

CLIN COUNTY

M

AERIAL MAP PARCEL 1

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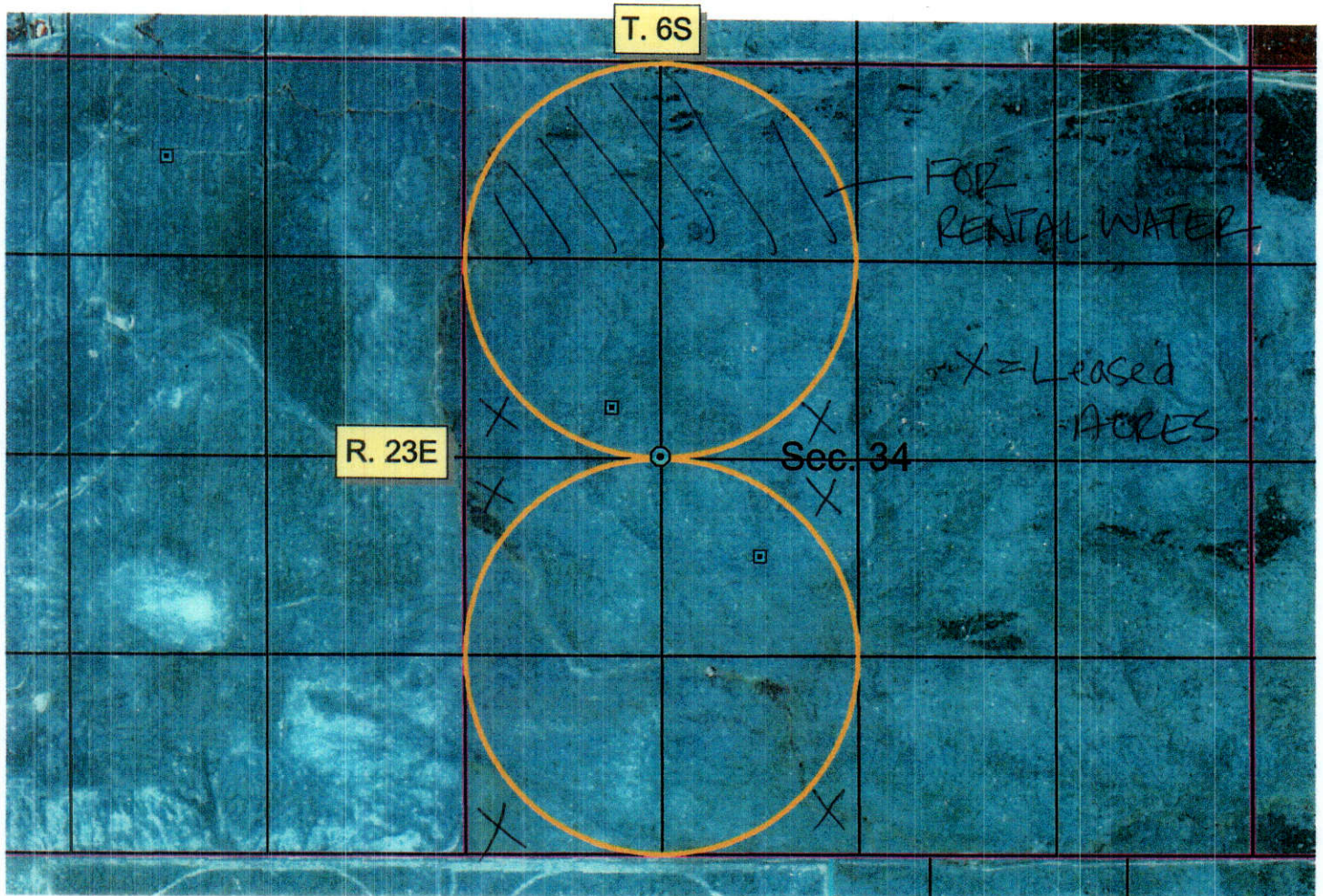
MICROFILMED
MAR 11 2003

IDAHO DEPARTMENT OF WATER RESOURCES

36-2194

(from X70415)

App for Transfer - Richard Dalley



Section Lines



Quarter/Quarter Lines

General Location: 3 3/4 miles north & 1 1/2 miles west of Norland



Proposed PPU (2 center pivots w/end guns)



