

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 81762**

This is to certify that: **JAMES S GUTHRIE AND  
SUZANNE K WILKIN  
537 PARKWAY CIR  
TWIN FALLS, ID 83301**

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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 22-14264           | WR/DECREED          | 8/2/1976             | 0.040 cfs             | 14.0 af                 | 5.6               | 5.6                | 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>  |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|----------------|
| 22-14288           | WR/DECREED          | 1/22/1916            | 1.900 cfs             | N/A                     |                   | 47.0               | BADGER CREEK   |
| 22-14296           | WR/DECREED          | 6/1/1899             | 0.630 cfs             | N/A                     |                   | 47.0               | BADGER CREEK   |
| 22-14297           | WR/DECREED          | 6/1/1901             | 0.510 cfs             | N/A                     |                   | 8.0                | BULL ELK CREEK |
| 22-14298           | WR/DECREED          | 4/1/1939             | 1.270 cfs             | N/A                     |                   | 47.0               | BADGER 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 22-14264              | NO           | YES        | YES        | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 22-14264               | 22-14264                         | 0.040 cfs            | 14.0 af                | N/A               | 5.6                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>0.040 cfs</b>     | <b>14.0 af</b>         | <b>N/A</b>        | <b>5.6</b>         |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

SUPPORT DATA

Transfer No. 81762

IN FILE # 22-14264

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 81762

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 31<sup>st</sup> day of October, 2017.

  
for \_\_\_\_\_  
Chief, Water Allocation Bureau



**WATER RIGHT NO. 22-14264**  
**As Modified by Transfer No. 81762**

In accordance with the approval of Transfer No. 81762, Water Right No. 22-14264 is now described as follows:

**Right Holder:** JAMES S GUTHRIE AND  
 SUZANNE K WILKIN  
 537 PARKWAY CIR  
 TWIN FALLS, ID 83301

**Priority Date:** 8/2/1976

**Source:** GROUND WATER

|                              |                    |                  |                              |                                |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
| IRRIGATION                   | 04/15              | to 10/15         | 0.040 cfs                    | 14.0 af                        |
|                              |                    |                  | 0.040 cfs                    | 14.0 af                        |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER      L2 (NWNE)      Sec 6    Twp 06N Rge 45E    TETON 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 |        |
| 06N | 45E | 6   |    | 5.6 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 5.6    |
|     |     |     |    | L 2 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

POU Total Acres:      5.6

**CONDITIONS OF APPROVAL**

1. Rights 22-14264, 22-14288, 22-14296, 22-14297 and 22-14298 when combined shall not exceed the irrigation of 47 acres.
2. 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.
3. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/24/2008.
4. Water is delivered through Ricks Canal.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No.    81762

**WATER RIGHT NO. 22-14264**  
**As Modified by Transfer No. 81762**

**CONDITIONS OF APPROVAL**

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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. 22-14288****As Modified by Transfer No. 81762**

In accordance with the approval of Transfer No. 81762, Water Right No. 22-14288 is now described as follows:

**Right Holder:** SUZANNE K WILKIN And  
JAMES S GUTHRIE  
537 PARKWAY CIR  
TWIN FALLS, ID 83301

**Priority Date:** 1/22/1916

**Source:** BADGER CREEK

**Tributary:** TETON RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/15 to **To** 10/31

**Diversion Rate**  
1.900 cfs  
1.900 cfs

**LOCATION OF POINT(S) OF DIVERSION**

BADGER CREEK NWSENE Sec 8 Twp 06N Rge 45E TETON 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 |        |
| 06N | 45E | 6   |    | 37.0 |    |    |    |    |    |    |    |    |    |    |    |    |      |    | 37.0   |
|     |     |     |    | L 2  |    |    |    |    |    |    |    |    |    |    |    |    |      |    |        |
| 07N | 45E | 31  |    |      |    |    |    |    |    |    |    |    |    |    |    |    | 10.0 |    | 10.0   |
|     |     |     |    |      |    |    |    |    |    |    |    |    |    |    |    |    | L 6  |    |        |

POU Total Acres: 47.0

**CONDITIONS OF APPROVAL**

1. Rights 22-14264, 22-14288, 22-14296, 22-14297 and 22-14298 when combined shall not exceed the irrigation of 47 acres.
2. Water is delivered through Ricks Canal.
3. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

