

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70323**

This is to certify that: WAYMENT FARMS INC

781 S 250 E
BURLEY ID 83318
(208)678-4976

And

GARR G WAYMENT
C/O WAYMENT FARMS
781 S 250 E
BURLEY ID 83318
(208)678-4976

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>
45-2375G	AJC/License	04/28/1951	2.17 cfs	914.8 af	N/A	228.7	GROUND WATER
45-4144A	AJC/Beneficial Use	03/15/1958	1.11 cfs	136.4 af	N/A	74.1	GROUND WATER
45-2691	AJC/License	12/20/1962	3.40 cfs	1024.0 af	256.0	329.0	GROUND WATER
45-12887	AJC/License	04/28/1951	3.097 cfs	800.0 af	N/A	200.0	GROUND WATER
45-13413	AJC/Beneficial Use	06/30/1985	0.75 cfs	N/A	73.0	329.0	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>
45-2375G	NO	NO	YES	YES	NO	NO
45-4144A	NO	NO	YES	YES	NO	NO
45-2691	NO	NO	YES	YES	NO	NO
45-12887	NO	NO	YES	YES	NO	NO
45-13413	NO	NO	YES	YES	NO	NO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70323

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
45-2375G	45-2375G	2.17 cfs	914.8 af	228.7	791.8		N/A	N/A	N/A	N/A
45-4144A	45-4144A	1.11 cfs	136.4 af	74.1	791.8		N/A	N/A	N/A	N/A
45-2691	45-2691	3.40 cfs	1024.0 af	256.0	791.8		N/A	N/A	N/A	N/A
45-12887	45-12887	3.10 cfs	800.0 af	200.0	791.8		N/A	N/A	N/A	N/A
45-13413	45-13413	0.75 cfs	N/A	73.0	791.8		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		8.67 cfs	2875.2 af	791.8	791.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of December, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-4144A
As Modified by Transfer No. 70323

In accordance with the approval of Transfer No. 70323, Water Right No. 45-4144A is now described as follows.

Right Holder: WAYMENT FARMS INC
 781 S 250 E
 BURLEY ID 83318

Priority Date: March 15, 1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.11 CFS	136.4 AF
			1.11 CFS	136.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	NWSESW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	SWSESW	Sec. 28 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	SWSESE	Sec. 29 Twp 11S	Rge 23E	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	
11S 23E 26									11.0	24.0	41.0	39.0					115.0
11S 23E 28									40.0	40.0	40.0	40.0	36.5	40.0	40.0	32.2	308.7
11S 23E 29													40.0	34.1	40.0	40.0	154.1
11S 23E 35					41.0	38.0	40.0	39.0	18.0	38.0							214.0

Total Acres: 791.8

WATER RIGHT NO. 45-4144A
As Modified by Transfer No. 70323

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 74.1 acres within the place of use described above in a single irrigation season.
2. Rights 45-4144A and 45-12887 when combined shall not exceed a total diversion rate of 3.10 cfs and the irrigation of 234.1 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.
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.
6. Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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 1st day of December, 20 03



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2375G
As Modified by Transfer No. 70323

In accordance with the approval of Transfer No. 70323, Water Right No. 45-2375G is now described as follows.

Right Holder: GARR G WAYMENT
 C/O WAYMENT FARMS
 781 S 250 E
 BURLEY ID 83318

Priority Date: April 28, 1951

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	2.17 CFS	914.8 AF
			2.17 CFS	914.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	NWSESW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	SWSESW	Sec. 28 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	SWSESE	Sec. 29 Twp 11S	Rge 23E	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	
11S	23E	26									11.0	24.0	41.0	39.0					115.0
11S	23E	28									40.0	40.0	40.0	40.0	36.5	40.0	40.0	32.2	308.7
11S	23E	29													40.0	34.1	40.0	40.0	154.1
11S	23E	35					41.0	38.0	40.0	39.0	18.0	38.0							214.0

Total Acres: 791.8

WATER RIGHT NO. 45-2375G
As Modified by Transfer No. 70323

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 228.7 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 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.
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 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 1st day of December, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-12887
As Modified by Transfer No. 70323

In accordance with the approval of Transfer No. 70323, Water Right No. 45-12887 is now described as follows.

