

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 73789
RECEIVED

AMENDED

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

JUN 18 2009

Name of Applicant(s) Elk Creek Canyon LLC Phone (702) 433-9695 WATER RESOURCES WESTERN REGION

Mailing address 1349 Galleria Drive, Henderson NV 89014 Email _____

- If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

- No Representative

Name of Representative SPF Water Engineering LLC, c/o Roxanne Brown Phone (208) 383-4140

Mailing address 300 E. Mallard Dr., Suite 350, Boise, ID 83706 Email rbrown@spfwater.com

- Send all correspondence for this application to the representative and not to the applicant.
- OR
- Send original correspondence to the applicant and copies to the representative.
- The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Dennis Rider
Print Name and Title if applicable

June 15, 2009
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- 1. Change point of diversion Add diversion point(s) Change place of use
- Change nature of use Change period of use Other _____

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. Applicant proposes to move the points of diversion and place of use from the current location within the Cinder Cone Butte Critical Groundwater area to the site of the proposed Elk Creek Canyon Planned Community within the Mountain Home Groundwater Management Area.

REJECTED

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input checked="" type="checkbox"/> <input type="checkbox"/>	61-7204	4.82/964.0	irrigation	4/1 to 10/31	ground water
<input checked="" type="checkbox"/> <input type="checkbox"/>	61-7330	2.64/720.0	irrigation	3/15 to 11/15	ground water
<input checked="" type="checkbox"/> <input type="checkbox"/>	61-7206C	0.80/180.0	irrigation	3/15 to 11/15	ground water
<input checked="" type="checkbox"/> <input type="checkbox"/>	61-12015	3.26/733.5	irrigation	3/15 to 11/15	ground water
<input checked="" type="checkbox"/> <input type="checkbox"/>	61-12017	6.40/1440.0	irrigation	3/15 to 11/15	ground water
<input type="checkbox"/> <input type="checkbox"/>					
<input type="checkbox"/> <input type="checkbox"/>					
<input type="checkbox"/> <input type="checkbox"/>					
<input type="checkbox"/> <input type="checkbox"/>					

Total authorized under rights 17.92 cfs and/or 4037.5 ac-ft

2. Total amount of water proposed to be transferred or changed 17.92 cubic feet per second and/or 4037.5 acre-feet per annum.

3. Point(s) of Diversion:

- No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
									See Part 1.3	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
									See	Part	1.4									

Total Acres (for irrigation use) _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1.4**

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	5E	10													40			40	80
		11									40	40	40	40	40	40	40	40	320
		14	40	40	40	40	40	40	40	40	40	40	40	40	40	40			560
		15	40	40	40	40			40	40	40	40	40	40	40	40	40	40	560
		19																40	40
		20									40		40	40	40	40			200
		21	40	40	40	40	40			40	40	40	40	40	40	40	40	40	560
		22					40		40	40		40	40						200
		23									40			40					80
		26					40	40	40	40									160
		27			40	40			40	40					40				200
		28			40	40							40	40		40	40		240
		29			40	40		40	40					40	40	40	40	40	360
		30	40	40		40													120
		31	40			40								40	40	40	40	40	280
		32	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		33	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		34							40	40	40	40	40	40					240
1S	4E	1	11.4 L 1		30	25.3 L 5				40	40	40	40	40	25.4 L 6	40			332.1
		2														40	40	40	120
		11	40	40	37.2	40										16.0			173.2
		12					40	40											80
1S	5E	4	25.5 L 1	25.8 L 2			26.1 L 3	26.3 L 4	40	40									183.7
		5	27.0 L 1	27.8 L 2	40	40	28.4 L 3	29.2 Lot 4	40	40	40	40	40	40	40	40	40	40	592.4
		6	29.7 L 1	30.3 L 2	40	40									40	40	40	40	300
		7	40	40	40	40													160
		8	40	40	40	40	40	40	40	40									320

Total Acres (for irrigation use) 924.0 acres within a 7,741.4 acre permissible place of use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: Up to 14 wells and pumps to pressurized irrigation distribution system.

b. Who owns the property at the point(s) of diversion? Applicant or Rich Cornell

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: _____

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: previously submitted

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: The current place of use will no longer be irrigated.

e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: None.