Existing Point of Diversion



MICROFILMED
APR 06 2004

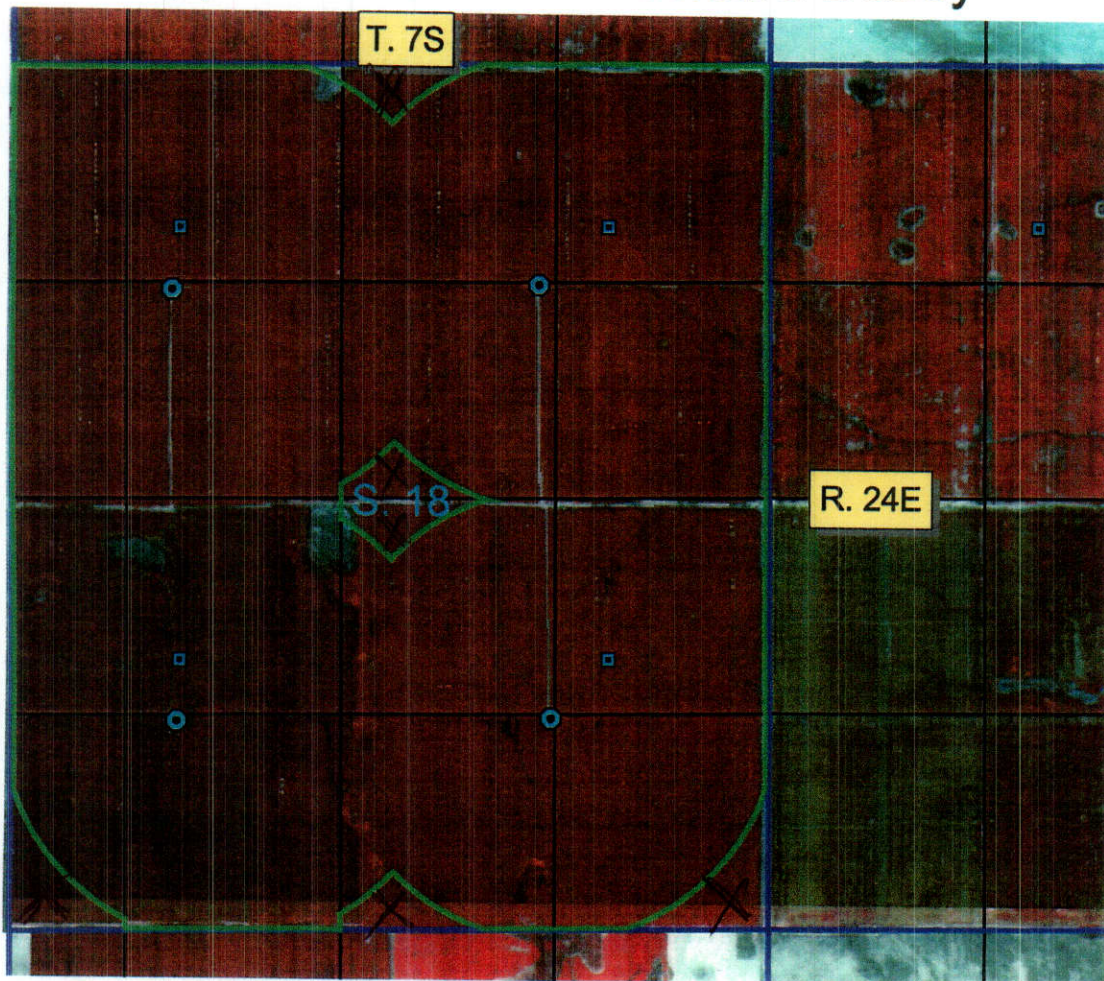
Prepared By J E Stanton 2-12-2003

1986/87 NAPP Data

IDAHO DEPARTMENT OF WATER RESOURCES

(from X 70415)

App for Transfer - Richard Dalley



Section Lines



Quarter/Quarter Lines

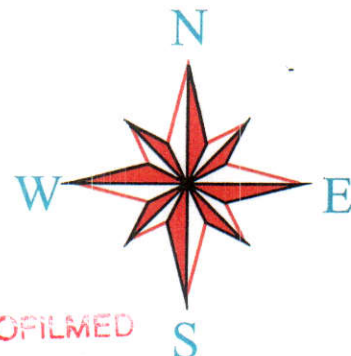
General Location: 1 mile N & 3/4 miles W of Norland to SE corner of Sec. 18



Untransferred Portion of Rts 36-2200 & 7404



Existing Points of Diversion



Prepared By J E Stanton 2-13-2003

MICROFILMED

APR 26 2004

1986/87 NAPP Data

MAY 13 2003

WATER SUPPLY BANK RENTAL AGREEMENT Department of Water Resources

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for rental of water from the bank agrees to rent water as follows:

1. Renter: Richard B. Dalley
2. Address: 131 E 100 N, Rupert, ID 83350
3. Source of water: Ground water
4. Volume of water rented: 264 AF, Max rate: 0.98 cfs
5. Diversion period: from 2003 irrigation season
6. Use of water: Irrigation
7. a) Renter's point of diversion:
SW1/4SW1/4 Section 34, T7S, R23 E, B.M., Minidoka Co.
Pump Lift: 425' Pump HP: 300
- b) Renter's place of use:
Legal description: 33 ac. in NWNW and 33 ac. In NENW Section 34, T7S, R23E, B.M.
8. Rights from which water will be rented are 36-7404, parts of 36-2194 and 36-2200.

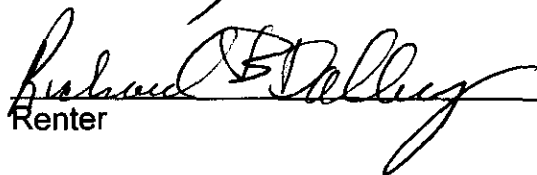
Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Upon a determination of need by the department, the renter shall provide for the measurement of the water diverted in a manner acceptable to the Director.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement, the place of

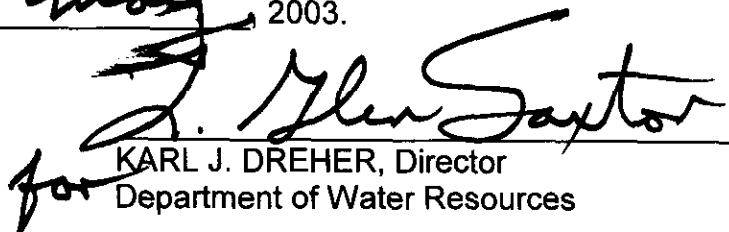
use of the water shall revert to its original place of use and/or again be available to rent from the bank.

4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
6. If water is to be used for irrigation, the rate of diversion when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.

Dated this 13 day of May, 2003.


Renter

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and Rule 30 of the Water Supply Bank Rules, IDAPA 37.02.03030, for the rental and use of water under the terms and conditions herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board this 13th day of May, 2003.


for KARL J. DREHER, Director
Department of Water Resources

RECEIVED
JAN 7 2003
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
JAN 03 2003
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
36-2194	- Deed				
36-8694	- app. for permit				
36-2197A	- Deed				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) PRUDENTIAL INSURANCE COMPANY OF AMERICA
7108 N. Fresno Suite 400
FRESNO, CA. 93720
4. New Owner/Claimant(s) RICHARD B. DALLEY AND SHAUNA H. DALLEY
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
131
 New Mailing Address 100 N. 120 E.
 City, State and ZIP Code RUPERT, ID. 83350
 New Telephone Number (208) 436-1931
5. Date you acquired the property 12-03-02

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MAR 11 2003

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Richard B. Dalley
Sharon A. Dalley

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by *[Signature]* Date 1/3/03 Fee 25.00
 Received by *[Signature]* Date 1/3/03 Receipt No. 5025424
 Processed by *[Signature]* AJ Date _____ WR _____ Date _____

Receipt # S 025424 ... 1-15-03 ... \$25.00 ... Southern Region office

MICROFILMED

MAR 11 2003

462548

QUITCLAIM DEED

#16627

For Value Received

**THE PRUDENTIAL INSURANCE COMPANY OF AMERICA,
which acquired title as PRUDENTIAL INSURANCE COMPANY OF AMERICA**

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

**RICHARD B. DALLEY and SHAUNA H. DALLEY, husband & wife
Whose address is: 131 E. 100 N., Rupert, Idaho**

Hereinafter called the grantee, the following described premises, in **MINIDOKA** County, Idaho to-wit:

Water Rights No.36-2197A over the following described property:

