36.0									40.0	40.0	40.0	40.0	286.0

Total Acres: 356

Conditions/Remarks:

1. 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?

Yes

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will be dried up to provide water for a large feedlot to be built on the same farm.

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. 36-15056

Priority Date: March 01, 1959
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>
STOCKWATER	1/01	12/31	0.12 CFS		
DOMESTIC	1/01	12/31	0.06 CFS		
Total Diversion			0.12 CFS		

Source and Point(s) of Diversion:

GROUND WATER SESESE Sec. 1 Twp 09S Rge 18E JEROME County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S	18E	1																X	

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S	18E	1																X	

Conditions/Remarks:

1. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RL09S18E010001 STOCKWATER/565 CATTLE OR 3400 SHEEP

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

Current Water Right No. 36-15056

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

The place of use for stockwater is being expanded

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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

Current Water Right No. 36-15057

Priority Date: March 01, 1959

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>
STOCKWATER	1/01	12/31	0.23 CFS		
DOMESTIC	1/01	12/31	0.04 CFS		
	Total Diversion		0.23 CFS		

Source and Point(s) of Diversion:

GROUND WATER SESESE Sec. 36 Twp 08S Rge 18E JEROME 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	
08S 18E 36																	X

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	
08S 18E 36																	X

Conditions/Remarks:

1. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RL08S18E360001 STOCKWATER/1000 BEEF STOCK

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

Current Water Right No. 36-15057

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

The domestic pou was described incorrectly on the water rights, so is being corrected. The stockwater pou is being expanded.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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

Proposed Water Right No. 36-16389

Priority Date: January 16, 1959

Origin:

Basis: Decreed

Status: Pending
Transfer

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	05/01 10/31	0.32 CFS	11.2 AFA	
STOCKWATER	01/01 12/31	0.32 CFS	216.9 AFA	
	Total Diversion	0.32 CFS	228.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 36 Twp 08S Rge 18E JEROME County
GROUND WATER	SENESE	Sec. 36 Twp 08S Rge 18E JEROME County
GROUND WATER	SESESE	Sec. 36 Twp 08S Rge 18E JEROME County
GROUND WATER	NESESE	Sec. 1 Twp 09S Rge 18E JEROME County
GROUND WATER	SWSESE	Sec. 1 Twp 09S Rge 18E JEROME County

Describe the proposed diversion system

Point of Diversion # 1 Existing well, motor, pump, mainline to common water system (irrig/backup stock well)

Point of Diversion # 2 Existing well, motor, pump, mainline to common water system (north domestic well)

Point of Diversion # 3 New well to be drilled, motor & pump to be installed, mainline to common water system (main stock well)

Point of Diversion # 4 New well to be drilled, motor & pump to be installed, mainline to common water system (main stock well)

Point of Diversion # 5 Existing well, motor, pump, mainline to common water system (south dom/stock well)

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

Proposed Water Right No. 36-16389

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	
08S 18E 36																X	
09S 18E 1	X			X									X			X	
	L 1																
09S 19E 6						X	X			X							
						L 4	L 5			L 6							

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	
08S 18E 36																X	
09S 18E 1	X			X									X			X	
	L 1																
09S 19E 6						X	X			X							
						L 4	L 5			L 6							

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

Proposed Water Right No. 36-15056

Priority Date: March 01, 1959

Origin: Water Right

Basis: Decreed

Status: Pending
Transfer

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.12 CFS	9.0 AFA	
DOMESTIC	01/01 12/31	0.06 CFS	2.4 AFA	
	Total Diversion	0.12 CFS	11.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 36 Twp 08S Rge 18E JEROME County
GROUND WATER	SENESE	Sec. 36 Twp 08S Rge 18E JEROME County
GROUND WATER	SESESE	Sec. 36 Twp 08S Rge 18E JEROME County
GROUND WATER	NESESE	Sec. 1 Twp 09S Rge 18E JEROME County
GROUND WATER	SWSESE	Sec. 1 Twp 09S Rge 18E JEROME County

Describe the proposed diversion system

Point of Diversion # 1 Existing well, motor, pump, mainline to common water system (irrig/backup stock well)

Point of Diversion # 2 Existing well, motor, pump, mainline to common water system (north domestic well)

Point of Diversion # 3 New well to be drilled, motor & pump to be installed, mainline to common water system (main stock well)

Point of Diversion # 4 New well to be drilled, motor & pump to be installed, mainline to common water system (main stock well)

Point of Diversion # 5 Existing well, motor, pump, mainline to common water system (south dom/stock well)

Proposed Water Right No. 36-15056

Twp Rge Sec			NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	18E	36																	X
09S	18E	1	X			X									X				X
			L 1																
09S	19E	6						X	X			X							
								L 4	L 5			L 6							

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

Proposed Water Right No. 36-15057

Priority Date: March 01, 1959
Origin: Water Right
Basis: Decreed
Status: Pending
Transfer

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.23 CFS	9.0 AFA	
DOMESTIC	01/01 12/31	0.04 CFS	1.2 AFA	
	Total Diversion	0.23 CFS	10.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 36 Twp 08S Rge 18E JEROME County
GROUND WATER	SENESE	Sec. 36 Twp 08S Rge 18E JEROME County
GROUND WATER	SESESE	Sec. 36 Twp 08S Rge 18E JEROME County
GROUND WATER	NESESE	Sec. 1 Twp 09S Rge 18E JEROME County
GROUND WATER	SWSESE	Sec. 1 Twp 09S Rge 18E JEROME County

Describe the proposed diversion system

Point of Diversion # 1 Existing well, motor, pump, mainline to common water system (irrig/backup stock well)

Point of Diversion # 2 Existing well, motor, pump, mainline to common water system (north domestic well)

Point of Diversion # 3 New well to be drilled, motor & pump to be installed, mainline to common water system (main stock well)

Point of Diversion # 4 New well to be drilled, motor & pump to be installed, mainline to common water system (main stock well)

Point of Diversion # 5 Existing well, motor, pump, mainline to common water system (south dom/stock well)

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**IDAHO DEPARTMENT OF WATER RESOURCES
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 PART 3A**

Proposed Water Right No. 36-15057

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	
08S 18E 36																X	
09S 18E 1	X			X									X			X	
	L 1																
09S 19E 6						X	X			X							
					L 4	L 5			L 6								

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	
08S 18E 36													X				

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

PORTION OF RIGHT No. 36-2373 BEING TRANSFERRED

Priority Date: January 16, 1959

Origin:

Basis: Decreed

Status: Pending
Transfer

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.32 CFS	350.8 AFA	
Total Diversion		0.32 CFS	350.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNESE Sec. 36 Twp 08S Rge 18E 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	
08S 18E 36													13.0	3.7	35.0	36.0	87.7

Total Acres: 87.7