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use, |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank, |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: _____

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

Current Water Right No.: 61-7204

Current Owner: CARL F REYNOLDS & SONS

Priority Date: 1/5/1975

Origin: Water Right

Status: Active

Basis: License

Source

GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 10/31		4.82 CFS	964 AF
	Total Diversion		4.82 CFS	964 AF

Location of Point(s) of Diversion

GROUND WATER ELMORE County	NE1/4SW1/4	Sec. 6,	Twp 03S,	Rge 05E B.M.
GROUND WATER ELMORE County	SE1/4NE1/4	Sec. 35,	Twp 02S,	Rge 04E B.M.
GROUND WATER ELMORE County	SW1/4NW1/4	Sec. 19,	Twp 02S,	Rge 05E B.M.
GROUND WATER ELMORE County	NE1/4SW1/4	Sec. 6,	Twp 03S,	Rge 05E B.M.

Place of Use

IRRIGATION Within ELMORE County

T02S R04E S12	NWNW	40.00
T02S R04E S12	SENW	40.00
T02S R04E S12	NWSW	40.00
T02S R04E S12	SESW	40.00
T02S R04E S26	SENW	40.00
T02S R04E S26	NWSW	40.00
T02S R04E S26	SESW	40.00
T02S R04E S34	NWSE	40.00
T02S R04E S34	SESE	40.00
T02S R04E S35	NWNE	40.00
T02S R04E S35	SENE	40.00
T02S R04E S35	NWNW	40.00
T02S R04E S35	SENW	40.00
T02S R04E S35	NWSW	40.00
T02S R04E S35	SESW	40.00
T02S R04E S35	NWSE	40.00
T02S R04E S35	SESE	40.00

T02S R04E S12	NENW	40.00	T02S R05E S19	NWNW	40.00
T02S R04E S12	SWNW	40.00	T02S R05E S19	SENW	40.00
T02S R04E S12	NESW	40.00	T02S R05E S19	NWSW	40.00
T02S R04E S12	SWSW	40.00	T02S R05E S19	SESW	40.00
T02S R04E S26	NENW	40.00	T03S R04E S13	NWNE	40.00
T02S R04E S26	NESW	40.00	T03S R04E S13	SENE	40.00
T02S R04E S26	SWSW	40.00	T03S R04E S13	NWSE	40.00
T02S R04E S34	NESE	40.00	T03S R04E S13	SESE	40.00
T02S R04E S34	SWSE	40.00	T03S R05E S6	NWSW	40.00
T02S R04E S35	NENE	40.00	T03S R05E S6	SESW	40.00
T02S R04E S35	SWNE	40.00	T03S R05E S7	NWNW	40.00
T02S R04E S35	NENW	40.00	T03S R05E S7	SENW	40.00
T02S R04E S35	SWNW	40.00	T03S R05E S7	SESW	40.00
T02S R04E S35	NESW	40.00	T03S R05E S7	SWSE	40.00
T02S R04E S35	SWSW	40.00	T03S R05E S18	NWNW	40.00
T02S R04E S35	NESE	40.00	T03S R05E S18	SENW	40.00
T02S R04E S35	SWSE	40.00			
T02S R05E S19	NENW	40.00			
T02S R05E S19	SWNW	40.00			
T02S R05E S19	NESW	40.00			
T02S R05E S19	SWSW	40.00			
T03S R04E S13	NENE	40.00			
T03S R04E S13	SWNE	40.00			
T03S R04E S13	NESE	40.00			
T03S R04E S13	SWSE	40.00			
T03S R05E S6	NESW	40.00			
T03S R05E S6	SWSW	40.00			
T03S R05E S7	NENW	40.00			
T03S R05E S7	SWNW	40.00			
T03S R05E S7	NESW	40.00			
T03S R05E S7	NWSE	40.00			
T03S R05E S18	NENW	40.00			
T03S R05E S18	SWNW	40.00			

Total Acres: 2640

Conditions of Approval:

1. X27 This right is limited to the irrigation of 241 acres within the place of use described above in a single irrigation season.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. WB4 The total instantaneous diversion of water from all points of diversion under Rights 61-7204, 61-7206C, 61-7330, 61-12015 and 61-12017 shall not exceed 17.92 cfs, a total combined annual volume of 4037.5 af, and the irrigation of 924 acres within the place of use described above in a single irrigation season.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T17 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.
6. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. 01Q 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.
8. R64 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.

