

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71939**CORRECTED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**Name of applicant Carney Farms Phone (208) 438-5348
Post Office address 314 Crestview Road South, Paul, Idaho 83347**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☒ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create PPU
2. Describe the reason for the proposed changes To create a permissible place of use in order to better manage the water resources appurtenant to the farm and split 36-15710

RECEIVED
JAN 18 2006
 Department of Water Resources
 Southern Region

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-------------------------|-------------------|--------------------|-------------------|------------------------------|
| <u>36-2369</u> | <u>12/31/1958</u> | <u>3.95/---</u> | <u>Irrigation</u> | <u>03/15</u> to <u>11/15</u> |
| <u>36-7949</u> | <u>02/04/1981</u> | <u>1.41/---</u> | <u>Irrigation</u> | <u>03/15</u> to <u>11/15</u> |
| <u>36-15708</u> | <u>03/10/1960</u> | <u>3.1/---</u> | <u>Irrigation</u> | <u>03/15</u> to <u>11/15</u> |
| <u>Portion 36-15710</u> | <u>12/08/1981</u> | <u>0.62/---</u> | <u>Irrigation</u> | <u>04/01</u> to <u>10/31</u> |
2. Total amount of water being transferred 7.46⁵⁷ cubic feet per second and/or 2095.6 acre-feet per annum.
3. Source of water Ground Water W.C. tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NW	NE	28	08S	21E	Jerome	Irr Well #1
	NW	SW	NW	33	08S	21E	Jerome	Irr Well #2

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
08S	21E	28	40	39	40	40									39	40		30	268
08S	21E	33	38		39	34			34	37.1	38.9	35							256

PART 1

6. General Information:

- a. Description of diversion system Two wells and pumps that service the irrigation system

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

Fifty four acres currently irrigated with water right 36-15710 will be split
into another right that is not associated with this PPU.

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19_____.

Page _____ of _____

Transfer No. _____

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

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 36-2369 Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice☐ Warranty Deed☐ Other _____3. Source of water Ground water tributary to _____4. Date of priority 12/31/1958

5. Water is used for the following purpose:

Amount 3.95/--- for Irrigation purposes from 03/15 to 11/15
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.95 cubic feet per second and/or --- acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NW	NE	28	08S	21E	Jerome	Irr Well #1

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
08S	21E	28	40	39	40	40									39	40		33	271
08S	21E	33	38																38

Total acres 309*

*36-2369 is limited to 202 acres within the described POU per irrigation season.

9. Describe any other water rights used for the same purpose as described above 43-7949 & 36-2369 are limited to a combined diversion rate of 4.04 cfs and a combined annual volume of 1236 af.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

Page _____ of _____

Transfer No. _____

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

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 36-7949 Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice☐ Warranty Deed☐ Other _____3. Source of water Ground water tributary to _____4. Date of priority 02/04/1981

5. Water is used for the following purpose:

Amount 1.41/--- for Irrigation purposes from 03/15 to 11/15
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.41 cubic feet per second and/or --- acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NW	NE	28	08S	21E	Jerome	Irr Well #1

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
08S	21E	28	40	39	40	40									39	40		33	271
08S	21E	33	38																38

Total acres 309*

*36-7949 is limited to 107 acres within the described POU per irrigation season.

9. Describe any other water rights used for the same purpose as described above 43-7949 & 36-2369 are limited to a combined diversion rate of 4.04 cfs and a combined annual volume of 1236 af.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

Page _____ of _____

Transfer No. _____

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

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 36-15708 Decreed to Barbra J. Carney & Gary Carney
in case of See Attached Partial Decree for 36-2424 vs. _____
dated 11/19/2001 in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 69322 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice☐ Warranty Deed☐ Other _____3. Source of water Ground water tributary to _____4. Date of priority 03/10/1960

5. Water is used for the following purpose:

Amount 3.1/--- for Irrigation purposes from 03/15 to 11/15
(cfs/ac-ft)

6. Total amount of water under right 3.1 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	NW	33	08S	21E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
08S	21E	32													24			15	39
08S	21E	33			39.3	30.6			40	40	40	40							229.9

Total acres 268.9*

*36-15708 is limited to 183.8 acres within the described POU per irrigation season.

