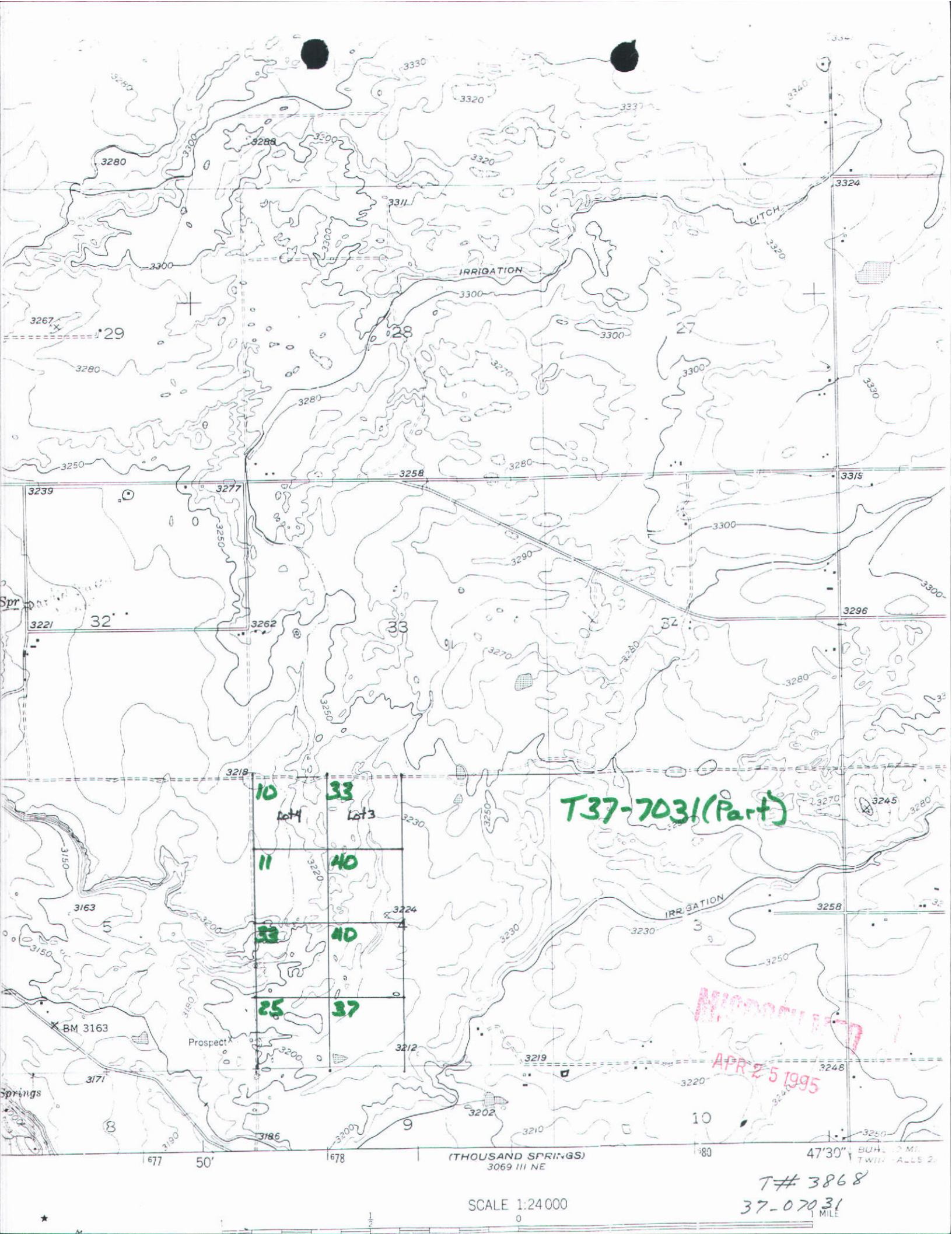




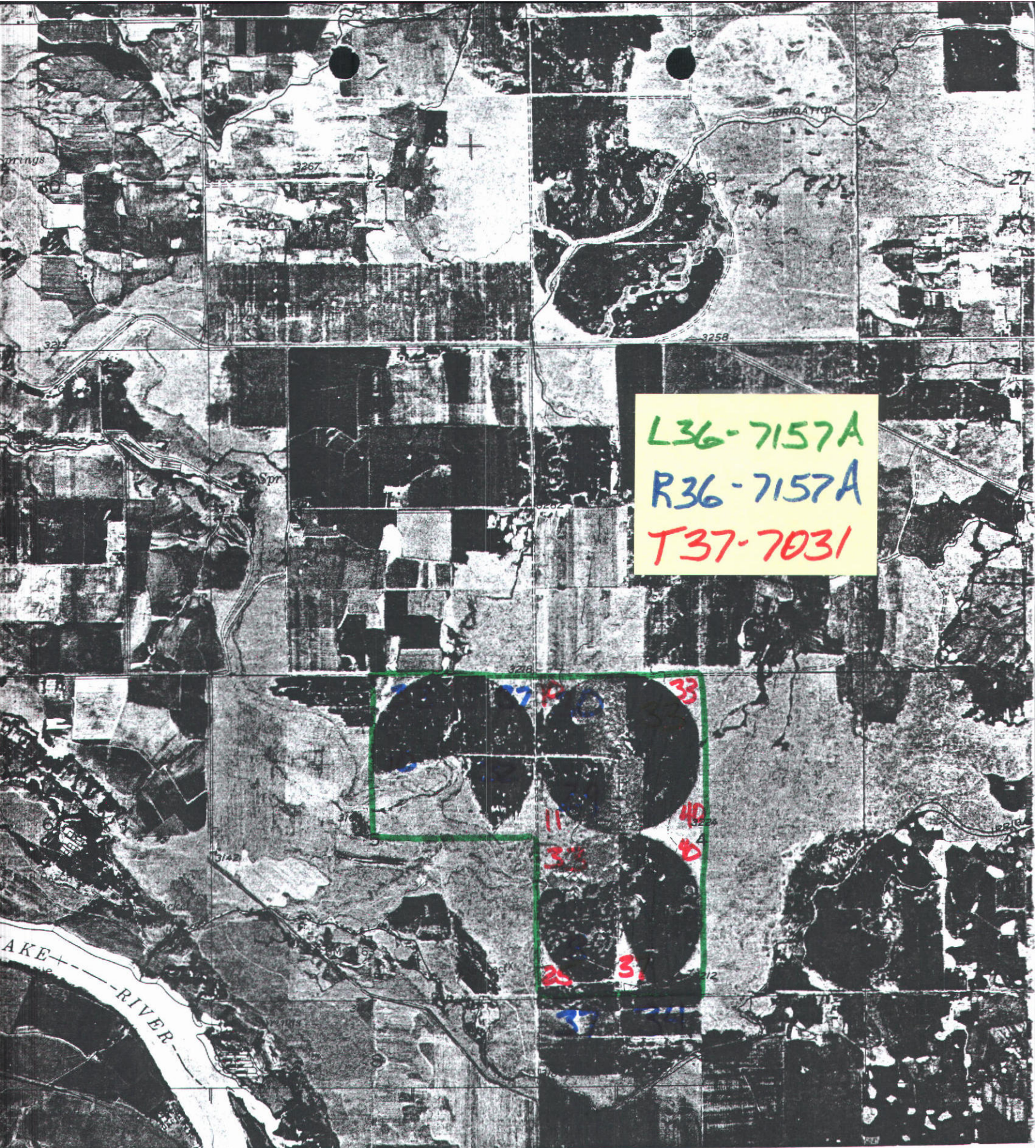
T37-7031(Part)