Licensed Date: 11/13/1995

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

Current Water Right No.: 61-7330

Current Owner: CARL F REYNOLDS & SONS

Priority Date: 5/24/1977

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	03/15	11/15	2.64 CFS	720 AF
	Total Diversion		2.64 CFS	720 AF

Location of Point(s) of Diversion

GROUND WATER ELMORE County	SE1/4NE1/4	Sec. 35,	Twp 02S,	Rge 04E B.M.
GROUND WATER ELMORE County	SW1/4NW1/4	Sec. 19,	Twp 02S,	Rge 05E B.M.
GROUND WATER ELMORE County	NE1/4SW1/4	Sec. 6,	Twp 03S,	Rge 05E B.M.

Place of Use

IRRIGATION Within ELMORE County

T02S R04E S12	NWNW	40.00
T02S R04E S12	SESW	40.00
T02S R04E S12	SESW	40.00
T02S R04E S12	SESW	40.00
T02S R04E S26	SESW	40.00
T02S R04E S26	NWSW	40.00
T02S R04E S26	SESW	40.00
T02S R04E S34	NWSE	40.00
T02S R04E S34	SESE	40.00
T02S R04E S35	NWNE	40.00
T02S R04E S35	SENE	40.00
T02S R04E S35	NWNW	40.00
T02S R04E S35	SESW	40.00
T02S R04E S35	NWSW	40.00
T02S R04E S35	SESW	40.00
T02S R04E S35	NWSE	40.00
T02S R04E S35	SESE	40.00
T02S R05E S19	NWNW	40.00
T02S R05E S19	SESW	40.00

T02S R04E S12	NENW	40.00	T02S R05E S19	NWSW	40.00
T02S R04E S12	SWNW	40.00	T02S R05E S19	SESW	40.00
T02S R04E S12	NESW	40.00	T03S R04E S13	NWNE	40.00
T02S R04E S12	SWSW	40.00	T03S R04E S13	SENE	40.00
T02S R04E S26	NENW	40.00	T03S R04E S13	NWSE	40.00
T02S R04E S26	NESW	40.00	T03S R04E S13	SESE	40.00
T02S R04E S26	SWSW	40.00	T03S R05E S6	NWSW	40.00
T02S R04E S34	NESE	40.00	T03S R05E S6	SESW	40.00
T02S R04E S34	SWSE	40.00	T03S R05E S7	NWNW	40.00
T02S R04E S35	NENE	40.00	T03S R05E S7	SENE	40.00
T02S R04E S35	SWNE	40.00	T03S R05E S7	SESW	40.00
T02S R04E S35	NENW	40.00	T03S R05E S7	SWSE	40.00
T02S R04E S35	SWNW	40.00	T03S R05E S18	NWNW	40.00
T02S R04E S35	NESW	40.00	T03S R05E S18	SENE	40.00
T02S R04E S35	SWSW	40.00			
T02S R04E S35	NESE	40.00			
T02S R04E S35	SWSE	40.00			
T02S R05E S19	NENW	40.00			
T02S R05E S19	SWNW	40.00			
T02S R05E S19	NESW	40.00			
T02S R05E S19	SWSW	40.00			
T03S R04E S13	NENE	40.00			
T03S R04E S13	SWNE	40.00			
T03S R04E S13	NESE	40.00			
T03S R04E S13	SWSE	40.00			
T03S R05E S6	NESW	40.00			
T03S R05E S6	SWSW	40.00			
T03S R05E S7	NENW	40.00			
T03S R05E S7	SWNW	40.00			
T03S R05E S7	NESW	40.00			
T03S R05E S7	NWSE	40.00			
T03S R05E S18	NENW	40.00			
T03S R05E S18	SWNW	40.00			

Total Acres: 2640

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval or by 9/3/03.
2. X27 This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. R65 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.
5. C15 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
6. C18 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.
7. T17 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.
8. 01Q 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.
9. WB4 The total instantaneous diversion of water from all points of diversion under Rights 61-7204, 61-7206C, 61-7330, 61-12015 and 61-12017 shall not exceed 17.92 cfs, a total combined annual volume of 4037.5 af, and the irrigation of 924 acres within the place of use described above in a single irrigation season.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Decreed Date: 6/2/2003

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

Current Water Right No.: 61-7206C

Current Owner: CARL F REYNOLDS & SONS

Priority Date: 11/8/1974

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	03/15	11/15	0.8 CFS	180 AF
	Total Diversion		0.8 CFS	180 AF

Location of Point(s) of Diversion

GROUND WATER ELMORE County	NE1/4SW1/4	Sec. 6,	Twp 03S,	Rge 05E B.M.
GROUND WATER ELMORE County	SW1/4NW1/4	Sec. 19,	Twp 02S,	Rge 05E B.M.
GROUND WATER ELMORE County	SE1/4NE1/4	Sec. 35,	Twp 02S,	Rge 04E B.M.

