

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71185

This is to certify that: M & M FARMS PTR
1819 E 1550 S
GOODING ID 83330
(208)934-4360

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>
37-72B	AJC/Decreed	04/01/1885	2.20 cfs	N/A	110.0	176.0	BIG WOOD RIVER
37-21279	AJC/Decreed	11/01/1913	6.40 cfs	N/A	N/A	176.0	BIG WOOD RIVER

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>
37-72B	NO	NO	YES	YES	NO	NO
37-21279	NO	NO	YES	YES	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>
37-72B	37-72B	2.20 cfs	N/A	110.0	245.0		N/A	N/A	N/A	N/A
37-21279	37-21279	6.40 cfs	N/A	176.0	245.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		8.60 cfs	N/A	176.0	245.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of April, 2005

SUPPORT DATA
IN FILE # 37-72B



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-72B
As Modified by Transfer No. 71185

In accordance with the approval of Transfer No. 71185, Water Right No. 37-72B is now described as follows.

Right Holder: M & M FARMS PTR
 1819 E 1550 S
 GOODING ID 83330

Priority Date: April 01, 1885

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	2.20 CFS
STOCKWATER	01/01 to	12/31	0.02 CFS
			2.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NESESW Sec. 12 Twp 05S Rge 15E GOODING County

BIG WOOD RIVER NENENW Sec. 31 Twp 05S Rge 15E GOODING 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	
05S 14E 25					36.0		39.0	33.0	31.0	10.0	11.0	28.0			16.0	9.7	213.7
05S 14E 26				30.0									1.3				31.3

Total Acres: 245

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	
05S 14E 25					X		X	X	X	X	X	X			X	X	
05S 14E 26				X									X				

WATER RIGHT NO. 37-72B
As Modified by Transfer No. 71185

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 110 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 37-72B and 37-21279 shall not exceed 8.60 cfs for irrigation of 176 acres.
3. 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.
4. Use of this right is combined with water from American Falls Reservoir District No. 2.
5. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
7. The appropriator is entitled to the quantity of water decreed for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
8. Right 37-21279 is also diverted through the points of diversion described above.
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. 37.
10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 13th day of April, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21279
As Modified by Transfer No. 71185

In accordance with the approval of Transfer No. 71185, Water Right No. 37-21279 is now described as follows.

Right Holder: M & M FARMS PTR
 1819 E 1550 S
 GOODING ID 83330

Priority Date: November 01, 1913

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	6.40 CFS
STOCKWATER	01/01 to	12/31	0.02 CFS
			6.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NESESW Sec. 12 Twp 05S Rge 15E GOODING County

BIG WOOD RIVER NENENW Sec. 31 Twp 05S Rge 15E GOODING 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	
05S 14E 25					36.0		39.0	33.0	31.0	10.0	11.0	28.0			16.0	9.7	213.7
05S 14E 26				30.0									1.3				31.3

Total Acres: 245

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	
05S 14E 25					X		X	X	X	X	X	X			X	X	
05S 14E 26				X									X				

WATER RIGHT NO. 37-21279
As Modified by Transfer No. 71185

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 37-72B and 37-21279 shall not exceed 8.60 cfs for irrigation of 176 acres.
2. 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.
3. Use of this right is combined with water from American Falls Reservoir District No. 2.
4. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. The appropriator is entitled to the quantity of water decreed for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
7. Right 37-72B is also diverted through the points of diversion described above.
8. 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. 37.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
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.
12. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
13. This right is a combination of old rights 37-873, 37-874 and 37-875.

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 13th day of April, 2005


Chief, Water Allocation Bureau