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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69322

This is to certify that: PAUL CARNEY And/Or
POLLY CARNEY
400 N 1550 W
PAUL ID 83347
(208)438-8382

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
36-13629	WR/Decreed	08/02/1972	0.04 cfs			N/A	GROUND WATER
36-8003	WR/Decreed	12/08/1981	1.76 cfs			278.0	GROUND WATER
36-2424	WR/Decreed	03/10/1960	3.20 cfs			278.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-13629	NO	NO	YES	YES	NO	NO
36-8003	YES	YES	YES	YES	YES	YES
36-2424	YES	YES	YES	YES	YES	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-13629	36-13629	0.04 cfs	11.5 af	N/A	N/A		N/A	N/A	N/A	N/A
36-8003	36-15711	0.06 cfs	8.7 af	N/A	N/A	36-15710	1.7 cfs		85.1	268.9
36-2424	36-15709	0.10 cfs	18.6 af	N/A	N/A	36-15708	3.1 cfs		183.8	268.9
TOTALS		0.18 cfs	38.8 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this

19th

day of

February

20

02

J. M. Saxton

Chief, Water Allocation Bureau

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FEB 25 2002

WATER RIGHT NO. 36-13629
As Modified by Transfer No. 69322

In accordance with the approval of Transfer No. 69322, Water Right No. 36-13629 is now described as follows.

Right Holder: PAUL CARNEY
 400 N 1550 W
 PAUL ID 83347

Priority Date: 08/02/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.04 CFS	11.5 AF
			0.04 CFS	11.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 28 Twp 09S Rge 22E JEROME County

GROUND WATER NWNWNW Sec. 28 Twp 09S Rge 22E JEROME County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	28						X											

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 36-15709, 36-15711 and 36-13629 shall not exceed 0.18 cfs, nor total combined annual volume of 38.8 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. The quantity of water decreed for this water right is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
5. Domestic use is for dairy uses and 1 home located within Parcel No. RP09S22E2800D0.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

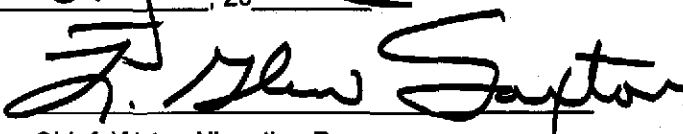
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 FEB 25 2002

WATER RIGHT NO. 36-13629
As Modified by Transfer No. 69322

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 19th day of February, 2002


Chief, Water Allocation Bureau

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FEB 25 2002

WATER RIGHT NO. 36-15708
As Modified by Transfer No. 69322

In accordance with the approval of Transfer No. 69322, Water Right No. 36-15708 is now described as follows.

Right Holder: GARY CARNEY And
 BARBARA J CARNEY
 225 N 1250 W
 PAUL ID 83347

And

PAUL CARNEY And
 POLLY CARNEY
 400 N 1550 W
 PAUL ID 83347

Priority Date: 03/10/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	3.10 CFS	
			3.10 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNW Sec. 33 Twp 08S Rge 21E JEROME County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 21E 32													24.0			15.0	39.0
08S 21E 33			39.3	30.6			40.0	40.0	40.0	40.0							229.9

Total Acres: 268.9

CONDITIONS OF APPROVAL

- Right 36-15708 is limited to the irrigation of 183.8 acres within the place of use described above in a single irrigation season.
- Rights 36-15708 and 36-15710 when combined shall not exceed a total diversion rate of 4.28 cfs, a total annual maximum diversion volume of 1075.6 af at the field headgate, and the irrigation of 268.9 acres.

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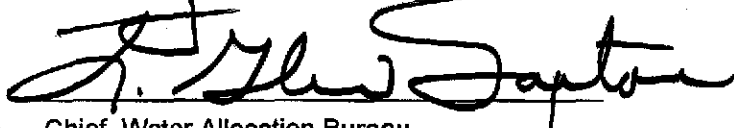
WATER RIGHT NO. 36-15708
As Modified by Transfer No. 69322

CONDITIONS OF APPROVAL

3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of February, 2002


Chief, Water Allocation Bureau

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FEB 25 2002

WATER RIGHT NO. 36-15709
As Modified by Transfer No. 69322

In accordance with the approval of Transfer No. 69322, Water Right No. 36-15709 is now described as follows.