APR 25 1995

(THOUSAND SPRINGS)
3069 III NE

SCALE 1:24 000

T# 3868
37-07031
MILE



270 000 FEET 1750W

Survey

from 1:76,000-scale
August 4, 1974

grid ticks: Idaho coordinate
(verserse Mercator)
verserse Mercator grid ticks,

NORTH

1650W

1550W

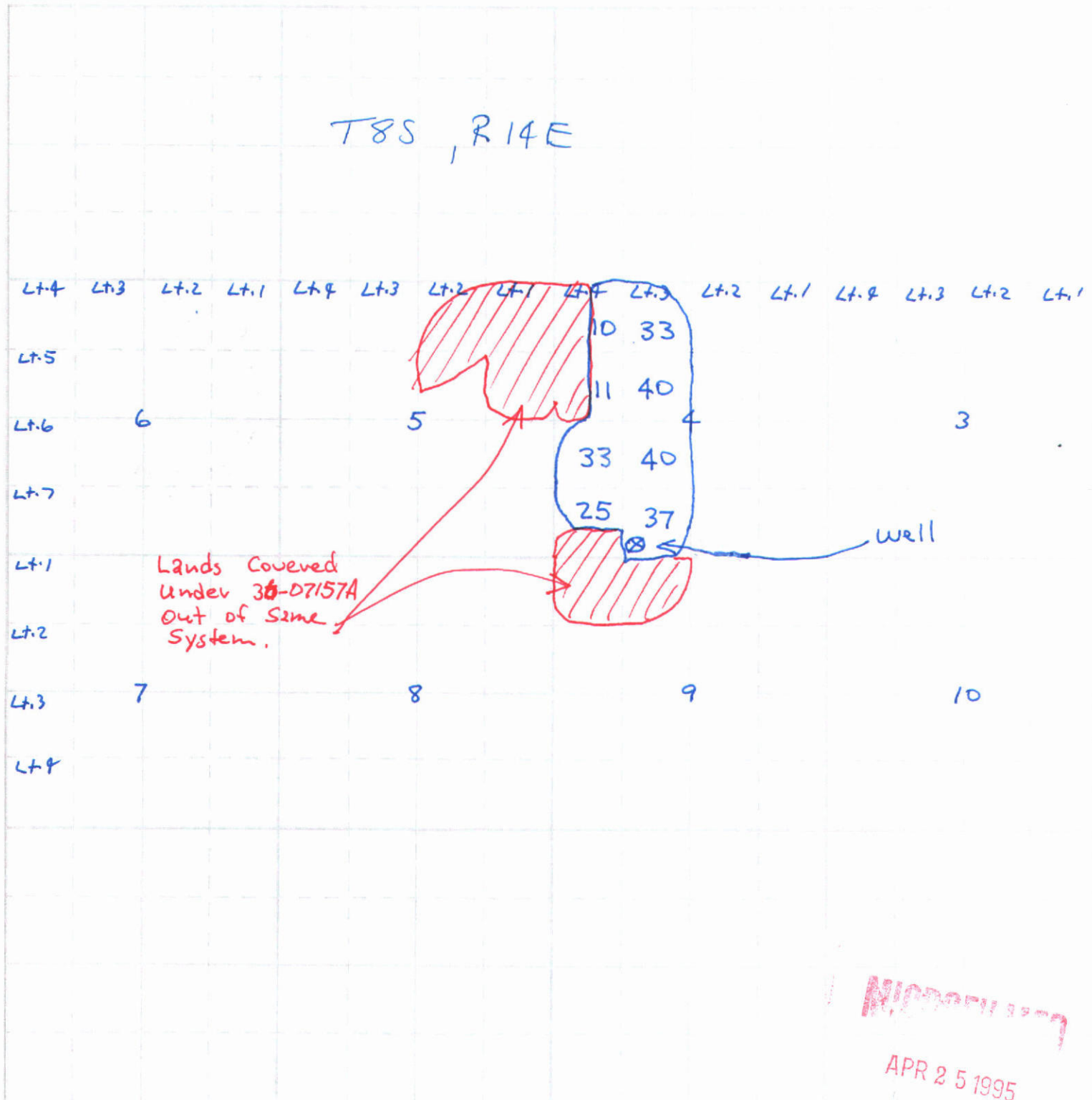
SCALE 1:24,000



APR 25 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



WR0749NP

No. T37-07031D

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/17/95

PAGE: 1

OWNER CODE: C
NAME & ADDRESS: AMBROSE FARMS
PO BOX 247
WENDELL ID 83355
(208) 536-2310

PRIORITY DATE: 02/16/1971
WATER USE: IRRIGATION
USE PERIOD FROM TO: 04-01 10-31
DIVERSION RATE: 1.110 CFS
DIVERSION VOLUME: 320.00 AFA

TOTAL DIVERSION: 1.110 CFS 320.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R14E S04 SESW GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
08S	14E	4	:							04-22	24		31	31	31	31				170.0
08S	14E	5	:	01-32	02-32	06	22													92.0
08S	14E	9	:					31	33											64.0
																			TOTAL ACRES	326.0

Pou County: GOODING

Other Water Rights with Same Point(s) of Diversion and Source:

36-07157A

Other Water Rights Listing Overlapping Place(s) of use:

36-07157A

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:

This transfer approval is for use of water in the 1995 irrigation season only and thereafter the right will revert to the use existing prior to the temporary transfer.

The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall report the information to the department.

To prevent an increase in diversion from the Eastern Snake Plain Aquifer, the following land shall not be irrigated:

6.5 acres in SWSW, 6.5 acres in SESW, Section 1,
27.0 acres in Lot 8(NENE), 1.0 acre in Lot 1(NWNE), 7.0 acres in

Ambrose. lis;

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 3868
WATER RIGHT NO. 36-08760

This is to certify that: **AMBROSE FARMS**
PO BOX 247
WENDELL ID 83355

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.52 CFS	304.0 AF

SOURCE

GROUNDWATER

Priority: 12/04/1990

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 4, Township 08S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	14E	4	Lot 4(NWNW) 22	SWNW 24	NESW 31	
			NWSW 31	SWSW 31	SESW 31	170
		5	Lot 1(NENE) 32	Lot 2(NWNE) 32	SWNE 6	
			SENE 22			92
		9	NENW 31	NWNW 33		64
				Total number of acres irrigated:		326

CONDITIONS OF APPROVAL AND REMARKS

Right Nos. 36-08760 and 36-02907 are subject to the conditions of the Final Order in the matter of Application for Transfer No. 3868.

Dated this 23rd day of December, 1996.


Karl J. Dreher
Director

MICROFILMED

JAN 23 1997

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 3868 OF WATER RIGHT)
NO. 37-07031D IN THE NAME OF)
AMBROSE FARMS)
_____)

FINAL ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of the filing of an application for transfer, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On December 4, 1990, Ambrose Farms (applicant) filed Application for Transfer No. 3868 of water right No. 37-07031 (application) with the department proposing the addition of a point of diversion and a change in the place of use from land in Camas County near Fairfield to land in Gooding County near Wendell. The application sought to transfer 4.58 cubic feet per second (cfs) of ground water with a priority of June 21, 1968 for use on 229 acres of land. On January 10, 1995, the applicant reduced the number of acres to be irrigated to 191 acres.

2. On April 19, 1995, the department approved the transfer for temporary use on 80 acres during the 1995 irrigation season, subject to a mitigation requirement that during the term of the temporary transfer the applicant discontinue irrigating 80 acres of other land irrigated from the Eastern Snake River Plain Aquifer. On February 12, 1996, the department extended the temporary approval for use during the 1996 irrigation season.

3. The applicant has asked the department to permanently approve the application for transfer for irrigation use on a total of 76 acres using different mitigation requirements than were imposed under the temporary transfer for the 1995 and 1996 irrigation seasons. As part of the mitigation, the applicant proposes to use ground water right No. 36-02907 referred to as the Crumrine right.

4. The department renumbered the Crumrine right to water right No. 37-07031B in September 1990 when the department approved Transfer No. 3717 in the name of Terry Crumrine. Transfer No. 3717 authorized the diversion of 0.80 cfs of water for the irrigation of 40 acres in the Wendell area. In its approval, the department advanced the date of priority of right No. 37-07031B to April 26, 1990, limited the maximum volume of water diverted to not exceed

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JAN 23 1997

120 acre feet per year and retained jurisdiction over the approved transfer for five years in order to determine potential injury to existing water rights.

