

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82297

This is to certify that: BONNIE GUNDERSON AND
GARTH GUNDERSON
3590 E 960 N
MENAN, ID 83434

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>
35-14174	WR/DECREED	3/5/1948	1.120 cfs	224.0 af	56.0	154.0	GROUND WATER
35-14176	WR/DECREED	12/31/1940	1.630 cfs	370.2 af	92.6	154.0	GROUND WATER
35-14178	WR/DECREED	9/28/1981	0.100 cfs	21.8 af	5.4	154.0	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>
35-14174	YES	YES	NO	NO	NO	NO
35-14176	YES	YES	NO	NO	NO	NO
35-14178	YES	YES	NO	NO	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>
35-14174	35-14583	0.020 cfs	4.7 af	1.2	3.2	35-14174	1.100 cfs	219.0 af	54.8	150.8
35-14176	35-14584	0.030 cfs	7.7 af	1.9	3.2	35-14176	1.600 cfs	363.0 af	90.7	150.8
35-14178	35-14585	0.010 cfs	0.5 af	0.1	3.2	35-14178	0.090 cfs	21.3 af	5.3	150.8
COMBINED TOTALS		0.060 cfs	12.9 af	3.2	3.2		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 29th day of June, 2018


Water Resources Program Manager

SUPPORT DATA

Transfer No. 82297

IN FILE # 35-14174

WATER RIGHT NO. 35-14174

As Modified by Transfer No. 82297

In accordance with the approval of Transfer No. 82297, Water Right No. 35-14174 is now described as follows:

Right Holder: ADEN GUNDERSON
C/O NYLE RAYMOND
3310 E 750 N
MENAN, ID 83434

Priority Date: 3/5/1948

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
1.100 cfs
1.100 cfs

Diversion Volume
219.0 af
219.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

SWSWSW
NWNENW

Sec 15 Twp 05N Rge 38E MADISON County
Sec 22 Twp 05N Rge 38E MADISON 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	
05N	38E	15											31.0	31.0	13.0				75.0
05N	38E	16																	
05N	38E	21	15.0												28.8	1.0		6.0	38.8
			L 1																15.0
05N	38E	22					20.0	2.0											22.0
								L 4											

Right Acre Limit: 54.8
POU Total Acres: 150.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 54.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14174, 35-14176 and 35-14178 when combined shall not exceed the irrigation of 150.8 acres.
3. Use of this right is combined with water from Butte & Market Lake Canal Co.
4. Use of this right is combined with water from Palisades Water Users Association.
5. The place of use does not include federal land.

Transfer No. 82297

WATER RIGHT NO. 35-14174
As Modified by Transfer No. 82297

CONDITIONS OF APPROVAL

6. The following rights are diverted through point(s) of diversion described above: 35-14174, 35-14176, 35-14178.
7. Pursuant to Section 42-1412(6), Idaho Code, 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. 35-14583
As Modified by Transfer No. 82297

In accordance with the approval of Transfer No. 82297, Water Right No. 35-14583 is now described as follows:

Right Holder: GARTH GUNDERSON
 BONNIE GUNDERSON
 3590 E 960 N
 MENAN, ID 83434

Priority Date: 3/5/1948

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
 0.020 cfs
 0.020 cfs

Diversion Volume
 4.7 af
 4.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec 16 Twp 05N Rge 38E JEFFERSON 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	
05N	38E	16													3.2				3.2

Right Acre Limit: 1.2

POU Total Acres: 3.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14583, 35-14584 and 35-14585 when combined shall not exceed the irrigation of 3.2 acres.
3. 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. 120.
4. Prior to the diversion and use of water under Transfer approval 82297, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Transfer No. 82297

WATER RIGHT NO. 35-14583
As Modified by Transfer No. 82297

CONDITIONS OF APPROVAL

5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. The point of diversion does not include federal land.
8. The place of use does not include federal land.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, 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. 35-14176**As Modified by Transfer No. 82297**

In accordance with the approval of Transfer No. 82297, Water Right No. 35-14176 is now described as follows:

Right Holder: ADEN GUNDERSON
C/O NYLE RAYMOND
3310 E 750 N
MENAN, ID 83434

Priority Date: 12/31/1940

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
1,600 cfs
1,600 cfs

Diversion Volume
363.0 af
363.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSWSW Sec 15 Twp 05N Rge 38E MADISON County
GROUND WATER NWNENW Sec 22 Twp 05N Rge 38E MADISON 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	
05N	38E	15										31.0	31.0	13.0					75.0
05N	38E	16									3.0				28.8	1.0		6.0	38.8
05N	38E	21	15.0																15.0
			L 1																
05N	38E	22					20.0	2.0											22.0
								L 4											

Right Acre Limit: 90.7

POU Total Acres: 150.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 90.7 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14174, 35-14176 and 35-14178 when combined shall not exceed the irrigation of 150.8 acres.
3. Use of this right is combined with water from Butte & Market Lake Canal Co.
4. Use of this right is combined with water from Palisades Water Users Association.
5. The place of use does not include federal land.

