

Transfer No. 70599
 Receipt No. S025906

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information CAROL J WOODBURY

152 N YALE RD
 DECLO ID 83323
 (208)349-5591

And

LYLE D WOODBURY
 152 N YALE RD
 DECLO ID 83323
 (208)349-5591

Will this transfer result in an ownership change? No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
43-7122A	WR/License	3.21		255.9	360.3	GROUND WATER
43-2335	AJC/License	4.00	1,132.0	283.0	360.3	GROUND WATER
43-2434	AJC/License	5.36	1,214.8	303.7	397.8	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-7122A	NO	NO	YES	YES	NO	NO
43-2335	NO	NO	YES	YES	NO	NO
43-2434	YES	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

Transfer removes water from BLM in order to satisfy their objections to our claims, and puts it on land that we own. Also ties 3 existing wells together in a common system. A portion of the county road bordering our farm needs to be moved further east before one of the pivots can be moved, and the road project being done by the county has just started; we are asking two years development time to allow for completion of the road work.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
43-7122A	3.21 cfs	255.9	561.0	309.2 af
43-2335	4.00 cfs	283.0	561.0	1,132.0 af
43-13350	3.19 cfs	180.5	561.0	722.0 af
TOTAL	10.40 cfs	540.8	561.0	2,163.2 af

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



Lyle D. Woodbury
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 10th day of June, 2008.

J. E. Stanton
(Notary Public)

My commission expires 10-25-2006

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



Carol Woodbury
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 10th day of June, 2003.

J. E. Stanton
(Notary Public)

My commission expires 10-25-2006

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 43-7122A

Priority Date: June 20, 1978

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	3.21 CFS		
	Total Diversion		3.21 CFS		

Source and Point(s) of Diversion:

GROUND WATER SESW Sec. 7 Twp 10S Rge 28E CASSIA County

GROUND WATER NESW Sec. 18 Twp 10S Rge 28E 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 27E 12													2.6			.8	3.4
10S 27E 13													3.3				3.3
10S 28E 7									3.7	46.6	38.6	35.5		2.7	28.0		155.1
10S 28E 18										L 3	L 4						198.5
		14.1	9.2		35.0	4.1	18.7	35.2	20.0	46.9	14.2	1.1					
						L 1	L 2			L 3	L 4						

Total Acres: 360.3

Conditions/Remarks:

1. Right 43-02335 is also diverted through the point(s) of diversion described above.
The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
This right is limited to the irrigation of 255.9 acres within the place of use described above in a single irrigation season.
This right when combined with Right 43-02335 and all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
Use of this right with Right 43-02335 is limited to a total combined annual diversion volume of 1441.2 af and to the irrigation of a combined total of 360.3 acres in a single irrigation season.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Transfer removes water from BLM land & moves it onto land that we own. Also ties this right into 2 other well rights served by the same system.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 43-2335

Priority Date: April 08, 1949
Origin: Adjudication Recommendation
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	4.00 CFS	1,132.0 AFA	
	Total Diversion	4.00 CFS	1,132.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSESW Sec. 7 Twp 10S Rge 28E CASSIA County

GROUND WATER SENESW Sec. 18 Twp 10S Rge 28E 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 27E 12													2.6			.8	3.4
10S 27E 13													3.3				3.3
10S 28E 7									3.7	46.6	38.6	35.5		2.7	28.0		155.1
10S 28E 18		14.1	9.2		35.0	4.1	18.7	35.2	20.0	46.9	14.2	1.1					198.5

Total Acres: 360.3

Conditions/Remarks:

1. 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.
2. USE OF THIS RIGHT WITH RIGHT NO. 43-07122A IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1441.2 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 43-07122A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360.3 ACRES IN A SINGLE IRRIGATION SEASON.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 758.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02335, 43-02434, 43-07122A, 43-07122B, 43-10421, 43-10422, & 43-10423.
5. RIGHT NO. 43-07122A IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 283 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
7. SPLIT RIGHT: SEE RIGHT NOS. 43-13245 AND 43-13246.
8. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Water is being removed from BLM land and re-distributed to our private ground. Transfer also reflects current practices that have 3 wells tied together in a common system.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 43-2434

Priority Date: December 13, 1955
Origin: Adjudication Recommendation
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	5.36 CFS	1,214.8 AFA	
	Total Diversion	5.36 CFS	1,214.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESWNE Sec. 7 Twp 10S Rge 28E CASSIA County

GROUND WATER L1 (SWNWNW) Sec. 19 Twp 10S Rge 28E 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	27E	13														.5	23.0	35.8	59.3
10S	27E	24	39.0	22.3															61.3
10S	28E	7	12.5	23.4	40.0	37.7	4.1			22.7	19.2				26.3	38.9	1.0		225.8
10S	28E	18		11.4	.5								20.9						32.8
10S	28E	19						18.6					L 4						18.6
								L 1											

Total Acres: 397.8

Conditions/Remarks:

1. 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.
2. USE OF THIS RIGHT WITH RIGHT NO. 43-07122B IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1214.8 AF.