5. The Crumrine transfer application stated that the water right would be leased for three years to allow time for Crumrine to obtain approval of a new application for permit for the same use. The department did not specifically require that water right No. 36-02907 be transferred back to its original place of use in Basin 37. The department approved Crumrine's application for permit on July 18, 1991 for 0.70 cfs of water for use on 35 acres. On August 2, 1991, Crumrine submitted proof of beneficial use under the permit and on August 6, 1992, the department conducted a field examination.

6. As part of its proposed mitigation for transfer No. 3868, the applicant proposes not to transfer right No. 36-02907 back to its original place of use in Basin 37, but rather to utilize the right in Basin 36 as mitigation for potential injury that may occur as a result of the approval of the transfer. In addition, the applicant agrees to a condition of approval that approval of the transfer shall not be deemed conclusive as to the adequacy of the mitigation in the event of a priority call and will accept a new priority date for the newly transferred water right.

CONCLUSIONS OF LAW

1. Section 42-222, Idaho Code, provides in pertinent part as follows:

(1) any person entitled to the use of water whether represented by license issued by the department of water resources, by claims to water rights by reason of diversion and application to a beneficial use as filed under the provisions of this chapter, or by decree of the court, who shall desire to change the point of diversion, place of use, period of use or nature of use of all or part of the water, under the right shall first make application to the department of water resources for such change. ...

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with the conservation of water resources within the state of Idaho and is in the local public interest as defined in section 42-203A(5), Idaho Code; ...

2. The department should approve the application with the mitigation offered by the applicant and with certain conditions and limitations.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Transfer No. 3868 of water right No. 37-07031D is **APPROVED** subject to the following conditions and limitations:

1. Water right No. 37-07031D which is approved under transfer No. 3868 is hereby designated as water right No. 36-08760 and shall not exceed a maximum rate of diversion of 1.52 cfs for the irrigation of 76 acres in a total authorized place of use of 326 acres. The priority date is advanced to December 4, 1990, the date the application for transfer was filed.

2. As mitigation for potential injury that might otherwise occur as a result of transfer No. 3868, no water shall be diverted under right No. 36-02907. Use of water right No. 36-02907 for mitigation purposes under this transfer shall be deemed by the department to constitute a beneficial use of water.

3. By approval of this transfer, mitigation right No. 36-02907 with a rate of diversion of 0.80 cfs and an annual volume of 120 AF for the irrigation of 40 acres shall be considered appurtenant to the same place of use as authorized by this transfer.

4. Approval of this transfer contingent upon the mitigation herein provided shall not be deemed conclusive as to the adequacy of the mitigation in the event of a priority call affecting the diversion and use of water under water right No. 36-08760.

5. The remaining portion of right No. 37-07031D in excess of the amount approved for transfer shall be considered abandoned.

6. The right holder shall install a suitable device for measuring the amount of water diverted and shall annually report the information to the department.

7. 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 for the lands above

8. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

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JAN 23 1997

9. Failure to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.

10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right in the ongoing Snake River Basin Adjudication.

Dated this 23rd day of December, 1996.



KARL J. DREHER
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 3868 OF WATER RIGHT)
NO. 37-07031D FILED IN THE NAME)
OF AMBROSE FARMS)

PRELIMINARY ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of a request to continue a temporary transfer approval, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On April 19, 1995, the department issued Temporary Transfer No. 3868 filed in the name of Ambrose Farms (applicant). The transfer involved water right no. 37-07031D and conditionally authorized the use of groundwater during the 1995 irrigation season.

2. On February 6, 1995, the applicant asked the department to extend the transfer approval through the 1996 irrigation season in order to allow the applicant time in which to pursue a permanent transfer of water right to the place of use.

CONCLUSIONS OF LAW

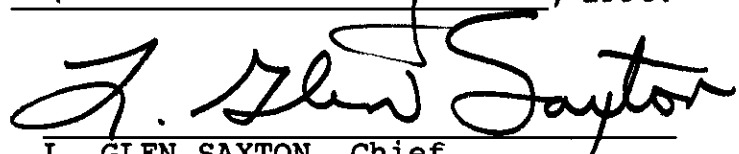
1. Section 42-222, Idaho authorizes the department to approve transfers of water right with certain conditions and limitations.

2. The department should extend the use of water authorized under Transfer No. 3868 through the 1996 irrigation season.

ORDER

IT IS THEREFORE, HEREBY ORDERED that application for Transfer No. 3868 is authorized for use during the 1996 irrigation season subject to the conditions and limitations described on the 1995 approval.

Dated this 12th day of February, 1996.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
1997 2 2 1997

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 13th day of February, 1996,
I mailed a true and correct copy, postage prepaid, of the foregoing
PRELIMINARY ORDER to the following:

Ambrose Farms
P.O. Box 247
Wendell, ID 83355

Josephine P. Beeman
DILLION BOSCH DAW
& BOCK
242 N. 8th St.
Suite 200
Boise, ID 83702


JULIE L. YARBROUGH
Senior Secretary

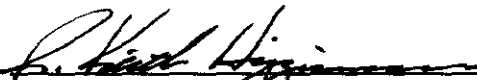
APR 25 1995

TEMPORARY TRANSFER NO. 3868
WATER RIGHT NO. 37-07031D

CONDITIONS/REMARKS:

4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall report the information to the department.
6. To prevent an increase in diversion from the Eastern Snake Plain Aquifer, the following land shall not be irrigated:
6.5 acres in SWSW, 6.5 acres in SESW, Section 1; 27.0 acres in Lot 8(NENE), 1.0 acre in Lot 1(NWNE), 7.0 acres in Lot 9(NWNE), Section 11; 10.0 acres in Lot 4(NWNW), 22.0 acres in Lot 11(NWNW), Section 12, Township 9 South, Range 15 East.
- * 7. Irrigation under this temporary transfer approval is limited to 80 acres within the place of use described above for the 1995 irrigation season.

Dated this 19TH day of April, 1995.


R. Keith Higginson, Director

APR 25 1995

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES3868
RECEIVED
Transfer No.**APPLICATION FOR TRANSFER OF WATER RIGHT** DEC 10 1990**PART 1**Department of Water Resources
Southern Region OfficeName of applicant Ambrose Farms Phone 536-2310
Post Office address P.O. Box 247, Wendell ID 83355 5324**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Land SW of Wendell owned by Ambrose Farms is presently irrigated without a water right. It is desired to move water right from land near Fairfield to cover use near Wendell.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 37-07031 (Part) Priority 6-21-1968 Amount (cfs/ac-ft) 4.58 cfs Nature of Use Irrig. Period of Use 4-1 to 10-31
 _____ to _____
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 4.58 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	SW	4	8S.	14E.	Gooding	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	14E	4					24.3	24.4			33	10	11	40	40	33	25	37	229
						*	32	3	4	32	32	32	24	32					191

* Acres Amended per conference with Tom Ambrose to cover 36.5 Acres on map he provided, 01-10-95

Total acres 229

PART 1

6. General Information:

a. Description of diversion system Existing well & pump delivering
to pivots & wheel-line sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

This land in Camas County will not be irrigated and
will be dry farmed.

d. Remarks:

This existing system in Gooding Co. was
developed under 36-07157 and presently 36-07157A
covers 3.30 cfs for irrigation of 250 acres.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____

APR 25 1995

APR 25 1995

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 37-07031A

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	14.08 CFS

SOURCE

GROUNDWATER

Priority: 06/21/1968

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 15, Township 01S, Range 13E
 SWSE , Sec. 22, Township 01S, Range 13E
 SESW , Sec. 27, Township 01S, Range 13E
 NESE , Sec. 27, Township 01S, Range 13E
 NWNW , Sec. 35, Township 01S, Range 13E
 SWNW , Sec. 35, Township 01S, Range 13E
 CAMAS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	13E	1	NWNE 26	SWNE 37	SENE 30	
			NENW 30	NWNW 8	SWNW 28	
			SENE 40	NESW 40	NWSW 40	
			SWSW 15	SESW 20	NESE 32	
			NWSE 40			386
		2	NENE 25	NWNE 30	SWNE 40	
			SENE 35	NENW 25	SENE 35	
			NESW 30	NESE 40	NWSE 40	
			SWSE 8	SESE 10		318
						704

Total number of acres irrigated:

CONDITIONS/REMARKS:

- THIS RT. WHEN COMBINED WITH LICENSES 37-7028, 37-7029 & 37-7030 SHALL PROVIDE NO MORE OF A TOTAL CAPACITY OF 3.44 CFS FOR THE WELL IN THE NESW, S15; 6.42 CFS FOR THE WELL IN THE SWSE, S22; 5.17 CFS FOR THE WELL IN THE SESW, S27; 2.44 CFS FOR THE WELL IN THE NESE, S27; 4.72 CFS FOR THE WELL IN THE NWNW, S35; 2.64 CFS FOR THE WELL IN THE SWNW, S35; & 1.81 CFS FOR THE WELL IN THE SWNW, S35; T1S, R13E.
- 2 P/D IN SWNW, S35, T1S, R13E.

