

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71469**

This is to certify that: KENT R SEARLE

476 E 600 S
BURLEY ID 83318
(208)678-2913

And

RAYMOND C SEARLE
474 E 550 S
BURLEY ID 83318
(208)678-1599

And

CLIFFORD SEARLE
500 E 500 S
BURLEY ID 83318
(208)678-2615

And

CLOYD R SEARLE
474 E 550 S
BURLEY ID 83318
(208)678-1289

And

KELLY SEARLE
739 S 50 W
BURLEY ID 83318
(208)678-1289

And

CRAIG SEARLE
522 E 600 S
BURLEY ID 83318
(208)678-1599

have 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.

SUPPORT DATA

IN FILE # 43-13364

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71469

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>
45-10926	AJC/Beneficial Use	07/15/1965	0.24 cfs	14.6	N/A	N/A	GROUND WATER
45-10927	AJC/Beneficial Use	07/15/1950	0.20 cfs	14.6	N/A	N/A	GROUND WATER
43-13364	WR/Decreed	05/04/1978	6.26 cfs	1496 af	374.0	553.4	GROUND WATER
43-13367	WR/Decreed	05/23/1962	1.10 cfs	717.6 af	179.4	553.4	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>
45-10926	NO	NO	NO	YES	NO	NO
45-10927	NO	NO	NO	YES	NO	NO
43-13364	YES	YES	YES	NO	YES	YES
43-13367	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>
45-10926	45-10926	0.24 cfs	14.6af	N/A	N/A		N/A	N/A	N/A	N/A
45-10927	45-10927	0.20 cfs	14.6 af	N/A	N/A		N/A	N/A	N/A	N/A
43-13364	45-13946	0.35 cfs	30.0 af	N/A	N/A	43-13370	5.91 cfs	1412 af	353.0	522.4
43-13367	45-13947	0.06 cfs	14.2 af	N/A	N/A	43-13372	1.04 cfs	677.6 af	169.4	522.4
COMBINED										
TOTALS		0.79 cfs	58.8 af	N/A	N/A		5.91 cfs	2089.6 af	522.4	522.4

Detailed Water Right Description(s) attached

Dated this 31st day of May, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-10927
As Modified by Transfer No. 71469

In accordance with the approval of Transfer No. 71469, Water Right No. 45-10927 is now described as follows.

Right Holder: RAYMOND C SEARLE
474 E 550 S
BURLEY ID 83318

Priority Date: July 15, 1950

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	0.20 CFS	
DOMESTIC	01/01	to 12/31	0.04 CFS	
			0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNE	Sec. 18 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SWNE	Sec. 18 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SENE	Sec. 18 Twp 11S	Rge 24E	CASSIA County

PLACE OF USE: STOCKWATER

[illegible]

PLACE OF USE: DOMESTIC

[illegible]

WATER RIGHT NO. 45-10927
As Modified by Transfer No. 71469

CONDITIONS OF APPROVAL

1. The quantity of water under this right when combined with 45-10926 shall not exceed 13,000 gallons per day and 14.6 afa.
2. The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-10926, 45-10927, 45-13946 and 45-13947 shall not exceed 0.79 cfs, nor a total combined annual volume of 58.8 af.
4. Prior to the diversion and use of water under Transfer approval 71469, 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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. 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.
8. Place of use is located within Parcel No. 11S24E180000.
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 31st day of May, 2005



Chief, Water Allocation Bureau

Right Holder: RAYMOND C SEARLE
474 E 550 S
BURLEY ID 83318

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	0.24 CFS	
			0.24 CFS	

GROUND WATER	NWNENE	Sec. 18 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SWNENE	Sec. 18 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SENENE	Sec. 18 Twp 11S	Rge 24E	CASSIA County

[illegible]

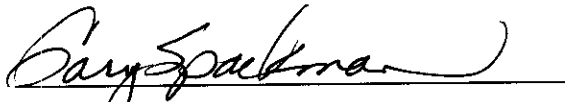
WATER RIGHT NO. 45-10926
As Modified by Transfer No. 71469

CONDITIONS OF APPROVAL

1. The quantity of water under this right when combined with 45-10927 shall not exceed 13,000 gallons per day and 14.6 afa.
2. The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-10926, 45-10927, 45-13946 and 45-13947 shall not exceed 0.79 cfs, nor a total combined annual volume of 58.8 af.
4. Prior to the diversion and use of water under Transfer approval 71469, 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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. 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.
8. Place of use is located within Parcel No. 11S24E180000.
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 31st day of May, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13370
As Modified by Transfer No. 71469

In accordance with the approval of Transfer No. 71469, Water Right No. 43-13370 is now described as follows.

