

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82573

This is to certify that: **E & M TRUST**
2414 S 1600 E
PRESTON, ID 83263

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>
13-217	WR/DECREED	4/1/1872	0.430 cfs	184.0 af	N/A	80.0	UNNAMED STREAMS

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>
13-62	WR/DECREED	5/15/1902	0.200 cfs	36.0 af		57.0	SPRING CREEK
13-7792	WR/DECREED	8/31/1903	0.900 cfs	182.0 af		57.0	SPRING CREEK

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>
13-217	NO	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>
13-217	13-217	0.430 cfs	184.0 af	N/A	57.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.430 cfs	184.0 af	N/A	57.0		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 14th day of November, 2018.



Water Resources Program Manager

SUPPORT DATA

Transfer No. 82573

W FILE # 13-217

WATER RIGHT NO. 13-217
As Modified by Transfer No. 82573

In accordance with the approval of Transfer No. 82573, Water Right No. 13-217 is now described as follows:

Right Holder: E & M TRUST
 2414 S 1600 E
 PRESTON, ID 83263

Priority Date: 4/1/1872

Source: UNNAMED STREAMS

Tributary: WORM CREEK

BENEFICIAL USE

IRRIGATION

From

4/01

to 11/01

Diversion Rate

0.430 cfs

0.430 cfs

Diversion Volume

184.0 af

184.0 af

LOCATION OF POINT(S) OF DIVERSION

UNNAMED STREAMS
 UNNAMED STREAMS
 UNNAMED STREAMS

NWNE
 NWNW
 NWNW

Sec 6 Twp 16S Rge 40E FRANKLIN County

Sec 6 Twp 16S Rge 40E FRANKLIN County

Sec 6 Twp 16S Rge 40E FRANKLIN County

(I)

(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	
16S	39E	12	8.2			20.3													28.5
16S	40E	7						2.0	26.5										28.5
								L 1	L 2										

POU Total Acres: 57.0

CONDITIONS OF APPROVAL

1. Rights 13-62, 13-217 and 13-7792 when combined shall not exceed a total diversion rate of 1.14 cfs, a total annual maximum diversion volume of 218 af at the field headgate, and the irrigation of 57 acres.
2. Use of water under this right may 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. 13A.
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. 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.
5. Point of injection into and point of rediversion from Spring Creek.

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WATER RIGHT NO. 13-217
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CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



WATER RIGHT NO. 13-62**As Modified by Transfer No. 82573**

In accordance with the approval of Transfer No. 82573, Water Right No. 13-62 is now described as follows:

Right Holder: E & M TRUST
2414 S 1600 E
PRESTON, ID 83263

Priority Date: 5/15/1902

Source: SPRING CREEK

Tributary: CUB RIVER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 07/01

Diversion Rate

0.200 cfs

0.200 cfs

Diversion Volume

36.0 af

36.0 af

LOCATION OF POINT(S) OF DIVERSION

SPRING CREEK

L4 (NWNW)

Sec 6 Twp 16S Rge 40E FRANKLIN 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	
16S	39E	12	8.2			20.3													28.5
16S	40E	7						2.0	26.5										28.5
								L 1	L 2										

POU Total Acres: 57.0

CONDITIONS OF APPROVAL

1. Rights 13-62, 13-217 and 13-7792 when combined shall not exceed a total diversion rate of 1.14 cfs, a total annual maximum diversion volume of 218 af at the field headgate, and the irrigation of 57 acres.
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. 13A.
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).

WATER RIGHT NO. 13-7792**As Modified by Transfer No. 82573**

In accordance with the approval of Transfer No. 82573, Water Right No. 13-7792 is now described as follows:

Right Holder: E & M TRUST
2414 S 1600 E
PRESTON, ID 83263

Priority Date: 8/31/1903

Source: SPRING CREEK

Tributary: CUB RIVER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 11/01

Diversion Rate
0.900 cfs
0.900 cfs

Diversion Volume
182.0 af
182.0 af

LOCATION OF POINT(S) OF DIVERSION

SPRING CREEK L4 (NWNW) Sec 6 Twp 16S Rge 40E FRANKLIN 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	
16S	39E	12	8.2			20.3													28.5
16S	40E	7						2.0	26.5										28.5
								L 1	L 2										