APR 25 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-07031A (Part Remaining after transfer) issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3717 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 6-21-1968

5. Water is used for the following purpose:

amount 14.08 cfs for Irrig. purposes from 4-1 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 14.08 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: (See Proof of 37-07031)

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2S	13E	1		26	37	30	30	8	28	40	40	40	15	20	32	40			386
		2	2S	30	40	3S	25			3S	30				40	40	8	10	318

Total acres 704

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 4.58 for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

(No Change)

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2S	13E	1			12	30					40	40	15	20	32	40			-229
												9.2							91.2
												30.8							137.8

Total acres 22991.2 transferred**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 9.50 for Irrig. purposes from 4-1 to 10-31
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

(No Change)

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

APR 25 1995

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2S	13E	1		26	25		30	8	28	40									157
		2	25	30	40	35	25			35	30				40	40	8	10	318

Total acres 475

L36-7157A
R36-7157A
T37-7031

LAKE
RIVER

270 000 FEET 1750W

Survey

om 1:76,000-scale
gust 4, 1974

grid ticks: Idaho coordinate
verse Mercator
verse Mercator grid ticks.

650W

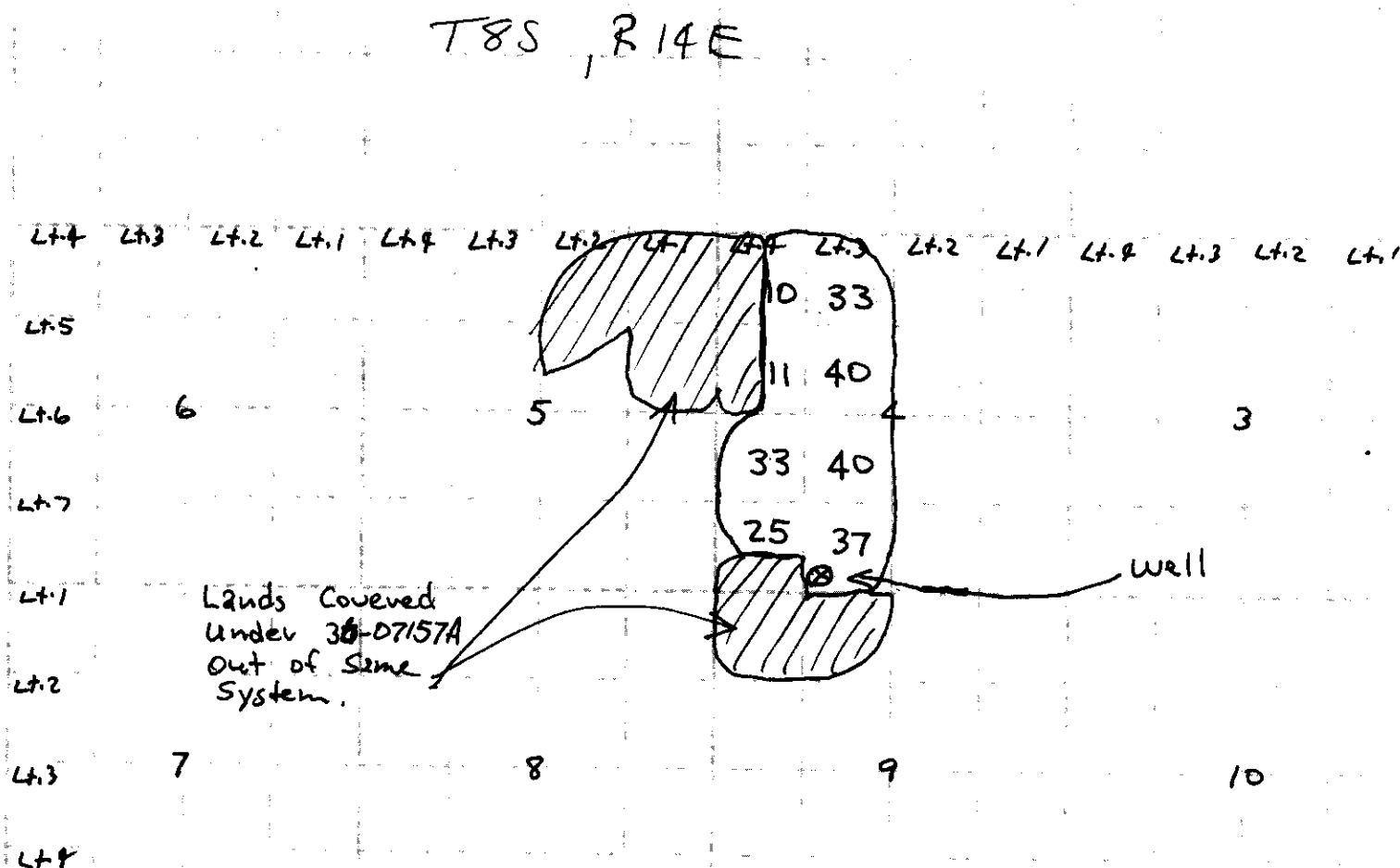
SCALE 1:24,000



APR 2 1975

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

AMBROSE FARMS BY GEORGE AMBROSE, GEN. PARTNER

(Signature of Applicant)

Subscribed and sworn to before me this 3rd day of December, 19 90.

William Cooper
(Notary Public)

My commission expires 4-28-91

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 8 attachments

Received by DJ Allen Date 12-4-90 Protest filed by _____

Prelim. check by DJ Fee \$50.00

Receipted by G.F. Date 5012869 12/4/90

Published in The Snohomish & Gooding Co. Leader Copies of protest forwarded by _____

Pub. dates 11/27 + 12/4/91 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

APR 25 1995

CORPORATION SPECIAL WARRANTY DEED

THIS INDENTURE, made this 15th day of February, 1989, between THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, a corporation duly organized and existing under the laws of the State of New York, the party of the first part, and A. NEAL AMBROSE, and LEONA AMBROSE, husband and wife, whose address is P.O. Box 364, Wendell, Idaho 83355, party of the second part.

WITNESSETH, that the party of the first part having been hereunto duly authorized by resolution of its Board of Directors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable considerations, to it in hand paid by the party of the second part hereby acknowledged, has granted, and by these presents does grant and confirm unto the party of the second part and to party of the second part's heirs and assigns forever, all the following described real estate situated in the County of Camas, State of Idaho, to-wit:

Township 1 South, Range 13 East, Boise Meridian, Camas County, Idaho.

Section 15: S $\frac{1}{2}$.
Section 16: SE $\frac{1}{4}$, N $\frac{1}{2}$ EXCEPT the North 40 feet thereof.
Section 21: N $\frac{1}{2}$, SE $\frac{1}{4}$.
Section 22: N $\frac{1}{2}$, SE $\frac{1}{4}$.
Section 26: SW $\frac{1}{4}$.
Section 27: E $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
Section 28: SW $\frac{1}{4}$.
Section 29: E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ EXCEPT the North 5 acres.
Section 32: E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.
Section 33: NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$.
Section 34: NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, S $\frac{1}{2}$.
Section 35: All.

