

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80375**

This is to certify that: **ESTATE OF JOHN V GOODE**
PO BOX 63
DONNELLY, ID 83615

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>
65-3164	WR/DECREED	5/1/1909	1.140 cfs	N/A	N/A	158.0	LAKE FORK
65-3165	WR/DECREED	5/1/1919	0.460 cfs	N/A	N/A	158.0	LAKE FORK

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>
65-3164	NO	NO	YES	NO	NO	NO
65-3165	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>
65-3164	65-3164	1.140 cfs	N/A	N/A	79.0	N/A	N/A	N/A	N/A	N/A
65-3165	65-3165	0.460 cfs	N/A	N/A	79.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.600 cfs	N/A	N/A	79.0		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 7th day of June, 2016.



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 65-3164

Transfer No. 80375

WATER RIGHT NO. 65-3164
As Modified by Transfer No. 80375

In accordance with the approval of Transfer No. 80375, Water Right No. 65-3164 is now described as follows:

Right Holder: AILA D GOODE
 PO BOX 45
 DONNELLY, ID 83615

ESTATE OF JOHN V GOODE
 PO BOX 63
 DONNELLY, ID 83615

Priority Date: 5/1/1909

Source: LAKE FORK **Tributary:** NORTH FORK PAYETTE RIVER

BENEFICIAL USE
 IRRIGATION

From 5/01 **To** 9/15 **Diversion Rate**
 1.140 cfs
 1.140 cfs

LOCATION OF POINT(S) OF DIVERSION

LAKE FORK NWNWNE Sec 10 Twp 17N Rge 03E VALLEY 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	
16N	03E	3	40.0	39.0															79.0
			L 1	L 2															

POU Total Acres: 79.0

CONDITIONS OF APPROVAL

1. Rights 65-3164 and 65-3165 when combined shall not exceed the irrigation of 79 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
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. 65K.
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).

Transfer No. 80375

WATER RIGHT NO. 65-3164
As Modified by Transfer No. 80375

CONDITIONS OF APPROVAL

5. The right holder shall cease irrigation of 79 acres previously authorized under this right, and consolidate use of water on the remaining 79 acres.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. This right does not grant any right-of-way or easement across the land of another.
9. Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
10. Use of this right is combined with water from Mahala Ditch Co.
11. Water is delivered through Mahala Ditch in Section 10. Right No. 65-3165 is also diverted through the point of diversion described above.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 65-3165
As Modified by Transfer No. 80375

In accordance with the approval of Transfer No. 80375, Water Right No. 65-3165 is now described as follows:

Right Holder: AILA D GOODE
PO BOX 45
DONNELLY, ID 83615

ESTATE OF JOHN V GOODE
PO BOX 63
DONNELLY, ID 83615

Priority Date: 5/1/1919

Source: LAKE FORK

Tributary: NORTH FORK PAYETTE RIVER

BENEFICIAL USE
IRRIGATION

From
5/01

To
to 9/15

Diversion Rate
0.460 cfs
0.460 cfs

LOCATION OF POINT(S) OF DIVERSION

LAKE FORK NWNWNE Sec 10 Twp 17N Rge 03E VALLEY 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	
16N	03E	3	40.0	39.0															79.0
			L 1	L 2															

POU Total Acres: 79.0

CONDITIONS OF APPROVAL

1. Rights 65-3164 and 65-3165 when combined shall not exceed the irrigation of 79 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
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. 65K.
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).

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WATER RIGHT NO. 65-3165
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CONDITIONS OF APPROVAL