**TOWNSHIP 7 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

SECTION 7: Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: December 3, 2002

**THE PRUDENTIAL INSURANCE COMPANY
OF AMERICA**

BY: R.T. Robertson
R.T. ROBERTSON, Vice President

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of DECEMBER, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared R.T. ROBERTSON, known or identified to me to be the VICE PRESIDENT of THE PRUDENTIAL INSURANCE COMPANY OF AMERICA corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public
Residing at: _____
My Commission expires: _____

MICROFILMED

MAR 11 2003

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Fresno

On December 3, 2002, before me, Linda Matthews, Notary Public, personally appeared R.T. Robertson, personally known to me, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Linda Matthews
Signature of Notary

CAPACITY CLAIMED BY SIGNER

☒ Corporate Officer

Vice President

Title

DESCRIPTION OF ATTACHED DOCUMENT

Quitclaim Deed

TITLE OR TYPE OF DOCUMENT

SIGNER IS REPRESENTING:

The Prudential Insurance Company of America

(Including Notary Acknowledgments)

2

No. of Pages

December 3, 2002

DATE OF DOCUMENT

Instrument # 462548

MINIDOKA COUNTY, RUPERT, IDAHO
2002-12-06 04:13:00 No. of Pages: 2

Recorded for: RUPERT LAND TITLE

DUANE SMITH

Ex-Officio Recorder Deputy

Fee: \$6.00

MICROFILMED

MAR 11 2003

Yil

462547

WARRANTY DEED

#16627

For Value Received

**THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, who acquired title as
PRUDENTIAL INSURANCE COMPANY OF AMERICA**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**RICHARD B. DALLEY and SHAUNA H. DALLEY, HUSBAND and WIFE
Address: 131 East 100 North, RUPERT, ID 83350**

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

PARCEL NO. 1:

**TOWNSHIP 6 SOUTH, RANGE 23 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

SECTION 34: W½

PARCEL NO. 2:

**TOWNSHIP 7 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO**

SECTION 7: Lots 3 and 4, E½SW¼, SE¼

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2002 and subsequent years, a lien, but not yet due or payable.

Assessments if any, levied or to be levied by the Magic Valley Ground Water District.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Instrument # 462547

MINIDOKA COUNTY, RUPERT, IDAHO
2002-12-06 04:12:00 No. of Pages: 3
Recorded for : RUPERT LAND TITLE
DUANE SMITH Fee: 9.00
Ex-Officio Recorder Deputy

20
MICROFILMED

NOV 11 2003

Dated: December 3, 2002

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA

BY: R.T. Robertson
R.T. ROBERTSON
VICE-PRESIDENT

STATE OF _____)

COUNTY OF _____)

ss.

On this _____ day of DECEMBER, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared R.T. ROBERTSON, known or identified to me to be the VICE-PRESIDENT of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public
Residing at: _____
My Commission expires: _____

MICRO. FILM
MAR 11 2003

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Fresno

On December 3, 2002, before me, Linda Matthews, Notary Public, personally appeared R.T. Robertson, personally known to me, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



WITNESS my hand and official seal.

Linda Matthews
Signature of Notary

CAPACITY CLAIMED BY SIGNER

☒ Corporate Officer

Vice President

Title

DESCRIPTION OF ATTACHED DOCUMENT

Warranty Deed

TITLE OR TYPE OF DOCUMENT

SIGNER IS REPRESENTING:

The Prudential Insurance Company of America

(Including Notary Acknowledgments)

3

No. of Pages

December 3, 2002

DATE OF DOCUMENT

MICROFILMED

MAR 11 2003

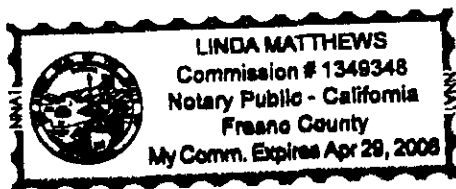
400 1 2000

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Fresno

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WITNESS my hand and official seal.

Linda Matthews
Signature of Notary

CAPACITY CLAIMED BY SIGNER

☒ Corporate Officer
Vice President
Title

DESCRIPTION OF ATTACHED DOCUMENT

Quitclaim Deed
TITLE OR TYPE OF DOCUMENT

SIGNER IS REPRESENTING:
The Prudential Insurance Company of America

(Including Notary Acknowledgments)
2
No. of Pages

December 3, 2002
DATE OF DOCUMENT

Instrument # **462549**
MINIDOKA COUNTY, RUPERT, IDAHO
2002-12-06 04:14 PM No. of Pages: 2
Recorded for: RUPERT LAND TITLE
DUANE SMITH Fee: 6.00
Ex-Officio Recorder Deputy *[Signature]*

AERIAL MAP PARCEL 6

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WNT

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7/8

8/17

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MICROFILMED
MAY 1 1983

OLN COUNTY

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AERIAL MAP PARCEL 1

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2001 DEC -3 PM 4:31
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Water Right 36-02194
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on October 20, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

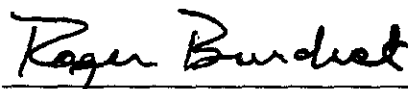
MICROFILMED
MAR 11 2002

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated December 3, 2001.



ROGER BURDICK

Presiding Judge

Snake River Basin Adjudication

MICROFILMED

MAR 11 2003

RECEIVED

OCT 2 1997

Department of Water Resources
Adjudication Bureau

OCT 20 PM 2:22

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

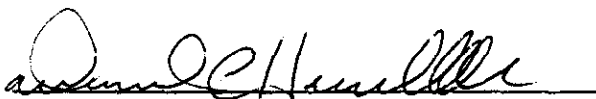
) For Water Right 36-02194

On August 1, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-02194 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED October 20, 1997.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-02194

OCT 20 PM 2:22
DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

NAME & ADDRESS: ACEQUIA INC
PO BOX 226
SUN VALLEY ID 83353

SOURCE: GROUNDWATER

QUANTITY: 3.18 CFS
960.0 AFY

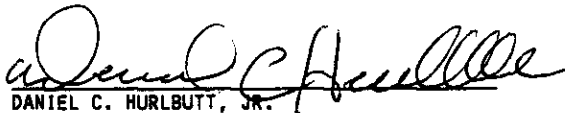
PRIORITY DATE: 09/10/1984

POINT OF DIVERSION: T06S R23E S34 SESWNW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE Irrigation Season	QUANTITY 3.18 CFS 960.0 AFY
-------------------------------	------------------------------	------------------------------------	-----------------------------------

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T06S R23E S34	SWNW 40	SENW 40	NESW 40	NWSW 40
		SWSW 40	SESW 40		
	240 ACRES TOTAL				

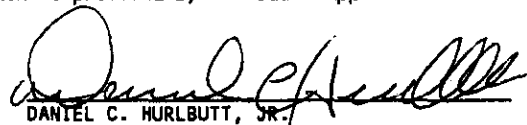
DATED: OCT 20 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

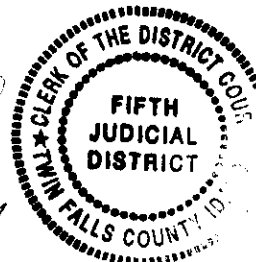
DATED: OCT 22 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-02194

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the above entitled
action.

