

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69125

This is to certify that: KEVIN PARNELL
301 8TH AVE N
BUHL ID 83316
(208)543-8436

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>
36-14863	WR/Decreed	03/01/1960	0.11 cfs	N/A	N/A	N/A	GROUND WATER
36-15646	WR/Decreed	12/03/1966	0.60 cfs	N/A	30.1	96.8	GROUND WATER
36-15644	WR/Decreed	10/18/1968	0.77 cfs	N/A	52.9	96.8	GROUND WATER
36-15648	WR/Decreed	02/18/1971	0.33 cfs	N/A	N/A	96.8	GROUND WATER
37-21265	WR/Decreed	02/27/1979	0.02 cfs	3.6 af	N/A	0.9	GROUND WATER
37-21266	WR/Decreed	02/27/1979	0.07 cfs	14.4 af	N/A	3.6	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>
36-14863	NO	NO	NO	YES	NO	NO
36-15646	YES	YES	YES	NO	YES	YES
36-15644	YES	YES	YES	NO	YES	YES
36-15648	YES	YES	YES	NO	YES	YES
37-21265	NO	YES	YES	NO	YES	YES
37-21266	NO	NO	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>
36-14863	36-14863	0.11 cfs	14.6 af	N/A	N/A		N/A	N/A	N/A	N/A
36-15646	36-15653	0.04 cfs	5.6 af	N/A	N/A	36-15652	0.56 cfs	N/A	28.0	90.1
36-15644	36-15651	0.05 cfs	10.0 af	N/A	N/A	36-15650	0.72 cfs	N/A	49.2	90.1
36-15648	36-15655	0.02 cfs	2.4 af	N/A	N/A	36-15654	0.31 cfs	N/A	N/A	90.1
37-21265	36-16207	0.02 cfs	2.0 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.20 cfs	34.6 af	N/A	N/A		1.03	360.4	N/A	90.1

Related Mitigation Rights

37-21266	37-21266	0.07 cfs	14.4 af	1.5	3.6		N/A	N/A	N/A	N/A
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69125

Detailed Water Right Description(s) attached

Dated this 12 day of March, 2004

for 
Chief, Water Allocation Bureau

WATER RIGHT NO. 36-14863
As Modified by Transfer No. 69125

In accordance with the approval of Transfer No. 69125, Water Right No. 36-14863 is now described as follows.

Right Holder: KEVIN PARNELL
 301 8TH AVE N
 BUHL ID 83316

Priority Date: March 01, 1960

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	0.07 CFS	13.4 AF
			0.11 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 29 Twp 07S Rge 17E JEROME County

GROUND WATER SESE Sec. 29 Twp 07S Rge 17E JEROME County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	17E	29																X	

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	
07S	17E	29																X	

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-14863, 36-15651, 36-15653, 36-15655 and 36-16207 shall not exceed 0.20 cfs, nor a total combined annual volume of 34.6 afa except as modified below.
2. Beginning on the date of approval of Transfer 69125, Rights 36-14863, 36-15651, 36-15653, 36-15655 and 36-16207 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Year 2004 the rights are limited to 21.3 afa.

Years 2005 and beyond the rights are limited to 34.6 afa.

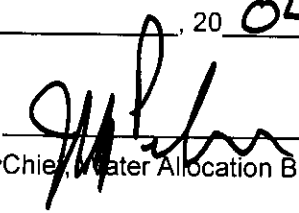
WATER RIGHT NO. 36-14863
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

3. Prior to the diversion and use of water under Transfer approval 69125, 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.
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 diversion of water under this approval, the right holder shall provide a 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.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. 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.
8. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. The diversion and use of water described in Transfer 69125 may be subject to additional conditions and limitations agreed to by the protestant(s) 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.
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 12 day of March, 2004

for 
Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15650
As Modified by Transfer No. 69125

In accordance with the approval of Transfer No. 69125, Water Right No. 36-15650 is now described as follows.

