

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81228

This is to certify that: **BRIAN LOOSLI**
3127 E 1100 N
ASHTON, ID 83420

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
21-7132	WR/DECREED	7/14/1977	8.470 cfs	3595.3 af	1436.5	1986.7	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
21-12358	WR/DECREED	4/1/1948	3.200 cfs	962.5 af	275.0	278.2	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>
21-7132	YES	YES	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
21-7132	21-13258	6.750 cfs	2865.2 af	1144.6	1651.5	21-7132	1.720 cfs	730.1 af	291.9	353.6
COMBINED TOTALS		6.750 cfs	2865.2 af	1144.6	1651.5		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 3rd day of July, 2019.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 81228

IN FILE # 21-7132

WATER RIGHT NO. 21-7132**As Modified by Transfer No. 81228**

In accordance with the approval of Transfer No. 81228, Water Right No. 21-7132 is now described as follows:

Right Holder: DALE L BUCKWALTER
836 N 3275E
PO BOX 870
ASHTON, ID 83420

CURTIS LOOSLI
3140 E 1100 N
ASHTON, ID 83420

Priority Date: 7/14/1977

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From
04/01

To
to 10/31

Diversion Rate

1.720 cfs
1.720 cfs

Diversion Volume

730.1 af
730.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L1 (SESE)	Sec 20 Twp 08N Rge 42E	FREMONT County	
GROUND WATER	L1 (SESE)	Sec 20 Twp 08N Rge 42E	FREMONT County	(R)
GROUND WATER	L1 (SESE)	Sec 20 Twp 08N Rge 42E	FREMONT County	(I)
GROUND WATER	L1 (SESE)	Sec 20 Twp 08N Rge 42E	FREMONT County	(I)
GROUND WATER	L1 (NESE)	Sec 21 Twp 08N Rge 42E	FREMONT County	(R)
GROUND WATER	L4 (SWSW)	Sec 21 Twp 08N Rge 42E	FREMONT County	
GROUND WATER	L8 (SWNE)	Sec 23 Twp 08N Rge 42E	FREMONT County	(R)
GROUND WATER	SWSWSE	Sec 16 Twp 08N Rge 43E	FREMONT County	(R)
GROUND WATER	NWSESE	Sec 17 Twp 08N Rge 43E	FREMONT County	(R)
GROUND WATER	NESENW	Sec 8 Twp 08N Rge 43E	FREMONT County	(R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	42E	21				40.0									14.0				54.0
															L 1				
08N	42E	22									2.2			2.7	40.0	28.4	35.7	39.0	148.0
											L 6					L 7			
08N	42E	23									35.1	40.0	40.0	36.5					151.6

Right Acre Limit: 291.9

POU Total Acres: 353.6

WATER RIGHT NO. 21-7132
As Modified by Transfer No. 81228

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 291.9 acres within the authorized place of use in a single irrigation season.
2. 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. 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(s).
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. This right is subject to all prior existing water rights and no demand on upstream prior rights or existing exchanges can be made or interference with prior downstream rights allowed even if the exchange well is pumping water into Fall River.
6. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 21-13258**As Modified by Transfer No. 81228**

In accordance with the approval of Transfer No. 81228, Water Right No. 21-13258 is now described as follows:

Right Holder: S LYNN LOOSLI
3140 E 1100 N
ASHTON, ID 83420

Priority Date: 7/14/1977

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

6.750 cfs

6.750 cfs

Diversion Volume

2865.2 af

2865.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L1 (SESE)	Sec 20 Twp 08N Rge 42E	FREMONT County	(I)
GROUND WATER	L1 (SESE)	Sec 20 Twp 08N Rge 42E	FREMONT County	(I)
GROUND WATER	L1 (SESE)	Sec 20 Twp 08N Rge 42E	FREMONT County	
GROUND WATER	SENE	Sec 13 Twp 08N Rge 41E	FREMONT County	
GROUND WATER	NESE	Sec 13 Twp 08N Rge 41E	FREMONT County	(I)
GROUND WATER	L4 (SWSW)	Sec 21 Twp 08N Rge 42E	FREMONT County	
GROUND WATER	NESENW	Sec 8 Twp 08N Rge 43E	FREMONT County	(R)
GROUND WATER	SWSWSE	Sec 16 Twp 08N Rge 43E	FREMONT County	(R)
GROUND WATER	NWSESE	Sec 17 Twp 08N Rge 43E	FREMONT County	(R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	41E	12															6.4	6.8	13.2
08N	41E	13	40.0	37.0	36.0	38.0			31.0	40.0	13.0	20.0							255.0
									L 3		L 5	L 4							
08N	41E	14													10.0				10.0
															L 1				
08N	43E	8			18.7	38.2				8.5	37.7	5.2	22.9	20.1	40.0	40.0	32.9	25.3	289.5
08N	43E	9									40.0	40.0	19.4	14.4		40.0	37.7	40.0	231.5
08N	43E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	25.1	20.2	19.2	40.0	14.5	0.9	519.9
08N	43E	17	38.5	31.1	40.0	40.0	37.3	12.1	6.6	36.7	20.0				37.9	28.5		3.7	332.4

Right Acre Limit: 1144.6

POU Total Acres: 1651.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1,144.6 acres within the authorized place of use in a single irrigation season.

WATER RIGHT NO. 21-13258
As Modified by Transfer No. 81228

CONDITIONS OF APPROVAL

2. Water rights 21-12358 and 21-13258 are appurtenant to the same 278.2 acres in Sections 12, 13 and 14, T08N, R41E.
3. 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 Nos. 01 and 100.
4. 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(s).
5. The right holder shall maintain two separate measuring devices at the point of diversion located in the SENE, Section 13, T08N, R41E: one to measure the quantity of water injected into Fall River and one to measure the quantity of water diverted for direct irrigation.
6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. This right is subject to all prior existing water rights and no demand on upstream prior rights or existing exchanges can be made or interference with prior downstream rights allowed even if the exchange well is pumping water into Fall River.
9. The right holder shall accomplish the change authorized by this transfer within one 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.
11. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 21-12358**As Modified by Transfer No. 81228**

In accordance with the approval of Transfer No. 81228, Water Right No. 21-12358 is now described as follows:

Right Holder: S LYNN LOOSLI
PORTIA R LOOSLI
3140 E 1100 N
ASHTON, ID 83420

Priority Date: 4/1/1948

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/15

Diversion Rate

3.200 cfs

3.200 cfs

Diversion Volume

962.5 af

962.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SENE

Sec 13 Twp 08N Rge 41E FREMONT County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	41E	12															6.4	6.8	13.2
08N	41E	13	40.0	37.0	36.0	38.0			31.0	40.0	13.0	20.0							255.0
									L 3		L 5	L 4							
08N	41E	14													10.0				10.0
															L 1				

Right Acre Limit: 275.0

POU Total Acres: 278.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 275 acres within the place of use described above in a single irrigation season.
2. Rights 21-41G, 21-51B, 21-12358, 21-12977 and 21-12978 when combined shall not exceed a total diversion rate of 7.02 cfs and the irrigation of 278.2 acres.
3. Water rights 21-12358 and 21-13258 are appurtenant to the same 278.2 acres in Sections 12, 13 and 14, T08N, R41E.
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 Districts 01 and 100.