ROBERT S. FORT
CLERK OF THE DISTRICT
COURT
By 
Deputy Clerk



PAGE 1
JUL-3-1997

MICROFILMED
MAR 11 2003

L 70415

FILE PROGRESS SUMMARY

FILE PROGRESS SUMMARY

APPLICANT: Richard B. Dalley WATER RIGHT NO. 36-2194 ETC

INIT.	DATE	COMMENT
Le.	2/14/03	Slipped to Jim Stanton
J	8-21-03	To Mary for scanning
MB	8/26/03	File scanned to date
J	9-8-03	To parallel processing w/Pam at S.O.
J	1-12-04	To Mary for advertising
MB	1/13/04	Adv. Sch SP 1224 1/29; 2/9/04
MB	1/13/04	Letter ack. to app.
MB	2/10/04	Pub. off rec 2/2/04; back to JS for draft doc.
J	2-16-04	Draft approval created, stored on A012, e-mailed to Pam
MB	2/23/04	Scanned lienholder letter
J	2-26-04	To Allen for final region review
Le.	2/27/04	Region of Recommendation
MB	2/27/04	To MB & Brown

RECEIVED

MAR 18 2004

DEPARTMENT OF WATER RESOURCES

RECEIVED

~~MAR 18 2004~~

DEPARTMENT OF WATER RESOURCES

(70415)

Transfer # 70415

WR#	<u>36-2194</u>	<u>36-2200</u>	<u>36-7404</u>			
AJ#						
Right ID Correct?	☒ Y or N	☒ Y or N	☒ Y or N	Y or N	Y or N	Y or N
Split?	Y or ☒ N	☒ Y or N	☒ Y or N	Y or N	Y or N	Y or N
Unchanged #		<u>36-16127</u>	<u>36-16129</u>			
Changed #		<u>36-16128</u>	<u>36-16130</u>			

Area of Concern: ESPA, Magic Valley GW District

	Date Requested	Date Received
Watermaster: District <u>130</u>	<u>8-14-03</u>	<u>10/15/03</u>
Fish & Game		
Canal Company		
Stream Channel		
City		
DEQ		
County		
Department of Ag		
Other		

[illegible]

70415

Conditions:**GROUNDWATER:**

DRILLING PERMIT - 046
 DP upgrade req'd Y N (contact GW)

WMD - North/East/West
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 067

~~WMD~~
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or 01Q

SURFACE WATER:

WD - R05
 ≤ 0.20 cfs/others - R02, 01P or No MD
 > 0.20 cfs - R43
 WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON 3-15 to 11-15 (use X61 if extended season)
 STANDARD VOLUME 4 af/ac
 CONSUMPTIVE USE VOLUME 3 af/ac

SUPPLEMENTAL - 065-104 (where irrigation is the only use)
 SUPPLEMENTAL - 100-105 (where there are other uses besides irrigation)

WITHIN ESPA - 113-114-116 (mitigation)
 - 115 (meas. Device)

USES:

STORAGE - 18C-R02-01P-18B-NA
 IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
 > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
 Volume only - R58/R59/R60/R61
 STOCKWATER - R37 (all BLM/USFS)
 MINING- 054-106
 FISH PROP - 029 (70's basins only)-007-122-106
 HEAT/COOL - R07 (injection well)
 FIRE PROT. - 077
 DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
 MUNICIPAL
 Restricted area - 022-075 RAFN - 007-109-X64
 Irr., GW supp to SW - 102
 DOMESTIC
 Surface water - WB5 (Big Wood or Boise above Star Bridge)
 - 27A (Payette River)
 >1 in restricted area - 070-071-075 (no parks/common areas, etc)
 Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

— T07 - 1 yr to develop
 — T08 - comply or rescind
 T17 - >1 pd, measure all (use w/ WB4)
 T18 - Special T17 & R43 combined -
 multiple pds in WD
 Protested - 020-X19
 Water Quality - 106-R07
 — X27 - Number of acres/season in ppu
 — X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)
 X51 - 2+ yrs to develop
 X53 - Use ltd to orig. source availability
 X54 - forfeited ac/rate (used rarely)
 X55 - (transfer shrinks total water to less ac)
 004 - no right-of-way
 X58 - pending claim (statutory or AJ b/u claim)
 X61 - extended irr season
 X62 - replaces N11 and N13
 X63 - replaces C12
 WB4 - + p/ds, cfs & afa (used with T17)
 WD8 - land application of waste water
 01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01M)

**Apply one to chg'd & unchg'd
rts that are subject to SRBA:**

T09 - on-going SRBA (no Dir Rpt yet)
 — T19 - replaces C18
 (if at Directors Report or Partial Decree stage)
 T20 - use only on unchg'd rts not subject to SRBA

OTHER CONDITIONS/REMARKS:

See T. 70433 for untransferred parts conditions & SDE

Initial Allocation Review by JF Stanton
 SRBA Review Completed by JD
 Regional Manager Review by JD

Date 8-21-03
 Date 7/2/04
 Date 7/2/04

Comments:

RECEIVED

MAR 18 2004

DEPARTMENT OF WATER RESOURCES

Approval Updates Completed
3-22-2004 CS

70415

Comment Report

Application ID 70415

1. jstanton 8/14/2003 8:46:43 AM Special Administration Area Notes

Comment: Special Administration Areas : Eastern Snake Plain Aquifer

Exempt: N

Reason:

Doc Attached:

Explanation:

Special Administration Areas : Magic Valley GW District

Exempt: N

Reason:

Doc Attached:

Explanation:

2. jstanton 8/14/2003 8:50:14 AM Additional Information Notes

Comment: Reviewed by Adjudication Staff: N/A

Mitigation Plan or acceptance form: N/A

Municipal Rights Anticipated Horizon Information: N/A

3. jstanton 12/24/2003 Comment/Analysis

Comment: The applicant told me that the land in Sec. 34 was in CRP from 1987 to 1996, and has been under litigation until recently. He has now acquired the property in Sec. 34, and wants to put it back into production by installing 2 standard pivots there. The transfer brings in additional water rights and reconfigures the water already there so that all land under the pivots can be irrigated. The existing well will provide the needed water. The application appears to be approval.