3. USE OF THIS RIGHT WITH RIGHT NO. 43-07122B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 397.8 ACRES IN A SINGLE IRRIGATION SEASON.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 758.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02335, 43-02434, 43-07122A, 43-07122B, 43-10421, 43-10422, & 43-10423.
5. RIGHT NO. 43-07122B IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 303.68 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
7. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-02434A, & 43-02434B.
8. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 43-7122A

Priority Date: June 20, 1978

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	3.21 CFS	309.2 AFA	
	Total Diversion	3.21 CFS	309.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSESW Sec. 7 Twp 10S Rge 28E CASSIA County

GROUND WATER SENESW Sec. 18 Twp 10S Rge 28E CASSIA County

GROUND WATER L1 (SWNWNW) Sec. 19 Twp 10S Rge 28E CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 Existing well, motor, pump, mainline to sprinklers

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 27E 13															11.0	39.0	50.0
10S 27E 24	38.0	24.0			17.0												79.0
10S 28E 7									16.0	46.0	29.0	33.0		2.0	26.0		152.0
10S 28E 18		24.0	9.0		35.0	38.0	11.0	39.0	23.0	L 3	L 4					3.0	262.0
10S 28E 19						L 1	L 2			L 3	L 4						18.0
						L 1											

Total Acres: 561

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 43-2335

Priority Date: April 08, 1949
Origin: Adjudication
Recommendation
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	4.00 CFS	1,132.0 AFA	
	Total Diversion	4.00 CFS	1,132.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSESW	Sec. 7 Twp 10S Rge 28E CASSIA County
GROUND WATER	SENESEW	Sec. 18 Twp 10S Rge 28E CASSIA County
GROUND WATER	L1 (SWNWNW)	Sec. 19 Twp 10S Rge 28E CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 Existing well, motor, pump, mainline to sprinklers

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 27E 13															11.0	39.0	50.0
10S 27E 24	38.0	24.0			17.0												79.0
10S 28E 7									16.0	46.0	29.0	33.0		2.0	26.0		152.0
10S 28E 18		24.0	9.0		35.0	38.0	11.0	39.0	23.0	44.0	36.0	3.0					262.0
10S 28E 19						L1	L2			L3	L4						18.0
						L1											

Total Acres: 561

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 43-13350

Priority Date: December 13, 1955

Origin:

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	3.19 CFS	722.0 AFA	
	Total Diversion	3.19 CFS	722.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSESW Sec. 7 Twp 10S Rge 28E CASSIA County

GROUND WATER SENESW Sec. 18 Twp 10S Rge 28E CASSIA County

GROUND WATER L1 (SWNWNW) Sec. 19 Twp 10S Rge 28E CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 Existing well, motor, pump, mainline to sprinklers

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 27E 13															11.0	39.0	50.0
10S 27E 24	38.0	24.0			17.0												79.0
10S 28E 7									16.0	46.0	29.0	33.0		2.0	26.0		152.0
									L 3	L 4							
10S 28E 18		24.0	9.0		35.0	38.0	11.0	39.0	23.0	44.0	36.0	3.0					262.0
						L 1	L 2			L 3	L 4						
10S 28E 19						18.0											18.0
						L 1											

Total Acres: 561

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3B**

PORTION OF RIGHT No. 43-2434 BEING TRANSFERRED

Priority Date: December 13, 1955

Origin:

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	3.19 CFS	722.0 AFA	
Total Diversion		3.19 CFS	722.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER L1 (SWNWNW) Sec. 19 Twp 10S Rge 28E 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 27E 13													.5	23.0	35.8		59.3
10S 27E 24	39.0	22.3															61.3
10S 28E 7								7.0					.5	1.0			8.5
10S 28E 18		11.4	.5								20.9						32.8
10S 28E 19						18.6					L 4						18.6
						L 1											

Total Acres: 180.5

R. 27E R. 28E

43-7122B, 13349

POD

Lyle Woodbury Transfer 70599