Transfer No. 82297

WATER RIGHT NO. 35-14176
As Modified by Transfer No. 82297

CONDITIONS OF APPROVAL

6. The following rights are diverted through point(s) of diversion described above: 35-14174, 35-14176, 35-14178.
7. Pursuant to Section 42-1412(6), Idaho Code, 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. 35-14584
As Modified by Transfer No. 82297

In accordance with the approval of Transfer No. 82297, Water Right No. 35-14584 is now described as follows:

Right Holder: GARTH GUNDERSON AND
 BONNIE GUNDERSON
 3590 E 960 N
 MENAN, ID 83434

Priority Date: 12/31/1940

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

to

To

10/31

Diversion Rate

0.030 cfs

0.030 cfs

Diversion Volume

7.7 af

7.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESE

Sec 16 Twp 05N Rge 38E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	38E	16													3.2				3.2

Right Acre Limit: 1.9

POU Total Acres: 3.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14583, 35-14584 and 35-14585 when combined shall not exceed the irrigation of 3.2 acres.
3. 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. 120.
4. Prior to the diversion and use of water under Transfer approval 82297, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Transfer No. 82297

WATER RIGHT NO. 35-14584
As Modified by Transfer No. 82297

CONDITIONS OF APPROVAL

5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. The point of diversion does not include federal land.
8. The place of use does not include federal land.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, 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. 35-14178**As Modified by Transfer No. 82297**

In accordance with the approval of Transfer No. 82297, Water Right No. 35-14178 is now described as follows:

Right Holder: ADEN GUNDERSON
C/O NYLE RAYMOND
3310 E 750 N
MENAN, ID 83434

Priority Date: 9/28/1981

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
0.090 cfs
0.090 cfs

Diversion Volume
21.3 af
21.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSWSW Sec 15 Twp 05N Rge 38E MADISON County
GROUND WATER NWNENW Sec 22 Twp 05N Rge 38E MADISON 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	
05N	38E	15										31.0	31.0	13.0					75.0
05N	38E	16									3.0				28.8	1.0		6.0	38.8
05N	38E	21	15.0																15.0
			L 1																
05N	38E	22					20.0	2.0											22.0
								L 4											

Right Acre Limit: 5.3

POU Total Acres: 150.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14174, 35-14176 and 35-14178 when combined shall not exceed the irrigation of 150.8 acres.
3. Use of this right is combined with water from Butte & Market Lake Canal Co.
4. Use of this right is combined with water from Palisades Water Users Association.
5. The place of use does not include federal land.

Transfer No. 82297

WATER RIGHT NO. 35-14178
As Modified by Transfer No. 82297

CONDITIONS OF APPROVAL

6. The following rights are diverted through point(s) of diversion described above: 35-14174, 35-14176, 35-14178.
7. Pursuant to Section 42-1412(6), Idaho Code, 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. 35-14585

As Modified by Transfer No. 82297

In accordance with the approval of Transfer No. 82297, Water Right No. 35-14585 is now described as follows:

Right Holder: GARTH GUNDERSON
BONNIE GUNDERSON
3590 E 960 N
MENAN, ID 83434

Priority Date: 9/28/1981

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
0.010 cfs
0.010 cfs

Diversion Volume
0.5 af
0.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec 16 Twp 05N Rge 38E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	38E	16													3.2				3.2

Right Acre Limit: 0.1

POU Total Acres: 3.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.1 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14583, 35-14584 and 35-14585 when combined shall not exceed the irrigation of 3.2 acres.
3. 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. 120.
4. Prior to the diversion and use of water under Transfer approval 82297, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Transfer No. 82297

WATER RIGHT NO. 35-14585
As Modified by Transfer No. 82297

CONDITIONS OF APPROVAL

5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. The point of diversion does not include federal land.
8. The place of use does not include federal land.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, 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 82297

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
- QQ

0 95 190 380 Feet

1 inch = 209 feet