Right Holder: PAUL CARNEY
 400 N 1550 W
 PAUL ID 83347

Priority Date: 03/10/1960

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	0.10 CFS	18.6 AF
STOCKWATER	01/01 to	12/31	0.10 CFS	18.6 AF
			0.10 CFS	18.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 28 Twp 09S Rge 22E JEROME County

GROUND WATER NWNWNW Sec. 28 Twp 09S Rge 22E JEROME County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 22E 28					X	X	X	X									

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 22E 28						X											

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Rights 36-15709 and 36-15711 when combined shall not exceed a total diversion rate of 0.14 cfs.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-15709, 36-15711 and 36-13629 shall not exceed 0.18 cfs, nor total combined annual volume of 38.8 af.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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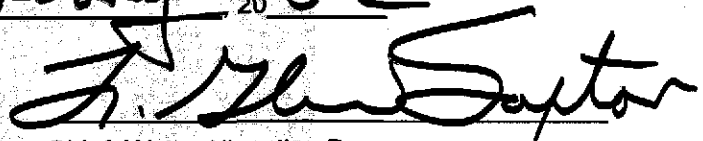
WATER RIGHT NO. 36-15709
As Modified by Transfer No. 69322

CONDITIONS OF APPROVAL

5. Commercial use is for a dairy located in the NWNW, S28, T9S, R22E.
6. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
7. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
8. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of February 2002


Chief, Water Allocation Bureau

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FEB 25 2002

WATER RIGHT NO. 36-15710
As Modified by Transfer No. 69322

In accordance with the approval of Transfer No. 69322, Water Right No. 36-15710 is now described as follows.

Right Holder: GARY CARNEY And
 BARBARA J CARNEY
 225 N 1250 W
 PAUL ID 83347

And

PAUL CARNEY And
 POLLY CARNEY
 400 N 1550 W
 PAUL ID 83347

Priority Date: 12/08/1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.70 CFS	
			1.70 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNW Sec. 33 Twp 08S Rge 21E JEROME County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 21E 32													24.0			15.0	39.0
08S 21E 33			39.3	30.6			40.0	40.0	40.0	40.0							229.9

Total Acres: 268.9

CONDITIONS OF APPROVAL

- Right 36-15710 is limited to the irrigation of 85.1 acres within the place of use described above in a single irrigation season.
- Rights 36-15708 and 36-15710 when combined shall not exceed a total diversion rate of 4.28 cfs, a total annual maximum diversion volume of 1075.6 af at the field headgate, and the irrigation of 268.9 acres.

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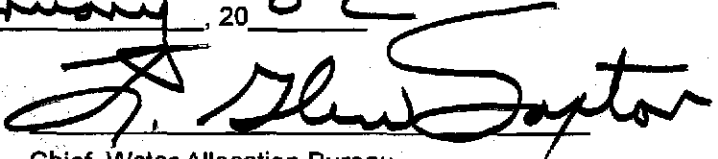
WATER RIGHT NO. 36-15710
As Modified by Transfer No. 69322

CONDITIONS OF APPROVAL

3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 11-20-2001.
4. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of February, 2002


Chief, Water Allocation Bureau

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FEB 25 2002

WATER RIGHT NO. 36-15711
As Modified by Transfer No. 69322

In accordance with the approval of Transfer No. 69322, Water Right No. 36-15711 is now described as follows.

Right Holder: PAUL CARNEY
 400 N 1550 W
 PAUL ID 83347

Priority Date: 12/08/1981

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	8.7 AF
STOCKWATER	01/01	to 12/31	0.06 CFS	8.7 AF
			0.06 CFS	8.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 28 Twp 09S Rge 22E JEROME County

GROUND WATER NWNWNW Sec. 28 Twp 09S Rge 22E JEROME County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 22E 28					X	X	X	X									

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 22E 28							X										

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Rights 36-15709 and 36-15711 when combined shall not exceed a total diversion rate of 0.14 cfs.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-15709, 36-15711 and 36-13629 shall not exceed 0.18 cfs, nor total combined annual volume of 38.8 af.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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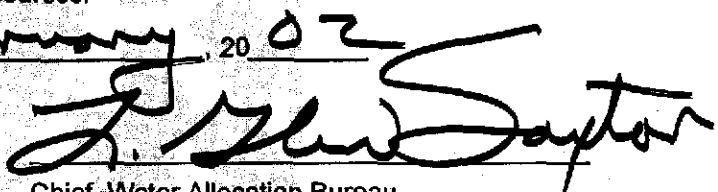
WATER RIGHT NO. 36-15711
As Modified by Transfer No. 69322

CONDITIONS OF APPROVAL

5. Commercial use is for a dairy located in the NWNW, S28, T9S, R22E.
6. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
7. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
8. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of February, 2002


Chief, Water Allocation Bureau

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FEB 25 2002

MEMORANDUM

TO: FILE 36-15708
FROM: VAULT
RE: TRANSFER # 69322
DATE: 2.20.02

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 36-02424

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FEB 25 2002