

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69621

This is to certify that: CLAYTON TREE FARM LLC
PO BOX 10
STAR ID 83669
(208)442-7100

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. 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

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-10578	WR/License	03/02/1988	2.00 cfs	666.0 af		148.0	GROUND WATER
63-21471	AJC/Beneficial Use	01/01/1909	0.06 cfs			N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

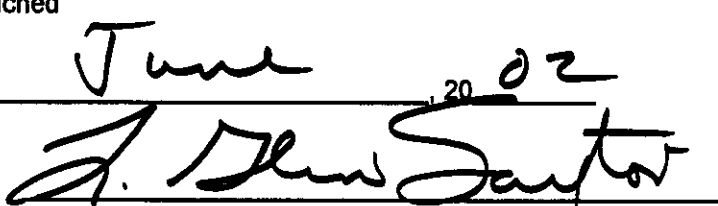
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-10578	NO	NO	YES	YES	NO	NO
63-21471	NO	NO	YES	YES	NO	NO

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
63-10578	63-10578	2.00 cfs	666.0 af	148.0	189.0		N/A	N/A	N/A	N/A
63-21471	63-21471	0.14 cfs	7.9 af	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		2.14 cfs	673.9 af	148.0	189.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of June, 2002


Chief, Water Allocation Bureau

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JUN 10 2002

WATER RIGHT NO. 63-10578
As Modified by Transfer No. 69621

In accordance with the approval of Transfer No. 69621, Water Right No. 63-10578 is now described as follows.

Right Holder: CLAYTON TREE FARM LLC
 PO BOX 10
 STAR ID 83669

Priority Date: 03/02/1988

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	2.00 CFS	666.0 AF
			2.00 CFS	666.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NVNW Sec. 13 Twp 04N Rge 05W CANYON County

GROUND WATER SWNW Sec. 13 Twp 04N Rge 05W CANYON 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	
04N 05W 12											36.0						36.0
04N 05W 13					39.0	39.0	36.0	39.0									153.0

Total Acres: 189

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 148.0 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 63-10578 and 63-21471 shall not exceed 2.14 cfs, nor total combined annual volume of 673.9 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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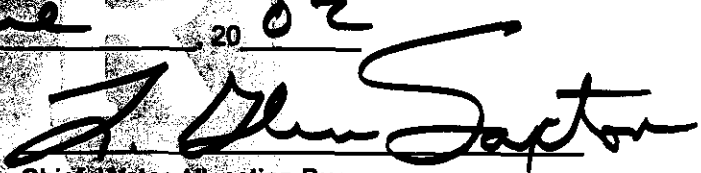
WATER RIGHT NO. 63-10578
As Modified by Transfer No. 69621

CONDITIONS OF APPROVAL

5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
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 17th day of June 2002


Chief, Water Allocation Bureau

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JUL 10 2002

WATER RIGHT NO. 63-21471
As Modified by Transfer No. 69621

In accordance with the approval of Transfer No. 69621, Water Right No. 63-21471 is now described as follows.

Right Holder: CLAYTON TREE FARM LLC
 PO BOX 10
 STAR ID 83669

Priority Date: 01/01/1909

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	0.10 CFS	6.7 AF
			0.14 CFS	7.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 13 Twp 04N Rge 05W CANYON County

GROUND WATER SWNW Sec. 13 Twp 04N Rge 05W CANYON County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE	NW	SW	SE	Totals
04N 05W 13	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE	NW	SW	SE	Totals
04N 05W 13	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 63-10578 and 63-21471 shall not exceed 2.14 cfs, nor total combined annual volume of 673.9 af.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. The quantity of water decreed for this water right for domestic and stockwater use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.

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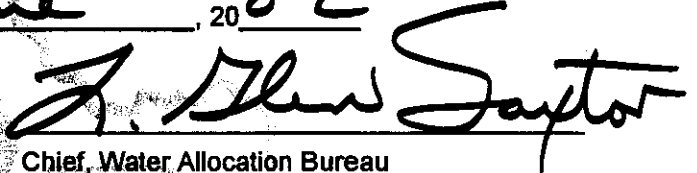
JUL 10 2002

WATER RIGHT NO. 63-21471
As Modified by Transfer No. 69621

CONDITIONS OF APPROVAL

4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Domestic use is for 1 home located in Parcel No. IR36800-000-0.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 17th day of June, 2002

Chief, Water Allocation Bureau

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MEMORANDUM

TO: FILE 63-21471
FROM: VAULT
RE: TRANSFER # 69621
DATE: 6.17.02

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 63-10578

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No Color

Documents

In File