Right Holder: VIVIAN K LARSEN
 JOHN C LARSEN
 129 S 2900 E
 PAUL ID 83347

Priority Date: October 18, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	0.72 CFS	
			0.72 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESWNE Sec. 30 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	19			13.3	15.6									24.5		1.9		55.3
08S	22E	30		21.2			13.6												34.8

Total Acres: 90.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 49.2 acres within the place of use described above in a single irrigation season.
2. Rights 36-15650 and 36-15652 when combined shall not exceed 0.72 cfs.
3. Rights 36-15650, 36-15652, and 36-15654 when combined shall not exceed a total diversion rate of 1.03 cfs, a total annual maximum diversion volume of 360.4 af at the field headgate, and the irrigation of 90.1 acres.
4. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
5. The period of use for the irrigation described in this approval may be extended to 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 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 the originating approval/SRBA partial decree date.

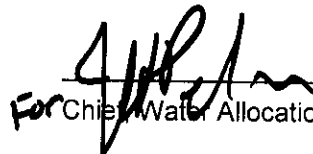
WATER RIGHT NO. 36-15650
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

6. Rights 36-15650, 36-15652, 36-15654, 36-16104, 36-16106, and 36-16108 are all diverted through the point(s) of diversion described above.
7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. 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 12 day of March, 2004


For Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15651
As Modified by Transfer No. 69125

In accordance with the approval of Transfer No. 69125, Water Right No. 36-15651 is now described as follows.

Right Holder: KEVIN PARNELL
 301 8TH AVE N
 BUHL ID 83316

Priority Date: October 18, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.05 CFS	10.0 AF
COMMERCIAL	01/01 to	12/31	0.05 CFS	10.0 AF
			0.05 CFS	10.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 29 Twp 07S Rge 17E JEROME County

GROUND WATER SESE Sec. 29 Twp 07S Rge 17E JEROME County

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	
07S	17E	29																	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	
07S	17E	29													X				X

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-14863, 36-15651, 36-15653, 36-15655 and 36-16207 shall not exceed 0.20 cfs, nor a total combined annual volume of 34.6 afa except as modified below.
2. Beginning on the date of approval of Transfer 69125, Rights 36-14863, 36-15651, 36-15653, 36-15655 and 36-16207 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Year 2004 the rights are limited to 21.3 afa.

Years 2005 and beyond the rights are limited to 34.6 afa.

WATER RIGHT NO. 36-15651
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

3. The water right holder shall maintain control of the necessary portion of right 37-21266 for mitigation purposes under Transfer approval 69125 and rent the necessary portions of rights 37-8093 and 37-10142 from the Water Resource Board Water Bank as outlined in the mitigation plan associated with Transfer approval 69125. If the necessary portion of the mitigation right 37-21266 is sold, transferred, leased, used on any place of use or is not deliverable due to priority call or the necessary portions of rights 37-8093 and 37-10142 are not rented from the Water Bank or not deliverable due to a priority call then the amount of water authorized for diversion under this transfer approval shall be reduced by the same proportion of the amount reduced under the mitigation rights.
4. Prior to the diversion and use of water under Transfer approval 69125, 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.
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.
6. Prior to diversion of water under this approval, the right holder shall provide a 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. Commercial use is for a dairy with barn located in the SESE S29, T07S, R17E, B.M.
8. 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 these water rights.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. 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.
11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
12. The diversion and use of water described in Transfer 69125 may be subject to additional conditions and limitations agreed to by the protestant(s) 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.
13. 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 69125. 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.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 36-15651
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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 12 day of March, 20 04


for Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15652
As Modified by Transfer No. 69125

In accordance with the approval of Transfer No. 69125, Water Right No. 36-15652 is now described as follows.

