

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70925

This is to certify that: P CHAD BAILEY And/Or
SUSAN C BAILEY
428 S 200 W
RUPERT ID 83350
(208)436-5703

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>
36-13645	WR/Decreed	12/31/1978	0.08 cfs	N/A	N/A	N/A	GROUND WATER
43-7126	WR/Decreed	05/04/1978	18.77 cfs	4488 af	1,122.0	1,660.3	GROUND WATER
43-4037	WR/Decreed	05/23/1962	3.30 cfs	2153 af	538.3	1,660.3	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>
36-13645	NO	NO	YES	NO	NO	NO
43-7126	YES	YES	YES	NO	YES	YES
43-4037	YES	YES	YES	NO	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>
36-13645	36-13645	0.08 cfs	14.6 af	N/A	N/A		N/A	N/A	N/A	N/A
43-7126	36-16210	0.11 cfs	15.8 af	N/A	N/A	43-13345	18.60 cfs	4447.6 af	1,111.9	1,645.3
43-4037	36-16211	0.03 cfs	14.6 af	N/A	N/A	43-13347	3.27 cfs	2133.6 af	533.4	1,645.3
COMBINED										
TOTALS		0.19 cfs	30.4 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of April, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-13645
As Modified by Transfer No. 70925

In accordance with the approval of Transfer No. 70925, Water Right No. 36-13645 is now described as follows.

Right Holder: SUSAN C BAILEY And/Or
P CHAD BAILEY
428 S 200 W
RUPERT ID 83350

Priority Date: December 31, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.04 CFS	1.2 AF
STOCKWATER	01/01	to 12/31	0.08 CFS	13.4 AF
			0.08 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L2 (SWNW) Sec. 18 Twp 10S Rge 24E MINIDOKA County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S 24E 18							X	X									
							L 2										

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S 24E 18							X	X									
							L 2										

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 70925, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
2. Transfer 70925 authorizes a single point of diversion for Rights 36-13645, 36-16210 and 36-16211.
3. The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

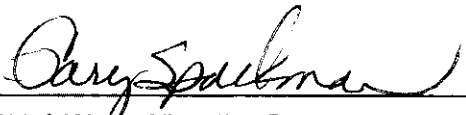
WATER RIGHT NO. 36-13645
As Modified by Transfer No. 70925

CONDITIONS OF APPROVAL

5. Rights 36-13645, 36-16210 and 36-16211 when combined shall not exceed a total diversion rate of 0.19 cfs and total annual maximum diversion volume of 30.4 af.
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. Domestic use is for 1 office.
8. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
9. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. The right holder shall accomplish the change authorized by this transfer within one (1) 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 19th day of April, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13345
As Modified by Transfer No. 70925

In accordance with the approval of Transfer No. 70925, Water Right No. 43-13345 is now described as follows.

Right Holder: SAGEWOOD RANCH LLC
 227 E 400 S
 BURLEY ID 83318

Priority Date: May 04, 1978

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	18.60 CFS	4,447.6 AF
			18.60 CFS	4,447.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L4 (SWNWNW)	Sec. 2	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	NENWSW	Sec. 2	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	NWSWSE	Sec. 3	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	SENENE	Sec. 11	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	1					40.0	40.0	16.0	4.0		38.0	40.0						178.0
							L3	L4											
10S	26E	2	25.0	40.0	21.0	25.0	40.0	31.0	31.0	28.0	39.0	30.0	40.0	40.0	40.0		40.0	40.0	510.0
			L1	L2			L3	L4											
10S	26E	3			40.0	30.0				40.0	28.0	13.0	40.0	40.0	30.0	26.0	40.0	40.0	367.0
10S	26E	10	32.0	33.0			35.0	26.0											126.0
10S	26E	11	38.0	25.0			37.0	34.0	3.7	4.6									142.3
10S	26E	12			38.0	33.0		40.0	40.0	39.0	33.0	33.0			33.0	33.0			322.0

Total Acres: 1645.3

CONDITIONS OF APPROVAL

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 43-13345
As Modified by Transfer No. 70925

CONDITIONS OF APPROVAL

3. Use of this right with right no. 43-13347 is limited to a total combined diversion rate of 18.6 cfs.
4. Use of this right with right no. 43-13347 is limited to the irrigation of a combined total of 1645.3 acres in a single irrigation season.
5. This right is limited to the irrigation of 1111.9 acres within the place of use described above in a single irrigation season.

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 19th day of April, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16210
As Modified by Transfer No. 70925

In accordance with the approval of Transfer No. 70925, Water Right No. 36-16210 is now described as follows.

Right Holder: P CHAD BAILEY And/Or
 SUSAN C BAILEY
 428 S 200 W
 RUPERT ID 83350

Priority Date: May 04, 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	0.11 CFS	15.8 AF
STOCKWATER	01/01 to	12/31	0.11 CFS	15.8 AF
			0.11 CFS	15.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L2 (SWNW) Sec. 18 Twp 10S Rge 24E 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	
10S 24E 18							X	X									
							L 2										

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	
10S 24E 18							X	X									
							L 2										

CONDITIONS OF APPROVAL

1. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 70925. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
2. Prior to the diversion and use of water under Transfer approval 70925, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. Transfer 70925 authorizes a single point of diversion for Rights 36-13645, 36-16210 and 36-16211.

