

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71709

This is to certify that: LARRY GULICK
 329A S 300 E
 JEROME ID 83338
 (208)324-5154

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>
36-8507	WR/License	02/01/1990	0.06 cfs	18.6 af	N/A	N/A	GROUND WATER
36-15028	WR/Decreed	05/01/1910	0.06 cfs	N/A	N/A	N/A	GROUND WATER
36-16195	WR/Decreed	06/11/1957	2.08 cfs	N/A	N/A	565.0	GROUND WATER
36-16197	WR/Decreed	05/11/1957	6.18 cfs	N/A	N/A	565.0	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>
36-8507	NO	NO	NO	YES	NO	NO
36-15028	NO	NO	NO	YES	NO	NO
36-16195	YES	YES	YES	NO	YES	YES
36-16197	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>
36-8507	36-8507	0.06 cfs	18.6 af	N/A	N/A		N/A	N/A	N/A	N/A
36-15028	36-15028	0.06 cfs	2.5 af	N/A	N/A		N/A	N/A	N/A	N/A
36-16195	36-16301	0.02 cfs	N/A	N/A	N/A	36-16300	2.06 cfs	N/A	N/A	560.0
36-16197	36-16303	0.05 cfs	14.2 af	N/A	N/A	36-16302	6.13 cfs	N/A	N/A	560.0
COMBINED TOTALS		0.19 cfs	35.3 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7th day of October, 2005


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 36-8507

WATER RIGHT NO. 36-16300
As Modified by Transfer No. 71709

In accordance with the approval of Transfer No. 71709, Water Right No. 36-16300 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	2.06 CFS	
			2.06 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	40.0	40.0	35.8	40.0	40.0	39.0	35.0					40.0	40.0	26.0	37.0	450.6
07S	18E	35						37.0	34.5		24.9	13.0							109.4

Total Acres: 560

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-16300 and 36-16302 shall not exceed 8.19 cfs, nor a total combined annual volume of 2240 af.
2. Rights 36-16300 and 36-16302 when combined shall not exceed a total diversion rate of 8.19 cfs, a total annual maximum diversion volume of 2240 af at the field headgate, and the irrigation of 560 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 7th day of October, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16301
As Modified by Transfer No. 71709

In accordance with the approval of Transfer No. 71709, Water Right No. 36-16301 is now described as follows.

Right Holder: LARRY GULICK
 329A S 300 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>
COMMERCIAL	01/01 to	12/31	0.02 CFS	
STOCKWATER	01/01 to	12/31	0.02 CFS	
			0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESENE	Sec. 4	Twp 09S	Rge 17E	JEROME County
GROUND WATER	NESENE	Sec. 4	Twp 09S	Rge 17E	JEROME County

PLACE OF USE: 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	
09S	17E	4				X													

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	
09S	17E	4				X													

CONDITIONS OF APPROVAL

1. Rights 36-16301 and 36-16303 when combined shall not exceed a total diversion rate of 0.07 cfs, nor a total annual maximum diversion volume of 14.2 af at the field headgate.
2. Rights 36-8507, 36-15028, 36-16301 and 36-16303 when combined shall not exceed a total diversion rate of 0.19 cfs, nor a total annual maximum diversion volume of 35.3 af at the field headgate.
3. Beginning on the date of approval of Transfer 71709, Rights 36-16301 and 36-16303 when combined are limited to the following schedule of allowed diversion volume. 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 diversion volume each time an increase according to the schedule is sought.

Year 2005 the rights are limited to 9.8 afa.

Year 2006 the rights are limited to 11.3 afa.

Years 2007 through 2008 the rights are limited to 12.1 afa.

Years 2009 through 2012 the rights are limited to 12.8 afa.

Years 2013 through 2019 the rights are limited to 13.3 afa.

Years 2020 through 2039 the rights are limited to 13.6 afa.

Years 2040 and beyond the rights are limited to 14.2 afa.

WATER RIGHT NO. 36-16301
As Modified by Transfer No. 71709

CONDITIONS OF APPROVAL

4. 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 71709. 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.
5. Prior to the diversion and use of water under Transfer approval 71709, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
6. 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.
7. 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.
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. Commercial use is for a dairy.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
11. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
12. 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.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. 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 7th day of October, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16302
As Modified by Transfer No. 71709

In accordance with the approval of Transfer No. 71709, Water Right No. 36-16302 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	to 11/15	6.13 CFS	
			6.13 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENNWNW	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	40.0	40.0	35.8	40.0	40.0	39.0	35.0					40.0	40.0	26.0	37.0	450.6
07S	18E	35						37.0	34.5		24.9	13.0							109.4

Total Acres: 560

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-16300 and 36-16302 shall not exceed 8.19 cfs, nor a total combined annual volume of 2240 af.
2. Rights 36-16300 and 36-16302 when combined shall not exceed a total diversion rate of 8.19 cfs, a total annual maximum diversion volume of 2240 af at the field headgate, and the irrigation of 560 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 7th day of October, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16303
As Modified by Transfer No. 71709

In accordance with the approval of Transfer No. 71709, Water Right No. 36-16303 is now described as follows.