Transfer No. 81228

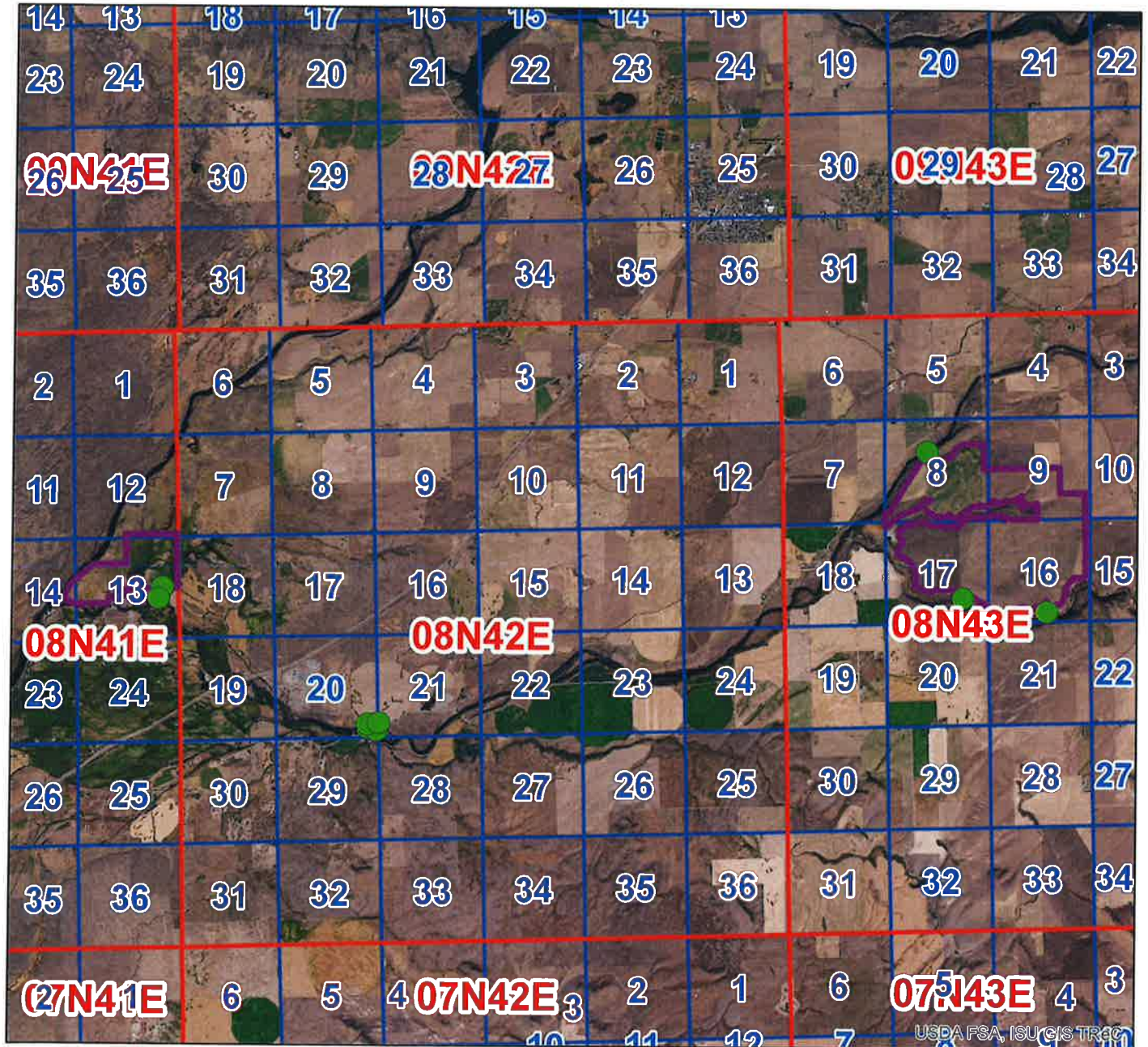
WATER RIGHT NO. 21-12358
As Modified by Transfer No. 81228

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water 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.
9. Each year prior to commencing diversion and use of water under this right, the right holder shall obtain the expressed written certification of the Water District No. 1 watermaster that the right holder has dedicated and assigned 275 acre feet of stored water for use by the watermaster to release into Henrys Fork River to mitigate depletion of river flow resulting from diversion of ground water when this right is not in priority. Operation of the well at any time without the written certification of the watermaster shall be a violation of Section 42-351, Idaho Code.
10. Use of water under this right may be affected by the provisions of that certain agreement between the rightholder and others dated December 12, 1994, to the extent that the provisions of said agreement can lawfully be implemented.
11. The right holder shall accomplish the change authorized by transfer 4456 within one year of the date of the approval.
12. Failure of the right holder to comply with the conditions of transfer 4456 is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Attachment to Transfer Approval 81228

This map depicts the IRRIGATION place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.

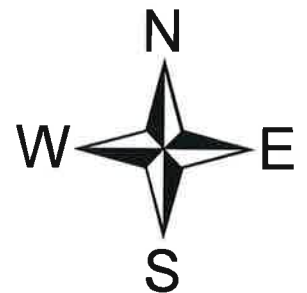


Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections

0 4,850 9,700 19,400 Feet

1 inch = 8,051 feet



Date: 7/3/2019