9. Describe any other water rights used for the same purpose as described above 36-15708 and 36-15710 are
limited to a combined diversion rate of 4.28 cfs and a combined annual volume of
1075.6 af.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

Page _____ of _____

Transfer No. _____

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

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 36-15710 Decreed to Barbra J. Carney & Gary Carney
in case of See Attached Partial Decree for 36-8003 vs. _____
dated 11/20/2001 in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 69322 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice☐ Warranty Deed☐ Other _____3. Source of water Ground water tributary to _____4. Date of priority 12/08/1981

5. Water is used for the following purpose:

Amount 1.70/--- for Irrigation purposes from 04/01 to 10/31
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.7 cubic feet per second and/or --- acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	NW	33	08S	21E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
08S	21E	32													24			15	39
08S	21E	33			39.3	30.6			40	40	40	40							229.9

Total acres 268.9*

*36-15710 is limited to 85.1 acres within the described POU per irrigation season.

9. Describe any other water rights used for the same purpose as described above 36-15708 and 36-15710 are
limited to a combined diversion rate of 4.28 cfs and a combined annual volume of
1075.6 af.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(if the entire right is to be changed by the applicant, omit part B and C)*

1. Amount 0.62/--- for Irrigation purposes from 03/15 to 11/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	NW	33	08S	21E	Jerome	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE ¼	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW ¼	SW 1/4	SE 1/4	
08S	21E	32			39.3	30.6			34	37.1	38.9	35							214.9

Total acres 214.9*

*The right will be allowed to irrigate 31.1 acres within the described place of use.

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount 1.07/--- for Irrigation purposes from 03/15 to 11/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	NW	33	08S	21E	Jerome	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE ¼	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW ¼	SW 1/4	SE 1/4	
08S	21E	32													24			15	39
08S	21E	33							6	2.9	1.1	5							15

Total acres 54

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

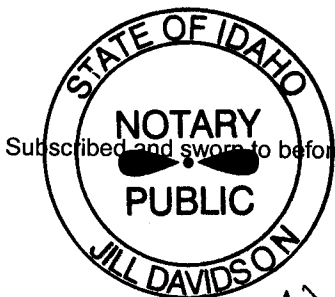
See Attached Figures for Transfer - Amended Carney Transfer # 71939

B. CHANGES IN NATURE OF USE

- | 1. | <u>New Nature of Use</u> | <u>Amount</u>
(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|------------------------------|------------------------|----------------------|
| | N/A | | | to |
| | | | | to |
2. Quantity and quality of return flows and location of discharge:
None
3. Describe the effects on other water uses resulting from the proposed change:
None

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.



Subscribed and sworn to before me this

18TH

day of

January

, 2006.

Gary Carney
(Signature of Applicant)

Jill Davidson
(Notary Public)

