

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71191

This is to certify that: MIRADA FARMS
4770 RIVERINE PL
BOISE ID 83639
(208)854-0212

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>
57-2341	WR/Decreed	09/09/1962	1.71 cfs	722.9 af	N/A	111.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

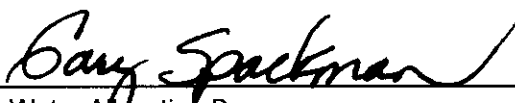
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
57-2341	NO	NO	YES	YES	NO	NO

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>
57-2341	57-2341	1.71 cfs	722.9 af	N/A	111.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.71 cfs	722.9 af	N/A	111.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of September, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 57-2341
As Modified by Transfer No. 71191

In accordance with the approval of Transfer No. 71191, Water Right No. 57-2341 is now described as follows.

Right Holder: MIRADA FARMS
 4770 RIVERINE PL
 BOISE ID 83639

Priority Date: September 09, 1962

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	1.14 CFS	499.5 AF
STOCKWATER	01/01	to 12/31	0.57 CFS	102.4 AF
COMMERCIAL	01/01	to 12/31	0.57 CFS	121.0 AF
			1.71 CFS	722.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNW	Sec. 32 Twp 03N Rge 04W OWYHEE County
GROUND WATER	NWNW	Sec. 32 Twp 03N Rge 04W OWYHEE 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	
03N 04W 31	36.0	9.0		7.0													52.0
03N 04W 32							19.0	36.0	4.0								59.0

Total Acres: 111

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 04W 32						X	X										

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	
03N 04W 31	X	X		X													
03N 04W 32						X	X	X	X	X		X					

WATER RIGHT NO. 57-2341
As Modified by Transfer No. 71191

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. 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.
6. The total instantaneous diversion of water from all points of diversion under Right 57-2341 shall not exceed 1.71 cfs, nor a total combined annual volume of 722.9 af.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. Use of this right for irrigation purposes is combined with water from Gem Irrigation District.
10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
11. 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.
12. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
14. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.

WATER RIGHT NO. 57-2341
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CONDITIONS OF APPROVAL

15. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than February 2, 2002.
16. The diversion and use of water described in Transfer 71191 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.

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 31st day of September, 20 04


Chief, Water Allocation Bureau