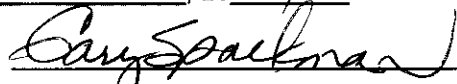
WATER RIGHT NO. 36-16210
As Modified by Transfer No. 70925

CONDITIONS OF APPROVAL

4. Rights 36-16210 and 36-16211 when combined shall not exceed a total diversion rate of 0.11 cfs and a total annual maximum diversion volume of 15.8 af.
5. Rights 36-13645, 36-16210 and 36-16211 when combined shall not exceed a total diversion rate of 19.0 cfs and total annual maximum diversion volume of 30.4 af.
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. Commercial use is for a dairy.
8. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
9. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. The right holder shall accomplish the change authorized by this transfer within one (1) 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 19th day of April, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13347
As Modified by Transfer No. 70925

In accordance with the approval of Transfer No. 70925, Water Right No. 43-13347 is now described as follows.

Right Holder: SAGEWOOD RANCH LLC
 227 E 400 S
 BURLEY ID 83318

Priority Date: May 23, 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	3.27 CFS	2,133.6 AF
			3.27 CFS	2,133.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L4 (SWNWNW)	Sec. 2	Twp 10s	Rge 26e	CASSIA County
GROUND WATER	NENWSW	Sec. 2	Twp 10s	Rge 26e	CASSIA County
GROUND WATER	NWSWSE	Sec. 3	Twp 10S	Rge 26E	CASSIA County
GROUND WATER	SENESE	Sec. 11	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	1					40.0	40.0	16.0	4.0		38.0	40.0						178.0
							L3	L4											
10S	26E	2	25.0	40.0	21.0	25.0	40.0	31.0	31.0	28.0	39.0	30.0	40.0	40.0	40.0		40.0	40.0	510.0
			L1	L2			L3	L4											
10S	26E	3			40.0	30.0				40.0	28.0	13.0	40.0	40.0	30.0	26.0	40.0	40.0	367.0
10S	26E	10	32.0	33.0			35.0	26.0											126.0
10S	26E	11	38.0	25.0			37.0	34.0	3.7	4.6									142.3
10S	26E	12			38.0	33.0		40.0	40.0	39.0	33.0	33.0			33.0	33.0			322.0

Total Acres: 1645.3

CONDITIONS OF APPROVAL

- Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.
- Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

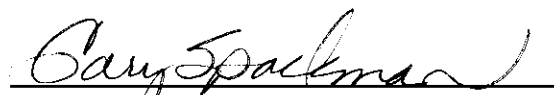
WATER RIGHT NO. 43-13347
As Modified by Transfer No. 70925

CONDITIONS OF APPROVAL

3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. Use of this right with right no. 43-13345 is limited to a total combined diversion rate of 18.6 cfs.
5. Use of this right with right no. 43-13345 is limited to the irrigation of a combined total of 1645.3 acres in a single irrigation season.
6. This right is limited to the irrigation of 533.4 acres within the place of use described above in a single irrigation season.

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 19th day of April, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16211
As Modified by Transfer No. 70925

In accordance with the approval of Transfer No. 70925, Water Right No. 36-16211 is now described as follows.

Right Holder: SUSAN C BAILEY And/or
P CHAD BAILEY
428 S 200 W
RUPERT ID 83350

Priority Date: May 23, 1962

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		0.03 CFS	14.6 AF
STOCKWATER	01/01 to 12/31		0.03 CFS	14.6 AF
			0.03 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L2 (SWNW) Sec. 18 Twp 10S Rge 24E MINIDOKA County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	24E	18							X	X									
									L 2										

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	24E	18							X	X									
									L 2										

CONDITIONS OF APPROVAL

1. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 70925. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
2. Prior to the diversion and use of water under Transfer approval 70925, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. Transfer 70925 authorizes a single point of diversion for Rights 36-13645, 36-16210 and 36-16211.

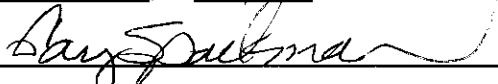
WATER RIGHT NO. 36-16211
As Modified by Transfer No. 70925

CONDITIONS OF APPROVAL

4. Rights 36-16210 and 36-16211 when combined shall not exceed a total diversion rate of 0.11 cfs and a total annual maximum diversion volume of 15.8 af.
5. Rights 36-13645, 36-16210 and 36-16211 when combined shall not exceed a total diversion rate of 19.0 cfs and total annual maximum diversion volume of 30.4 af.
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. Commercial use is for a dairy.
8. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
9. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. The right holder shall accomplish the change authorized by this transfer within one (1) 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 19th day of April, 2004



Chief, Water Allocation Bureau