Right Holder: VIVIAN K LARSEN
 JOHN C LARSEN
 129 S 2900 E
 PAUL ID 83347

Priority Date: December 03, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	0.56 CFS	
			0.56 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESWNE Sec. 30 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					
08S	22E	19			13.3	15.6									24.5		1.9	55.3	
08S	22E	30			21.2				13.6									34.8	

Total Acres: 90.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 28.0 acres within the place of use described above in a single irrigation season.
2. Rights 36-15650 and 36-15652 when combined shall not exceed 0.72 cfs.
3. Rights 36-15650, 36-15652 and 36-15654 when combined shall not exceed a total diversion rate of 1.03 cfs, a total annual maximum diversion volume of 360.4 af at the field headgate, and the irrigation of 90.1 acres.
4. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
5. The period of use for the irrigation described in this approval may be extended to 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 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 the originating approval/SRBA partial decree date.

WATER RIGHT NO. 36-15652
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

6. Rights 36-15650, 36-15652, 36-15654, 36-16104, 36-16106, and 36-16108 are all diverted through the point(s) of diversion described above.
7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. 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 12 day of March, 2004


For _____
Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15653
As Modified by Transfer No. 69125

In accordance with the approval of Transfer No. 69125, Water Right No. 36-15653 is now described as follows.

Right Holder: KEVIN PARNELL
 301 8TH AVE N
 BUHL ID 83316

Priority Date: December 03, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.04 CFS	5.6 AF
COMMERCIAL	01/01 to	12/31	0.04 CFS	5.6 AF
			0.04 CFS	5.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 29 Twp 07S Rge 17E JEROME County

GROUND WATER SESE Sec. 29 Twp 07S Rge 17E JEROME County

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	
07S	17E	29																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	
07S	17E	29													X			X	

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-14863, 36-15651, 36-15653, 36-15655 and 36-16207 shall not exceed 0.20 cfs, nor a total combined annual volume of 34.6 afa except as modified below.
2. Beginning on the date of approval of Transfer 69125, Rights 36-14863, 36-15651, 36-15653, 36-15655 and 36-16207 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Year 2004 the rights are limited to 21.3 afa.

Years 2005 and beyond the rights are limited to 34.6 afa.

WATER RIGHT NO. 36-15653
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

3. The water right holder shall maintain control of the necessary portion of right 37-21266 for mitigation purposes under Transfer approval 69125 and rent the necessary portions of rights 37-8093 and 37-10142 from the Water Resource Board Water Bank as outlined in the mitigation plan associated with Transfer approval 69125. If the necessary portion of the mitigation right 37-21266 is sold, transferred, leased, used on any place of use or is not deliverable due to priority call or the necessary portions of rights 37-8093 and 37-10142 are not rented from the Water Bank or not deliverable due to a priority call then the amount of water authorized for diversion under this transfer approval shall be reduced by the same proportion of the amount reduced under the mitigation rights.
4. Prior to the diversion and use of water under Transfer approval 69125, 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.
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.
6. Prior to diversion of water under this approval, the right holder shall provide a 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. Commercial use is for a dairy with barn located in the SESE S29, T07S, R17E, B.M.
8. 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 these water rights.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. 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.
11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
12. The diversion and use of water described in Transfer 69125 may be subject to additional conditions and limitations agreed to by the protestant(s) 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.
13. 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 69125. 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.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

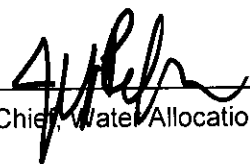
WATER RIGHT NO. 36-15653
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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 12 day of March, 2004


For Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15654
As Modified by Transfer No. 69125

In accordance with the approval of Transfer No. 69125, Water Right No. 36-15654 is now described as follows.

