

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71604

This is to certify that: WILLIAM J MILLENKAMP And
 SUSAN MILLENKAMP
 471 N 300 W
 JEROME ID 83338
 (208)324-1232

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>
36-4157F	WR/Decreed	06/01/1956	0.33 cfs	49.2 af	N/A	N/A	GROUND WATER
36-16300	WR/Decreed	06/11/1957	2.06 cfs	N/A	N/A	560.0	GROUND WATER
36-16302	WR/Decreed	05/11/1957	6.13 cfs	N/A	N/A	560.0	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>
36-4157F	NO	NO	NO	NO	NO	NO
36-16300	YES	YES	YES	NO	YES	YES
36-16302	YES	YES	YES	NO	YES	YES

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>
36-4157F	36-4157F	0.33 cfs	49.2 af	N/A	N/A		N/A	N/A	N/A	N/A
36-16300	36-16242	0.08 cfs	N/A	N/A	N/A	36-16241	1.98 cfs	N/A	N/A	538.1
36-16302	36-16244	0.24 cfs	59.0 af	N/A	N/A	36-16243	5.89 cfs	N/A	N/A	538.1
COMBINED TOTALS		0.65 cfs	108.2 af	N/A	N/A		7.87 cfs	2152.4 af	N/A	538.1

Detailed Water Right Description(s) attached

Dated this 8th day of December, 2005


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 31-4157F

WATER RIGHT NO. 36-16241
As Modified by Transfer No. 71604

In accordance with the approval of Transfer No. 71604, Water Right No. 36-16241 is now described as follows.

Right Holder: B ROY PRESCOTT
 135 N 800 E
 JEROME ID 83338

Priority Date: June 11, 1957

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	1.98 CFS	
			1.98 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWNW Sec. 34 Twp 07S Rge 18E JEROME County

GROUND WATER NWNESE Sec. 34 Twp 07S 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	
07S 18E 34	37.8	37.6	29.3	35.8	35.4	35.8	39.0	35.0					40.0	40.0	26.0	37.0	428.7
07S 18E 35						37.0	34.5			24.9	13.0						109.4

Total Acres: 538.1

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-16241 and 36-16243 shall not exceed 7.87 cfs, nor a total combined annual volume of 2152.4 af.
2. Rights 36-16241 and 36-16243 when combined shall not exceed a total diversion rate of 7.87 cfs, a total annual maximum diversion volume of 2152.4 af at the field headgate, and the irrigation of 538.1 acres.
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.

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 8th day of December, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16242
As Modified by Transfer No. 71604

In accordance with the approval of Transfer No. 71604, Water Right No. 36-16242 is now described as follows.

Right Holder: WILLIAM J MILLENKAMP And
 SUSAN MILLENKAMP
 471 N 300 W
 JEROME ID 83338

Priority Date: June 11, 1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.08 CFS	
COMMERCIAL	01/01	to 12/31	0.08 CFS	
			0.08 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 27 Twp 07S	Rge 16E	JEROME County
GROUND WATER	SENE	Sec. 28 Twp 07S	Rge 16E	JEROME County
GROUND WATER	SENE	Sec. 28 Twp 07S	Rge 16E	JEROME County
GROUND WATER	NENW	Sec. 28 Twp 07S	Rge 16E	JEROME County

PLACE OF USE: STOCKWATER & 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	
07S	16E	27					X	X											
07S	16E	28		X	X	X	X			X					X				

CONDITIONS OF APPROVAL

- The total instantaneous diversion of water from all points of diversion under Rights 36-16242 and 36-16244 shall not exceed 0.32 cfs.
- Beginning on the date of approval of Transfer 71604 Rights 36-16242 and 36-16244 when combined are limited to the following schedule of allowed diversion volume from all points of diversion. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual volume each time an increase according to the schedule is sought.

Year 2005 the rights are limited to 42.6 afa.

Years 2006 through 2008 the rights are limited to 49.2 afa.

Years 2009 through 2019 the rights are limited to 52.5 afa.

Years 2020 through 2039 the rights are limited to 55.8 afa.

Year 2040 and beyond the rights are limited to 59.0 afa.

- Rights 36-4157F and 36-16244 are also diverted through the point(s) of diversion described above.

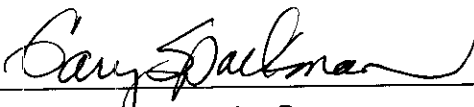
WATER RIGHT NO. 36-16242
As Modified by Transfer No. 71604

CONDITIONS OF APPROVAL

4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. Prior to the diversion and use of water under Transfer approval 71604, 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.
7. 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.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 71604. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
10. Commercial use is for a feedlot operation.
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.
13. 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 8th day of December, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16243
As Modified by Transfer No. 71604

In accordance with the approval of Transfer No. 71604, Water Right No. 36-16243 is now described as follows.

