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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5388
WATER RIGHT NO(S). 01-00002A/01-00148/01-00266/01-04061

This is to certify that: TREGO DITCH COMPANY
C/O WILBUR GREGORY
533 W 37 S
BLACKFOOT ID 83221

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 01-00002A :			
IRRIGATION	04/01 to 10/31	65.41 CFS	5208.0 AF
Priority: 06/01/1890			
Right No. 01-00148 :			
IRRIGATION	04/01 to 10/31	4.00 CFS	640.0 AF
Priority: 06/01/1902			
Right No. 01-00266 :			
IRRIGATION	04/01 to 10/31	18.00 CFS	5208.0 AF
Priority: 01/22/1916			
Right No. 01-04061 :			
IRRIGATION	04/01 to 10/31	9.89 CFS	4178.4 AF
Priority: 06/06/1965			
TOTAL:		* 97.30 CFS	* 5208.0 AF

SOURCE
SNAKE RIVER

TRIBUTARY OF
COLUMBIA RIVER

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 27, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S 35E 31	NWNE 7	SWNE 40	SENE 37	
	Lot 2 (SNNW) 30	SENE 30	NESW 40	
	Lot 3 (NNSW) 40	Lot 4 (SWSW) 40	SESW 40	
	NESE 40	NWSE 40	SWSE 40	
	SESE 40			464
32	SNNW 17	SENE 4	NESW 40	
	NNSW 40	SWSW 20	SESW 40	

TRANSFER NO. 5388
WATER RIGHT NO(S) . 01-00002A/01-00148/01-00266/01-04061

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
03S	35E	5	Lot 8 (NWSE)	15	Lot 2 (SWSE)	35			211
					Lot 9 (NWNW)	40			
							SWNW	10	
		6	Lot 1 (NENE)	40	Lot 2 (NWNE)	40			73
							SWNE	40	
			SENE	40	Lot 3 (NENW)	40	Lot 4 (NWNW)	40	
			Lot 5 (SWNW)	40				NESW	40
			Lot 6 (NWSW)	33	Lot 7 (SESW)	28		NESE	38
								SESE	15
			NWSE	40					554
Total number of acres irrigated:									* 1302 **

CONDITIONS OF APPROVAL AND REMARKS

1. Approval of Transfer 5388 does not confirm claimed Right 01-04061.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ** 8. Right 01-00148 is limited to the irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- * 9. Rights 01-00002A, 01-00148, 01-00266, and 01-04061 when combined shall not exceed a total diversion rate of 97.30 cfs, a total annual maximum diversion volume of 5208.0 af at the field headgate, and the irrigation of 1302.0 acres.
10. Approval of Transfer 5388 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this

24th

day of

November, 1999

J. Glen Saxton
Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 01-00002A, 01-00148, 01-00266 & 01-04061

FROM: Pam Skaggs^{CS}/State Office

SUBJECT: Transfer 5388

DATE: November 23, 1999

Transfer 5388 changes the point of diversion and clarifies the specific place of use under Rights 01-00002A, 01-00148, 01-00266 and 01-04061. The applicant and Danskin Ditch Company have agreed to consolidate their rights in the Danskin ditch to be more efficient and help prevent flooding.

The three decreed rights had non-specific places of use within the same area as 1302 acres identified under the transfer and statutory claim 01-04061. Right 01-00148 is limited specifically to 160 total acres within the 1302-acre permissible place of use.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include non-confirmation of claim 01-04061, watermaster control, measuring device & lockable controlling works, irrigation overlap, permissible place of use under Right 01-00148, combined right limits, right-of-way and standard transfer conditions.