Right Holder: CLIFFORD SEARLE

500 E 500 S
BURLEY ID 83318

And

CRAIG SEARLE
522 E 600 S
BURLEY ID 83318

And

KENT R SEARLE
476 E 600 S
BURLEY ID 83318

And

RAYMOND C SEARLE
474 E 550 S
BURLEY ID 83318

And

CLOYD R SEARLE
474 E 550 S
BURLEY ID 83318

And

KELLY SEARLE
739 S 50 W
BURLEY ID 83318

Priority Date: May 04, 1978

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	5.91 CFS	1,412.0 AF
			5.91 CFS	1,412.0 AF

WATER RIGHT NO. 43-13370
As Modified by Transfer No. 71469

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L4 (SWNWNW)	Sec. 2	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	NENWSW	Sec. 2	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	NWSWSE	Sec. 3	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	SENENE	Sec. 11	Twp 10S	Rge 26E	CASSIA 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	
10S	26E	1					40.0	40.0	16.0	2.1									98.1
							L3	L4											
10S	26E	11	38.0	25.0			37.0	25.0	3.7	4.6									133.3
10S	26E	12			38.0	33.0		40.0	9.0	39.0	33.0	33.0			33.0	33.0			291.0

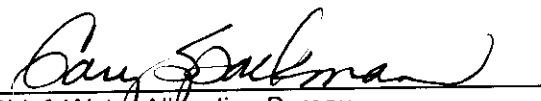
Total Acres: 522.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 353.0 acres within the place of use described above in a single irrigation season.
2. Use of this right with right no. 43-13372 is limited to a total combined diversion rate of 5.91 cfs.
3. Use of this right with right no. 43-13372 is limited to the irrigation of a combined total of 522.4 acres in a single irrigation season.
4. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), 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 31st day of May, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13946
As Modified by Transfer No. 71469

In accordance with the approval of Transfer No. 71469, Water Right No. 45-13946 is now described as follows.

Right Holder: CLOYD R SEARLE

474 E 550 S
BURLEY ID 83318

And

CLIFFORD SEARLE
500 E 500 S
BURLEY ID 83318

And

KENT R SEARLE
476 E 600 S
BURLEY ID 83318

And

RAYMOND C SEARLE
474 E 550 S
BURLEY ID 83318

And

KELLY SEARLE
739 S 50 W
BURLEY ID 83318

And

CRAIG SEARLE
522 E 600 S
BURLEY ID 83318

Priority Date: May 04, 1978

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	0.35 CFS	30.0 AF
STOCKWATER	01/01	to 12/31	0.35 CFS	30.0 AF
			0.35 CFS	30.0 AF

WATER RIGHT NO. 45-13946**As Modified by Transfer No. 71469****LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER	NWNENE	Sec. 18 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SWNENE	Sec. 18 Twp 11S	Rge 24E	CASSIA County
GROUND WATER	SENENE	Sec. 18 Twp 11S	Rge 24E	CASSIA 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	
11S	24E	18	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	
11S	24E	18	X																

CONDITIONS OF APPROVAL

1. Use of this right with right no. 45-13947 is limited to a total combined diversion rate of 0.35 cfs.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-10926, 45-10927, 45-13946 and 45-13947 shall not exceed 0.79 cfs, nor a total combined annual volume of 58.8 af.
3. Beginning on the date of approval of Transfer 71469, Rights 45-13946 and 45-13947 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.

Years 2005 through 2034 the rights are limited to 41.4 afa

Years 2035 through 2045 the rights are limited to 42.4 afa

Years 2046 through 2055 the rights are limited to 43.3 afa

Years 2056 and beyond the rights are limited to 44.2 afa

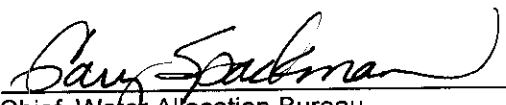
4. The model used to calculate depletion effects and mitigation for the Neeley to Minidoka reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 71469. 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.