**WATER RIGHT NO. 22-14296****As Modified by Transfer No. 81762**

In accordance with the approval of Transfer No. 81762, Water Right No. 22-14296 is now described as follows:

**Right Holder:** SUZANNE K WILKIN And  
JAMES S GUTHRIE  
537 PARKWAY CIR  
TWIN FALLS, ID 83301

**Priority Date:** 6/1/1899

**Source:** BADGER CREEK

**Tributary:** TETON RIVER

**BENEFICIAL USE**  
IRRIGATION

**From**  
04/15 to **To**  
10/31

**Diversion Rate**  
0.630 cfs  
0.630 cfs

**LOCATION OF POINT(S) OF DIVERSION**

BADGER CREEK NWSENE Sec 8 Twp 06N Rge 45E TETON 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 |        |
| 06N | 45E | 6   |    | 37.0 |    |    |    |    |    |    |    |    |    |    |    |    |      |    | 37.0   |
|     |     |     |    | L 2  |    |    |    |    |    |    |    |    |    |    |    |    |      |    |        |
| 07N | 45E | 31  |    |      |    |    |    |    |    |    |    |    |    |    |    |    | 10.0 |    | 10.0   |
|     |     |     |    |      |    |    |    |    |    |    |    |    |    |    |    |    | L 6  |    |        |

POU Total Acres: 47.0

**CONDITIONS OF APPROVAL**

1. Rights 22-14264, 22-14288, 22-14296, 22-14297 and 22-14298 when combined shall not exceed the irrigation of 47 acres.
2. Water is delivered through Ricks Canal.
3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

# **WATER RIGHT NO. 22-14297**

## **As Modified by Transfer No. 81762**

In accordance with the approval of Transfer No. 81762, Water Right No. 22-14297 is now described as follows:

**Right Holder:** JAMES S GUTHRIE And  
SUZANNE K WILKIN  
537 PARKWAY CIR  
TWIN FALLS, ID 83301

**Priority Date:** 6/1/1901

**Source:** BULL ELK CREEK

**Tributary:** BADGER CREEK

**BENEFICIAL USE**  
IRRIGATION

**From** 04/15 to **To** 10/31

**Diversion Rate**  
0.510 cfs  
0.510 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

BULL ELK CREEK L1 (SENESE) Sec 6 Twp 06N Rge 45E TETON 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 |        |
| 07N | 45E | 31  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 8.0 |    | 8.0    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | L 6 |    |        |

POU Total Acres: 8.0

### **CONDITIONS OF APPROVAL**

1. Rights 22-14264, 22-14288, 22-14296, 22-14297 and 22-14298 when combined shall not exceed the irrigation of 47 acres.
2. Water is delivered through Ricks Canal.
3. Source is also known as Little Badger Creek.
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

**WATER RIGHT NO. 22-14298****As Modified by Transfer No. 81762**

In accordance with the approval of Transfer No. 81762, Water Right No. 22-14298 is now described as follows:

**Right Holder:** JAMES S GUTHRIE AND  
SUZANNE K WILKIN  
537 PARKWAY CIR  
TWIN FALLS, ID 83301

**Priority Date:** 4/1/1939

**Source:** BADGER CREEK

**Tributary:** TETON RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/15 to **To** 10/31

**Diversion Rate**  
1.270 cfs  
1.270 cfs

**LOCATION OF POINT(S) OF DIVERSION**

BADGER CREEK NWSENE Sec 8 Twp 06N Rge 45E TETON 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 |        |
| 06N | 45E | 6   |    | 37.0 |    |    |    |    |    |    |    |    |    |    |    |    |      |    | 37.0   |
|     |     |     |    | L 2  |    |    |    |    |    |    |    |    |    |    |    |    |      |    |        |
| 07N | 45E | 31  |    |      |    |    |    |    |    |    |    |    |    |    |    |    | 10.0 |    | 10.0   |
|     |     |     |    |      |    |    |    |    |    |    |    |    |    |    |    |    | L 6  |    |        |

