

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80135**

This is to certify that: **WAYNE C PERKINS**
13825 N 7TH ST STE M
PHOENIX, AZ 85022

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>
29-10248	WR/DECREED	7/1/1906	0.070 cfs	N/A	N/A	60.0	TOPONCE CREEK
29-13248	WR/DECREED	7/1/1907	0.110 cfs	N/A	N/A	60.0	TOPONCE CREEK
29-13482	WR/DECREED	4/15/1946	1.200 cfs	N/A	N/A	60.0	TOPONCE CREEK
29-90A	WR/DECREED	7/1/1908	0.300 cfs	N/A	N/A	60.0	TOPONCE CREEK
29-91A	WR/DECREED	7/1/1909	0.480 cfs	N/A	N/A	60.0	TOPONCE CREEK
29-92A	WR/DECREED	7/1/1910	0.145 cfs	N/A	N/A	60.0	TOPONCE CREEK
29-93A	WR/DECREED	7/1/1913	0.095 cfs	N/A	N/A	60.0	TOPONCE CREEK

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>
29-10248	NO	NO	YES	NO	NO	NO
29-13248	NO	NO	YES	NO	NO	NO
29-13482	NO	NO	YES	NO	NO	NO
29-90A	NO	NO	YES	NO	NO	NO
29-91A	NO	NO	YES	NO	NO	NO
29-92A	NO	NO	YES	NO	NO	NO
29-93A	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>
29-10248	29-10248	0.070 cfs	N/A	N/A	59.0	N/A	N/A	N/A	N/A	N/A
29-13248	29-13248	0.110 cfs	N/A	N/A	59.0	N/A	N/A	N/A	N/A	N/A
29-13482	29-13482	1.200 cfs	N/A	9.0	59.0	N/A	N/A	N/A	N/A	N/A
29-90A	29-90A	0.300 cfs	N/A	N/A	59.0	N/A	N/A	N/A	N/A	N/A
29-91A	29-91A	0.480 cfs	N/A	N/A	59.0	N/A	N/A	N/A	N/A	N/A
29-92A	29-92A	0.145 cfs	N/A	N/A	59.0	N/A	N/A	N/A	N/A	N/A
29-93A	29-93A	0.095 cfs	N/A	N/A	59.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.200 cfs	N/A	59.0	59.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE #

29-90A

Transfer No. 80135

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80135

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 9th day of December, 2015


for _____
Chief, Water Allocation Bureau



WATER RIGHT NO. 29-90A
As Modified by Transfer No. 80135

In accordance with the approval of Transfer No. 80135, Water Right No. 29-90A is now described as follows:

Right Holder: WAYNE C PERKINS
13825 N 7TH ST STE M
PHOENIX, AZ 85022

Priority Date: 7/1/1908

Source: TOPONCE CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/15	to 9/15	0.300 cfs
			0.300 cfs

LOCATION OF POINT(S) OF DIVERSION

TOPONCE CREEK SWSESE Sec 33 Twp 06S Rge 38E CARIBOU 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	
06S	38E	26							10.0	29.0	20.0								59.0
									L 5	L 6	L 11								

POU Total Acres: 59.0

CONDITIONS OF APPROVAL

1. Rights 29-90A, 29-91A, 29-92A, 29-93A, 29-10248, 29-13248, and 29-13482 when combined shall not exceed a total diversion rate of 1.20 cfs and the irrigation of 59.0 acres.
2. 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).
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. 29.
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. Right No. 29-13482 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6. Water is delivered through the Feeder Canal.

Transfer No. 80135

WATER RIGHT NO. 29-90A
As Modified by Transfer No. 80135

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 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.



WATER RIGHT NO. 29-13248
As Modified by Transfer No. 80135

In accordance with the approval of Transfer No. 80135, Water Right No. 29-13248 is now described as follows:

Right Holder: WAYNE C PERKINS
13825 N 7TH ST STE M
PHOENIX, AZ 85022

Priority Date: 7/1/1907

Source: TOPONCE CREEK

Tributary: PORTNEUF RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 09/15

Diversion Rate
0.110 cfs
0.110 cfs

LOCATION OF POINT(S) OF DIVERSION

TOPONCE CREEK SWSESE Sec 33 Twp 06S Rge 38E CARIBOU 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	
06S	38E	26							10.0	29.0	20.0								59.0
									L 5	L 6	L 11								

POU Total Acres: 59.0

CONDITIONS OF APPROVAL

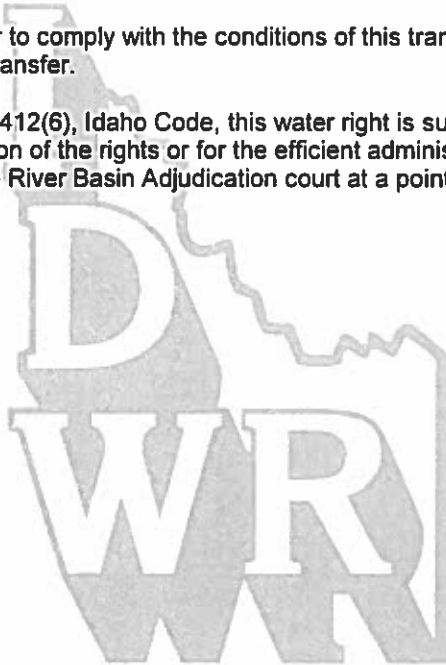
1. Rights 29-90A, 29-91A, 29-92A, 29-93A, 29-10248, 29-13248, and 29-13482 when combined shall not exceed a total diversion rate of 1.20 cfs and the irrigation of 59.0 acres.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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. 29.
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. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after September 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than March 22, 2004.