Place of Use

IRRIGATION Within ELMORE County

T02S R04E S12	NWNW	40.00
T02S R04E S12	SESW	40.00
T02S R04E S12	NWSW	40.00
T02S R04E S12	SESW	40.00
T02S R04E S26	SESW	40.00
T02S R04E S26	NWSW	40.00
T02S R04E S26	SESW	40.00
T02S R04E S34	NWSE	40.00
T02S R04E S34	SESE	40.00
T02S R04E S35	NWNE	40.00
T02S R04E S35	SENE	40.00
T02S R04E S35	NWNW	40.00
T02S R04E S35	SESW	40.00
T02S R04E S35	NWSW	40.00
T02S R04E S35	SESW	40.00
T02S R04E S35	NWSE	40.00
T02S R04E S35	SESE	40.00
T02S R05E S19	NWNW	40.00
T02S R05E S19	SESW	40.00

T02S R04E S12	NENW	40.00	T02S R05E S19	NWSW	40.00
T02S R04E S12	SWNW	40.00	T02S R05E S19	SESW	40.00
T02S R04E S12	NESW	40.00	T03S R04E S13	NWNE	40.00
T02S R04E S12	SWSW	40.00	T03S R04E S13	SENE	40.00
T02S R04E S26	NENW	40.00	T03S R04E S13	NWSE	40.00
T02S R04E S26	NESW	40.00	T03S R04E S13	SESE	40.00
T02S R04E S26	SWSW	40.00	T03S R05E S6	NWSW	40.00
T02S R04E S34	NESE	40.00	T03S R05E S6	SESW	40.00
T02S R04E S34	SWSE	40.00	T03S R05E S7	NWNW	40.00
T02S R04E S35	NENE	40.00	T03S R05E S7	SENW	40.00
T02S R04E S35	SWNE	40.00	T03S R05E S7	SESW	40.00
T02S R04E S35	NENW	40.00	T03S R05E S7	SWSE	40.00
T02S R04E S35	SWNW	40.00	T03S R05E S18	NWNW	40.00
T02S R04E S35	NESW	40.00	T03S R05E S18	SENW	40.00
T02S R04E S35	SWSW	40.00			
T02S R04E S35	NESE	40.00			
T02S R04E S35	SWSE	40.00			
T02S R05E S19	NENW	40.00			
T02S R05E S19	SWNW	40.00			
T02S R05E S19	NESW	40.00			
T02S R05E S19	SWSW	40.00			
T03S R04E S13	NENE	40.00			
T03S R04E S13	SWNE	40.00			
T03S R04E S13	NESE	40.00			
T03S R04E S13	SWSE	40.00			
T03S R05E S6	NESW	40.00			
T03S R05E S6	SWSW	40.00			
T03S R05E S7	NENW	40.00			
T03S R05E S7	SWNW	40.00			
T03S R05E S7	NESW	40.00			
T03S R05E S7	NWSE	40.00			
T03S R05E S18	NENW	40.00			
T03S R05E S18	SWNW	40.00			

Total Acres: 2640

Conditions of Approval:

1. C18 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. R65 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.

3. T17 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. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. T08 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. TWO POINTS OF DIVERSION LOCATED IN T03S, R05E, S06, NESW.
7. 01Q 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.
8. C15 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
9. WB4 The total instantaneous diversion of water from all points of diversion under Rights 61-7204, 61-7206C, 61-7330, 61-12015 and 61-12017 shall not exceed 17.92 cfs, a total combined annual volume of 4037.5 af, and the irrigation of 924 acres within the place of use described above in a single irrigation season.
10. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval or by 9/3/03.
11. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
12. X27 This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

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

Current Water Right No.: 61-12015

Current Owner: CARL F REYNOLDS & SONS
Priority Date: 9/10/1975
Origin: Water Right
Status: Active
Basis: Decreed