My commission expires November 18, 2010

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

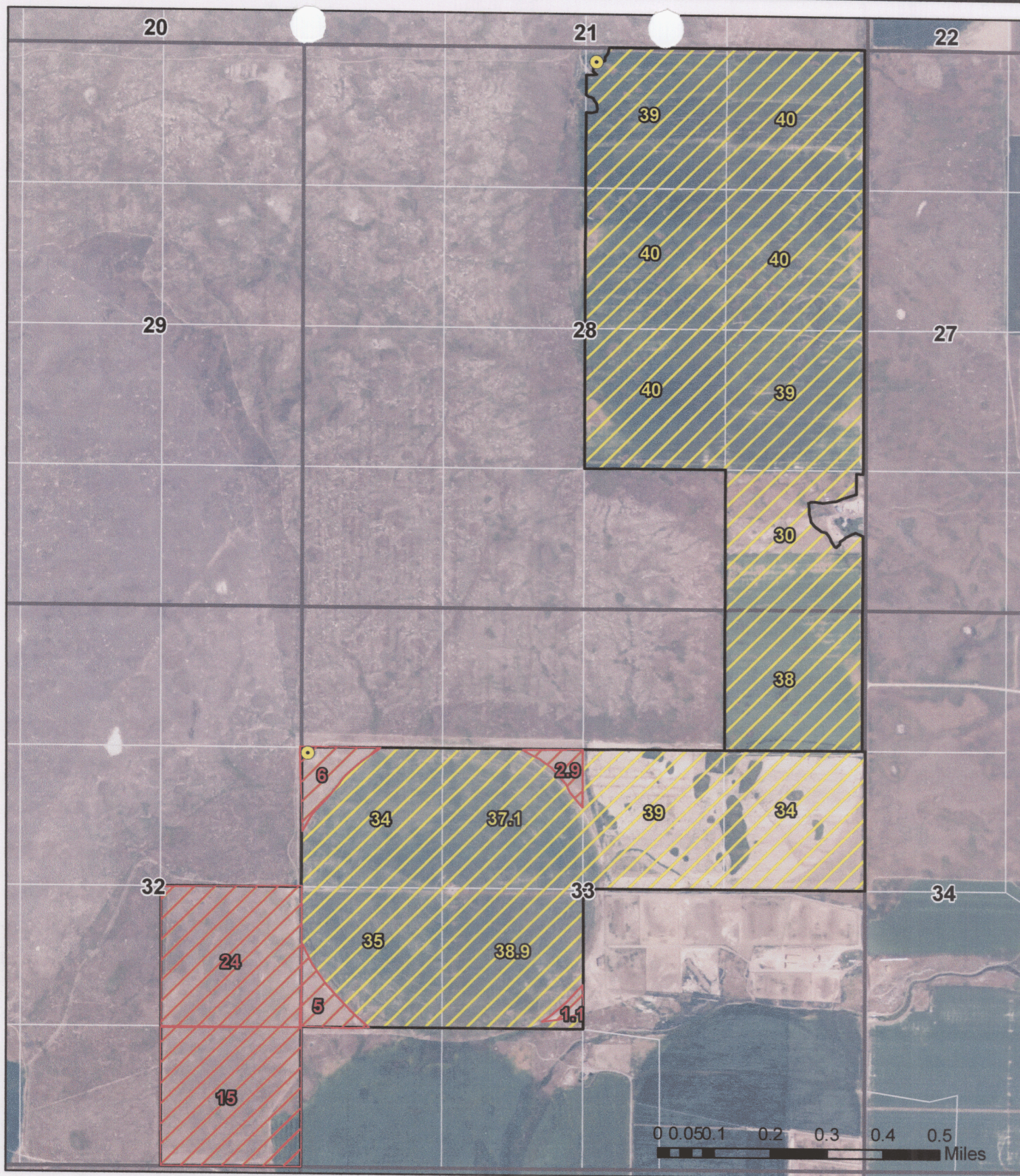
Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____



Amended Carney Farm PPU

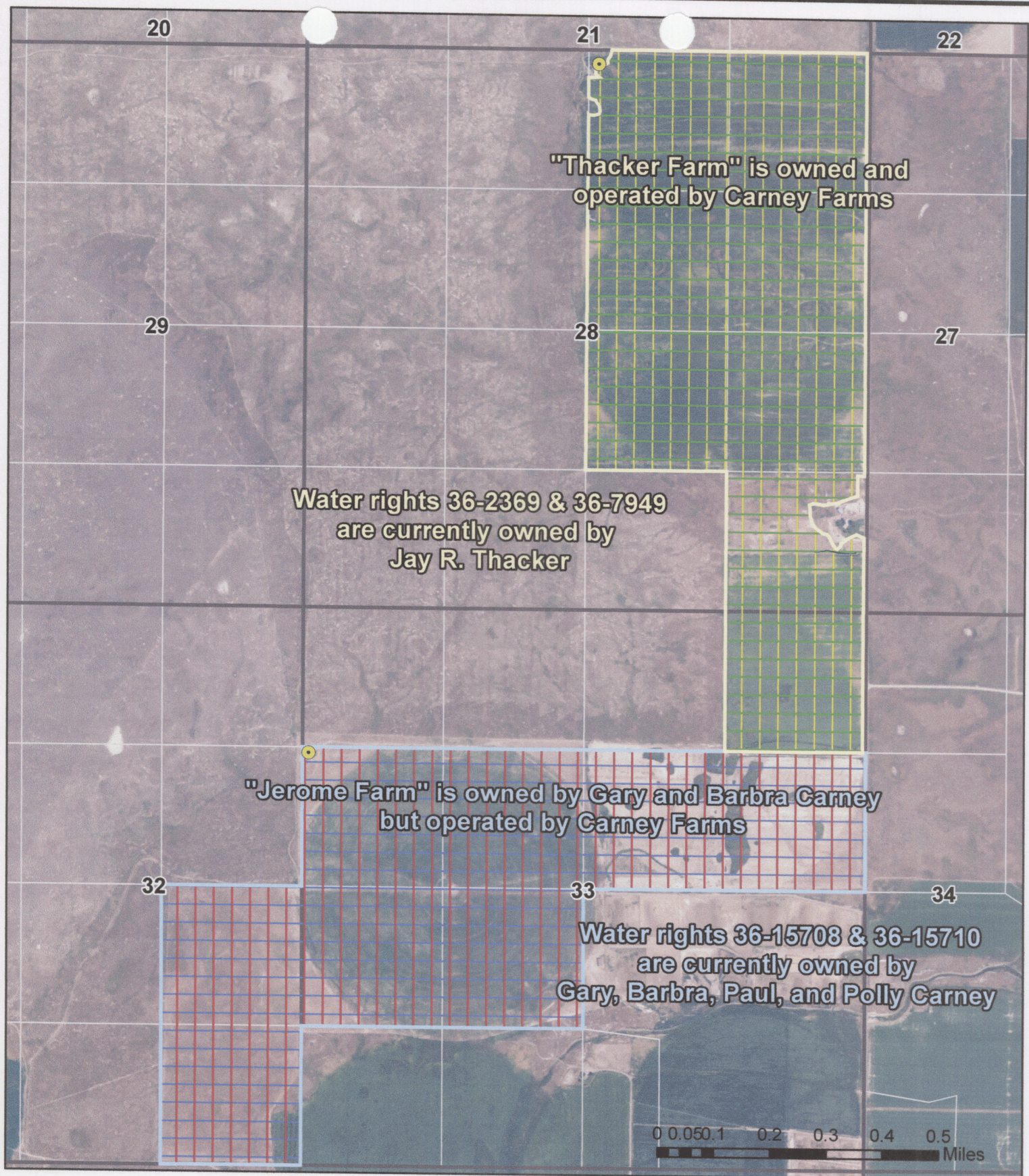
Township 08S, Range 21E
NAIP 2004 Aerial Photo

