

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80808**

This is to certify that: **G ALVIN WHEELER AND
GAY D WHEELER
3245 W 3120 N
MOORE, ID 83255**

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>
34-2353	WR/DECREED	7/31/1959	1.870 cfs	294.0 af	N/A	84.0	GROUND WATER
34-270	WR/DECREED	6/1/1900	0.900 cfs	N/A	N/A	135.0	BIG LOST RIVER
34-382	WR/DECREED	6/1/1888	1.240 cfs	N/A	62.0	135.0	BIG LOST RIVER
34-383B	WR/DECREED	6/1/1895	1.600 cfs	N/A	N/A	135.0	BIG LOST RIVER
34-788	WR/DECREED	6/1/1894	3.200 cfs	N/A	N/A	84.0	BIG LOST 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>
34-2353	NO	NO	YES	NO	NO	NO
34-270	NO	NO	YES	NO	NO	NO
34-382	NO	NO	YES	NO	NO	NO
34-383B	NO	NO	YES	NO	NO	NO
34-788	NO	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>
34-2353	34-2353	1.870 cfs	294.0 af	N/A	219.0	N/A	N/A	N/A	N/A	N/A
34-270	34-270	0.900 cfs	N/A	N/A	219.0	N/A	N/A	N/A	N/A	N/A
34-382	34-382	1.240 cfs	N/A	62.0	219.0	N/A	N/A	N/A	N/A	N/A
34-383B	34-383B	1.600 cfs	N/A	N/A	219.0	N/A	N/A	N/A	N/A	N/A
34-788	34-788	3.200 cfs	N/A	N/A	219.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		7.020 cfs	N/A	219.0	219.0		N/A	N/A	N/A	N/A

Transfer No. 80808

SUPPORT DATA
IN FILE # 54-270

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80808

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 31st day of August, 2016.



Water Resources Program Manager



WATER RIGHT NO. 34-2353**As Modified by Transfer No. 80808**

In accordance with the approval of Transfer No. 80808, Water Right No. 34-2353 is now described as follows:

Right Holder: GAY D WHEELER AND
G ALVIN WHEELER
3245 W 3120 N
MOORE, ID 83255

Priority Date: 7/31/1959

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

to

To

10/31

Diversion Rate

1.870 cfs

1.870 cfs

Diversion Volume

294.0 af

294.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNWNE

Sec 27 Twp 05N Rge 26E BUTTE 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	26E	27	12.0	31.0	34.0	3.0					35.0		31.0	40.0		33.0			219.0

POU Total Acres: 219.0

CONDITIONS OF APPROVAL

1. Rights 34-788 and 34-2353 are limited to the irrigation of a specific 84 acres within the 219 acre place of use authorized by this right in a single irrigation season. The specific 84 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 84 acres to be irrigated within the 219 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Rights 34-788 and 34-2353 when combined shall not exceed a total diversion rate of 3.28 cfs and the irrigation of 84 acres.
3. Rights 34-270, 34-382, 34-383B, 34-788, and 34-2353 when combined shall not exceed a total diversion rate of 7.02 cfs and the irrigation of 219 acres.
4. 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.

WATER RIGHT NO. 34-2353
As Modified by Transfer No. 80808

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80808, 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.
6. 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.
7. 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. 34.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 34-270

As Modified by Transfer No. 80808

In accordance with the approval of Transfer No. 80808, Water Right No. 34-270 is now described as follows:

Right Holder: GAY D WHEELER AND
G ALVIN WHEELER
3245 W 3120 N
MOORE, ID 83255

Priority Date: 6/1/1900

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 5/01 **To** 10/15

Diversion Rate
0.900 cfs
0.900 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSESE Sec 4 Twp 05N Rge 26E BUTTE 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	26E	27	12.0	31.0	34.0	3.0					35.0		31.0	40.0		33.0			219.0

POU Total Acres: 219.0

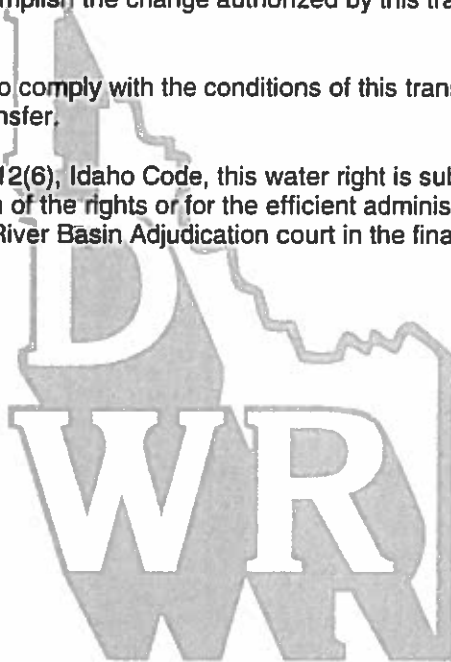
CONDITIONS OF APPROVAL

1. Rights 34-270, 34-382, and 34-383B when combined shall not exceed the irrigation of 135 acres.
2. Rights 34-270, 34-382, 34-383B, 34-788, and 34-2353 when combined shall not exceed a total diversion rate of 7.02 cfs and the irrigation of 219 acres.
3. 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.
4. 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. 34.
5. 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).
6. Water is delivered through Island Canal.