Source			Tributary			
GROUND WATER						
Beneficial Use	From	To	Diversion Rate	Annual Volume		
IRRIGATION	03/15 to	11/15	3.26 CFS	733.5 AF		
	Total Diversion		3.26 CFS	733.5 AF		
Location of Point(s) of Diversion						
GROUND WATER			NE1/4SW1/4	Sec. 6,	Twp 03S,	Rge 05E B.M.
ELMORE County						
GROUND WATER			SW1/4NW1/4	Sec. 19,	Twp 02S,	Rge 05E B.M.
ELMORE County						
GROUND WATER			SE1/4NE1/4	Sec. 35,	Twp 02S,	Rge 04E B.M.
ELMORE County						
GROUND WATER			NE1/4SW1/4	Sec. 6,	Twp 03S,	Rge 05E B.M.
ELMORE County						

Place of Use

IRRIGATION Within ELMORE County

T02S R04E S12	NWNW	40.00
T02S R04E S12	SENW	40.00
T02S R04E S12	NWSW	40.00
T02S R04E S12	SESW	40.00
T02S R04E S26	SENW	40.00
T02S R04E S26	NWSW	40.00
T02S R04E S26	SESW	40.00
T02S R04E S34	NWSE	40.00
T02S R04E S34	SESE	40.00
T02S R04E S35	NWNE	40.00
T02S R04E S35	SENE	40.00
T02S R04E S35	NWNW	40.00
T02S R04E S35	SENW	40.00
T02S R04E S35	NWSW	40.00
T02S R04E S35	SESW	40.00
T02S R04E S35	NWSE	40.00
T02S R04E S35	SESE	40.00

T02S R04E S12	NENW	40.00	T02S R05E S19	NWNW	40.00
T02S R04E S12	SWNW	40.00	T02S R05E S19	SENW	40.00
T02S R04E S12	NESW	40.00	T02S R05E S19	NWSW	40.00
T02S R04E S12	SWSW	40.00	T02S R05E S19	SESW	40.00
T02S R04E S26	NENW	40.00	T03S R04E S13	NWNE	40.00
T02S R04E S26	NESW	40.00	T03S R04E S13	SENE	40.00
T02S R04E S26	SWSW	40.00	T03S R04E S13	NWSE	40.00
T02S R04E S34	NESE	40.00	T03S R04E S13	SESE	40.00
T02S R04E S34	SWSE	40.00	T03S R05E S6	NWSW	40.00
T02S R04E S35	NENE	40.00	T03S R05E S6	SESW	40.00
T02S R04E S35	SWNE	40.00	T03S R05E S7	NWNW	40.00
T02S R04E S35	NENW	40.00	T03S R05E S7	SENW	40.00
T02S R04E S35	SWNW	40.00	T03S R05E S7	SESW	40.00
T02S R04E S35	NESW	40.00	T03S R05E S7	SWSE	40.00
T02S R04E S35	SWSW	40.00	T03S R05E S18	NWNW	40.00
T02S R04E S35	NESE	40.00	T03S R05E S18	SENW	40.00
T02S R04E S35	SWSE	40.00			
T02S R05E S19	NENW	40.00			
T02S R05E S19	SWNW	40.00			
T02S R05E S19	NESW	40.00			
T02S R05E S19	SWSW	40.00			
T03S R04E S13	NENE	40.00			
T03S R04E S13	SWNE	40.00			
T03S R04E S13	NESE	40.00			
T03S R04E S13	SWSE	40.00			
T03S R05E S6	NESW	40.00			
T03S R05E S6	SWSW	40.00			
T03S R05E S7	NENW	40.00			
T03S R05E S7	SWNW	40.00			
T03S R05E S7	NESW	40.00			
T03S R05E S7	NWSE	40.00			
T03S R05E S18	NENW	40.00			
T03S R05E S18	SWNW	40.00			

Conditions of Approval:

1. 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.

2. X27 This right is limited to the irrigation of 163 acres within the place of use described above in a single irrigation season.

3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. C18 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.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval or by 9/3/03.
9. WB4 The total instantaneous diversion of water from all points of diversion under Rights 61-7204, 61-7206C, 61-7330, 61-12015 and 61-12017 shall not exceed 17.92 cfs, a total combined annual volume of 4037.5 af, and the irrigation of 924 acres within the place of use described above in a single irrigation season.
10. C15 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
11. F02 TWO POINTS OF DIVERSION LOCATED IN T03S, R05E, S06, NESW.