Authority To File: The applicants are the owner of record, so this is not an issue.

Water Right Validity: The rights were decreed in 2001, so forfeiture is not an issue.

Injury To Other Rights: No issues identified. The Snake River Effects spreadsheet shows that no river reach is affected by more than about 4% due to this transfer, so no mitigation is required.

Enlargement of Use: None requested.

Local Public Interest: No issues identified.

Beneficial Use/Conservation of Water Resources: The land was previously irrigated with sprinklers, and this will continue to be the case.

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Review of the application finds there is no clear inconsistency with criteria set forth in Sec. 42-222 of the Idaho Code preventing processing of this application. At least prior to advertising, no other issues have been identified that would require further review or submittal of additional data by the applicants.

4. jstanton 8/19/2003 2:55:02 PM Special Administration Area Notes

Comment: Special Administration Areas : Eastern Snake Plain Aquifer

Exempt: N

Reason:

Doc Attached:

Explanation:

Special Administration Areas : Magic Valley GW District

Exempt: N

Reason:

Doc Attached:

Explanation:

5. jstanton 8/19/2003 2:55:45 PM Additional Information Notes

Comment: Reviewed by Adjudication Staff: N/A

Mitigation Plan or acceptance form: N/A

Municipal Rights Anticipated Horizon Information: N/A

6. jstanton 8/19/2003 Legal Notice Remarks

Comment: This transfer seeks to dry up land owned by the applicants in order to allow the installation of two pivot sprinklers on land that had been in CRP. The farm is located 3 3/4 miles north and 1 1/2 miles west of Norland. Water will be pumped from the existing well in the center of the property.

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APR 06 2004

Dalley Transfer Analysis T 704/5

1. Hae 36-2194 3.18 cfs 240 ac

2. Needs 24 more acres from 36-2200 & 7404 = 4.32%

3. Rights to Be Moved

36-2200	8.46 cfs	556 ac	2224 AFA
7404	1.29 cfs	556 ac	0
	<u>9.75</u>	<u>556 ac</u>	<u>2224 AFA</u>

4. Split

36-2200 x 4.32%	= 0.37 cfs	24 ac	96 AFA
7404 x " =	<u>0.05 cfs</u>	<u>24 ac</u>	<u>0</u>
	0.42 cfs	24 ac	96 AFA

5. Transfer Fee

42 acres being moved = 0.56 cfs proportional flow rate
 Flow from Sec. 18 = 0.42 cfs
 0.98 cfs = \$250. transfer fee.

WATER RIGHT NO. 36 2194

- X27 This right is limited to the irrigation of 240 acres within the place of use described above in a single irrigation season.
- X35 Rights 36-2149, 36-16128 and 36-16130 when combined shall not exceed the irrigation of 264 acres.
- R64 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.
- R05 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. 130.
- 131 Prior to the diversion and use of water under Transfer approval 70415, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
- 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- T19 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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WATER RIGHT NO. 36 16127

GEN Use of this right with Right No. 36-16129 is limited to the irrigation of a combined total of 532 acres in a single irrigation season.

T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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APR 06 2004

WATER RIGHT NO. 36 16128

- X27 This right is limited to the irrigation of 24 acres within the place of use described above in a single irrigation season.
- GEN Use of this right with Right No. 36-16130 is limited to the irrigation of a combined total of 24 acres in a single irrigation season and to a total combined diversion volume of 96 af.
- GEN Rights 36-2149, 36-16128 and 36-16130 when combined shall not exceed the irrigation of 264 acres.
- R64 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.
- R05 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. 130.
- 131 Prior to the diversion and use of water under Transfer approval 70415, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
- 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- T19 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

MICROFILMED

APR 06 2004

WATER RIGHT NO. 36 16129

- GEN Use of this right with Right No. 36-16127 is limited to the irrigation of a combined total of 532 acres in a single irrigation season.
- T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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APR 9 8 2004

WATER RIGHT NO. 36 16130

- X27 This right is limited to the irrigation of 24 acres within the place of use described above in a single irrigation season.
- GEN Use of this right with Right No. 36-16128 is limited to the irrigation of a combined total of 24 acres in a single irrigation season and to a total combined diversion volume of 96 af.
- GEN Rights 36-2149, 36-16128 and 36-16130 when combined shall not exceed the irrigation of 264 acres.
- R64 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.
- R05 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. 130.
- 131 Prior to the diversion and use of water under Transfer approval 70415, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
- 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- T19 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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APR 05 2004

MEMORANDUM

To: Debbie Allen

From: L. Glen Saxton 

RE: **WATER SUPPLY BANK RENTAL FEE - WATER RIGHT NOS. 36-7404
AND PARTS OF 36-2194 AND 36-2200**

Date: May 13, 2003

The following information is provided in order that you can document the preparation of a state warrant compensating the owner of the above referenced water rights for rental of part of the rights from the Water Supply Bank. Attached is a copy of the rental agreement and a copy of the receipt for the rental.

Please have a state warrant prepared in the amount of \$ 2,640 and sent to the owner of the water rights at the following address:

Richard B. Dalley
131 E 100 N
Rupert, ID 83350

Attach: 2

c: 36-7404, 36-2194 and 36-2200 **MICROFILMED**

APR 13 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 13, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Richard B. Dalley
131 E 100 N
Rupert, ID 83350

RE: APPLICATION TO RENT WATER RIGHT NOS. 36-7404 AND PARTS OF 36-2194 AND 36-2200 FROM THE WATER SUPPLY BANK

Dear Mr. Dalley:

The department has requested the issuance of a state warrant in the amount of \$2,640 as payment to you for the rental of 264 acre feet of the above referenced water rights from the Water Supply Bank ("bank") managed by the Idaho Water Resource Board.

