

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71114

This is to certify that: DELIS FARMS INC
PO BOX 665
PAUL ID 83347
(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>
36-2716	WR/Decreed	07/18/1966	4.52 cfs	1208 af	N/A	302.0	GROUND WATER
36-7371	WR/Decreed	08/23/1973	2.90 cfs	640 af	N/A	160.0	GROUND WATER
36-2629	WR/Decreed	10/27/1965	3.82 cfs	1204 af	N/A	301.0	GROUND WATER
36-7311	WR/Decreed	03/05/1973	4.46 cfs	1280 af	N/A	320.0	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>
36-2716	NO	NO	YES	YES	NO	NO
36-7371	NO	NO	YES	YES	NO	NO
36-2629	NO	NO	YES	YES	NO	NO
36-7311	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>
36-2716	36-2716	4.52 cfs	1208 af	302.0	1,275.0		N/A	N/A	N/A	N/A
36-7371	36-7371	2.90 cfs	640 af	160.0	1,275.0		N/A	N/A	N/A	N/A
36-2629	36-2629	3.82 cfs	1204 af	301.0	1,275.0		N/A	N/A	N/A	N/A
36-7311	36-7311	4.46 cfs	1280 af	320.0	1,275.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		15.70 cfs	4332 af	1083.0	1275.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14th day of October, 20 04

SUPPORT DATA

36-2629



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2629
As Modified by Transfer No. 71114

In accordance with the approval of Transfer No. 71114, Water Right No. 36-2629 is now described as follows.

Right Holder: DELIS FARMS INC
 PO BOX 665
 PAUL ID 83347

Priority Date: October 27, 1965

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	3.82 CFS	1,204.0 AF
			3.82 CFS	1,204.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESENW	Sec. 14 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NWSWSE	Sec. 15 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESENW	Sec. 22 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESESW	Sec. 22 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	14					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
08S	22E	15									40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	320.0
08S	22E	22	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	635.0

Total Acres: 1275

WATER RIGHT NO. 36-2629
As Modified by Transfer No. 71114

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 301 acres within the place of use described above in a single irrigation season.
2. 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.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-2629, 36-2716, 36-7311, and 36-7371 shall not exceed 15.70 cfs, nor a total combined annual volume of 4332.0 af for the irrigation of 1083 acres in a single irrigation season.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 71114, 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.
6. 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.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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

WATER RIGHT NO. 36-2716
As Modified by Transfer No. 71114

In accordance with the approval of Transfer No. 71114, Water Right No. 36-2716 is now described as follows.

Right Holder: DELIS FARMS INC
 PO BOX 665
 PAUL ID 83347

Priority Date: July 18, 1966

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	4.52 CFS	1,208.0 AF
			4.52 CFS	1,208.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESENW	Sec. 14 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NWSWSE	Sec. 15 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESENW	Sec. 22 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESESW	Sec. 22 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	14					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
08S	22E	15									40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	320.0
08S	22E	22	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	635.0

Total Acres: 1275

WATER RIGHT NO. 36-2716
As Modified by Transfer No. 71114

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 302 acres within the place of use described above in a single irrigation season.
2. 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.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-2629, 36-2716, 36-7311, and 36-7371 shall not exceed 15.70 cfs, nor a total combined annual volume of 4332.0 af for the irrigation of 1083 acres in a single irrigation season.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 71114, 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.
6. 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.
7. 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.
8. 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 August 27, 2001.
9. The right holder shall accomplish the change authorized by this transfer within one 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 14th day of October, 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-7371
As Modified by Transfer No. 71114

In accordance with the approval of Transfer No. 71114, Water Right No. 36-7371 is now described as follows.

Right Holder: DELIS FARMS INC
 PO BOX 665
 PAUL ID 83347

Priority Date: August 23, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/31	2.90 CFS	640.0 AF
			2.90 CFS	640.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESENW	Sec. 14 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NWSWSE	Sec. 15 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESENW	Sec. 22 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESESW	Sec. 22 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 14					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
08S 22E 15									40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	320.0
08S 22E 22	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	635.0

Total Acres: 1275

WATER RIGHT NO. 36-7371
As Modified by Transfer No. 71114

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
2. 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.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-2629, 36-2716, 36-7311, and 36-7371 shall not exceed 15.70 cfs, nor a total combined annual volume of 4332.0 af for the irrigation of 1083 acres in a single irrigation season.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 71114, 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.
6. 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.
7. 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.
8. 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 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 27, 2001.
9. The right holder shall accomplish the change authorized by this transfer within one 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 14th day of October, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-7311
As Modified by Transfer No. 71114

In accordance with the approval of Transfer No. 71114, Water Right No. 36-7311 is now described as follows.

Right Holder: DELIS FARMS INC
 PO BOX 665
 PAUL ID 83347

Priority Date: March 05, 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	4.46 CFS	1,280.0 AF
			4.46 CFS	1,280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESENW	Sec. 14 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NWSWSE	Sec. 15 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESENW	Sec. 22 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESESW	Sec. 22 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	14					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	320.0
08S	22E	15									40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	320.0
08S	22E	22	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	635.0

Total Acres: 1275

WATER RIGHT NO. 36-7311
As Modified by Transfer No. 71114

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. 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.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-2629, 36-2716, 36-7311, and 36-7371 shall not exceed 15.70 cfs, nor a total combined annual volume of 4332.0 af for the irrigation of 1083 acres in a single irrigation season.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 71114, 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.
6. 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.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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