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In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70106

This is to certify that: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211
 (208)226-2611

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>
35-8332	WR/License	12/05/1983	2.64 cfs	528 af	N/A	132.0	GROUND WATER
35-13383	WR/License	04/17/1984	5.65 cfs	1188 af	N/A	297.0	GROUND WATER
35-13408	WR/Decreed	03/28/1974	4.74 cfs	948 af	N/A	237.0	GROUND WATER

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

35-7402	WR/Decreed	03/28/1974	1.94 cfs	388 af	97.0	100.9	GROUND WATER
35-13381	WR/License	08/14/1989	1.22 cfs	244 af	N/A	61.0	GROUND WATER
35-13409	WR/Decreed	03/28/1974	0.08 cfs	16 af	4.0	100.9	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>
35-8332	YES	YES	YES	NO	NO	NO
35-13383	YES	YES	YES	NO	NO	NO
35-13408	YES	NO	YES	NO	NO	NO

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>
35-8332	35-13411	0.14 cfs	43.2 af	10.8	56.5	35-13410	2.42 cfs	484.8 af	N/A	121.2
35-13383	35-13413	0.78 cfs	163.2 af	40.8	56.5	35-13412	4.87 cfs	1024.8 af	N/A	256.2
35-13408	35-13415	0.10 cfs	20.0 af	5.0	56.5	35-13414	4.64 cfs	928.0 af	N/A	232.0

COMBINED

TOTALS	1.02 cfs	226.0 af	N/A	56.5		N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 1st day of May, 20 03

For 
 Chief, Water Allocation Bureau

MICROFILMED
 JUN 23 2003

WATER RIGHT NO. 35-13411
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13411 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: December 05, 1983

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	0.14 CFS	43.2 AF
			0.14 CFS	43.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 23 Twp 08S Rge 29E POWER 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	29E	23							15.5	11.0	19.0	11.0							56.5

Total Acres: 56.5

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 70106, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
2. This right is limited to the irrigation of 10.8 acres within the place of use described above in a single irrigation season.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. Rights 35-7402, 35-13409, 35-13411, 13413, 35-13414, 35-13415 is also diverted through the point of diversion described above.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. 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.120.

MICROFILMED
 JUL 23 2003

WATER RIGHT NO. 35-13411
As Modified by Transfer No. 70106

CONDITIONS OF APPROVAL

9. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
10. Rights 35-7401, 35-13410 and 35-13411 when combined shall not exceed a total diversion rate of 5.28 cfs.

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 1st day of May, 20 03


for Chief, Water Allocation Bureau

MICROFILMED
JUL 23 2003

WATER RIGHT NO. 35-13413
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13413 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: April 17, 1984

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	0.78 CFS	163.2 AF
			0.78 CFS	163.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 23 Twp 08S Rge 29E POWER 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	29E	23																					
Total Acres: 56.5							15.5				11.0				19.0				11.0				56.5

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 70106, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
2. This right is limited to the irrigation of 40.8 acres within the place of use described above in a single irrigation season.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. Rights 35-7402, 35-13409, 35-13411, 13413, 35-13414, 35-13415 is also diverted through the point of diversion described above.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. 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.120.

MICROFILMED

APR 23 2003

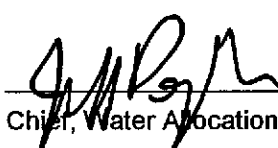
WATER RIGHT NO. 35-13413
As Modified by Transfer No. 70106

CONDITIONS OF APPROVAL

9. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
10. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 1ST day of May, 20 03


For Chief, Water Allocation Bureau

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 35-13415
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13415 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: March 28, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.10 CFS	20.0 AF
			0.10 CFS	20.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 23 Twp 08S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 29E 23							15.5	11.0	19.0	11.0							56.5

Total Acres: 56.5

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 70106, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
2. This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season.
3. Rights 35-07402, 35-13409, 35-13411, 35-13413, 35-13414, and 35-13415 are also diverted through the point of diversion described above.
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.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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JUL 22 2003

WATER RIGHT NO. 35-13415
As Modified by Transfer No. 70106

CONDITIONS OF APPROVAL

8. 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.120.
9. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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 15th day of May, 20 03

For *[Signature]* Chief, Water Allocation Bureau

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 35-13410
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13410 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: December 05, 1983

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	2.42 CFS	484.8 AF
			2.42 CFS	484.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESW Sec. 13 Twp 08S Rge 29E POWER County

PLACE OF USE: IRRIGATION

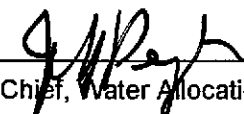
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	30E	18									30.3	30.3	30.3	30.3					121.2
Total Acres:			121.2																

CONDITIONS OF APPROVAL

1. Rights 35-07401 and 35-13410, 35-13411 when combined shall not exceed a total diversion rate of 5.28 cfs.
2. Right 35-07401 is also diverted through the point of diversion described above.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. Approval of this transfer does not confirm the validity of this water right.