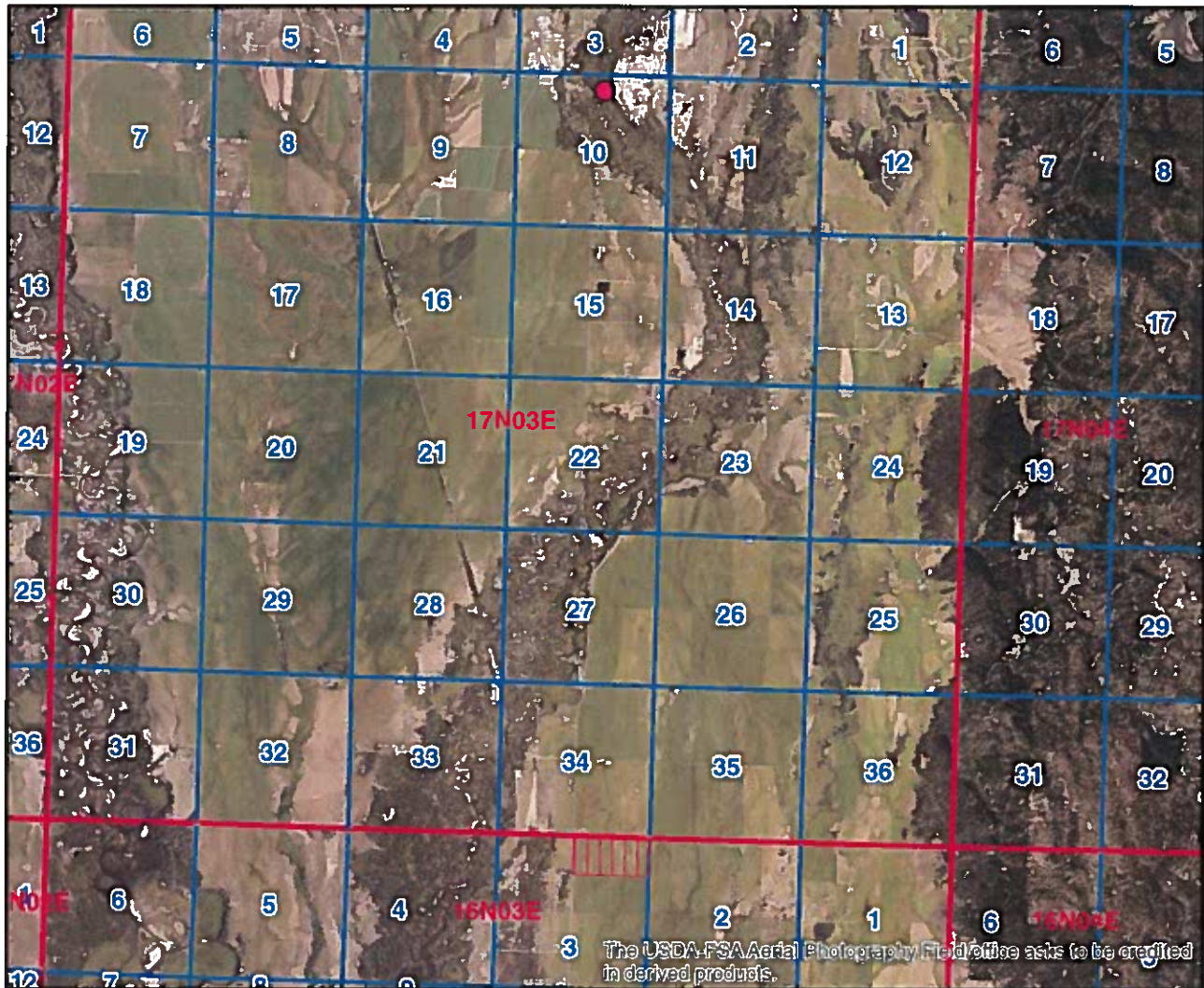
5. The right holder shall cease irrigation of 79 acres previously authorized under this right, and consolidate use of water on the remaining 79 acres.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. This right does not grant any right-of-way or easement across the land of another.
9. Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
10. Use of this right is combined with water from Mahala Ditch Co.
11. Water is delivered through Mahala Ditch in Section 10. Right No. 65-3164 is also diverted through the point of diversion described above.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 Application for Transfer of Water Right

Transfer No. 80375 Water Right Nos. 65-3164, 65-3165

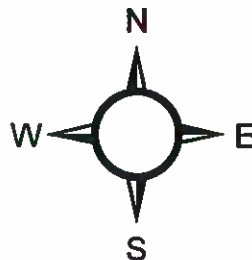
This map depicts the IRRIGATION point of diversion and place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.5 1 2 Miles

Legend

- Transfer POD
- ▤ Transfer POU
- ▭ Township/Range
- ▭ Sections



2015 aerial imagery