

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 79831

This is to certify that: CRYSTAL J COOK AND/OR  
JANA COOK AND/OR  
JOHN D COOK  
11980 N HWY 52  
HORSESHOE BEND, ID 83629

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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 65-22972           | WR/LICENSE          | 6/30/1983            | 0.170 cfs             | 29.8 af                 | N/A               | 8.5                | PAYETTE RIVER |
| 65-22974           | WR/DECREED          | 12/13/1973           | 0.190 cfs             | 33.3 af                 | N/A               | 9.5                | PAYETTE 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 65-22972              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 65-22974              | YES          | NO         | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 65-22972               | 65-22972                         | 0.170 cfs            | 29.8 af                | N/A               | 8.5                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 65-22974               | 65-23643                         | 0.130 cfs            | 22.8 af                | N/A               | 6.5                | 65-22974                           | 0.060 cfs             | 10.5 af                 | N/A                         | 3.0                          |
| <b>COMBINED TOTALS</b> |                                  | <b>0.300 cfs</b>     | <b>52.6 af</b>         | <b>N/A</b>        | <b>15.0</b>        |                                    | <b>0.060 cfs</b>      | <b>10.5 af</b>          | <b>N/A</b>                  | <b>3.0</b>                   |

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 30<sup>th</sup> day of January, 2017.

  
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Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 65-22972

Transfer No. 79831

**WATER RIGHT NO. 65-22972****As Modified by Transfer No. 79831**

In accordance with the approval of Transfer No. 79831, Water Right No. 65-22972 is now described as follows:

**Right Holder:** JOHN D COOK AND/OR  
JANA COOK AND/OR  
CRYSTAL J COOK  
11980 N HWY 52  
HORSESHOE BEND, ID 83629

**Priority Date:** 6/30/1983

**Source:** PAYETTE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 11/01  | 0.170 cfs             | 29.8 af                 |
|                       |             |           | 0.170 cfs             | 29.8 af                 |

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

PAYETTE RIVER L2 (NWSE) Sec 24 Twp 07N Rge 01E GEM 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 | 01E | 24  |    |    | 3.0 | 3.1 |    |    |    |    |    |    |    |    | 1.4 | 1.0 |    |    | 8.5    |
|     |     |     |    |    | L3  |     |    |    |    |    |    |    |    |    | L2  | L2  |    |    |        |

POU Total Acres: 8.5

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. 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. 65.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 11/27/1991.

Transfer No. 79831

**WATER RIGHT NO. 65-22972**  
**As Modified by Transfer No. 79831**

**CONDITIONS OF APPROVAL**

5. This right does not grant any right-of-way or easement across the land of another.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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. 65-22974**

**As Modified by Transfer No. 79831**

In accordance with the approval of Transfer No. 79831, Water Right No. 65-22974 is now described as follows:

**Right Holder:** WILLIAM E SHOBEL AND/OR  
MERILYN R SHOBEL  
11710 N HWY 52  
HORSESHOE BEND, ID 83629

**Priority Date:** 12/13/1973

**Source:** PAYETTE RIVER

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 11/01  | 0.060 cfs             | 10.5 af                 |
|                       |             |           | 0.060 cfs             | 10.5 af                 |

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

PAYETTE RIVER      SENWSE      Sec 24 Twp 07N Rge 01E GEM 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 | 01E | 24  |    |    |    |    |    |    |    |    |    |    |    |    | 3.0 |    |    |    | 3.0    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    | 1.2 |    |    |    |        |

POU Total Acres: 3.0

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
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.

Transfer No. 79831

**WATER RIGHT NO. 65-23643****As Modified by Transfer No. 79831**

In accordance with the approval of Transfer No. 79831, Water Right No. 65-23643 is now described as follows:

**Right Holder:** JOHN D COOK AND/OR  
CRYSTAL J COOK AND/OR  
JANA COOK  
11980 N HWY 52  
HORSESHOE BEND, ID 83629

**Priority Date:** 12/13/1973

**Source:** PAYETTE RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

**To**

to 11/01

**Diversion Rate**

0.130 cfs  
0.130 cfs

**Diversion Volume**

22.8 af  
22.8 af

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

PAYETTE RIVER

L2 (NWSE)

Sec 24 Twp 07N Rge 01E GEM 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 | 01E | 24  |    |    | 2.5 | 2.0 |    |    |    |    |    |    |    |    | 1.5 | 0.5 |    |    | 6.5    |
|     |     |     |    |    | L3  |     |    |    |    |    |    |    |    |    | L2  | L2  |    |    |        |

POU Total Acres: 6.5

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. 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. 65.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/26/2002.

Transfer No. 79831

**WATER RIGHT NO. 65-23643**  
**As Modified by Transfer No. 79831**

**CONDITIONS OF APPROVAL**

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

State of Idaho  
Department of Water Resources

# Attachment to Transfer of Water Right 79831

65-22972, 65-22974 & 65-23643

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Points of Diversion
-  65-22972 Place of Use
-  65-22974 Place of Use
-  65-23643 Place of Use
-  Townships
-  PLS Sections

0 0.0425 0.085 0.17 Miles