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 13th day of May, 20 03


 for Chief, Water Allocation Bureau

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 35-13412
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13412 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: April 17, 1984

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	4.87 CFS	1,024.8 AF
			4.87 CFS	1,024.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENW Sec. 19 Twp 08S Rge 30E POWER County

PLACE OF USE: IRRIGATION

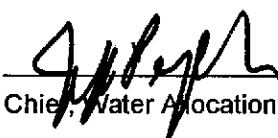
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 30E 19					30.5	28.9	30.2	31.2	31.2	30.2	37.0	37.0					256.2
Total Acres: 256.2																	

CONDITIONS OF APPROVAL

1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. Approval of this transfer does not confirm the validity of this water right.
5. Rights 35-13381 and 35-13412 when combined shall not exceed a total diversion rate of 4.91 cfs.

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 1st day of May, 2003


 For Chief, Water Allocation Bureau

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 35-13414
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13414 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: March 28, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	4.64 CFS	928.0 AF
			4.64 CFS	928.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 23 Twp 08S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	29E	23	20.0	36.0	40.0	35.0	24.0				31.0	9.0			11.0	26.0			232.0
Total Acres:			232																

CONDITIONS OF APPROVAL

1. Rights 35-07402, 35-13409, 35-13411, 35-13413, 35-13414, and 35-13415 are also diverted through the point of diversion described above.
2. 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 1st day of May, 20 03


 For _____
 Chief Water Allocation Bureau

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 35-7402

As Modified by Transfer No. 70106

8. 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. 120.
9. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- 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 15th day of May, 2003


For _____
Chief, Water Allocation Bureau

MICROFILMED

III 23 2003

WATER RIGHT NO. 35-13381
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13381 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: August 14, 1989

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	1.22 CFS	244.0 AF
			1.22 CFS	244.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 19 Twp 08S Rge 30E POWER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 30E 30					30.5	30.5											61.0

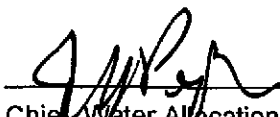
Total Acres: 61

CONDITIONS OF APPROVAL

1. Rights 35-13381 and 35-13412 when combined shall not exceed a total diversion rate of 4.91 cfs.
2. Approval of this transfer does not confirm the validity of this water right.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 1st day of May, 20 03

For 
 Chief, Water Allocation Bureau

MICROFILMED

JUL 23 2003

WATER RIGHT NO. 35-13409
As Modified by Transfer No. 70106

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13409 is now described as follows.

Right Holder: BOWLER RANCHES INC
 PO BOX 760
 AMERICAN FALLS ID 83211

Priority Date: March 28, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	0.08 CFS	16.0 AF
			0.08 CFS	16.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENW Sec. 23 Twp 08S Rge 29E POWER 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 29E 14									.5					19.0	2.4	10.0	39.0	30.0	100.9

Total Acres: 100.9

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 70093, 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. This right is limited to the irrigation of 4 acres within the place of use described above in a single irrigation season.
3. Rights 35-07402, 35-13409, 35-13411, 35-13413, 35-13414, and 35-13415 are also diverted through the point of diversion described above.
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.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED

JUL 23 2003

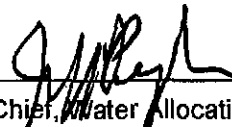
WATER RIGHT NO. 35-13409

As Modified by Transfer No. 70106

8. 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. 120.
9. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

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 15th day of May, 20 03

For  Chief, Water Allocation Bureau

MICROFILMED

JUL 29 2003

MEMORANDUM

TO: FILE 35-13410
FROM: VAULT
RE: TRANSFER # 70106
DATE: 5-2-06

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 35-8332

MICROFILMED

JUL 23 2003