Right Holder: VIVIAN K LARSEN
 JOHN C LARSEN
 129 S 2900 E
 PAUL ID 83347

Priority Date: February 18, 1971

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	0.31 CFS	
			0.31 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESWNE Sec. 30 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					
08S	22E	19			13.3	15.6									24.5		1.9	55.3	
08S	22E	30			21.2			13.6										34.8	

Total Acres: 90.1

CONDITIONS OF APPROVAL

1. Rights 36-15650, 36-15652, and 36-15654 when combined shall not exceed a total diversion rate of 1.03 cfs, a total annual maximum diversion volume of 360.4 af at the field headgate, and the irrigation of 90.1 acres.
2. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
3. 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 the originating approval/SRBA partial decree date.
4. Rights 36-15650, 36-15652, 36-15654, 36-16104, 36-16106 and 36-16108 are all diverted through the point(s) of diversion described above.
5. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

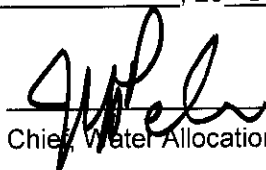
WATER RIGHT NO. 36-15654
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

6. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. 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 12 day of March, 2004


For Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15655
As Modified by Transfer No. 69125

In accordance with the approval of Transfer No. 69125, Water Right No. 36-15655 is now described as follows.

Right Holder: KEVIN PARNELL
 301 8TH AVE N
 BUHL ID 83316

Priority Date: February 18, 1971

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	0.02 CFS	2.4 AF
STOCKWATER	01/01 to	12/31	0.02 CFS	2.4 AF
			0.02 CFS	2.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 29 Twp 07S Rge 17E JEROME County

GROUND WATER SESE Sec. 29 Twp 07S Rge 17E JEROME 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	
07S	17E	29													X				X

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	
07S	17E	29																	X

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-14863, 36-15651, 36-15653, 36-15655 and 36-16207 shall not exceed 0.20 cfs, nor a total combined annual volume of 34.6 afa except as modified below.
2. Beginning on the date of approval of Transfer 69125, Rights 36-14863, 36-15651, 36-15653, 36-15655 and 36-16207 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Year 2004 the rights are limited to 21.3 afa.

Years 2005 and beyond the rights are limited to 34.6 afa.

WATER RIGHT NO. 36-15655
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

3. The water right holder shall maintain control of the necessary portion of right 37-21266 for mitigation purposes under Transfer approval 69125 and rent the necessary portions of rights 37-8093 and 37-10142 from the Water Resource Board Water Bank as outlined in the mitigation plan associated with Transfer approval 69125. If the necessary portion of the mitigation right 37-21266 is sold, transferred, leased, used on any place of use or is not deliverable due to priority call or the necessary portions of rights 37-8093 and 37-10142 are not rented from the Water Bank or not deliverable due to a priority call then the amount of water authorized for diversion under this transfer approval shall be reduced by the same proportion of the amount reduced under the mitigation rights.
4. Prior to the diversion and use of water under Transfer approval 69125, 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.
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.
6. Prior to diversion of water under this approval, the right holder shall provide a 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. Commercial use is for a dairy with barn located in the SESE S29, T07S, R17E, B.M.
8. 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 these water rights.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. 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.

WATER RIGHT NO. 36-15655
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
12. The diversion and use of water described in Transfer 69125 may be subject to additional conditions and limitations agreed to by the protestant(s) 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.
13. 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 69125. 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.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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 12 day of March, 2004


for _____, Water Allocation Bureau

WATER RIGHT NO. 36-16207
As Modified by Transfer No. 69125

In accordance with the approval of Transfer No. 69125, Water Right No. 36-16207 is now described as follows.

Right Holder: KEVIN PARNELL
 301 8TH AVE N
 BUHL ID 83316

Priority Date: February 27, 1979

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	0.02 CFS	2.0 AF
STOCKWATER	01/01	to 12/31	0.02 CFS	2.0 AF
			0.02 CFS	2.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 29 Twp 07S Rge 17E JEROME County

GROUND WATER SESE Sec. 29 Twp 07S Rge 17E JEROME 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	
07S 17E 29													X				X

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	
07S 17E 29																X	

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-14863, 36-15651, 36-15653, 36-15655 and 36-16207 shall not exceed 0.20 cfs, nor a total combined annual volume of 34.6 afa except as modified below.
2. Beginning on the date of approval of Transfer 69125, Rights 36-14863, 36-15651, 36-15653, 36-15655 and 36-16207 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Year 2004 the rights are limited to 21.3 afa.

