

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72408

This is to certify that: IDAHO FARMWAY INC
C/O DAN WEITZ
PO BOX 854
BAKER CITY OR 97814
(208)631-7224

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>
61-2131	WR/Decreed	07/15/1961	3.57 cfs	942 af	235.5	735.0	GROUND WATER
61-2136	WR/Decreed	07/18/1961	3.57 cfs	1088 af	272.0	735.0	GROUND WATER
61-11920	WR/Decreed	03/15/1980	0.87 cfs	N/A	N/A	735.0	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>
61-2131	NO	YES	NO	NO	NO	NO
61-2136	NO	YES	NO	NO	NO	NO
61-11920	NO	YES	NO	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>
61-2131	61-2131	3.57 cfs	942 af	235.5	735.0		N/A	N/A	N/A	N/A
61-2136	61-2136	3.57 cfs	1088 af	272.0	735.0		N/A	N/A	N/A	N/A
61-11920	61-11920	0.87 cfs	N/A	N/A	735.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		3.57 cfs	2030.0	735.0	735.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14th day of February, 2006

SUPPORT DATA

IN FILE # 61-2131



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-2131
As Modified by Transfer No. 72408

In accordance with the approval of Transfer No. 72408, Water Right No. 61-2131 is now described as follows.

Right Holder: IDAHO FARMWAY INC
 C/O DAN WEITZ
 PO BOX 854
 BAKER CITY OR 97814

Priority Date: July 15, 1961

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	3.57 CFS	942.0 AF
			3.57 CFS	942.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 16 Twp 04S Rge 07E ELMORE 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	
04S 07E 16							28.0	8.0	27.0	40.0	40.0	40.0		6.0	40.0		229.0
04S 07E 17	40.0	40.0	40.0	40.0	31.0	14.0		30.0	8.0				40.0	39.0	24.0	40.0	386.0
04S 07E 21		40.0			40.0	40.0											120.0

Total Acres: 735

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

WATER RIGHT NO. 61-2131
As Modified by Transfer No. 72408

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right is limited to the irrigation of 235.5 acres within the place of use described above in a single irrigation season.
8. 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 11/24/2000.
9. Rights 61-2131 and 61-2136 when combined shall not exceed a total diversion rate of 3.57 cfs.
10. Rights 61-2131, 61-2136, 61-7021 and 61-11920 when combined shall not exceed a total diversion rate of 7.48 cfs and a total annual maximum diversion volume of 2940 af.
11. Rights 61-2131, 61-2136, 61-2227, 61-7021 and 61-11920 when combined shall not exceed the irrigation of 735 acres in a single irrigation season.
12. Right 61-11920 is based upon an enlargement of Rights 61-2131, 61-2136 and 61-7021 pursuant to Section 42-1426, Idaho Code.
13. Use of this right is combined with water from Mountain Home Irrigation District.
14. 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.
15. Rights 61-2136, 61-7021 and 61-11920 are also diverted through the point of diversion described above.

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 14th day of February, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 61-2136
As Modified by Transfer No. 72408

In accordance with the approval of Transfer No. 72408, Water Right No. 61-2136 is now described as follows.

Right Holder: IDAHO FARMWAY INC
 C/O DAN WEITZ
 PO BOX 854
 BAKER CITY OR 97814

Priority Date: July 18, 1961

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	3.57 CFS	1,088.0 AF
			3.57 CFS	1,088.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 16 Twp 04S Rge 07E ELMORE 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	
04S 07E 16							28.0	8.0	27.0	40.0	40.0	40.0		6.0	40.0		229.0
04S 07E 17	40.0	40.0	40.0	40.0	31.0	14.0		30.0	8.0				40.0	39.0	24.0	40.0	386.0
04S 07E 21			40.0		40.0	40.0											120.0

Total Acres: 735

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

WATER RIGHT NO. 61-2136
As Modified by Transfer No. 72408

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right is limited to the irrigation of 272 acres within the place of use described above in a single irrigation season.
8. Rights 61-2131 and 61-2136 when combined shall not exceed a total diversion rate of 3.57 cfs.
9. Rights 61-2131, 61-2136, 61-7021 and 61-11920 when combined shall not exceed a total diversion rate of 7.48 cfs and a total annual maximum diversion volume of 2940 af.
10. Rights 61-2131, 61-2136, 61-2227, 61-7021 and 61-11920 when combined shall not exceed the irrigation of 735 acres in a single irrigation season.
11. Right 61-11920 is based upon an enlargement of Rights 61-2131, 61-2136 and 61-7021 pursuant to Section 42-1426, Idaho Code.
12. Use of this right is combined with water from Mountain Home Irrigation District.
13. 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.
14. Rights 61-2131, 61-7021 and 61-11920 are also diverted through the point of diversion described above.

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 14th day of February, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 61-11920
As Modified by Transfer No. 72408

In accordance with the approval of Transfer No. 72408, Water Right No. 61-11920 is now described as follows.

Right Holder: IDAHO FARMWAY INC
 C/O DAN WEITZ
 PO BOX 854
 BAKER CITY OR 97814

Priority Date: March 15, 1980

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	0.87 CFS	
			0.87 CFS	

LOCATION OF POINT(S) OF DIVERSION:
 GROUND WATER NWNWNW Sec. 16 Twp 04S Rge 07E ELMORE 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	
04S 07E 16							28.0	8.0	27.0	40.0	40.0	40.0		6.0	40.0		229.0
04S 07E 17	40.0	40.0	40.0	40.0	31.0	14.0		30.0	8.0				40.0	39.0	24.0	40.0	386.0
04S 07E 21		40.0			40.0	40.0											120.0

Total Acres: 735

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

WATER RIGHT NO. 61-11920
As Modified by Transfer No. 72408

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
8. Right 61-11920 is based upon an enlargement of Rights 61-2131, 61-2136 and 61-7021 pursuant to Section 42-1426, Idaho Code.
9. Rights 61-2131, 61-2136, 61-7021 and 61-11920 when combined shall not exceed a total diversion rate of 7.48 cfs and a total annual maximum diversion volume of 2940 af.
10. Rights 61-2131, 61-2136, 61-2227, 61-7021 and 61-11920 when combined shall not exceed the irrigation of 735 acres in a single irrigation season.
11. Use of this right is combined with water from Mountain Home Irrigation District.
12. 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.
13. Rights 61-2131, 61-2136 and 61-7021 are also diverted through the point of diversion described above.

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 14th day of February, 20 06


Chief, Water Allocation Bureau