

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80361

This is to certify that: **MONTOUR FARMERS DITCH CO**
9747 E GATFIELD RD
MONTOUR, ID 83617

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>
65-22678	WR/DECREED	6/23/1884	0.040 cfs	N/A	N/A	N/A	PAYETTE RIVER
65-58	WR/DECREED	6/23/1884	21.630 cfs	N/A	823.0	823.0	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>
65-22678	NO	NO	YES	NO	NO	NO
65-58	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>
65-22678	65-22678	0.040 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
65-58	65-58	21.630 cfs	N/A	823.0	823.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		21.630 cfs	N/A	823.0	823.0		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 19 day of AUGUST, 2016.


605 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 65-58

Transfer No. 80361

WATER RIGHT NO. 65-58

As Modified by Transfer No. 80361

In accordance with the approval of Transfer No. 80361, Water Right No. 65-58 is now described as follows:

Right Holder: MONTOUR FARMERS DITCH CO
9747 E GATFIELD RD
MONTOUR, ID 83617

Priority Date: 6/23/1884

Source: PAYETTE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

21.630 cfs

21.630 cfs

LOCATION OF POINT(S) OF DIVERSION

PAYETTE RIVER
PAYETTE RIVER

SWSE
SWNE

Sec 24 Twp 07N Rge 01E GEM County
Sec 25 Twp 07N Rge 01E GEM County

CONDITIONS OF APPROVAL

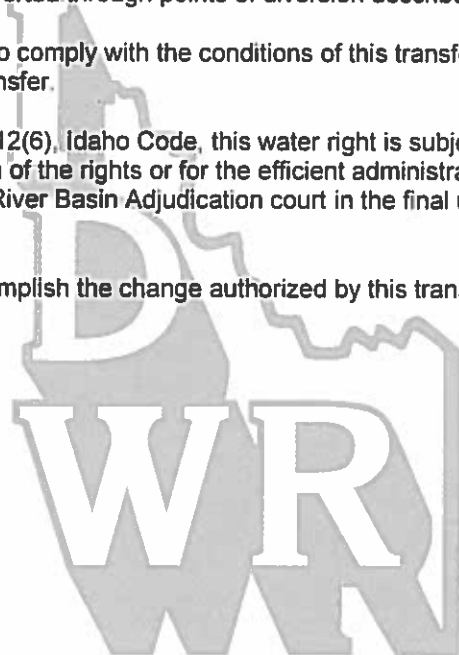
1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. Place of use is within the area served by Montour Farmers Ditch Company.
3. This right is limited to the irrigation of 823 acres within the authorized place of use in a single irrigation season.
4. Rights 65-58 and 65-22678 when combined shall not exceed a total diversion rate of 21.63 cfs.
5. 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.
6. The point of diversion in the SWSE of Section 24 is limited to a diversion rate of 4.0 cfs.
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. 65.
8. 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).

WATER RIGHT NO. 65-58

As Modified by Transfer No. 80361

CONDITIONS OF APPROVAL

9. 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 7/3/2002.
10. The following rights are diverted through points of diversion described above: 65-58 and 65-22678 .
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.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.



WATER RIGHT NO. 65-22678**As Modified by Transfer No. 80361**

In accordance with the approval of Transfer No. 80361, Water Right No. 65-22678 is now described as follows:

Right Holder: MONTOUR FARMERS DITCH CO
9747 E GATFIELD RD
MONTOUR, ID 83617

Priority Date: 6/23/1884

Source: PAYETTE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

STOCKWATER

From

01/01

to 12/31

To**Diversion Rate**

0.040 cfs

0.040 cfs

LOCATION OF POINT(S) OF DIVERSION

PAYETTE RIVER
PAYETTE RIVER

SWSE
SWNE

Sec 24 Twp 07N Rge 01E GEM County
Sec 25 Twp 07N Rge 01E GEM County

PLACE OF USE: STOCKWATER

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	01E	22	X	X	X	X	X			X	X			X	X	X	X	X	
				L 2			L 3												
07N	01E	22	X																
			L 1																
07N	01E	23			X			X	X	X	X	X	X	X					
					L 5			L 3		L 4									
07N	01E	26		X	X		X	X	X	X		X	X						
07N	01E	27	X	X	X	X	X		X	X	X	X			X	X		X	

CONDITIONS OF APPROVAL

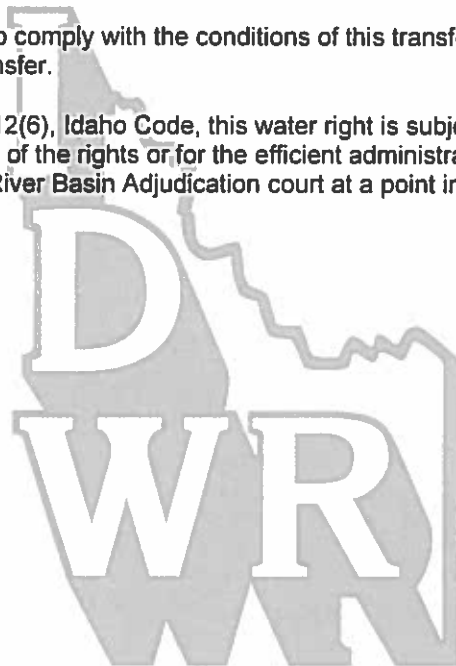
1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. Rights 65-58 and 65-22678 when combined shall not exceed a total diversion rate of 21.63 cfs.
3. The point of diversion in the SWSE of Section 24 is limited to a diversion rate of 4.0 cfs.
4. Use of water under this 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. 65.
5. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

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WATER RIGHT NO. 65-22678
As Modified by Transfer No. 80361

CONDITIONS OF APPROVAL

6. The quantity of water decreed for this water right is not a determination of historical beneficial use.
7. The following rights are diverted through points of diversion described above: 65-58 and 65-22678 .
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



State of Idaho
Department of Water Resources

Attachment to Application for Transfer No. 80361

65-58 and 63-22678

This map depicts the IRRIGATION and STOCKWATER 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.