Years 2005 and beyond the rights are limited to 34.6 afa.

WATER RIGHT NO. 36-16207
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

3. The water right holder shall maintain control of the necessary portion of right 37-21266 for mitigation purposes under Transfer approval 69125 and rent the necessary portions of rights 37-8093 and 37-10142 from the Water Resource Board Water Bank as outlined in the mitigation plan associated with Transfer approval 69125. If the necessary portion of the mitigation right 37-21266 is sold, transferred, leased, used on any place of use or is not deliverable due to priority call or the necessary portions of rights 37-8093 and 37-10142 are not rented from the Water Bank or not deliverable due to a priority call then the amount of water authorized for diversion under this transfer approval shall be reduced by the same proportion of the amount reduced under the mitigation rights.
4. Prior to the diversion and use of water under Transfer approval 69125, 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.
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.
6. Prior to diversion of water under this approval, the right holder shall provide a 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. Commercial use is for a dairy with barn located in the SESE S29, T07S, R17E, B.M.
8. 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 these water rights.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. 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.
11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
12. The diversion and use of water described in Transfer 69125 may be subject to additional conditions and limitations agreed to by the protestant(s) 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.
13. 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 69125. 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.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 36-16207
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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 12 day of March, 2004


for Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21266
As Modified by Transfer No. 69125

In accordance with the approval of Transfer No. 69125, Water Right No. 37-21266 is now described as follows.

Right Holder: KEVIN PARNELL
 301 8TH AVE N
 BUHL ID 83316

Priority Date: February 27, 1979

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	0.02 CFS	6.0 AF
MITIGATION	01/01 to	12/31	0.07 CFS	14.4 AF
			0.07 CFS	14.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWSE Sec. 13 Twp 06S Rge 18E LINCOLN 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	
06S 18E 13									3.6								3.6

Total Acres: 3.6

PLACE OF USE: MITIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 18E 13									X								

CONDITIONS OF APPROVAL

- Right 37-21266 is used for mitigation purposes for rights 36-15655, 36-15653, 36-15651 and 36-16207 under Transfer approval 69125. The irrigation and mitigation uses described under this mitigation right is limited to the following schedule of allowed use which begins on the date of approval of the transfer. The right holder shall file a notice of intent with the Department prior to the increased use of water under the mitigation rights each time an increase according to the schedule is sought.

Years 2004 through 2013 the diversion and use of this right for irrigation is limited to 0.00 cfs, 0.0 afa and 0.0 acres. The undiverted mitigation use is 0.07 cfs, 14.4 afa, and 3.6 unirrigated acres.

Years 2014 through 2023 the diversion and use of this right for irrigation is limited to 0.01 cfs, 2.0 afa and 0.5 acres. The undiverted mitigation use is 0.06 cfs, 12.4 afa, and 3.1 unirrigated acres.

Years 2024 and beyond the diversion and use of this right for irrigation is limited to 0.03 cfs, 6.0 afa and 1.5 acres. The undiverted mitigation use is 0.04 cfs, 8.4 afa, and 2.1 unirrigated acres.

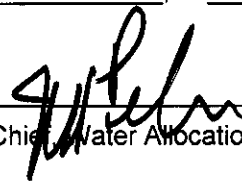
WATER RIGHT NO. 37-21266
As Modified by Transfer No. 69125

CONDITIONS OF APPROVAL

2. The diversion and use of water described in Transfer 69125 may be subject to additional conditions and limitations agreed to by the protestant(s) 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.
3. 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 69125. 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.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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 12 day of March, 2004


For Chief, Water Allocation Bureau