WATER RIGHT NO. 34-270
As Modified by Transfer No. 80808

CONDITIONS OF APPROVAL

7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 34-382 **As Modified by Transfer No. 80808**

In accordance with the approval of Transfer No. 80808, Water Right No. 34-382 is now described as follows:

Right Holder: G ALVIN WHEELER AND
 GAY D WHEELER
 3245 W 3120 N
 MOORE, ID 83255

Priority Date: 6/1/1886

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

From 5/01 **To** 10/15

Diversion Rate
 1.240 cfs
 1.240 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSESE Sec 4 Twp 05N Rge 26E BUTTE 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	26E	27	12.0	31.0	34.0	3.0					35.0		31.0	40.0		33.0			219.0

Right Acre Limit: 62.0

POU Total Acres: 219.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 62 acres within the authorized place of use in a single irrigation season.
2. Rights 34-270, 34-382, and 34-383B when combined shall not exceed the irrigation of 135 acres.
3. Rights 34-270, 34-382, 34-383B, 34-788, and 34-2353 when combined shall not exceed a total diversion rate of 7.02 cfs and the irrigation of 219 acres.
4. 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.
5. 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. 34.

WATER RIGHT NO. 34-382

As Modified by Transfer No. 80808

CONDITIONS OF APPROVAL

6. 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).
7. Water is delivered through Island Canal.
8. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
9. This right does not grant any right-of-way or easement across the land of another.
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. 34-383B **As Modified by Transfer No. 80808**

In accordance with the approval of Transfer No. 80808, Water Right No. 34-383B is now described as follows:

Right Holder: GAY D WHEELER AND
 G ALVIN WHEELER
 3245 W 3120 N
 MOORE, ID 83255

Priority Date: 6/1/1895

Source: BIG LOST RIVER **Tributary:** SINKS

BENEFICIAL USE
 IRRIGATION

From 5/01 **To** 10/15

Diversion Rate
 1.600 cfs
 1.600 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSESE Sec 4 Twp 05N Rge 26E BUTTE 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	26E	27		12.0	31.0	34.0	3.0					35.0		31.0	40.0		33.0			219.0

POU Total Acres: 219.0

CONDITIONS OF APPROVAL

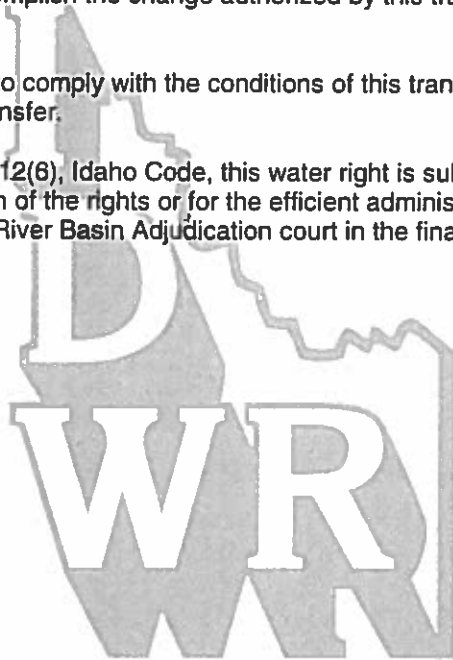
1. Rights 34-270, 34-382, and 34-383B when combined shall not exceed the irrigation of 135 acres.
2. Rights 34-270, 34-382, 34-383B, 34-788, and 34-2353 when combined shall not exceed a total diversion rate of 7.02 cfs and the irrigation of 219 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. 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. 34.
5. 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).
6. Water is delivered through Island Canal.

Transfer No. 80808

WATER RIGHT NO. 34-383B
As Modified by Transfer No. 80808

CONDITIONS OF APPROVAL

7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 34-788**As Modified by Transfer No. 80808**

In accordance with the approval of Transfer No. 80808, Water Right No. 34-788 is now described as follows:

Right Holder: G ALVIN WHEELER AND
GAY D WHEELER
3245 W 3120 N
MOORE, ID 83255

Priority Date: 6/1/1894

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 5/01 **To** 10/15

Diversion Rate
3.200 cfs
3.200 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSESE Sec 4 Twp 05N Rge 26E BUTTE 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	26E	27	12.0	31.0	34.0	3.0					35.0		31.0	40.0		33.0			219.0

POU Total Acres: 219.0

CONDITIONS OF APPROVAL

1. Rights 34-788 and 34-2353 are limited to the irrigation of a specific 84 acres within the 219 acre place of use authorized by this right in a single irrigation season. The specific 84 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 84 acres to be irrigated within the 219 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Rights 34-788 and 34-2353 when combined shall not exceed a total diversion rate of 3.28 cfs and the irrigation of 84 acres.
3. Rights 34-270, 34-382, 34-383B, 34-788, and 34-2353 when combined shall not exceed a total diversion rate of 7.02 cfs and the irrigation of 219 acres.
4. 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.

