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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69811

This is to certify that: RICHARD L APPLETON And/Or
 LILA M APPLETON
 2700 W 36 S
 MOUNTAIN HOME ID 83647
 (208)587-5577

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>
61-11988	WR/Decreed	04/23/1964	2.04 cfs	650.9 af	144.4	184.4	GROUND WATER
61-11990	WR/Decreed	03/15/1977	0.47 cfs	N/A	40.0	184.4	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>
61-11988	YES	YES	YES	NO	NO	NO
61-11990	YES	YES	YES	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>
61-11988	61-11977	0.1 cfs	31.8 af	7.1	8.4	61-11976	1.94 cfs	619.1 af	137.3	176.0
61-11990	61-11979	0.02 cfs	N/A	1.3	8.4	61-11978	0.45 cfs	N/A	38.7	176.0
COMBINED										
TOTALS		0.1 cfs	31.8 af	N/A	8.4		1.94 cfs	619.1 af	N/A	176.0

Detailed Water Right Description(s) attached

Dated this 15 day of April, 2003

For J. H. Payne
 Chief, Water Allocation Bureau

MICROFILMED
 MAY 21 2003

WATER RIGHT NO. 61-11977
As Modified by Transfer No. 69811

In accordance with the approval of Transfer No. 69811, Water Right No. 61-11977 is now described as follows.

Right Holder: RICHARD L APPLETON
 2700 W 36 S
 MOUNTAIN HOME ID 83647

Priority Date: April 23, 1964

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	0.10 CFS	31.8 AF
			0.10 CFS	31.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENW Sec. 10 Twp 04S Rge 06E 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	06E	10								8.4									8.4

Total Acres: 8.4

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Prior to diversion and use of water under this transfer approval, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications and shall report the amount of water diverted to the Department at the end of each calendar year.
3. This right is limited to the irrigation of 7.1 acres within the place of use described above in a single irrigation season.
4. 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 10-26-2000.

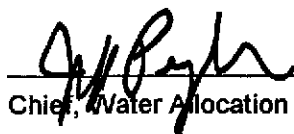
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
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5. Right 61-11977 retains its priority date of April 23, 1964 and right 61-11979 retains its priority date of March 15, 1977 relative to actions to distribute water that relates to management of the Mountain Home Ground Water Management Area overall. Diversion and use of water is subordinate to all rights to use ground water existing within the immediate area of the point of diversion on the date of this approval. Any water management dispute relative to increased draw downs of the water table or depletion of ground water resulting from this approval is presumed to be within the immediate area, resulting in a subordination of the water right.
6. 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.
7. Rights 61-11977 and 61-11979 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 31.8 af at the field headgate, and the irrigation of 8.4 acres.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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. Right 61-11979 is an enlargement of Right 61-11977 pursuant to Section 42-1426, Idaho Code.

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 15 day of April, 2003


For _____
Chief, Water Allocation Bureau

MICROFILMED

MAY 21 2003

WATER RIGHT NO. 61-11976
As Modified by Transfer No. 69811

In accordance with the approval of Transfer No. 69811, Water Right No. 61-11976 is now described as follows.

Right Holder: M PETER NIELSEN
 3955 S 136 W
 MOUNTAIN HOME ID 83647

Priority Date: April 23, 1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.94 CFS	619.1 AF
			1.94 CFS	619.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENW Sec. 19 Twp 04S Rge 05E 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	05E	19	35.6	14.4	37.0	3.6	32.0	8.0	7.4	40.0									176.0

Total Acres: 176

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 137.3 acres within the place of use described above in a single irrigation season.
2. Rights 61-11976 and 61-11978 when combined shall not exceed a total diversion rate of 1.94 cfs, a total annual maximum diversion volume of 619.1 af at the field headgate, and the irrigation of 176 acres.
3. Right 61-11978 is also diverted through the point(s) of diversion described above.
4. 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 10-26-2000.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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.

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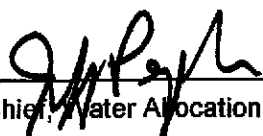
MAY 21 2003

STATE OF IDAHO
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7. Right 61-11978 is an enlargement of Right 61-11976 pursuant to Section 42-1426, Idaho Code.

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 15 day of April, 20 03

For 
Chief, Water Allocation Bureau

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MAY 21 2003

WATER RIGHT NO. 61-11978
As Modified by Transfer No. 69811

In accordance with the approval of Transfer No. 69811, Water Right No. 61-11978 is now described as follows.

Right Holder: M PETER NIELSEN
3955 S 136 W
MOUNTAIN HOME ID 83647

Priority Date: March 15, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.45 CFS
			0.45 CFS

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER SENENW Sec. 19 Twp 04S Rge 05E ELMORE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	05E	19	35.6	14.4	37.0	3.6	32.0	6.0	7.4	40.0									176.0

Total Acres: 176

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38.7 acres within the place of use described above in a single irrigation season.
2. Rights 61-11976 and 61-11978 when combined shall not exceed a total diversion rate of 1.94 cfs, a total annual maximum diversion volume of 619.1 af at the field headgate, and the irrigation of 176 acres.
3. Right 61-11976 is also diverted through the point(s) of diversion described above.
4. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. 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.

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MAY 21 2003

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6. Right 61-11978 is an enlargement of Right 61-11976 pursuant to Section 42-1426, Idaho Code.

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 15 day of April, 20 03

For J. M. Payne
Chief, Water Allocation Bureau

MICROFILMED
MAY 21 2003

WATER RIGHT NO. 61-11979
As Modified by Transfer No. 69811

In accordance with the approval of Transfer No. 69811, Water Right No. 61-11979 is now described as follows.

Right Holder: RICHARD L APPLETON
2700 W 36 S
MOUNTAIN HOME ID 83647

Priority Date: March 15, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	11/15	0.02 CFS
			0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENW Sec. 10 Twp 04S Rge 06E 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	06E	10								8.4									8.4

Total Acres: 8.4

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Prior to diversion and use of water under this transfer approval, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications and shall report the amount of water diverted to the Department at the end of each calendar year.
3. This right is limited to the irrigation of 1.3 acres within the place of use described above in a single irrigation season.
4. Right 61-11977 retains its priority date of April 23, 1964 and right 61-11979 retains its priority date of March 15, 1977 relative to actions to distribute water that relates to management of the Mountain Home Ground Water Management Area overall. Diversion and use of water is subordinate to all rights to use ground water existing within the immediate area of the point of diversion on the date of this approval. Any water management dispute relative to increased draw downs of the water table or depletion of ground water resulting from this approval is presumed to be within the immediate area, resulting in a subordination of the water right.

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MAY 21 2003

WATER RIGHT NO. 61-11979
As Modified by Transfer No. 69811

5. 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.
6. Rights 61-11977 and 61-11979 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 31.8 af at the field headgate, and the irrigation of 8.4 acres.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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. Right 61-11979 is an enlargement of Right 61-11977 pursuant to Section 42-1426, Idaho Code.

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 15 day of April, 2003

For 
Chief, Water Allocation Bureau

RECORDED

MAY 21 2003