Township 2 South, Range 13 East, Boise Meridian, Camas County, Idaho.

Section 1: All.
Section 2: All.
Section 3: Lots 1, 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
Section 4: Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
Section 5: Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$.
Section 11: N $\frac{1}{2}$ N $\frac{1}{2}$.
Section 12: NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$.

Township 1 South, Range 14 East, Boise Meridian, Camas County, Idaho.

Section 31: Lots 2, 3, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.

Township 2 South, Range 14 East, Boise Meridian, Camas County, Idaho.

Section 6: Lots 3, 4, 5, 6, 7, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.

APR 25 1989

"AS IS WITH ALL FAULTS" WITH NO WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR PARTICULAR PURPOSE, OTHER THAN AS PROVIDED FOR HEREIN.

RESERVING AND EXCEPTING from the aforesaid property unto the party of the first part and its successors and assigns one-half of all oil, gas and minerals in, on or under the surface of said property and one-half of all rights of ownership therein; provided that minerals shall not include hot or geothermal water.

Together with all irrigation equipment located on the above described real property in "AS IS, WHERE IS" condition and without warranty, express or implied, as to quantity, quality, or any other factor.

Said property is transferred subject to all existing easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

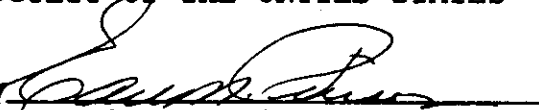
TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate right, title and interest in and to the said property, as well in law as in equity, of the party of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the party of the second part, and to party of the second part's heirs and assigns forever.

The party of the first part covenants and warrants the premises to be free only of encumbrances suffered or created by party of the first part and is not giving any warranties or covenants pertaining to any other assessments, charges, liens or encumbrances which may have been suffered or created on the property by third parties.

IN WITNESS WHEREOF, the said party of the first part hereunto has set its corporate name by its duly authorized officer.

THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES

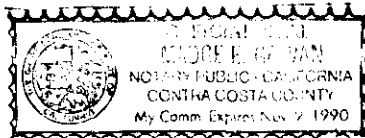
By 
Its: Vice President

COPY
APR 25 1995

STATE OF CALIFORNIA)
) ss.
COUNTY OF CONTRA COSTA)

On this 15th day of February, 1989, before me, Madge E. Galvin, a Notary Public in and for said County and State, personally appeared Earl M. Pierson personally known to me to be the person who executed the within instrument as Vice President or on behalf of the corporation therein named and acknowledged to me that the corporation executed it.

WITNESS my hand and notarial seal the day and year last above written.



Madge E. Galvin
Notary

COPY

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

APR 25 1995

This
Right has been
Decreed in the
SRBA.

MICROFILMED
JAN 12 1985



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

December 24, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AMBROSE FARMS
PO BOX 247
WENDELL ID 83355

RE: In the Matter of Water Right License No. 37-07031D in the
name of Ambrose Farms

Dear Interested Party:

The accompanying order is a "final order" issued by the
department pursuant to section 67-5246 or 67-5247, Idaho Code.

Section 67-5246 provides as follows:

(1) If the presiding officer is the agency head, the
presiding officer shall issue a final order.

(2) If the presiding officer issued a recommended order,
the agency head shall issue a final order following review of
that recommended order.

(3) If the presiding officer issued a preliminary order,
that order becomes a final order unless it is reviewed as
required in section 67-5245, Idaho Code. If the preliminary order
is reviewed, the agency head shall issue a final order.

(4) Unless otherwise provided by statute or rule, any party
may file a petition for reconsideration of any order issued by
the agency head within fourteen (14) days of the issuance of that
order. The agency head shall issue a written order disposing of
the petition. The petition is deemed denied if the agency head
does not dispose of it within twenty-one (21) days after the
filing of the petition.

(5) Unless a different date is stated in a final order, the
order is effective fourteen (14) days after its issuance if a
party has not filed a petition for reconsideration. If a party
has filed a petition for reconsideration with the agency head,
the final order becomes effective when:

- or
- (a) the petition for reconsideration is disposed of;
 - (b) the petition is deemed denied because the agency
head did not dispose of the petition within
twenty-one (21) days.

FILED

(6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

(7) A non-party shall not be required to comply with a final order unless the agency has made the order available for public inspection or the non-party has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5246(4), Idaho Code.

APPEAL OF FINAL ORDER TO DISTRICT COURT

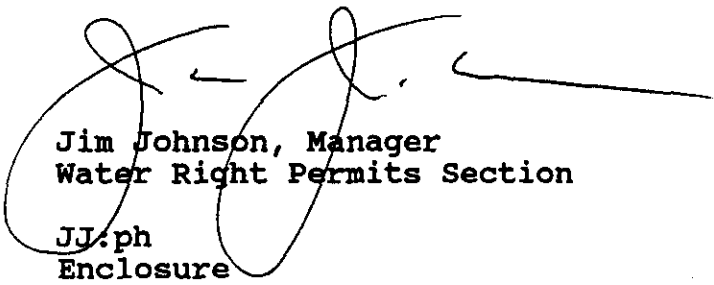
Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter to district court by filing a petition in the district court of the county in which:

- i. A hearing was held.
- ii. The final agency action was taken.
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration,

whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



Jim Johnson, Manager
Water Right Permits Section

JJ:ph
Enclosure

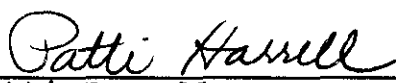
c: Southern Region
Jo Beeman

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of December, 1996, I mailed a true and correct copy, postage prepaid, of the foregoing **FINAL ORDER** to the person(s) listed below:

**AMBROSE FARMS
PO BOX 247
WENDELL ID 83355**

WATER RIGHT NO. 37-07031D



Patti Harrell
Secretary

MICROFILMED

JAN 24 1997

WR0749NP
No. T37-07031D

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/22/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AMBROSE FARMS PO BOX 247 WENDELL ID 83355 (208) 536-2310	12/04/1990	IRRIGATION	04/01 10/31	1.520 CFS	304.00 AFA
TOTAL DIVERSION:					1.520 CFS	304.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R14E S04 SESW GOODING County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
08S	14E	4	:					04-22	24			31	31	31	31					170.0
08S	14E	5	:	01-32	02-32	06	22													92.0
08S	14E	9	:					31	33											64.0
TOTAL ACRES																			326.0	

Pou County: GOODING

Other Water Rights with Same Point(s) of Diversion and Source:
36-07157A

Other Water Rights Listing Overlapping Place(s) of use:
36-07157A T36-02907

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:

The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
The portion of water Right No. 37-07031D which is approved under Transfer No. 3868 is hereby designated as water Right No. 36-08760 and shall not exceed a maximum rate of diversion of 1.52 cfs for the irrigation of 76 acres. The priority date is advanced to December 4, 1990, the date of the application for

Remarks:

transfer was filed.

As mitigation for potential injury that might otherwise occur as a result of Transfer No. 3868, no water shall be diverted under water Right No. 36-02907 as mitigation of use of Right No. 36-08760 (formerly 37-07031D). Use of this right for mitigation purposes shall be deemed by the department to constitute a beneficial use of water.

Mitigation Right No. 36-02907 is authorized a maximum diversion rate of 0.80 cfs and an annual diversion volume of 120 af for the irrigation of 40 acres. This right shall become appurtenant to the same place of use designated under Right No. 36-08760 through approval of Transfer No. 3868.

Approval of this transfer contingent upon the mitigation plan herein provided for shall not be deemed conclusive as to the adequacy of the mitigation plan in the event of a priority call affecting the diversion and use of water under water Right No. 36-08760.

The portion of Right No. 36-08760 in excess of this transfer approval in the amount of 0.31 cfs and 15.2 acres shall be considered abandoned through approval of Transfer No. 3868.

