

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71115

This is to certify that: MINIDOKA LUMBER CO
 PO BOX 730
 PAUL ID 83347-0730
 (208)438-8059

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>
36-8493	WR/License	12/19/1989	2.70 cfs	540 af	N/A	135.0	GROUND WATER
36-7015A	WR/Decreed	02/14/1968	0.97 cfs	N/A	N/A	153.0	GROUND WATER
36-2074B	WR/Decreed	07/27/1948	0.75 cfs	N/A	N/A	80.0	GROUND WATER
36-2516	WR/Decreed	09/05/1961	6.40 cfs	N/A	320.0	435.0	GROUND WATER
36-12643	WR/Decreed	03/15/1973	1.70 cfs	N/A	N/A	435.0	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>
36-8493	NO	NO	YES	YES	NO	NO
36-7015A	NO	NO	YES	YES	NO	NO
36-2074B	NO	NO	YES	YES	NO	NO
36-2516	NO	NO	YES	YES	NO	NO
36-12643	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-8493	36-8493	2.70 cfs	540 af	135.0	793.0		N/A	N/A	N/A	N/A
36-7015A	36-7015A	0.97 cfs	304 af	153.0	793.0		N/A	N/A	N/A	N/A
36-2074B	36-2074B	0.75 cfs	320 af	80.0	793.0		N/A	N/A	N/A	N/A
36-2516	36-2516	6.40 cfs	1280 af	320.0	793.0		N/A	N/A	N/A	N/A
36-12643	36-12643	1.70 cfs	460 af	115.0	793.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		9.38 cfs	2904 af	726.0	793.0		N/A	N/A	N/A	N/A

36-2074B
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71115

Detailed Water Right Description(s) attached

Dated this 14th day of October, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2074B
As Modified by Transfer No. 71115

In accordance with the approval of Transfer No. 71115, Water Right No. 36-2074B is now described as follows.

Right Holder: MINIDOKA LUMBER CO
 PO BOX 730
 PAUL ID 83347-0730

Priority Date: July 27, 1948

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	0.75 CFS	320.0 AF
			0.75 CFS	320.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 28 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESENW	Sec. 33 Twp 08S	Rge 22E	MINIDOKA 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	22E	28									40.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	318.0
08S	22E	33	40.0	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	39.0	38.0	40.0					475.0

Total Acres: 793

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
2. Rights 36-2074B and 36-7015A when combined shall not exceed a total diversion rate of 1.72 cfs, a total annual maximum diversion volume of 624.0 af at the field headgate, and the irrigation of 156 acres.
3. Rights 36-2074B, 36-7015A, and 36-8493 when combined shall not exceed a total diversion rate of 2.98 cfs, a total annual maximum diversion volume of 1164.0 af at the field headgate, and the irrigation of 291 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 36-2074B, 36-2516, 36-7015A, 36-8493, and 36-12643 shall not exceed 9.38 cfs, nor a total combined annual volume of 2904.0 af for the irrigation of 726 acres.
5. 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.

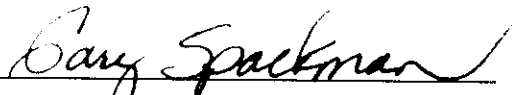
WATER RIGHT NO. 36-2074B
As Modified by Transfer No. 71115

CONDITIONS OF APPROVAL

6. 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.
7. Prior to the diversion and use of water under Transfer approval 71115, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
8. Prior to diversion of water under this approval, the right holder shall provide lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
9. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 14th day of October, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-7015A
As Modified by Transfer No. 71115

In accordance with the approval of Transfer No. 71115, Water Right No. 36-7015A is now described as follows.

Right Holder: MINIDOKA LUMBER CO
 PO BOX 730
 PAUL ID 83347-0730

Priority Date: February 14, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/01	0.97 CFS	304.0 AF
			0.97 CFS	304.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 28 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESENW	Sec. 33 Twp 08S	Rge 22E	MINIDOKA 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 22E 28									40.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	318.0
08S 22E 33	40.0	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	39.0	38.0	40.0					475.0

Total Acres: 793

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 153 acres within the place of use described above in a single irrigation season.
2. Rights 36-2074B and 36-7015A when combined shall not exceed a total diversion rate of 1.72 cfs, a total annual maximum diversion volume of 624.0 af at the field headgate, and the irrigation of 156 acres.
3. Rights 36-2074B, 36-7015A, and 36-8493 when combined shall not exceed a total diversion rate of 2.98 cfs, a total annual maximum diversion volume of 1164.0 af at the field headgate, and the irrigation of 291 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 36-2074B, 36-2516, 36-7015A, 36-8493, and 36-12643 shall not exceed 9.38 cfs, nor a total combined annual volume of 2904.0 af for the irrigation of 726 acres.
5. 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.

