

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71116

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>
36-7398	WR/Decreed	10/29/1973	4.52 cfs	1285 af	N/A	319.0	GROUND WATER
36-2345	WR/Decreed	01/29/1958	3.55 cfs	N/A	N/A	315.0	GROUND WATER
36-2544	WR/Decreed	07/03/1962	0.90 cfs	N/A	N/A	315.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

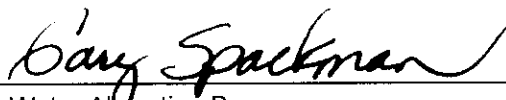
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-7398	YES	NO	YES	YES	NO	NO
36-2345	NO	NO	YES	YES	NO	NO
36-2544	NO	NO	YES	YES	NO	NO

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>
36-7398	36-16209	4.36 cfs	1276 af	319.0	634.0	36-16208	0.16 cfs	9.0 af	N/A	N/A
36-2345	36-2345	3.55 cfs	1260 af	315.0	634.0		N/A	N/A	N/A	N/A
36-2544	36-2544	0.90 cfs	N/A	315.0	634.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		8.81 cfs	2536 af	634.0	634.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14th day of October, 20 04


 Chief, Water Allocation Bureau

36-2345

WATER RIGHT NO. 36-16208
As Modified by Transfer No. 71116

In accordance with the approval of Transfer No. 71116, Water Right No. 36-16208 is now described as follows.

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

Priority Date: October 29, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	0.16 CFS	9.0 AF
			0.16 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENE Sec. 32 Twp 08S Rge 22E MINIDOKA County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	22E	32	X																

CONDITIONS OF APPROVAL

1. Commercial use is for a potato cellar.
2. 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. 36-16209
As Modified by Transfer No. 71116

In accordance with the approval of Transfer No. 71116, Water Right No. 36-16209 is now described as follows.

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

Priority Date: October 29, 1973

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	4.36 CFS	1,276.0 AF
			4.36 CFS	1,276.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNENE	Sec. 32 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	SESWNW	Sec. 32 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 32	39.0	40.0	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	634.0

Total Acres: 634

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 319 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 36-2345, 36-2544, and 36-16209 shall not exceed 8.81 cfs, nor a total combined annual volume of 2536.0 af for the irrigation of 634 acres.
3. 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.
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 71116, 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.

WATER RIGHT NO. 36-16209
As Modified by Transfer No. 71116

CONDITIONS OF APPROVAL

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. 36-2345
As Modified by Transfer No. 71116

In accordance with the approval of Transfer No. 71116, Water Right No. 36-2345 is now described as follows.

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

Priority Date: January 29, 1958

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	3.55 CFS	1,260.0 AF
			3.55 CFS	1,260.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNENE	Sec. 32 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	SESWNW	Sec. 32 Twp 08S	Rge 22E	MINIDOKA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
08S 22E 32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	634.0
	39.0	40.0	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	

Total Acres: 634

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 315 acres within the place of use described above in a single irrigation season.
2. Rights 36-2345 and 36-2544 when combined shall not exceed a total diversion rate of 4.45 cfs, a total annual maximum diversion volume of 1260.0 af at the field headgate, and the irrigation of 315 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-2345, 36-2544, and 36-16209 shall not exceed 8.81 cfs, nor a total combined annual volume of 2536.0 af for the irrigation of 634 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. 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.

WATER RIGHT NO. 36-2345
As Modified by Transfer No. 71116

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 71116, 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.
7. 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.
8. 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.
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. 36-2544
As Modified by Transfer No. 71116

In accordance with the approval of Transfer No. 71116, Water Right No. 36-2544 is now described as follows.

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

Priority Date: July 03, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.90 CFS
			0.90 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNENE	Sec. 32 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	SESWNW	Sec. 32 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	32	39.0	40.0	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	634.0

Total Acres: 634

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 315 acres within the place of use described above in a single irrigation season.
2. Rights 36-2345 and 36-2544 when combined shall not exceed a total diversion rate of 4.45 cfs, a total annual maximum diversion volume of 1260.0 af at the field headgate, and the irrigation of 315 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-2345, 36-2544, and 36-16209 shall not exceed 8.81 cfs, nor a total combined annual volume of 2536.0 af for the irrigation of 634 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. 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.

WATER RIGHT NO. 36-2544
As Modified by Transfer No. 71116

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 71116, 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.
7. 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.
8. 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.
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