Dates: App. Received: Priority Date: 12/04/1990
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/30/1985

Misc: Water District Number: Field Exam Fee:

Comments: Date: 04/17/1995 User-ID: PSKAGGS Subject: TRANSFER NO. 3868 (Temporary Approval/1 yr)
Transfer No. 3868 was filed to change the place of use and point of diversion under Right No. 37-07031D to a location in Basin 36. The transfer has not been approved as requested, but this interim agreement has been proposed for 1 year only. 80 Acres identified in this approval will not be irrigated in the 1995 irrigation season to allow for complete irrigation of the described place of use under this temporary transfer approval. Right Nos. 36-07561 and partially overlapping Right No. 36-07219 will be reduced proportionally according to the reduction of irrigated acres. The approved version of this transfer will be stored under an X prefix in the WR database and deleted when the irrigation season is over with no permanent change to the rights. This transfer was extended for the 1996 irrigation season as well.

Date: 02/21/1996 User-ID: PSKAGGS Subject: ORDER TO EXTEND APPROVAL OF TRANSFER NO. 3868
A Preliminary Order to extend the approval of Transfer No. 3868 through the 1996 irrigation season was signed 02-12-96. This temporary "X" record will be deleted when the approval expires.

Date: 11/22/1996 User-ID: PSKAGGS Subject: TRANSFER NO. 3868 (Permanent Approval)

Basin 37 = 2.5 af/aere
Basin 36 = 3.0 af/aere

$76 \times 3 = 228 \text{ af}$

$228 \div 2.5 = 91.2 \text{ Acres}$

$91.2 \text{ Acres} - 76 \text{ Acres} = 15.2 \text{ Acres}$

$.02 \text{ cfs} \times 91.2 = 1.83 \text{ cfs}$

$1.83 \text{ cfs} - 1.52 \text{ cfs} = 0.31 \text{ cfs}$

Abandoned Portion =

$15.2 \text{ Acres} + .31 \text{ cfs}$

WR0749NP
No. T37-07031D

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/22/96
PAGE: 3

=====

Comments: Date: 11/22/1996 User-ID: PSKAGGS Subject: TRANSFER NO. 3868 (Permanent Approval)
Transfer No. 3868 was permanently approved by Order.
Right No. 36-02907 involved for mitigation purposes.

Audit: 11/21/96 PSKAGGS 11/22/96 PSKAGGS 11/22/96 PSKAGGS

WR0749NP
No. T36-02907

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/22/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TERRY CRUMRINE 1400 E 3100 S WENDELL ID 83355	04/26/1990	IRRIGATION	04/01 10/31	0.800 CFS	120.00 AFA
TOTAL DIVERSION:					0.800 CFS	120.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R14E S04 SWSE GOODING County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
08S	14E	4	:					04-22	24			31	31	31	31	170.0
08S	14E	5	:	01-32	02-32	06	22									92.0
08S	14E	9	:					31	33							64.0
TOTAL ACRES																326.0

Pou County: GOODING

Other Water Rights with Same Point(s) of Diversion and Source:
36-02907 36-08529

Other Water Rights Listing Overlapping Place(s) of use:
36-07157A T37-07031D

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks: — As mitigation for potential injury that might otherwise occur as a result of Transfer No. 3868, no water shall be diverted under water Right No. 36-02907 as mitigation of use of Right No. 36-08760 (formerly 37-07031D). Use of this right for mitigation purposes shall be deemed by the department to constitute a beneficial use of water.

— Mitigation Right No. 36-02907 is authorized a maximum diversion rate of 0.80 cfs and an annual diversion volume of 120 af for the irrigation of 40 acres. This right shall become appurtenant to the same place of use designated under Right No. 36-08760 through approval of Transfer No. 3868.

Dates:	App. Received:	Priority Date:	04/26/1990
	Proof Due Date:	Proof Made Date:	01/01/1900
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		06/20/1983

Misc: Water District Number: Field Exam Fee:

WR0749NP
No. T36-02907

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/22/96
PAGE: 2

Comments: Date: 11/21/1991 User-ID: MILLER Subject: TRANSFER NO. 3717
TRANSFER NO. 3717 SPLIT RIGHT NO. 37-07031 INTO PARTS A AND B
WITH PART B BEING RE-NUMBERED TO 36-02907. THIS RIGHT HAS A NEW
POINT OF DIVERSION AND PLACE OF USE.

Date: 11/22/1996 User-ID: PSKAGGS Subject: TRANSFER NO. 3868
Transfer No. 3868 also modified this right. See Order.

Audit: 11/22/96 PSKAGGS 11/22/96 PSKAGGS

WR0749NP
No. X37-07031D

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/21/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AMBROSE FARMS PO BOX 247 WENDELL ID 83355 (208) 536-2310	02/16/1971	IRRIGATION	04-01 10-31	1.110 CFS	320.00 AFA
TOTAL DIVERSION:					1.110 CFS	320.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R14E S04 SESW GOODING County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
08S	14E	4	:														31	31	31	31	:										170.0	
08S	14E	5	:	01-32	02-32	06	22	:																							92.0	
08S	14E	9	:						31	33	:																				64.0	
TOTAL ACRES																												326.0				

Pou County: GOODING

Other Water Rights with Same Point(s) of Diversion and Source:
36-07157A

Other Water Rights Listing Overlapping Place(s) of use:
36-07157A

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.0 afa per acre for the
- lands above.
- T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

Remarks: This transfer approval is for use of water in the 1995 irrigation season only and thereafter the right will revert to the use existing prior to the temporary transfer.(Extended for 1996 also)
The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall report the information to the department.
To prevent an increase in diversion from the Eastern Snake Plain Aquifer, the following land shall not be irrigated:
6.5 acres in SWSW, 6.5 acres in SESW, Section 1,
27.0 acres in Lot 8(NENE), 1.0 acre in Lot 1(NWNE), 7.0 acres in

Databases updated per
Preliminary Order dated 02-12-96
T# 3868 Q8
Deleted 11-21-96 Q8

Remarks: Lot 9(NWNE), Section 11,
10.0 acres in Lot 4(NWNW), 22.0 acres in Lot 11(NWNW),Section 12,
Township 9 South, Range 15 East.
Irrigation under this temporary transfer approval is limited to
80 acres within the place of use described above for the 1995
irrigation season.(extended for 1996 also)

Dates: App. Received: Priority Date: 02/16/1971
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/30/1985

Misc: Water District Number: Field Exam Fee:

Comments: Date: 04/17/1995 User-ID: PSKAGGS Subject: TRANSFER NO. 3868 (Temporary Approval/1 yr)
Transfer No. 3868 was filed to change the place of use and point
of diversion under Right No. 37-07031D to a location in Basin 36.
The transfer has not been approved as requested, but this interim
agreement has been proposed for 1 year only. 80 Acres identified
in this approval will not be irrigated in the 1995 irrigation
season to allow for complete irrigation of the described place of
use under this temporary transfer approval. Right Nos. 36-07561
and partially overlapping Right No. 36-07219 will be reduced
proportionally according to the reduction of irrigated acres.
The approved version of this transfer will be stored under an X
prefix in the WR database and deleted when the irrigation season
is over with no permanent change to the rights.
This transfer was extended for the 1996 irrigation season as
well.

Date: 02/21/1996 User-ID: PSKAGGS Subject: ORDER TO EXTEND APPROVAL OF TRANSFER NO. 3868
A Preliminary Order to extend the approval of Transfer No. 3868
through the 1996 irrigation season was signed 02-12-96. This
temporary "X" record will be deleted when the approval expires.