BROCKWAY ENGINEERING, PLLC.
DTN - 11/11/2005 (rev. 12/02/2005)

PLS - Sections
PLS - QQ

POD's
Proposed PPU
Acres no Longer in PPU
Portion of 36-15710





Carney Farm Properties

Township 08S, Range 21E
NAIP 2004 Aerial Photo

BROCKWAY ENGINEERING, PLLC.
DTN - 01/16/2006

PLS - Sections
PLS - QQ

Farm Property

"Thacker Farm"
"Jerome Farm"
POD's

Carney Farms POU's

36-2369
36-7949
36-15708
36-15710





CERTIFICATE OF ASSUMED BUSINESS NAME

Pursuant to Section 53-504, Idaho Code, the undersigned submits for filing a certificate of Assumed Business Name.

Please type or print legibly

NOTE: See instructions on reverse before filing.

FILED EFFECTIVE

JAN 18 2006

Department of Water Resources
Southern Region

2003 OCT -1 AM 9:01

SECRETARY OF STATE
STATE OF IDAHO

1. The assumed business name which the undersigned use(s) in the transaction of business is:

CARNEY FARMS

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name:

Name

Complete Address

Gary C. Carney

1250 W 225 N, Paul, Idaho 83347

Paul C. Carney

291 S 2800 E, Paul, Idaho 83347

3. The general type of business transacted under the assumed business name is:

- | | |
|--|--|
| ☐ Retail Trade | ☐ Transportation and Public Utilities |
| ☐ Wholesale Trade | ☐ Construction |
| ☐ Services | ☒ Agriculture |
| ☐ Manufacturing | ☐ Mining |
| ☐ Finance, Insurance, and Real Estate | |

Submit Certificate of
Assumed Business
Name and \$25.00 fee to:

Secretary of State
700 West Jefferson
Basement West
PO Box 83720
Boise ID 83720-0080
208 334-2301

4. The name and address to which future correspondence should be addressed:

Carney Farms

314 Crestview Road South

Paul, Idaho 83347

5. Name and address for this acknowledgment copy is (if other than # 4 above):

Phone number (optional):

208-438-5580

Signature: *Gary C. Carney*
(signature required)

Printed Name: Gary C. Carney

Capacity/Title: Partner

(see instruction # 8 on back of form)

Secretary of State use only

e:\completemail\form\main\pds
Revised 04/2003

1070172003 05100
CK: 1545 CT: 158010 BH: 704423
1 @ 25.00 = 25.00 ASSUM NAME # 2

D69380