WATER RIGHT NO. 36-7015A
As Modified by Transfer No. 71115

CONDITIONS OF APPROVAL

6. 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.
7. Prior to the diversion and use of water under Transfer approval 71115, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
8. Prior to diversion of water under this approval, the right holder shall provide lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
9. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
10. 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 5/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than December 12, 2001.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 14th day of October, 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-8493
As Modified by Transfer No. 71115

In accordance with the approval of Transfer No. 71115, Water Right No. 36-8493 is now described as follows.

Right Holder: MINIDOKA LUMBER CO
PO BOX 730
PAUL ID 83347-0730

Priority Date: December 19, 1989

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	2.70 CFS	540.0 AF
			2.70 CFS	540.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 28 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESENW	Sec. 33 Twp 08S	Rge 22E	MINIDOKA 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 22E 28									40.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	318.0
08S 22E 33	40.0	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	39.0	38.0	40.0					475.0

Total Acres: 793

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 135 acres within the place of use described above in a single irrigation season.
2. Rights 36-2074B, 36-7015A, and 36-8493 when combined shall not exceed a total diversion rate of 2.98 cfs, a total annual maximum diversion volume of 1164.0 af at the field headgate, and the irrigation of 291 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-2074B, 36-2516, 36-7015A, 36-8493, and 36-12643 shall not exceed 9.38 cfs, nor a total combined annual volume of 2904.0 af for the irrigation of 726 acres.
4. 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.
5. This right is for use of Trust Water and is subject to review to determine availability of water for the use and to re-evaluate the public interest on May 21, 2010.

WATER RIGHT NO. 36-8493
As Modified by Transfer No. 71115

CONDITIONS OF APPROVAL

6. 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.
7. Prior to the diversion and use of water under Transfer approval 71115, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
8. Prior to diversion of water under this approval, the right holder shall provide lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
9. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
10. 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 the date of this approval.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 14th day of October, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2516
As Modified by Transfer No. 71115

In accordance with the approval of Transfer No. 71115, Water Right No. 36-2516 is now described as follows.

Right Holder: MINIDOKA LUMBER CO
 PO BOX 730
 PAUL ID 83347-0730

Priority Date: September 05, 1961

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	6.40 CFS	1,280.0 AF
		6.40 CFS	1,280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSW Sec. 28 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESENW Sec. 33 Twp 08S Rge 22E MINIDOKA 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	22E	28									40.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	318.0
08S	22E	33	40.0	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	39.0	38.0	40.0					475.0

Total Acres: 793

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
2. Rights 36-2516 and 36-12643 when combined shall not exceed a total diversion rate of 6.40 cfs, a total annual maximum diversion volume of 1740.0 af at the field headgate, and the irrigation of 435 acres.
3. Right no. 36-12643 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
4. The total instantaneous diversion of water from all points of diversion under Rights 36-2074B, 36-2516, 36-7015A, 36-8493, and 36-12643 shall not exceed 9.38 cfs, nor a total combined annual volume of 2904.0 af for the irrigation of 726 acres.
5. 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.

WATER RIGHT NO. 36-2516
As Modified by Transfer No. 71115

CONDITIONS OF APPROVAL

6. 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.
7. Prior to the diversion and use of water under Transfer approval 71115, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
8. Prior to diversion of water under this approval, the right holder shall provide lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
9. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 14th day of October, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-12643
As Modified by Transfer No. 71115

In accordance with the approval of Transfer No. 71115, Water Right No. 36-12643 is now described as follows.

Right Holder: MINIDOKA LUMBER CO
 PO BOX 730
 PAUL ID 83347-0730

Priority Date: March 15, 1973

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	1.70 CFS	460.0 AF
			1.70 CFS	460.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 28 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESENW	Sec. 33 Twp 08S	Rge 22E	MINIDOKA 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	22E	28									40.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	318.0
08S	22E	33	40.0	40.0	40.0	40.0	40.0	39.0	39.0	40.0	40.0	39.0	38.0	40.0					475.0

Total Acres: 793

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 115 acres within the place of use described above in a single irrigation season.
2. Rights 36-2516 and 36-12643 when combined shall not exceed a total diversion rate of 6.40 cfs, a total annual maximum diversion volume of 1740.0 af at the field headgate, and the irrigation of 435 acres.
3. This right is based upon an enlargement of right no. 36-02516 pursuant to Section 42-1426, Idaho Code.
4. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
5. The total instantaneous diversion of water from all points of diversion under Rights 36-2074B, 36-2516, 36-7015A, 36-8493, and 36-12643 shall not exceed 9.38 cfs, nor a total combined annual volume of 2904.0 af for the irrigation of 726 acres.

WATER RIGHT NO. 36-12643
As Modified by Transfer No. 71115

CONDITIONS OF APPROVAL

6. 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.
7. 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.
8. Prior to the diversion and use of water under Transfer approval 71115, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
9. Prior to diversion of water under this approval, the right holder shall provide lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
10. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 14th day of October, 2004



Chief, Water Allocation Bureau