Right Holder: WAYMENT FARMS INC
 781 S 250 E
 BURLEY ID 83318

Priority Date: April 28, 1951

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	3.10 CFS	800.0 AF
			3.10 CFS	800.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	NWSESW	Sec. 26 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	SWSESW	Sec. 28 Twp 11S	Rge 23E	CASSIA County
GROUND WATER	SWSESE	Sec. 29 Twp 11S	Rge 23E	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	
11S	23E	26									11.0	24.0	41.0	39.0					115.0
11S	23E	28									40.0	40.0	40.0	40.0	36.5	40.0	40.0	32.2	308.7
11S	23E	29													40.0	34.1	40.0	40.0	154.1
11S	23E	35					41.0	38.0	40.0	39.0	18.0	38.0							214.0

Total Acres: 791.8

WATER RIGHT NO. 45-12887
As Modified by Transfer No. 70323

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 200 acres within the place of use described above in a single irrigation season.
2. Rights 45-4144A and 45-12887 when combined shall not exceed a total diversion rate of 3.10 cfs and the irrigation of 234.1 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.
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.
6. Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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 1st day of December, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2691
As Modified by Transfer No. 70323

In accordance with the approval of Transfer No. 70323, Water Right No. 45-2691 is now described as follows.

Right Holder: WAYMENT FARMS INC
 781 S 250 E
 BURLEY ID 83318

Priority Date: December 20, 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	3.40 CFS	1,024.0 AF
			3.40 CFS	1,024.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 26 Twp 11S Rge 23E CASSIA County
GROUND WATER	NWSESW	Sec. 26 Twp 11S Rge 23E CASSIA County
GROUND WATER	SWSESW	Sec. 28 Twp 11S Rge 23E CASSIA County
GROUND WATER	SWSESE	Sec. 29 Twp 11S Rge 23E 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	
11S 23E 26									11.0	24.0	41.0	39.0					115.0
11S 23E 28									40.0	40.0	40.0	40.0	36.5	40.0	40.0	32.2	308.7
11S 23E 29													40.0	34.1	40.0	40.0	154.1
11S 23E 35					41.0	38.0	40.0	39.0	18.0	38.0							214.0

Total Acres: 791.8

WATER RIGHT NO. 45-2691
As Modified by Transfer No. 70323

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 256 acres within the place of use described above in a single irrigation season.
2. Rights 45-2691 and 45-13413 when combined shall not exceed a total diversion rate of 3.4 cfs and a total annual maximum diversion volume of 1024 af at the field headgate.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.
4. Right No. 45-13413 is an expansion of this right pursuant to Section 42-1416B of the Idaho Code.
5. 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.
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. Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
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.

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 15th day of December, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13413
As Modified by Transfer No. 70323

In accordance with the approval of Transfer No. 70323, Water Right No. 45-13413 is now described as follows.

Right Holder: WAYMENT FARMS INC
 781 S 250 E
 BURLEY ID 83318

Priority Date: June 30, 1985

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	0.75 CFS	
			0.75 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 26 Twp 11S Rge 23E CASSIA County
GROUND WATER	NWSESW	Sec. 26 Twp 11S Rge 23E CASSIA County
GROUND WATER	SWSESW	Sec. 28 Twp 11S Rge 23E CASSIA County
GROUND WATER	SWSESE	Sec. 29 Twp 11S Rge 23E 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	
11S 23E 26									11.0	24.0	41.0	39.0					115.0
11S 23E 28									40.0	40.0	40.0	40.0	36.5	40.0	40.0	32.2	308.7
11S 23E 29													40.0	34.1	40.0	40.0	154.1
11S 23E 35					41.0	38.0	40.0	39.0	18.0	38.0							214.0

Total Acres: 791.8

WATER RIGHT NO. 45-13413
As Modified by Transfer No. 70323

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 73 acres within the place of use described above in a single irrigation season.
2. Rights 45-2691 and 45-13413 when combined shall not exceed a total diversion rate of 3.4 cfs and a total annual maximum diversion volume of 1024 af at the field headgate.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-4144A, 45-2375G, 45-2691, 45-12887 and 45-13413 shall not exceed 8.67 cfs, nor total combined annual volume of 2875.2 af.
4. This right is an expansion of Right No. 45-2691 pursuant to Section 42-1416B of the Idaho Code.
5. 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.
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. Prior to the diversion and use of water under Transfer approval 70323, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
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.

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 1st day of December, 2003


Chief, Water Allocation Bureau