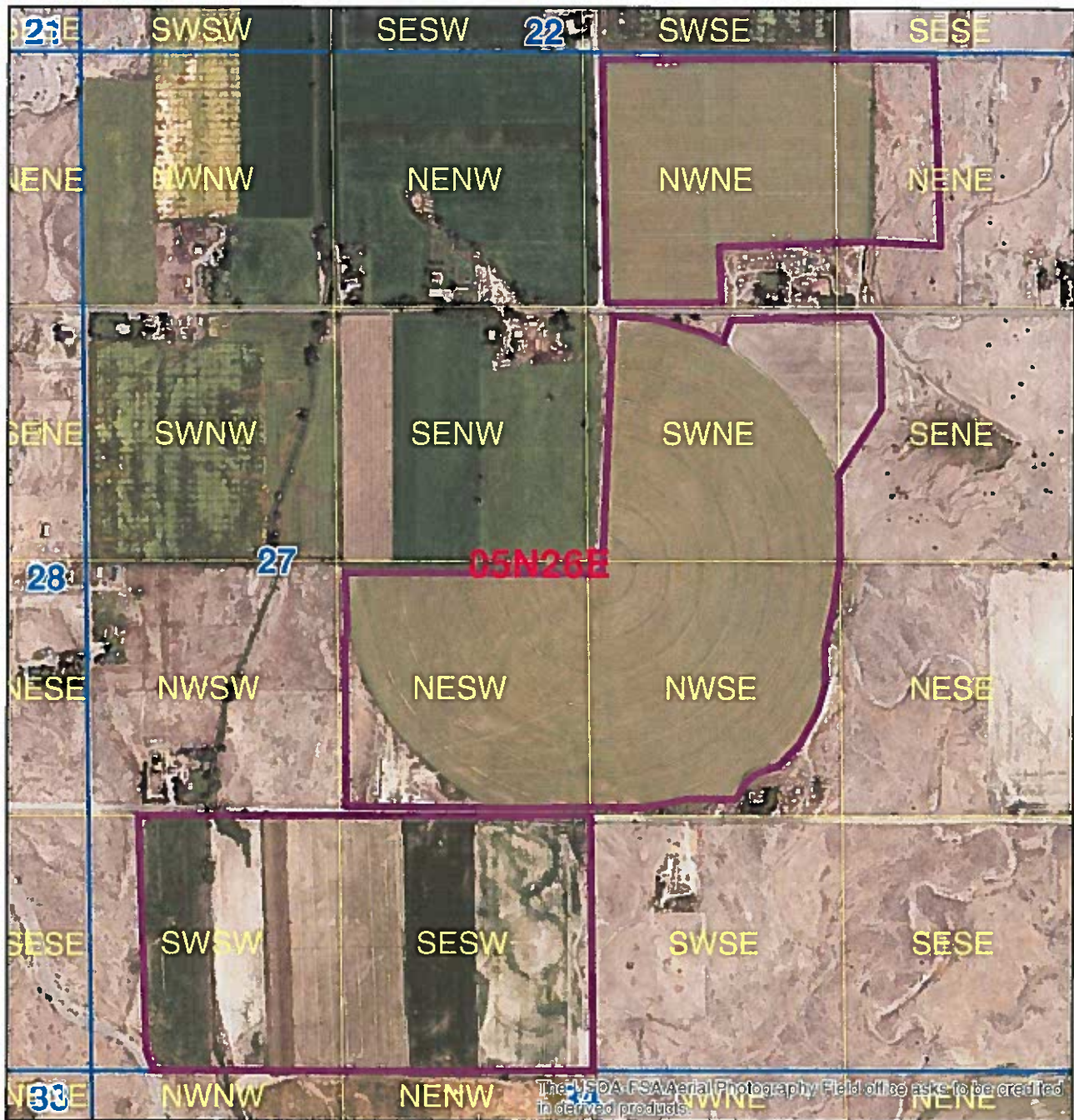
WATER RIGHT NO. 34-788
As Modified by Transfer No. 80808

CONDITIONS OF APPROVAL

5. 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. 34.
6. 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).
7. Water is delivered through Island Canal.
8. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
9. This right does not grant any right-of-way or easement across the land of another.
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.

Transfer Approval 80808

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

0 375 750 1,500 Feet

1 inch = 831 feet

