

T4962 TOEVS

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 09 1997

TRANSFER OF WATER RIGHT

TRANSFER NO. 4962
WATER RIGHT NO(S). 35-07857B/35-07920B/35-08626

Department of Water Resources
Eastern Region

This is to certify that: WILLIAM R TOEVS
2841 W 1800 S
ABERDEEN ID 83210

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. 35-07857B :			
IRRIGATION	04/01 to 10/31	1.28 CFS	256.0 AF
Priority: 05/09/1979			
Right No. 35-07920B :			
IRRIGATION	04/01 to 10/31	*0.69 CFS	188.0 AF
Priority: 09/29/1980			
Right No. 35-08626 :			
IRRIGATION	04/01 to 10/31	*1.88 CFS	516.0 AF
Priority: 02/13/1986			
	TOTAL:	*3.85 CFS	960.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 9, Township 06S, Range 29E
POWER 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>
06S	29E	9	NENW 8	NWNW 4	SWNW 35	
			SENW 35	NESW 40	NWSW 40	
			SWSW 39	SESW 39		240
				Total number of acres irrigated:		**240

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

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CONDITIONS OF APPROVAL AND REMARKS

3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall install a suitable measuring device or shall enter into an agreement to determine the amount of water diverted from power records and shall annually report the information.
- **6. Right No. 35-07857B is limited to the irrigation of 64.0 acres in the place of use described above in a single irrigation season.
- *7. Right Nos. 35-07920B and 35-08626 shall not exceed a total combined diversion rate of 5.75 cfs when combined with Right Nos. 35-02540 and 35-07920C.
- **8. Right No. 35-07920B is limited to the irrigation of 47.0 acres in the place of use described above in a single irrigation season.
- **9. Right No. 35-08626 is limited to the irrigation of 129.0 acres in the place of use described above in a single irrigation season.

Dated this 27th day of June, 1997.


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE NOS. 35-07857B, 35-07920B & 35-08626

FROM: PAM SKAGGS^{PS}/STATE OFFICE

SUBJECT: TRANSFER NO. 4962

DATE: June 18, 1997

===== *de J* =====
Transfer No. 4962 changes the place of use under Right Nos.
35-07857B, 35-07920B and 35-08626.

The proposed place of use is adjacent property and will be served by the same well and linear system. The applicant proposes to file a new application for transfer to include both old and new parcels of land as a combined permissible place of use for future use.

Recommended conditions include measuring device & annual reporting, combined right diversion rate limit for Right Nos. 35-07920B & 35-08626, irrigation overlap and standard transfer conditions.

RIGHTS HEREIN ARE NOT ENJOINED TO SRBA.