Right Holder: B ROY PRESCOTT
 135 N 800 E
 JEROME ID 83338

Priority Date: May 11, 1957

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	5.89 CFS	
			5.89 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWNW Sec. 34 Twp 07S Rge 18E JEROME County

GROUND WATER NWNESE Sec. 34 Twp 07S 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	
07S	18E	34	37.8	37.6	29.3	35.8	35.4	35.8	39.0	35.0					40.0	40.0	26.0	37.0	428.7
07S	18E	35						37.0	34.5			24.9	13.0						109.4

Total Acres: 538.1

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-16241 and 36-16243 shall not exceed 7.87 cfs, nor a total combined annual volume of 2152.4 af.
2. Rights 36-16241 and 36-16243 when combined shall not exceed a total diversion rate of 7.87 cfs, a total annual maximum diversion volume of 2152.4 af at the field headgate, and the irrigation of 538.1 acres.
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.

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 8th day of December, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16244
As Modified by Transfer No. 71604

In accordance with the approval of Transfer No. 71604, Water Right No. 36-16244 is now described as follows.

Right Holder: WILLIAM J MILLENKAMP And
 SUSAN MILLENKAMP
 471 N 300 W
 JEROME ID 83338

Priority Date: May 11, 1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.24 CFS	59.0 AF
STOCKWATER	01/01	to 12/31	0.24 CFS	59.0 AF
			0.24 CFS	59.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 27 Twp 07S	Rge 16E	JEROME County
GROUND WATER	SENE	Sec. 28 Twp 07S	Rge 16E	JEROME County
GROUND WATER	SENE	Sec. 28 Twp 07S	Rge 16E	JEROME County
GROUND WATER	NENW	Sec. 28 Twp 07S	Rge 16E	JEROME County

PLACE OF USE: COMMERCIAL & STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
07S	16E	27						X	X										
07S	16E	28		X	X	X	X									X			

CONDITIONS OF APPROVAL

- The total instantaneous diversion of water from all points of diversion under Rights 36-16242 and 36-16244 shall not exceed 0.32 cfs.
- Beginning on the date of approval of Transfer 71604 Rights 36-16242 and 36-16244 when combined are limited to the following schedule of allowed diversion volume from all points of diversion. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual volume each time an increase according to the schedule is sought.

Year 2005 the rights are limited to 42.6 afa.

Years 2006 through 2008 the rights are limited to 49.2 afa.

Years 2009 through 2019 the rights are limited to 52.5 afa.

Years 2020 through 2039 the rights are limited to 55.8 afa.

Year 2040 and beyond the rights are limited to 59.0 afa.

WATER RIGHT NO. 36-16244
As Modified by Transfer No. 71604

CONDITIONS OF APPROVAL

3. Rights 36-4157F and 36-16242 are also diverted through the point(s) of diversion described above.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. Prior to the diversion and use of water under Transfer approval 71604, 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.
7. 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.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 71604. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
10. Commercial use is for a feedlot operation
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.
13. 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 08th day of December, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-4157F
As Modified by Transfer No. 71604

In accordance with the approval of Transfer No. 71604, Water Right No. 36-4157F is now described as follows.

Right Holder: SUSAN MILLENKAMP And
 WILLIAM J MILLENKAMP
 471 N 300 W
 JEROME ID 83338A

Priority Date: June 01, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to 12/31	0.33 CFS	49.2 AF
		0.33 CFS	49.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 27 Twp 07S Rge 16E JEROME County
GROUND WATER	SENE	Sec. 28 Twp 07S Rge 16E JEROME County
GROUND WATER	SENE	Sec. 28 Twp 07S Rge 16E JEROME County
GROUND WATER	NENW	Sec. 28 Twp 07S Rge 16E 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	
07S 16E 27						X	X										
07S 16E 28			X	X	X				X						X		

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Prior to the diversion and use of water under Transfer approval 70145, 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.
3. The total instantaneous diversion of water from all points of diversion under Right 36-4157F shall not exceed 0.33 cfs, nor total combined annual volume of 49.2 af.
4. Use of water under this right may be affected by an agreement between the parties in connection with prior Transfer 68529 that created water right 36-4157F.
5. 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.

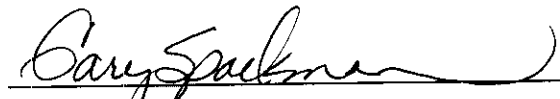
WATER RIGHT NO. 36-4157F
As Modified by Transfer No. 71604

CONDITIONS OF APPROVAL

6. 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.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. 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.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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 8th day of December, 2005


Chief, Water Allocation Bureau