

T4086 DONAHUE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4086
WATER RIGHT NO(S). 34-07044/34-10562

Eastern
RECEIVED
JUL 30 1999

Department of Water Resources
Eastern Region

This is to certify that: **TERRENCE V DONAHUE**
CAROL J DONAHUE
STAR RT
MACKAY ID 83251

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. 34-07044 :			
IRRIGATION	04/15 to 10/15	3.21 CFS	840.0 AF
Priority: 09/19/1973			
Right No. 34-10562 :			
IRRIGATION	04/15 to 10/15	0.20 CFS	73.0 AF
Priority: 05/01/1986			
TOTAL:		* 3.21 CFS	* 892.5 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 14, Township 08N, Range 22E
CUSTER 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>
08N	22E	14	SWSE 2	SESE 36		38
		23	NENE 23	SENE 33	NESE 6	62
		24	NENW 36	NWNW 27	SWNW 40	
			NESW 12	NWSW 40		155
Total number of acres irrigated:						** 255

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
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.

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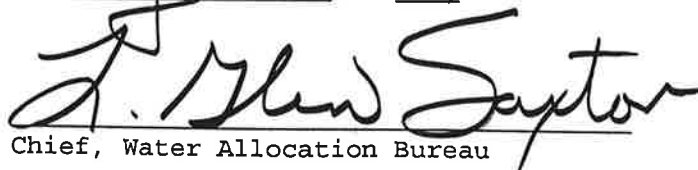
CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
5. 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.
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. Right 34-07044 is limited to irrigation of 240.0 acres in the place of use described above in a single irrigation season.
- * 9. Rights 34-07044 and 34-10562 when combined shall not exceed a total diversion rate of 3.21 cfs, a total annual maximum diversion volume of 892.5 af at the field headgate, and the irrigation of 255.0 acres.
- ** 10. Rights 34-00583C, 34-00584F, 34-00773, 34-00774, 34-00775, 34-07044, 34-10562, 34-10567 and 34-10568 when combined shall not exceed a total diversion rate of 11.56 cfs, a total annual maximum diversion volume of 1435.0 af at the field headgate, and the irrigation of 410.0 acres.
11. Right 34-10562 is an enlargement of Right 34-07044 pursuant to Section 42-1426, Idaho Code.
12. Right 34-10562 is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

Dated this 22nd day of

July

, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 34-07044 & 34-10562

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Transfer 4086

DATE: May 12, 1999

Transfer 4086 changes the place of use under Rights 34-07044 and 34-10562. This is the first of three (3) transfers reconfiguring the groundwater (Transfer 4086) and surface water (Transfers 4087 & 4088) rights used to irrigate a total of 410 acres.

The transfer was originally delayed due to SRBA recommendations including expansion claims. The issue was resolved and the rights reformatted to reflect the enlargement statute and partial decrees issued. See Carter Fritschle review memo of 03-29-99 for the specific changes made under these three transfers.

Recommended conditions include watermaster control, measuring device, supplemental groundwater, irrigation overlap, permissible place of use, combined right limits, enlargement right subordination and standard transfer conditions.