Right Holder: LARRY GULICK
 329A S 300 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>
COMMERCIAL	01/01	to 12/31	0.05 CFS	14.2 AF
STOCKWATER	01/01	to 12/31	0.05 CFS	14.2 AF
			0.05 CFS	14.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESENE Sec. 4 Twp 09S Rge 17E JEROME County
 GROUND WATER NESENE Sec. 4 Twp 09S Rge 17E JEROME County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE	NW	SW	SE	Totals
09S	17E	4	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	Totals
			X				

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
09S	17E	4	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	Totals
			X				

CONDITIONS OF APPROVAL

1. Rights 36-16301 and 36-16303 when combined shall not exceed a total diversion rate of 0.07 cfs, nor a total annual maximum diversion volume of 14.2 af at the field headgate.
2. Rights 36-8507, 36-15028, 36-16301 and 36-16303 when combined shall not exceed a total diversion rate of 0.19 cfs, nor a total annual maximum diversion volume of 35.3 af at the field headgate.
3. Beginning on the date of approval of Transfer 71709, Rights 36-16301 and 36-16303 when combined are limited to the following schedule of allowed diversion volume. 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 diversion volume each time an increase according to the schedule is sought.

Year 2005 the rights are limited to 9.8 afa.

Year 2006 the rights are limited to 11.3 afa.

Years 2007 through 2008 the rights are limited to 12.1 afa.

Years 2009 through 2012 the rights are limited to 12.8 afa.

Years 2013 through 2019 the rights are limited to 13.3 afa.

Years 2020 through 2039 the rights are limited to 13.6 afa

Years 2040 and beyond the rights are limited to 14.2 afa.

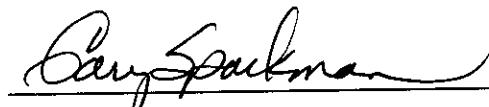
WATER RIGHT NO. 36-16303
As Modified by Transfer No. 71709

CONDITIONS OF APPROVAL

4. 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 71709. 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.
5. Prior to the diversion and use of water under Transfer approval 71709, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
6. 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.
7. 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.
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. Commercial use is for a dairy.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
11. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
12. 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.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. 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 7th day of October, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15028
As Modified by Transfer No. 71709

In accordance with the approval of Transfer No. 71709, Water Right No. 36-15028 is now described as follows.

Right Holder: LARRY GULICK
 329A S 300 E
 JEROME ID 83338

Priority Date: May 01, 1910

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.04 CFS	1.8 AF
STOCKWATER	01/01	to 12/31	0.02 CFS	0.7 AF
			0.06 CFS	2.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESENE	Sec. 4 Twp 09S Rge 17E JEROME County
GROUND WATER	NESENE	Sec. 4 Twp 09S Rge 17E JEROME County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S 17E 4				X													

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S 17E 4				X													

CONDITIONS OF APPROVAL

1. Rights 36-8507, 36-15028, 36-16301 and 36-16303 when combined shall not exceed a total diversion rate of 0.19 cfs, nor a total annual maximum diversion volume of 35.3 af at the field headgate.
2. The quantity of water under this right shall not exceed 13,000 gallons per day.
3. Domestic use is for 2 homes.
4. Prior to the diversion and use of water under Transfer approval 71709, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
5. 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.
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. 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.

WATER RIGHT NO. 36-15028
As Modified by Transfer No. 71709

CONDITIONS OF APPROVAL

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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 7th day of October, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-8507
As Modified by Transfer No. 71709

In accordance with the approval of Transfer No. 71709, Water Right No. 36-8507 is now described as follows.

Right Holder: LARRY GULICK
 329A S 300 E
 JEROME ID 83338

Priority Date: February 01, 1990

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01 to	12/31	0.06 CFS	9.8 AF
COMMERCIAL	1/01 to	12/31	0.02 CFS	8.8 AF
			0.06 CFS	18.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESENE	Sec. 4	Twp 09S	Rge 17E	JEROME County
GROUND WATER	NESENE	Sec. 4	Twp 09S	Rge 17E	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	
09S	17E	4				X													

PLACE OF USE: 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	
09S	17E	4				X													

CONDITIONS OF APPROVAL

1. Rights 36-8507, 36-15028, 36-16301 and 36-16303 when combined shall not exceed a total diversion rate of 0.19 cfs, nor a total annual maximum diversion volume of 35.3 af at the field headgate.
2. Commercial use is for a dairy barn.
3. Prior to the diversion and use of water under Transfer approval 71709, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
4. 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.
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.

WATER RIGHT NO. 36-8507
As Modified by Transfer No. 71709

CONDITIONS OF APPROVAL

7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 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 7th day of October, 20 05



Chief, Water Allocation Bureau