WATER RIGHT NO. 45-13946
As Modified by Transfer No. 71469

5. Prior to the diversion and use of water under Transfer approval 71469, 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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. 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.
9. Commercial use is for a dairy.
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. 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.

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 31st day of May, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13372
As Modified by Transfer No. 71469

In accordance with the approval of Transfer No. 71469, Water Right No. 43-13372 is now described as follows.

Right Holder: RAYMOND C SEARLE

474 E 550 S
BURLEY ID 83318

And

CLIFFORD SEARLE
500 E 500 S
BURLEY ID 83318

And

CLOYD R SEARLE
474 E 550 S
BURLEY ID 83318

And

CRAIG SEARLE
522 E 600 S
BURLEY ID 83318

And

KELLY SEARLE
739 S 50 W
BURLEY ID 83318

And

KENT R SEARLE
476 E 600 S
BURLEY ID 83318

Priority Date: May 23, 1962

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	1.04 CFS	677.6 AF
			1.04 CFS	677.6 AF

WATER RIGHT NO. 43-13372
As Modified by Transfer No. 71469

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L4 (SWNWNW)	Sec. 2	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	NENWSW	Sec. 2	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	NWSWSE	Sec. 3	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	SENENE	Sec. 11	Twp 10S	Rge 26E	CASSIA 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	
10S	26E	1					40.0	40.0	16.0	2.1									98.1
							L3	L4											
10S	26E	11	38.0	25.0			37.0	25.0	3.7	4.6									133.3
10S	26E	12			38.0	33.0		40.0	9.0	39.0	33.0	33.0			33.0	33.0			291.0

Total Acres: 522.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 169.4 acres within the place of use described above in a single irrigation season.
2. Use of this right with right no. 43-13370 is limited to a total combined diversion rate of 5.91 cfs.
3. Use of this right with right no. 43-13370 is limited to the irrigation of a combined total of 522.4 acres in a single irrigation season.
4. Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), 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 31st day of May, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13947
As Modified by Transfer No. 71469

In accordance with the approval of Transfer No. 71469, Water Right No. 45-13947 is now described as follows.

Right Holder: CLIFFORD SEARLE

500 E 500 S
BURLEY ID 83318

And

CRAIG SEARLE
522 E 600 S
BURLEY ID 83318

And

KENT R SEARLE
476 E 600 S
BURLEY ID 83318

And

RAYMOND C SEARLE
474 E 550 S
BURLEY ID 83318

And

CLOYD R SEARLE
474 E 550 S
BURLEY ID 83318

And

KELLY SEARLE
739 S 50 W
BURLEY ID 83318

Priority Date: May 23, 1962

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	0.06 CFS	14.2 AF
STOCKWATER	01/01	to 12/31	0.06 CFS	14.2 AF
			0.06 CFS	14.2 AF

WATER RIGHT NO. 45-13947
As Modified by Transfer No. 71469

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNENE	Sec. 18 Twp 11S Rge 24E CASSIA County
GROUND WATER	SWNENE	Sec. 18 Twp 11S Rge 24E CASSIA County
GROUND WATER	SENENE	Sec. 18 Twp 11S Rge 24E CASSIA 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	
11S 24E 18	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	
11S 24E 18	X																

CONDITIONS OF APPROVAL

1. Use of this right with right no. 45-13946 is limited to a total combined diversion rate of 0.35 cfs.
2. The total instantaneous diversion of water from all points of diversion under Rights 45-10926, 45-10927, 45-13946 and 45-13947 shall not exceed 0.79 cfs, nor a total combined annual volume of 58.8 af.
3. Beginning on the date of approval of Transfer 71469, Rights 45-13946 and 45-13947 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.

Years 2005 through 2034 the rights are limited to 41.4 afa
 Years 2035 through 2045 the rights are limited to 42.4 afa
 Years 2046 through 2055 the rights are limited to 43.3 afa
 Years 2056 and beyond the rights are limited to 44.2 afa

4. The model used to calculate depletion effects and mitigation for the Neeley to Minidoka 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 71469. 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.

WATER RIGHT NO. 45-13947
As Modified by Transfer No. 71469

5. Prior to the diversion and use of water under Transfer approval 71469, 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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. 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.
9. Commercial use is for a dairy.
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. 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.

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 31st day of May, 2005


Chief, Water Allocation Bureau