Audit: 04/20/95 SCURTIS 02/13/96 SCURTIS 02/20/96 PSKAGGS 02/21/96 PSKAGGS

WR0749NP
No. 37-07031A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/21/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUN VALLEY RANCHES INC. P.O. BOX 356 FAIRFIELD ID 83327	06/21/1968	IRRIGATION	04-01 10-31	14.080 CFS	
					TOTAL DIVERSION:	14.080 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:	T01S R13E S15	NESW		CAMAS County
	S22	SWSE		CAMAS County
	S27	SESW	NESE	CAMAS County
	S35	NWNW	SWNW	CAMAS County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE																							
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM																		
02S	13E	1			26			37			30			30			08			28			40			40	40	15	20	32	40					386.0							
02S	13E	2			25			30			40			35			25						35			30				40	40	08	10			318.0							
																							TOTAL ACRES																				704.0

Pou County: CAMAS

Other Water Rights with Same Point(s) of Diversion and Source:
37-07028 37-07029 37-07030 37-07031

Other Water Rights Listing Overlapping Place(s) of use:
37-07031

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks: THIS RT. WHEN COMBINED WITH LICENSES 37-7028, 37-7029 & 37-7030 SHALL PROVIDE NOR MORE OF A TOTAL CAPACITY OF 3.44 CFS FOR THE WELL IN THE NESW, S15; 6.42 CFS FOR THE WELL IN THE SWSE, S22; 5.17 CFS FOR THE WELL IN THE SESW, S27; 2.44 CFS FOR THE WELL IN THE NESE, S27; 4.72 CFS FOR THE WELL IN THE NWNW, S35; 2.64 CFS FOR THE WELL IN THE SWNW, S35; & 1.81 CFS FOR THE WELL IN THE SWNW, S35; T1S, R13E. 2 P/D IN SWNW, S35, T1S, R13E.

Dates:	App. Received:	Priority Date:	06/21/1968
	Proof Due Date: 09/01/1978	Proof Made Date:	01/01/1900
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date: 06/20/1983		

Misc:	Water District Number:	Field Exam Fee:
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WR0749NP
No. 37-07031A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/21/96
PAGE: 2

Comments: Date: 11/21/1991 User-ID: MILLER Subject: TRANSFER NO. 3717
TRANSFER NO. 3717 SPLIT RIGHT NO. 37-07031 INTO PARTS A AND B.
PART B WAS RENUMBERED AS 36-02907. PART B HAS A NEW POINT OF
DIVERSION AND PLACE OF USE.

Date: 04/20/1995 User-ID: SCURTIS Subject: TRANSFER NO. 3868 (Temporary Approval/1 yr)
A portion of this right was transferred for the 1995 irrigation
season only and can be found under Right X37-07031D until the
1995 irrigation season ends.

Date: 02/21/1996 User-ID: PSKAGGS Subject: ORDER TO EXTEND APPROVAL OF TRANSFER NO. 3868
A Preliminary Order to extend the approval of Transfer No. 3868
through the 1996 irrigation season was signed 02-21-96. The
transfer approval record stored under X37-07031D will be deleted
when the approval expires and the right will return to the
original use described under this right.

Audit: 11/21/91 MILLER 04/20/95 SCURTIS



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

February 13, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: In the matter of Application for Transfer No. 3868 of Water Right No. 37-07031D in the name of Ambrose Farms

Dear Interested Party:

The accompanying order is a "**preliminary order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of this order. The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The

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Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one(21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosure

cc: IDWR - Region

DILLION
B O S C H
D A W
BOCK &
c h a r t e r e d

Attorneys

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February 6, 1996

RECEIVED
FEB 07 1996
Department of Water Resources

Mr. Norm Young, Administrator
Water Management Division
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

RE: Transfer No. 3868 / Water Right No. 37-07031D
DBDB File No. 1770-WA03

Dear Mr. Young:

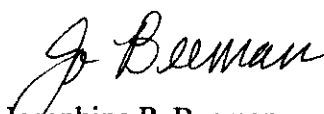
This letter will confirm that Ambrose Farms would like to continue temporary Transfer No. 3868 for Water Right No. 37-07031D which permitted the irrigation of 80 acres within a 326 acre place of use, all described in the April 19, 1995 temporary transfer signed by R. Keith Higginson

In addition, Ambrose Farms will initiate a transfer on 36-02907, the water right associated with Transfer No. 3717 on Water Right No. 37-07031. Water right 36-02907 carries a priority date of April 26, 1995 and a diversion rate of .8 cfs. Ambrose Farms anticipates initiating this transfer through the Twin Falls office for the Idaho Department of Water Resources.

Finally, as we have discussed, Ambrose Farms would like to meet with you to discuss a permanent resolution for Transfer No. 3868 which was filed December 10, 1990 and was unprotested.

Sincerely,

Dillion, Bosch, Daw & Bock
Chartered

By: 
Josephine P. Beeman

cc: Tom Ambrose

JPB:jv

E:\1770\YOUNG.LTR

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FEB 23 1996

LAW OFFICE
MOFFATT, THOMAS, BARRETT, ROCK & FIELDS
CHARTERED

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APR 19 1995
Department of Water Resources

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
Paul S. Street
Larry C. Hunter
Glenna M. Christensen
Mark S. Prusynski
Morgan W. Richards, Jr.
Michael G. McPeck
Stephen R. Thomas
Jon S. Gorski
Gary T. Dance
Gerald T. Husch
Kirk R. Helvie
Thomas C. Morris

Michael E. Thomas
James C. deGlee
Patricia M. Olsson
Grant T. Burgoyne
Stephen J. Olson
Patrick J. Kole
Andrew P. Doman
David S. Jensen
Ray E. Smith
Allen K. Davis
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April 18, 1995

Willis C. Moffatt
(1907-1980)

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Office Administrator

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Partner in Charge
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Idaho WATS: 1 (800) 422-2889
ABA Net 010

Norman C. Young, Administrator
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Transfer 3868/Water Right No. 37-07031
MTBR&F File No. 15-864.3

Dear Norm:

This letter confirms that two water rights from Basin 36 are involved with the mitigation plan Ambrose Farms has discussed with the Idaho Department of Water Resources (IDWR) to support interim approval of 76 acres of irrigation under transfer 3868 on Water Right No. 37-07031.

Specifically, the 80 acres which Ambrose Farms will not be irrigating is covered by water right 36-07219 (overlaps with 45 acres of the 80 acres: 13 acres in SW 1/4 of Section 1 and 32 acres in NWNW of Section 12, T09S, R15E) and water right 36-07561 (covers all 80 acres).

IDWR calculates that .60 cfs will not be used under 36-07561 (80/400 X 3.00 cfs) and .51 cfs will not be used under 36-07219 (45/351 X 4.00 cfs). The total mitigation is 1.11 cfs which allows .014 cfs per acre for the 76 acres under the interim transfer.

Sincerely,

Jo Beeman
Josephine P. Beeman

RECORDED

JPB/dc

cc: Tom Ambrose
Pamela Skaggs

MAY 31 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

APRIL 19, 1995

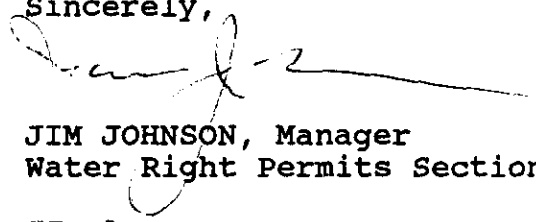
AMBROSE FARMS
P O BOX 247
WENDELL ID 83355

TEMPORARY TRANSFER OF WATER RIGHT NO. 37-07031D

Dear Water Right Holder(s):

Enclosed is a copy of your approved Temporary Transfer of Water Right for the above referenced water right (Transfer No. 3868). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

APR 25 1995

WR0749NP

No. [REDACTED]

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/17/95

PAGE: 1

OWNER: [REDACTED] *Copy to "X" prefix when approved*
 CODE: [REDACTED] *No - Per 33 from 2051137*
 NAME & ADDRESS: [REDACTED]
 C: [REDACTED]
 PO BOX 247
 WENDELL ID 83355
 (208) 536-2310

PRIORITY DATE: 02/16/1971 WATER USE: IRRIGATION

USE PERIOD FROM TO: 04-01 10-31

DIVERSION RATE: 1.110 CFS

DIVERSION VOLUME: 320.00 AFA

TOTAL DIVERSION: 1.110 CFS 320.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R14E S04

SESW

GOODING County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE														
		NENE		NWNE		SWNE		SENE		NENW		NWNW		SNNW		SENE		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
08S	14E	4	:												04-22	24	:			31	31	31	31	:									170.0	
08S	14E	5	:	01-32	02-32		06	22	:																								92.0	
08S	14E	9	:						:	31	33																						64.0	
																												TOTAL ACRES	**	326.0				

Pou County: GOODING

Other Water Rights with Same Point(s) of Diversion and Source:
36-07157AOther Water Rights Listing Overlapping Place(s) of use:
36-07157A

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:

[REDACTED]

The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall report the information to the department.