The return for the rental is based on \$10.00 per acre-foot of water rented. The Controller's office will issue the warrant within the next twenty (20) days.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Administrator
Water Management Division

c: Cindy Yenter - IDWR
36-7404, 36-2194 and 36-2200
Fiscal - Debbie Allen

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APR 06 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 13, 2003

Richard B. Dalley
131 E 100 N
Rupert, ID 83350

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK

Dear Mr. Dalley:

Please find enclosed a receipt in the amount of \$2,904 and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 264 acre feet of ground water for irrigation use during 2003. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 2

c: Cindy Yenter - IDWR
36-7404, 36-2194 and 36-2200

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APR 06 2004

Idaho Department of Water Resources Receipt

Receipt ID C069067

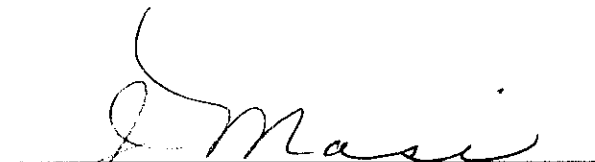
Payment Amount \$2,904.00 Date Received 5/13/2003 9:59:53 AM Region State Status
Payment Type Check Check Number 5965

Payer DALLEY INC

Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$2,640.00	WATER BANK-OWNER SHARE	0229	21	55109	1205
\$264.00	WATER BANK-DEPARTMENT SHARE	0229	21	55109	1205


Signature Line (Dept. Representative)

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APR 06 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 7, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Richard B. Dalley
131 E 100 N
Rupert, ID 83350

RE: APPLICATION TO LEASE WATER 36-7404 AND PARTS OF 36-2200 AND 36-2194 TO THE WATER SUPPLY BANK AND TO RENT WATER FROM THE BANK

Dear Mr. Dalley:

The department has completed its review of the 3 Applications to Sell or Lease a Water Right to the Water Supply Bank ("bank") that you submitted to this office on April 22, 2003. Please consider that the offered portions of the water rights are accepted into the bank.

Enclosed a Water Supply Bank Rental Agreement for your review and signature. Upon signature and return of the agreement, together with the rental fee described below, the department also will sign the agreement and will return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

The rental fee is **\$2,904** and is based on \$11.00 per acre foot for the rental of 264 acre feet of water. Please return the signed rental agreement and fee to my attention so I can complete the processing of the rental transaction.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Administrator
Water Management Division

Encl: 1

c: Cindy Yenter
36-2200, 36-2194, 36-7404

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APR 06 2004

WATER SUPPLY BANK RENTAL AGREEMENT

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for rental of water from the bank agrees to rent water as follows:

1. Renter: Richard B. Dalley
2. Address: 131 E 100 N, Rupert, ID 83350
3. Source of water: Ground water
4. Volume of water rented: 264 AF, Max rate: 0.98 cfs
5. Diversion period: from 2003 irrigation season
6. Use of water: Irrigation
7. a) Renter's point of diversion:
SW1/4SW1/4 Section 34, T7S, R23 E, B.M., Minidoka Co.
Pump Lift: 425' Pump HP: 300
b) Renter's place of use:
Legal description: 33 ac. in NWNW and 33 ac. In NENW Section 34, T7S, R23E, B.M.
8. Rights from which water will be rented are 36-7404, parts of 36-2194 and 36-2200.

Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Upon a determination of need by the department, the renter shall provide for the measurement of the water diverted in a manner acceptable to the Director.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement, the place of

use of the water shall revert to its original place of use and/or again be available to rent from the bank.

4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
6. If water is to be used for irrigation, the rate of diversion when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.

Dated this _____ day of _____, 2003.

Renter

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and Rule 30 of the Water Supply Bank Rules, IDAPA 37.02.03030, for the rental and use of water under the terms and conditions herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board this _____ day of _____, 2003.

KARL J. DREHER, Director
Department of Water Resources

Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Name of Seller/Lessor Richard B Dalley Phone 208-436-5730
Post office address 131 E. 100 N. Rupert, Id. 83350

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

a. Decree No. 36-2194 Decreed to Richard B & Shauna H Dalley
(Name)
in case of SZBA vs _____
dated 12/2/2001 in 5th District county of Twin Falls
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Permit No. _____ issued by the Idaho Department of Water Resources.

2. Source of water Ground water tributary to _____

3. Date of priority 9/10/1984

4. Water is used for the following purposes:

amount 3.18 for IRR purposes from 3/15 to 11/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____

5. Total amount of water under right: a. 3.18 cubic feet per second
&/or
b. 960- acre-feet per annum

6. Location of point of diversion is SW 3 of NW 3 of Section 34 Township 6S
Range 23E, B.M. in Minidoka County

Additional points of diversion, if any _____

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APR 05 2004

7. Lands irrigated or place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totale
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	23E	34							40	40	40	40	40	40					240

Total number of acres to be irrigated 240

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water under right: a. .56 cubic feet per second

&/or

b. 168 acre-feet per annum

2. Point of diversion SW 3 of NW 3 of Section 34 Township 6S Range 23E, B.M. in Minidoka County

Additional points _____

3. Place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totale
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	23E	34							7	7	7	7	7	7					42

Total number of acres to be irrigated 42

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- ✓ 1. Explain how the seller /lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

by purchase

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture.

Has not been irrigated, however property has been in bankruptcy proceedings & we acquired in Dec. 2002. See file notes regarding Settlement of forfeiture issue. Decree date = 12/2/2001

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability :

Water available entire season

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

NONE. Balance of right will be used in 2003

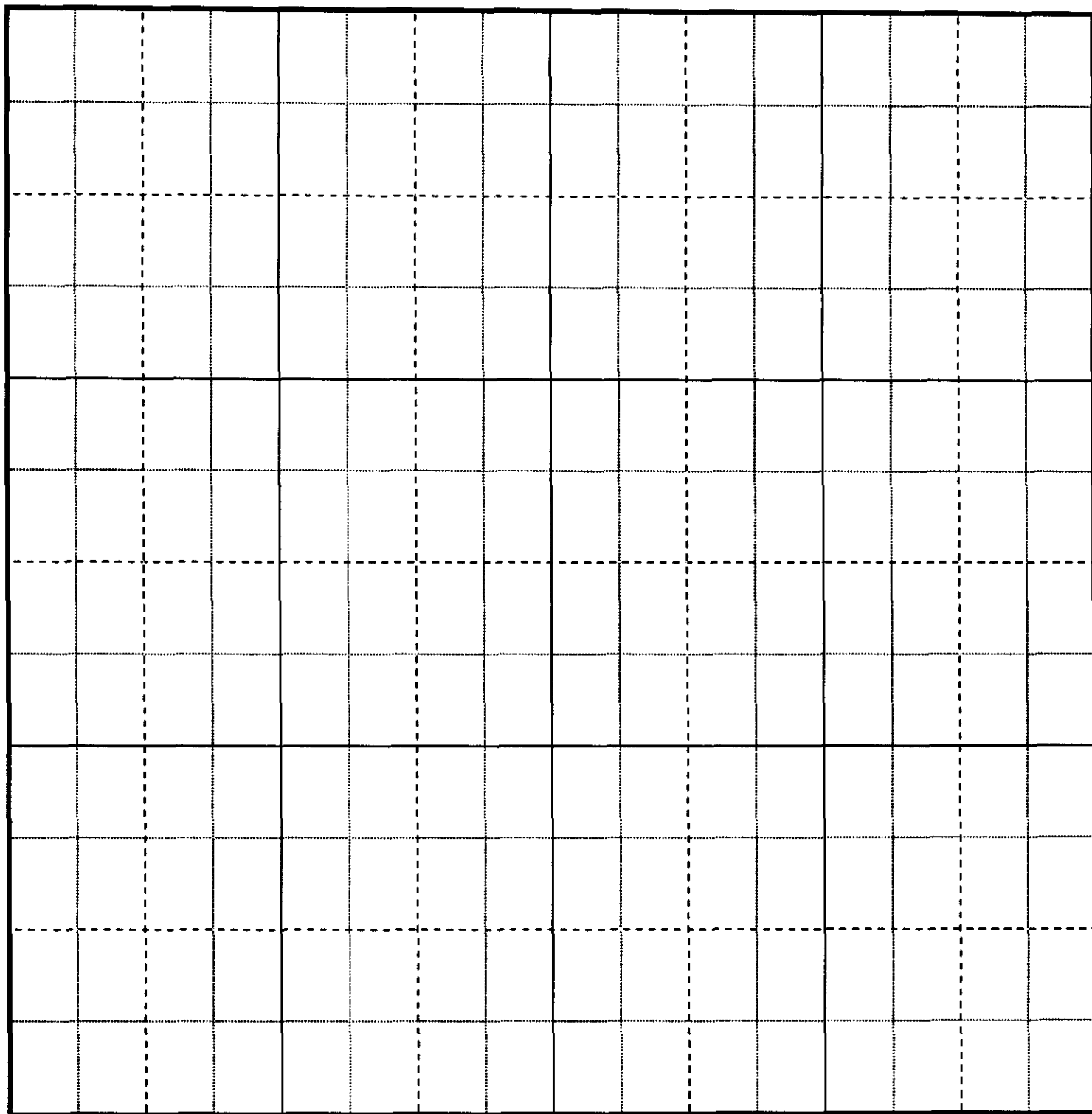
5. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

6. ^{N/A} If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

7. ^{N/A} If the right is included in an ongoing adjudication, a copy of the claim must be provide with this application.

8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

9. Remarks _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale

☒ For lease for period from 2003 to (one year)
(Year) (Year)

_____ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

☒ Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

☒ 4-21-03
(Date)

Richard B. Dalkey
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by WJA Date 4-22-03 Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

12/99

Before the Idaho Water Resource Board

**APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK**

Applicant Richard B Dalbey Phone 202-436-5730
Address 131 E. 100 N.
City Rupert State Id Zip Code 83350

A. DESCRIPTION OF WATER SOUGHT FOR RENTAL

1. Source of water Ground water
which is tributary to _____.
2. Maximum volume of water sought 264 AF.
3. Maximum rate of diversion ~~98~~ ~~0.98~~ .98 cfs.

B. DESCRIPTION OF USE PROPOSED

1. Nature of use IRR.
2. Location of point of diversion SW 1/4 NW 1/4, Section 34,
Township 7S, Range 23E, B.M. Minidoka County.
3. Season of use: From 3/15 to 11/15.
4. Description of diverting works:
Pump HP 300 Lift ~425 Pump type Turbine.
Canal name, if appropriate N/A.
5. Place of use:
 - a. If water is for irrigation, describe the number of acres to be irrigated by
40-acre tract, section, township and range.
7S 23E Sec 34 NWNW - 33ac
NENW - 33ac

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APR 06 2004

b. If water is not for irrigation, describe the nature of the intended use and the place of use.

6. Describe any other water rights used for the same purposes as rental water sought under this application.

NONE

7. Who owns the property at the point of diversion?

Applicant

8. Who owns the property at the place of use?

Applicant

9. Are you seeking a rental for more than one (1) year? NO

If so, how many years? _____

10. Remarks: Right nos 36-2200, 36-2194 & 36-7404
have portions being leased to the bank in the
same amounts requested for this rental.