POU Total Acres: 47.0

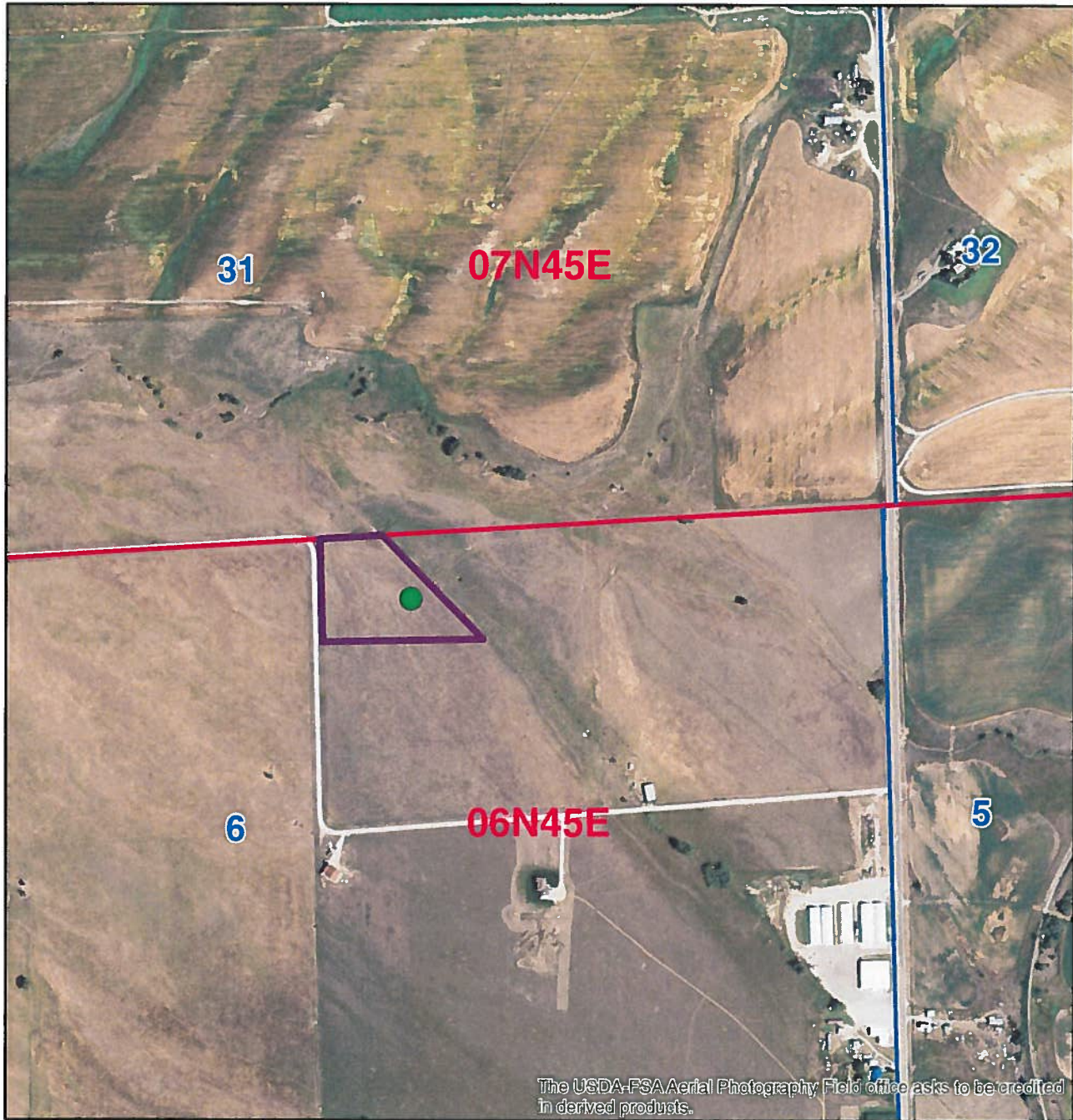
**CONDITIONS OF APPROVAL**

1. Rights 22-14264, 22-14288, 22-14296, 22-14297 and 22-14298 when combined shall not exceed the irrigation of 47 acres.
2. Water is delivered through Ricks Canal.
3. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Transfer No. 81762

# Transfer Approval 81762

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

0 325 650 1,300 Feet

1 inch = 723 feet

