

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70814

This is to certify that: WILLOW CREEK ENTERPRISES
C/O REED GIBBY
576 S 650 E
BURLEY ID 83318
(208)654-2054

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-4011	WR/Decreed	03/15/1963	5.00 cfs	1116 af	279.0	334.0	GROUND WATER
43-7116	WR/Decreed	01/27/1978	5.00 cfs	1336 af	N/A	334.0	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>
43-4011	YES	YES	YES	YES	YES	YES
43-7116	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>
43-4011	43-13332	0.10 cfs	15.8 af	N/A	N/A	43-13331	4.9 cfs	1094.8 af	273.7	327.6
43-7116	43-13334	0.10 cfs	19.1 af	N/A	N/A	43-13333	4.9 cfs	1310.4 af	N/A	327.6
COMBINED TOTALS		0.11 cfs	19.1 af	N/A	N/A		5.41cfs	1310.4 af	327.6	327.6

Detailed Water Right Description(s) attached

Dated this 3rd day of November, 2004


Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 43-4011

WATER RIGHT NO. 43-13331
As Modified by Transfer No. 70814

In accordance with the approval of Transfer No. 70814, Water Right No. 43-13331 is now described as follows.

Right Holder: WILLOW CREEK ENTERPRISES
 C/O REED GIBBY
 576 S 650 E
 BURLEY ID 83318

Priority Date: March 15, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	4.90 CFS	1,094.8 AF
			4.90 CFS	1,094.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNE Sec. 28 Twp 10S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 26E 27						40.0	34.1			5.1							79.2
10S 26E 28	40.0	40.0	40.0	40.0	40.0			40.0	2.3				5.6	.5			248.4

Total Acres: 327.6

WATER RIGHT NO. 43-13331
As Modified by Transfer No. 70814

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 273.7 acres within the place of use described above in a single irrigation season.
2. Use of this right with Right No. 43-13333 is limited to the irrigation of a combined total of 327.6 acres in a single irrigation season.
3. Use of this right with Right No. 43-13333 is limited to a total combined diversion rate of 5.41 cfs and to a total combined annual diversion volume of 1310.4 af.
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 3rd day of November, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13332
As Modified by Transfer No. 70814

In accordance with the approval of Transfer No. 70814, Water Right No. 43-13332 is now described as follows.

Right Holder: WILLOW CREEK ENTERPRISES
 C/O REED GIBBY
 576 S 650 E
 BURLEY ID 83318

Priority Date: March 15, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.10 CFS	15.8 AF
COMMERCIAL	01/01	to 12/31	0.10 CFS	15.8 AF
			0.10 CFS	15.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 27 Twp 10S Rge 26E CASSIA County

GROUND WATER SESWNW Sec. 27 Twp 10S Rge 26E CASSIA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
10S 26E 27	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X				X						

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
10S 26E 27	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X				X						

WATER RIGHT NO. 43-13332
As Modified by Transfer No. 70814

CONDITIONS OF APPROVAL

1. Rights 43-13332 and 43-13334 when combined shall not exceed a total diversion rate of 0.11 cfs from all points of diversion, and a total annual maximum diversion volume of 19.1 af at the field headgate.
2. 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.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Commercial use is for cleaning and other non-stockwater uses in a hog nursery.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 3rd day of November, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13333
As Modified by Transfer No. 70814

In accordance with the approval of Transfer No. 70814, Water Right No. 43-13333 is now described as follows.

Right Holder: WILLOW CREEK ENTERPRISES
 C/O REED GIBBY
 576 S 650 E
 BURLEY ID 83318

Priority Date: January 27, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	4.90 CFS	1,310.4 AF
			4.90 CFS	1,310.4 AF

LOCATION OF POINT(S) OF DIVERSION:
 GROUND WATER NWNWNE Sec. 28 Twp 10S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	26E	27					40.0	34.1			5.1								79.2
10S	26E	28	40.0	40.0	40.0	40.0	40.0		40.0	2.3				5.6	.5				248.4

Total Acres: 327.6

WATER RIGHT NO. 43-13333
As Modified by Transfer No. 70814

CONDITIONS OF APPROVAL

1. Use of this right with Right No. 43-13333 is limited to the irrigation of a combined total of 327.6 acres in a single irrigation season.
2. Use of this right with Right No. 43-13333 is limited to a total combined diversion rate of 5.41 cfs and to a total combined annual diversion volume of 1310.4 af.
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 7/26/2002.
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 3rd day of November, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13334
As Modified by Transfer No. 70814

In accordance with the approval of Transfer No. 70814, Water Right No. 43-13334 is now described as follows.

Right Holder: WILLOW CREEK ENTERPRISES
 C/O REED GIBBY
 576 S 650 E
 BURLEY ID 83318

Priority Date: January 27, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.10 CFS	19.1 AF
STOCKWATER	01/01	to 12/31	0.10 CFS	19.1 AF
			0.10 CFS	19.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 27 Twp 10S Rge 26E CASSIA County

GROUND WATER SESWNW Sec. 27 Twp 10S Rge 26E CASSIA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
10S 26E 27	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X				X						

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
10S 26E 27	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X				X						

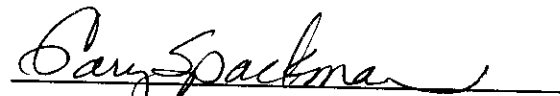
WATER RIGHT NO. 43-13334
As Modified by Transfer No. 70814

CONDITIONS OF APPROVAL

1. Rights 43-13332 and 43-13334 when combined shall not exceed a total diversion rate of 0.11 cfs from all points of diversion, and a total annual maximum diversion volume of 19.1 af at the field headgate.
2. 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.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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7. 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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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 3rd day of November, 2004


Chief, Water Allocation Bureau