

(approval) Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 27 2009

Department of Water Resources
Eastern Region

TRANSFER OF WATER RIGHT

TRANSFER NO. 5689
WATER RIGHT NO(S) . 01-00062/01-00063/22-00207/~~22-00659~~

This is to certify that: PINCOCK-GARNER DITCH ASSN
C/O WAYNE S WARD
3976 N 5000 E
SUGAR CITY ID 83448

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. 01-00062 :			
IRRIGATION	04/01 to 10/31	8.88 CFS	1158.5 AF
Priority: 03/01/1884			
Right No. 01-00063 :			
IRRIGATION	04/01 to 10/31	16.00 CFS	1158.5 AF
Priority: 04/01/1898			
Right No. 22-00207 :			
IRRIGATION	04/01 to 10/31	3.20 CFS	280.0 AF
Priority: 05/15/1898			
Right No. 22-00659 :			
IRRIGATION	04/01 to 10/31	4.00 CFS	1158.5 AF
Priority: 04/01/1939			
TOTAL:		* 32.08 CFS	* 1158.5 AF

SOURCE

TETON RIVER

TRIBUTARY OF

HENRYS FORK

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 36, Township 07N, Range 40E
FREMONT County

PLACE OF USE: IRRIGATION

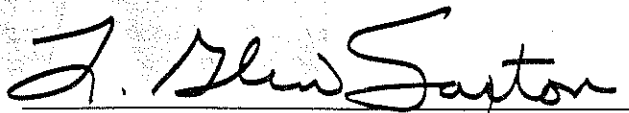
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	40E	34	SWNE 35	SENE 25		60
		35	SWNE 37	SENE 37	SWNW 22	
			SENE 35	NESE 38	NWSE 37	
			SWSE 37	SESE 28		271
Total number of acres irrigated:						* 331 **

TRANSFER NO. 5689
WATER RIGHT NO(S). 01-00062/01-00063/22-00207/22-00659

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. 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.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. 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. 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.
- ** 7. Right 22-00207 is limited to the irrigation of 80.0 acres in the place of use described above in a single irrigation season.
- * 8. Rights 01-00062, 01-00063, 22-00207 and 22-00659 when combined shall not exceed a total diversion rate of 32.08 cfs, a total annual maximum diversion volume of 1158.5 af at the field headgate, and the irrigation of 331.0 acres.
9. Approval of Transfer 5689 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 April, 2000.


Chief, Water Allocation Bureau