Decreed Date: 3/3/2003

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

Current Water Right No.: 61-12017

Current Owner: CARL F REYNOLDS & SONS

Priority Date: 9/6/1974

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

6.4 CFS

6.4 CFS

Annual Volume

1440 AF

1440 AF

Location of Point(s) of Diversion

GROUND WATER

ELMORE County

NE1/4SW1/4

Sec. 6, Twp 03S, Rge 05E B.M.

GROUND WATER

ELMORE County

SW1/4NW1/4

Sec. 19, Twp 02S, Rge 05E B.M.

GROUND WATER

ELMORE County

SE1/4NE1/4

Sec. 35, Twp 02S, Rge 04E B.M.

GROUND WATER

ELMORE County

NE1/4SW1/4

Sec. 6, Twp 03S, Rge 05E B.M.

Place of Use

IRRIGATION Within ELMORE County

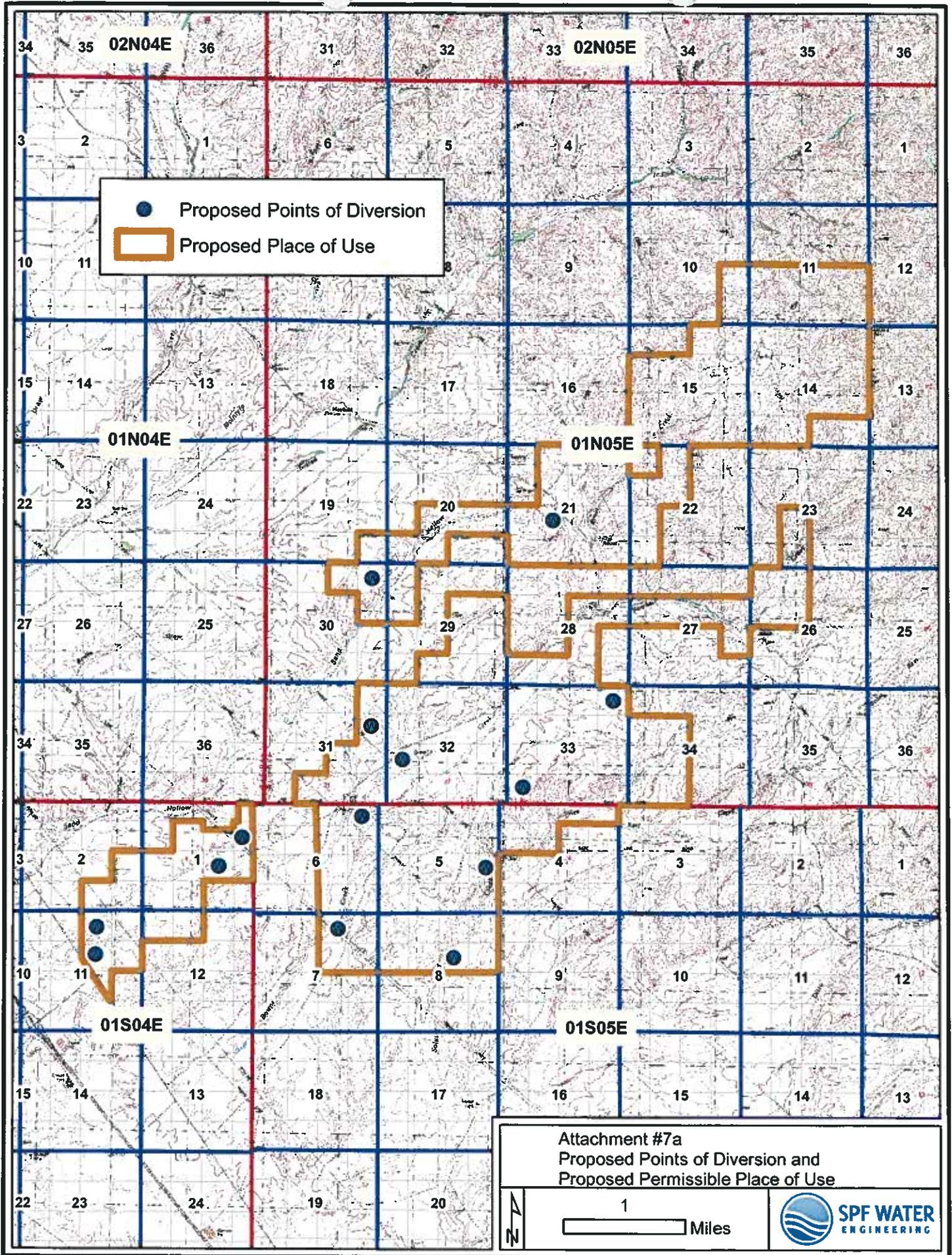
T02S R04E S12	NWNW	40.00
T02S R04E S12	SENW	40.00
T02S R04E S12	NWSW	40.00
T02S R04E S12	SESW	40.00
T02S R04E S26	SENW	40.00
T02S R04E S26	NWSW	40.00
T02S R04E S26	SESW	40.00
T02S R04E S34	NWSE	40.00
T02S R04E S34	SESE	40.00
T02S R04E S35	NWNE	40.00
T02S R04E S35	SENE	40.00
T02S R04E S35	NWNW	40.00
T02S R04E S35	SENW	40.00
T02S R04E S35	NWSW	40.00
T02S R04E S35	SESW	40.00
T02S R04E S35	NWSE	40.00
T02S R04E S35	SESE	40.00