4-21-03

Date

Richard D. Valley
 Signature of Applicant

FOR DEPARTMENT USE ONLY

Received by WJA Date 4-22-03 Time _____

Published in _____ Pub. dates _____

Protests filed by _____

Hearing held by _____

Action recommended _____

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 APR 06 2004

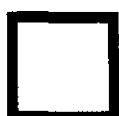
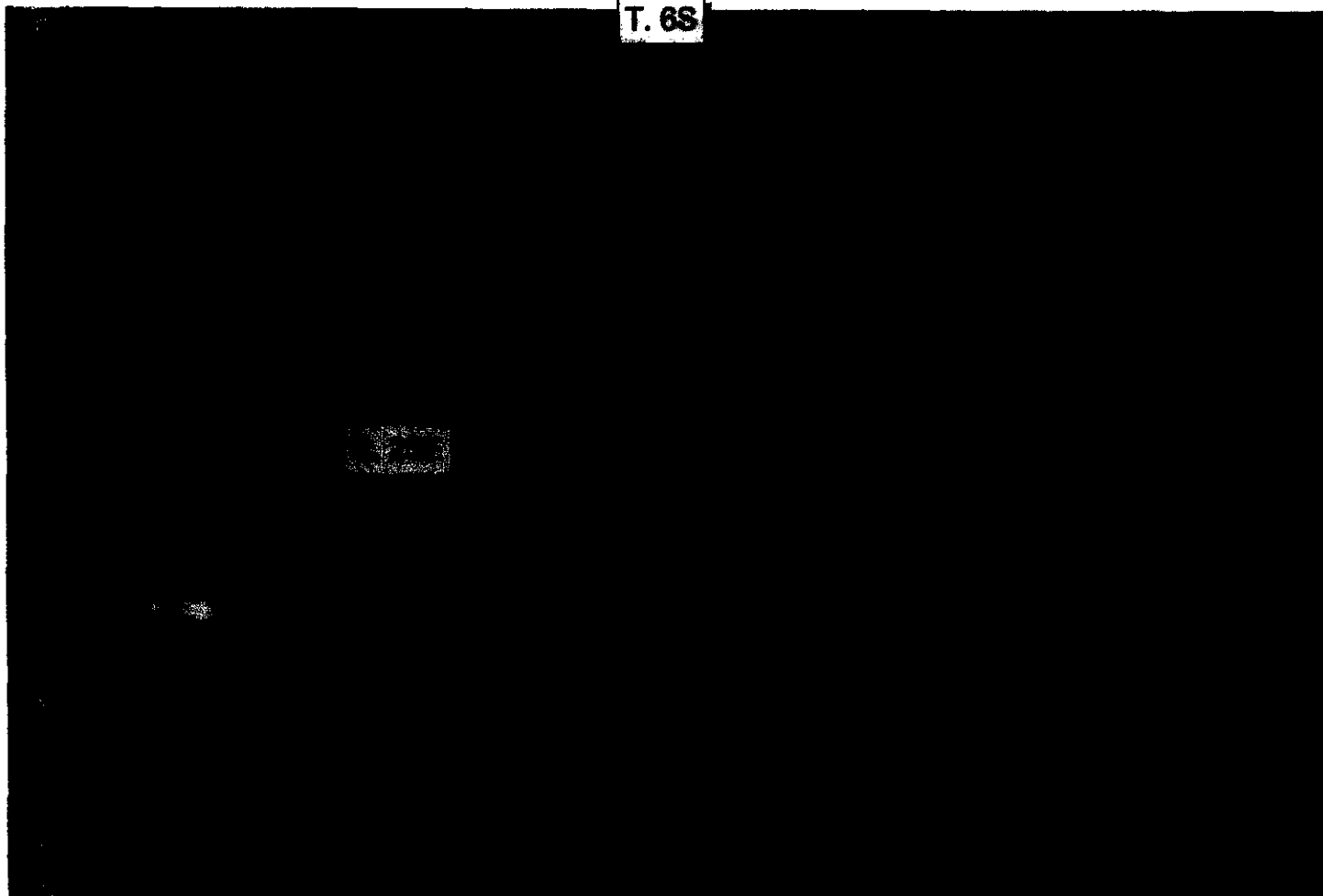
IDAHO DEPARTMENT OF WATER RESOURCES

36-2194

(from X70415)

App for Transfer - Richard Dalley

T. 6S



Section Lines



Quarter/Quarter Lines

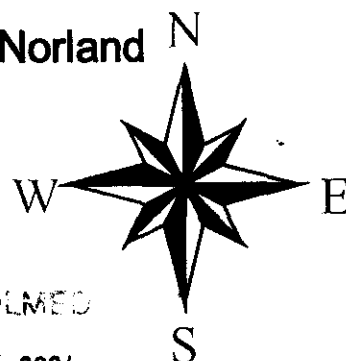
General Location: 3 3/4 miles north & 1 1/2 miles west of Norland



Proposed PPU (2 center pivots w/end guns)



Existing Point of Diversion



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APR 06 2004

Prepared By J E Stanton 2-12-2003

1986/87 NAPP Data

Prepared By J E Stanton 2-12-2003

RECEIVED
APR 22 2003
Department of Water Resources

4/21/03

To Whom It May Concern:

I applied to transfer some water rights from some corners to a portion of a pivot that had no water right. James Stanton has not had a chance to process that water transfer. Cindy Yenter helped me fill out these papers to lease to the water bank shares of water and then lease them back again knowing the transfer will likely not be approved in time for irrigation.

Enclosed are the water rights of the farms involved and applications to lease the appropriate shares.

Sincerely;



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APR 06 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 16, 2003

RICHARD B DALLEY
SHAUNA H DALLEY
131 E 100 N
RUPERT ID 83350

RE: Change of Ownership for Water Rights 36-2194 and 36-2197A

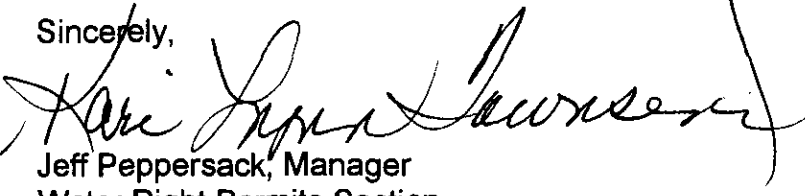
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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MAR 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 9, 2003

RICHARD B DALLEY
SHAUNA H DALLEY
100 N 131 E
RUPERT ID 83350

RE: Change in Ownership of Water Rights 36-2194 and 36-2197A
Change in Ownership for Application for Permit 36-8694

Dear Mr. & Mrs. Dalley:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

✓ **Filing Fee of \$25 per water right**

The \$25.00 filing fee that was sent with your ownership change request will be applied to water right 36-2194. A balance of \$25.00 is due for the processing of water right 36-2197A.

Because water right **36-8694** is still in the application stage, an Assignment of Application for Permit will be required to complete the ownership change. Enclosed is an assignment form for your use. Please note that there is **NO** filing fee required for this change. When the form has been completed you may send it to our Southern Region office in Twin Falls, ID.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is **\$25 per water right**, except for ownership changes resulting in the division of a water right, which is \$100 per water right. We have determined that the filing fee for your notice will be **an additional \$25.00**.

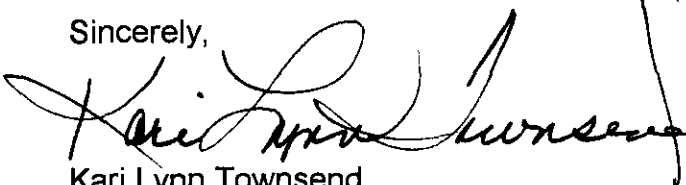
Because the Department cannot process the ownership change without proper documentation or fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

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Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", with a large, stylized flourish at the end.

Kari Lynn Townsend
Secretary

KLT:k

cc: Southern Region office
1341 Fillmore St #200
Twin Falls, ID 83301-3380
Phone: 736-3033

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MAR 11 2003