To prevent an increase in diversion from the Eastern Snake Plain Aquifer, the following land shall not be irrigated:
 6.5 acres in SWSW, 6.5 acres in SESW, Section 1,
 27.0 acres in Lot 8(NENE), 1.0 acre in Lot 1(NWNE), 7.0 acres in

Ambrose. lrs;

WR0749NP
No. T37-07031D

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/17/95
PAGE: 2

Remarks: Lot 9(NWNE), Section 11,
10.0 acres in Lot 4(NWNW), 22.0 acres in Lot 11(NWNW), Section 12,
Township 9 South, Range 15 East.
* * Irrigation under this temporary transfer approval is limited to
80 acres within the place of use described above for the 1995
irrigation season.

Dates:	App. Received:	Priority Date:	02/16/1971
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	09/30/1985	

Misc: Water District Number: Field Exam Fee:

Comments: Date: 04/17/1995 User-ID: PSKAGGS Subject: **Transfer No. 3868**
Transfer No. 3868 was filed to change the place of use and point
of diversion under Right No. 37-07031D to a location in Basin 36.
The transfer has not been approved as requested, but this interim
agreement has been proposed for 1 year only. 80 Acres identified
in this approval will not be irrigated in the 1995 irrigation
season to allow for complete irrigation of the described place of
use under this temporary transfer approval. Right Nos. 36-07561
and partially overlapping Right No. 36-07219 will be reduced
proportionally according to the reduction of irrigated acres.
The approved version of this transfer will be stored under an X
prefix in the WR database and deleted when the irrigation season
is over with no permanent change to the rights.

Audit: 04/17/95 PSKAGGS



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

NORM RAY
Rail *MD*
PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MEMORANDUM

TO: Josephine P. Beeman
FROM: Phillip J. Rassier
RE: Proposed Conditions for Ambrose Transfer No. 3868
DATE: October 16, 1996

This memorandum is provided to you in accordance with our previous conversations regarding potential conditions of approval for Water Right Transfer No. 3868 requesting a change in the place of use for ground water right 37-07031D in the name of Ambrose Farms from land in Camas County near Fairfield in Basin 37 to land in Gooding County located southwest of Wendell in Basin 36. The transfer application as originally filed on December 4, 1990, sought to transfer the point of diversion and place of use for 4.58 cfs of ground water with a priority date of June 21, 1968, for use on 229 acres of land. The applicant reduced the number of acres to be irrigated under the transfer to 191 acres on January 10, 1995. The application states that the lands previously irrigated in Camas County under the portion of the right to be transferred will be dry farmed in the future.

On April 19, 1995, the department approved the transfer for temporary use on 80 acres during the 1995 irrigation season, subject to a mitigation requirement that during the term of the temporary transfer Ambrose Farms discontinue irrigating 80 acres of other land from the Eastern Snake Plain Aquifer. On February 12, 1996, the temporary approval was extended for use during the 1996 irrigation season.

Ambrose Farms asks that the department now permanently approve Application for Transfer No. 3868 for irrigation use on a total of 76 acres of land using different mitigation requirements than were imposed under the temporary transfer for the 1995 and 1996 irrigation seasons. To replace the 1995-96 mitigation plan, Ambrose proposes to use ground water right no. 36-02907 for mitigation. Water right no. 36-02907, the so-called Crumrine right, is renumbered ground water right no. 37-07031B which was moved from Camas County to Gooding County by transfer No. 3717 approved for Terry Crumrine on September 19, 1990. Crumrine held the water right through a 3-year lease agreement with Ambrose Farms. Water right 36-02907 authorizes the diversion of .80 cfs of water for the irrigation of 40 acres of land.

The Crumrine transfer application states that the water right is leased for 3 years to allow time for Crumrine to obtain approval of a new application for permit for the same use. The

Josephine P. Beeman
October 16, 1996
Page 2

application states that water will be transferred back to the original place of use at that time. The department approved Crumrine's new application for permit no. 36-08529 on July 18, 1991, for .70 cfs of water for use on 35 acres. Crumrine submitted proof of beneficial use under the new permit on August 2, 1991. The department conducted its field exam of the use of water under the permit on August 6, 1992. It appears that the last period of beneficial use under transferred right 36-02907 may, thus, have occurred in 1991.

The department in approving the Crumrine transfer of renumbered right 36-02907 advanced its priority date to April 26, 1990, the date of filing of the application for transfer. In addition, the department retained jurisdiction over the approved transfer for five years for the purpose of determining potential injury to existing water rights. The department also required that a new transfer application must be filed before the water right can revert back to the original priority date, place of use and point of diversion. The condition provides that a new water right must then be approved before use can continue at the point of diversion and place of use authorized by the transfer. The department limited the maximum annual volume of water that can be diverted under the transferred water right to not more than 120 acre-feet per annum. Although Transfer 3717 was obtained for a temporary purpose, the department's approval of the transfer does not specifically require that water right 36-02907 be transferred back to its original place of use in Basin 37.

As part of its proposed mitigation plan for transfer no. 3868 Ambrose Farms proposes not to transfer right 36-02907 back to its original place of use in Basin 37 but rather to utilize the right as a source of mitigation in Basin 36 to mitigate for any potential injury that may occur as a result of the approval of the transfer. The department remains concerned about allowing the transfer of additional ground water rights into Basin 36 because of the perceived effect upon other water rights. Ambrose Farms proposes to address the potential effect upon other water rights not mitigated sufficiently through the discontinued use of right 36-02907 by agreeing to a transfer condition providing that approval of the transfer shall not be deemed conclusive as to the adequacy of the mitigation plan in the event of a priority call. As further protection to senior water rights Ambrose Farms offers to accept a 1996 priority date for the newly transferred water right.

In conclusion, Ambrose Farms proposes that transfer no. 3868 be approved for permanent use on 76 acres of land with the following mitigation conditions which would be imposed in addition to any standard conditions that the department would otherwise attach to the transfer upon approval:

1. That portion of water right no. 37-07031D which is moved to the new point of diversion and place of use authorized under this transfer is hereby redesignated as water right no. 36-____ with a priority date advanced to September 1, 1996.

Josephine P. Beeman
October 16, 1996
Page 3

2. As mitigation for potential injury that might otherwise occur as a result of the approval of this transfer, no water shall be diverted under water right no. 36-02907 which presently authorizes the diversion of .80 cfs of ground water appurtenant to 40 acres of land within Section 4, Township 8 South, Range 14 East, B.M., Gooding County. The use of water right no 36-02907 for mitigation purposes under this transfer shall be deemed by the department to constitute a beneficial use of water provided that the authorized place of use and point of diversion for the right are changed to be the same as for water right no. 36-_____[former no. 37-07031D].

3. Approval of this transfer contingent upon the mitigation plan herein provided for shall not be deemed conclusive as to the adequacy of the mitigation plan in the event of a priority call affecting the diversion and use of water under water right no. 36-_____.

This memorandum is provided for the purpose of pursuing informal resolution of the pending transfer proceeding. After reviewing the memorandum, please recommend any further or different mitigation provisions that you consider appropriate to ensure that other water rights are not affected adversely by the transfer. One possible consideration is to transfer the Crumrine water right directly to the new place of use rather than proposing to use it for mitigation. Unfortunately, this still leaves a minimum of 36 acres under transfer no. 3868 requiring some form of mitigation. I look forward to hearing further from you.


Phillip J. Rassier