

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71939

This is to certify that: CARNEY FARMS
 314 CRESTVIEW RD S
 PAUL ID 83347
 (208)438-5580

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>
36-2369	WR/Decreed	12/31/1958	3.95 cfs	N/A	202.0	309.0	GROUND WATER
36-7949	WR/Decreed	02/04/1981	1.41 cfs	N/A	107.0	309.0	GROUND WATER
36-15708	WR/Decreed	03/10/1960	3.10 cfs	N/A	183.8	268.9	GROUND WATER
36-16395	WR/Decreed	12/08/1981	0.62 cfs	124.4 af	31.1	214.9	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>
36-2369	NO	NO	YES	YES	NO	NO
36-7949	NO	NO	YES	YES	NO	NO
36-15708	NO	NO	YES	YES	NO	NO
36-16395	NO	NO	YES	YES	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>
36-2369	36-2369	3.95 cfs	808.0 af	202.0	524.0		N/A	N/A	N/A	N/A
36-7949	36-7949	1.41 cfs	428.0 af	107.0	524.0		N/A	N/A	N/A	N/A
36-15708	36-15708	3.10 cfs	735.2 af	183.8	524.0		N/A	N/A	N/A	N/A
36-16395	36-16395	0.62 cfs	124.4 af	31.1	524.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		7.57 cfs	2095.6 af	523.9	524.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 36-2369

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71939

Detailed Water Right Description(s) attached

Dated this 11th day of July, 20 06

Gary Spackman
Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2369
As Modified by Transfer No. 71939

In accordance with the approval of Transfer No. 71939, Water Right No. 36-2369 is now described as follows.

Right Holder: CARNEY FARMS
314 CRESTVIEW RD S
PAUL ID 83347

Priority Date: December 31, 1958

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	3.95 CFS	808.0 AF
		3.95 CFS	808.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNE Sec. 28 Twp 08S Rge 21E JEROME County

GROUND WATER NWSWNW Sec. 33 Twp 08S Rge 21E 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 21E 28	40.0	39.0	40.0	40.0									39.0	40.0		30.0	268.0
08S 21E 33	38.0		39.0	34.0			34.0	37.1	38.9	35.0							256.0

Total Acres: 524

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 202 acres within the place of use described above in a single irrigation season.
2. Rights 36-2369 and 36-7949 when combined shall not exceed a total diversion rate of 4.04 cfs, a total annual maximum diversion volume of 1236.0 af at the field headgate, and the irrigation of 309.0 acres.
3. Rights 36-2369, 36-7949, 36-15708 and 36-16395 when combined shall not exceed a total diversion rate of 7.57 cfs, a total annual maximum diversion volume of 2095.6 af at the field headgate, and the irrigation of 523.9 acres.
4. 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.

SUPPORT DATA

IN FILE # 36-2369

WATER RIGHT NO. 36-2369
As Modified by Transfer No. 71939

CONDITIONS OF APPROVAL

5. 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.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 71939, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
8. 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.
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.
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.

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 11th day of July, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-7949
As Modified by Transfer No. 71939

In accordance with the approval of Transfer No. 71939, Water Right No. 36-7949 is now described as follows.

Right Holder: CARNEY FARMS
314 CRESTVIEW RD S
PAUL ID 83347

Priority Date: February 04, 1981

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	1.41 CFS	428.0 AF
		1.41 CFS	428.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNE Sec. 28 Twp 08S Rge 21E JEROME County

GROUND WATER NWSWNW Sec. 33 Twp 08S Rge 21E 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	21E	28	40.0	39.0	40.0	40.0									39.0	40.0		30.0	268.0
08S	21E	33	38.0		39.0	34.0			34.0	37.1	38.9	35.0							256.0

Total Acres: 524

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 107 acres within the place of use described above in a single irrigation season.
2. Rights 36-2369 and 36-7949 when combined shall not exceed a total diversion rate of 4.04 cfs, a total annual maximum diversion volume of 1236.0 af at the field headgate, and the irrigation of 309.0 acres.
3. Rights 36-2369, 36-7949, 36-15708 and 36-16395 when combined shall not exceed a total diversion rate of 7.57 cfs, a total annual maximum diversion volume of 2095.6 af at the field headgate, and the irrigation of 523.9 acres.
4. 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.

WATER RIGHT NO. 36-7949
As Modified by Transfer No. 71939

CONDITIONS OF APPROVAL

5. 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.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 71939, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
8. 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.
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.
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.

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 11th day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15708
As Modified by Transfer No. 71939

In accordance with the approval of Transfer No. 71939, Water Right No. 36-15708 is now described as follows.

Right Holder: CARNEY FARMS
 314 CRESTVIEW RD S
 PAUL ID 83347

Priority Date: March 10, 1960

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	3.10 CFS	735.2 AF
			3.10 CFS	735.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNE Sec. 28 Twp 08S Rge 21E JEROME County

GROUND WATER NWSWNW Sec. 33 Twp 08S Rge 21E 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	21E	28	40.0	39.0	40.0	40.0									39.0	40.0		30.0	268.0
08S	21E	33	38.0		39.0	34.0			34.0	37.1	38.9	35.0							256.0

Total Acres: 524

CONDITIONS OF APPROVAL

- Right 36-15708 is limited to the irrigation of 183.8 acres within the place of use described above in a single irrigation season.
- Rights 36-15708 and 36-16395 when combined shall not exceed a total diversion rate of 3.53 cfs, a total annual maximum diversion volume of 859.6 af at the field headgate, and the irrigation of 214.9 acres.
- Rights 36-2369, 36-7949, 36-15708 and 36-16395 when combined shall not exceed a total diversion rate of 7.57 cfs, a total annual maximum diversion volume of 2095.6 af at the field headgate, and the irrigation of 523.9 acres.
- 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.

WATER RIGHT NO. 36-15708
As Modified by Transfer No. 71939

CONDITIONS OF APPROVAL

5. 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.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 71939, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
8. 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.
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.
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.

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 11th day of July, 20 06

Bary Spackman
Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16395
As Modified by Transfer No. 71939

In accordance with the approval of Transfer No. 71939, Water Right No. 36-16395 is now described as follows.

Right Holder: CARNEY FARMS
 314 CRESTVIEW RD S
 PAUL ID 83347

Priority Date: December 08, 1981

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	0.62 CFS	124.4 AF
			0.62 CFS	124.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWNE	Sec. 28 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NWSWNW	Sec. 33 Twp 08S	Rge 21E	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	21E	28	40.0	39.0	40.0	40.0									39.0	40.0		30.0	268.0
08S	21E	33	38.0		39.0	34.0			34.0	37.1	38.9	35.0							256.0

Total Acres: 524

CONDITIONS OF APPROVAL

1. Right 36-16395 is limited to the irrigation of 31.1 acres within the place of use described above in a single irrigation season.
2. Rights 36-15708 and 36-16395 when combined shall not exceed a total diversion rate of 3.53 cfs, a total annual maximum diversion volume of 859.6 af at the field headgate, and the irrigation of 214.9 acres.
3. Rights 36-2369, 36-7949, 36-15708 and 36-16395 when combined shall not exceed a total diversion rate of 7.57 cfs, a total annual maximum diversion volume of 2095.6 af at the field headgate, and the irrigation of 523.9 acres.
4. 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.

WATER RIGHT NO. 36-16395
As Modified by Transfer No. 71939

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 11-20-2001.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 71939, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. 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.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 11th day of July, 2006


Chief, Water Allocation Bureau