T02S R04E S12	NENW	40.00	T02S R05E S19	NWNW	40.00
T02S R04E S12	SWNW	40.00	T02S R05E S19	SENW	40.00
T02S R04E S12	NESW	40.00	T02S R05E S19	NWSW	40.00
T02S R04E S12	SWSW	40.00	T02S R05E S19	SESW	40.00
T02S R04E S26	NENW	40.00	T03S R04E S13	NWNE	40.00
T02S R04E S26	NESW	40.00	T03S R04E S13	SENE	40.00
T02S R04E S26	SWSW	40.00	T03S R04E S13	NWSE	40.00
T02S R04E S34	NESE	40.00	T03S R04E S13	SESE	40.00
T02S R04E S34	SWSE	40.00	T03S R05E S6	NWSW	40.00
T02S R04E S35	NENE	40.00	T03S R05E S6	SESW	40.00
T02S R04E S35	SWNE	40.00	T03S R05E S7	NWNW	40.00
T02S R04E S35	NENW	40.00	T03S R05E S7	SENW	40.00
T02S R04E S35	SWNW	40.00	T03S R05E S7	SESW	40.00
T02S R04E S35	NESW	40.00	T03S R05E S7	SWSE	40.00
T02S R04E S35	SWSW	40.00	T03S R05E S18	NWNW	40.00
T02S R04E S35	NESE	40.00	T03S R05E S18	SENW	40.00
T02S R04E S35	SWSE	40.00			
T02S R05E S19	NENW	40.00			
T02S R05E S19	SWNW	40.00			
T02S R05E S19	NESW	40.00			
T02S R05E S19	SWSW	40.00			
T03S R04E S13	NENE	40.00			
T03S R04E S13	SWNE	40.00			
T03S R04E S13	NESE	40.00			
T03S R04E S13	SWSE	40.00			
T03S R05E S6	NESW	40.00			
T03S R05E S6	SWSW	40.00			
T03S R05E S7	NENW	40.00			
T03S R05E S7	SWNW	40.00			
T03S R05E S7	NESW	40.00			
T03S R05E S7	NWSE	40.00			
T03S R05E S18	NENW	40.00			
T03S R05E S18	SWNW	40.00			

Conditions of Approval:

1. WB4 The total instantaneous diversion of water from all points of diversion under Rights 61-7204, 61-7206C, 61-7330, 61-12015 and 61-12017 shall not exceed 17.92 cfs, a total combined annual volume of 4037.5 af, and the irrigation of 924 acres within the place of use described above in a single irrigation season.
2. C15 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

3. Rights 61-12016 and 61-12017 when combined shall not exceed a total diversion rate of 6.40 cfs.
4. F02 TWO POINTS OF DIVERSION LOCATED IN T03S, R05E, S06, NESW.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval or by 9/3/03.
8. C18 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.
9. T17 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.
10. 01Q 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.
11. X27 This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
12. 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.



Proposed Points of Diversion
 Proposed Place of Use

Attachment #7a
 Proposed Points of Diversion and
 Proposed Permissible Place of Use

	1 Miles	 SPF WATER ENGINEERING
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 23789

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- * Completed Application for Transfer of Water Right form, Part 1.
- * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- #3 Documentation of authority to make the change if the applicant is not the water right owner.
- #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/water/rights/>.
- #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- #9 Other. Please describe: This is an amended application. Supporting documents and fees were previously submitted.