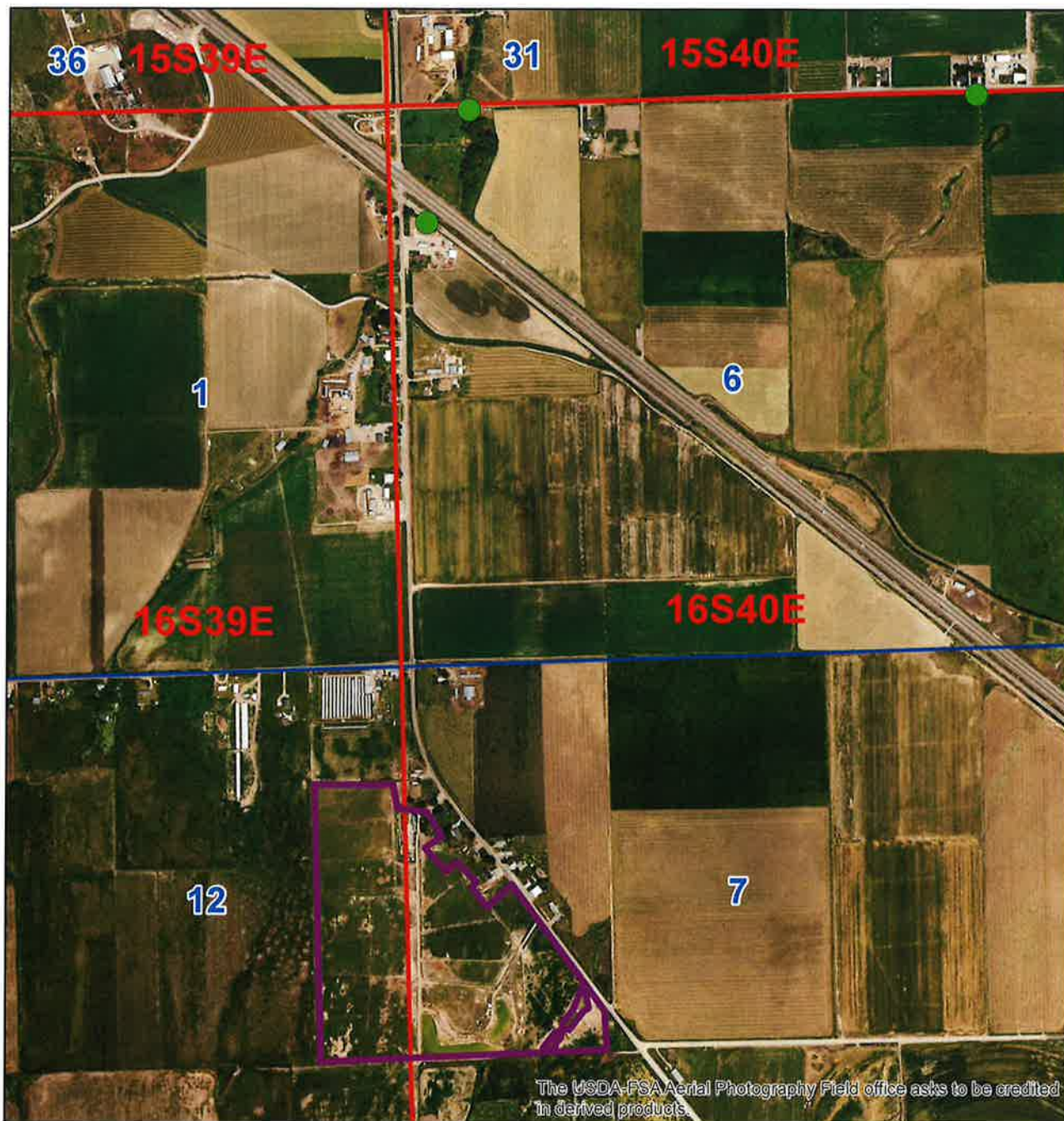
POU Total Acres: 57.0

CONDITIONS OF APPROVAL

1. Rights 13-62, 13-217 and 13-7792 when combined shall not exceed a total diversion rate of 1.14 cfs, a total annual maximum diversion volume of 218 af at the field headgate, and the irrigation of 57 acres.
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. 13A.
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).

Attachment to Transfer Approval 82573

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

0 485 970 1,940 Feet



1 inch = 1,080 feet

