

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81457**

This is to certify that: HK CONTRACTORS INC
C/O JEFF TROSPER
PO BOX 51450
IDAHO FALLS, ID 83405

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>
22-207B	WR/DECREED	5/15/1898	1.600 cfs	N/A	N/A	38.0	TETON RIVER

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>
22-631	WR/DECREED	12/1/1903	3.200 cfs	N/A		80.0	TETON RIVER

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>
22-207B	YES	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>
22-207B	22-14259	0.400 cfs	N/A	N/A	9.0	22-207B	1.200 cfs	N/A	N/A	28.0
COMBINED TOTALS		0.400 cfs	N/A	N/A	9.0		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 27th day of June, 2017.



Water Resources Program Manager

SUPPORT DATA

Transfer No. 81457

IN FILE # 22-207B

WATER RIGHT NO. 22-207B
As Modified by Transfer No. 81457

In accordance with the approval of Transfer No. 81457, Water Right No. 22-207B is now described as follows:

Right Holder: HK CONTRACTORS INC
 C/O JEFF TROSPER
 PO BOX 51450
 IDAHO FALLS, ID 83405

Priority Date: 5/15/1898

Source: TETON RIVER

Tributary: HENRYS FORK

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 1.200 cfs
 1.200 cfs

LOCATION OF POINT(S) OF DIVERSION

TETON RIVER SWNE Sec 36 Twp 07N Rge 40E FREMONT 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	
07N	40E	36											28.0						28.0

POU Total Acres: 28.0

CONDITIONS OF APPROVAL

1. Water is delivered through Pincock-Garner Canal.
2. 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. 22-14259**As Modified by Transfer No. 81457**

In accordance with the approval of Transfer No. 81457, Water Right No. 22-14259 is now described as follows:

Right Holder: FLOYD B GARDNER
2685 N RIVER RD
ST ANTHONY, ID 83445

Priority Date: 5/15/1898

Source: TETON RIVER

Tributary: HENRYS FORK

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.400 cfs

0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

TETON RIVER

NESESW

Sec 36 Twp 07N Rge 40E FREMONT 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	
06N	40E	1					9.0												9.0
							1.3												

POU Total Acres: 9.0

CONDITIONS OF APPROVAL

1. Rights 22-631 and 22-14259 when combined shall not exceed the irrigation of 80 acres.
2. 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 place of use.
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. 1.
4. 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).
5. Water is delivered through Bigler Slough Canal.
6. This right does not grant any right-of-way or easement across the land of another.

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WATER RIGHT NO. 22-14259
As Modified by Transfer No. 81457

CONDITIONS OF APPROVAL

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.
9. 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. 22-631**As Modified by Transfer No. 81457**

In accordance with the approval of Transfer No. 81457, Water Right No. 22-631 is now described as follows:

Right Holder: FLOYD B GARDNER
2685 N RIVER RD
ST ANTHONY, ID 83445

Priority Date: 12/1/1903

Source: TETON RIVER

Tributary: HENRYS FORK

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
3.200 cfs
3.200 cfs

LOCATION OF POINT(S) OF DIVERSION

TETON RIVER NESESW Sec 36 Twp 07N Rge 40E FREMONT 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	
06N	40E	1					9.0												9.0
							1.3												
07N	40E	36							34.0				37.0						71.0

POU Total Acres: 80.0

CONDITIONS OF APPROVAL

1. Rights 22-631 and 22-14259 when combined shall not exceed the irrigation of 80 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. 1.
3. The following rights are diverted through point of diversion described above: 22-631 and 22-636A.
4. 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.

Transfer No. 81457

Transfer Approval 81457

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

0 275 550 1,100 Feet

1 inch = 622 feet