Transfer No. 80135

WATER RIGHT NO. 29-13248
As Modified by Transfer No. 80135

CONDITIONS OF APPROVAL

6. Right No. 29-13482 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
7. Water is delivered through the Feeder Canal.
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.



WATER RIGHT NO. 29-10248
As Modified by Transfer No. 80135

In accordance with the approval of Transfer No. 80135, Water Right No. 29-10248 is now described as follows:

Right Holder: WAYNE C PERKINS
 13825 N 7TH ST STE M
 PHOENIX, AZ 85022

Priority Date: 7/1/1906

Source: TOPONCE CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/15	to 9/15	0.070 cfs 0.070 cfs

LOCATION OF POINT(S) OF DIVERSION

TOPONCE CREEK SWSESE Sec 33 Twp 06S Rge 38E CARIBOU 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	
06S	38E	26							10.0	29.0	20.0								59.0
									L 5	L 6	L 11								

POU Total Acres: 59.0

CONDITIONS OF APPROVAL

1. Rights 29-90A, 29-91A, 29-92A, 29-93A, 29-10248, 29-13248, and 29-13482 when combined shall not exceed a total diversion rate of 1.20 cfs and the irrigation of 59.0 acres.
2. 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).
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. 29.
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. Right No. 29-13482 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6. Water is delivered through the Feeder Canal.

Transfer No. 80135

WATER RIGHT NO. 29-10248
As Modified by Transfer No. 80135

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 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.



WATER RIGHT NO. 29-91A **As Modified by Transfer No. 80135**

In accordance with the approval of Transfer No. 80135, Water Right No. 29-91A is now described as follows:

Right Holder: WAYNE C PERKINS
 13825 N 7TH ST STE M
 PHOENIX, AZ 85022

Priority Date: 7/1/1909

Source: TOPONCE CREEK

Tributary: PORTNEUF RIVER

BENEFICIAL USE
 IRRIGATION

From 4/15 **To** 9/15

Diversion Rate
 0.480 cfs
 0.480 cfs

LOCATION OF POINT(S) OF DIVERSION

TOPONCE CREEK SWSESE Sec 33 Twp 06S Rge 38E CARIBOU 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	
06S	38E	26							10.0	29.0	20.0								59.0
									L 5	L 6	L 11								

POU Total Acres: 59.0

CONDITIONS OF APPROVAL

1. Rights 29-90A, 29-91A, 29-92A, 29-93A, 29-10248, 29-13248, and 29-13482 when combined shall not exceed a total diversion rate of 1.20 cfs and the irrigation of 59.0 acres.
2. 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).
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. 29.
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. Right No. 29-13482 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6. Water is delivered through the Feeder Canal.

Transfer No. 80135

WATER RIGHT NO. 29-91A
As Modified by Transfer No. 80135

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 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.



WATER RIGHT NO. 29-92A **As Modified by Transfer No. 80135**

In accordance with the approval of Transfer No. 80135, Water Right No. 29-92A is now described as follows:

Right Holder: WAYNE C PERKINS
 13825 N 7TH ST STE M
 PHOENIX, AZ 85022

Priority Date: 7/1/1910

Source: TOPONCE CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/15	to 9/15	0.145 cfs
			0.145 cfs

LOCATION OF POINT(S) OF DIVERSION

TOPONCE CREEK SWSESE Sec 33 Twp 06S Rge 38E CARIBOU 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	
06S	38E	26							10.0	29.0	20.0								59.0
									L 5	L 6	L 11								

POU Total Acres: 59.0

CONDITIONS OF APPROVAL

1. Rights 29-90A, 29-91A, 29-92A, 29-93A, 29-10248, 29-13248, and 29-13482 when combined shall not exceed a total diversion rate of 1.20 cfs and the irrigation of 59.0 acres.
2. 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).
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. 29.
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. Right No. 29-13482 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6. Water is delivered through the Feeder Canal.

Transfer No. 80135

WATER RIGHT NO. 29-92A
As Modified by Transfer No. 80135

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 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.



WATER RIGHT NO. 29-93A **As Modified by Transfer No. 80135**

In accordance with the approval of Transfer No. 80135, Water Right No. 29-93A is now described as follows:

Right Holder: WAYNE C PERKINS
 13825 N 7TH ST STE M
 PHOENIX, AZ 85022

Priority Date: 7/1/1913

Source: TOPONCE CREEK

Tributary: PORTNEUF RIVER

BENEFICIAL USE
 IRRIGATION

From 04/15 **To** 09/15

Diversion Rate
 0.095 cfs
 0.095 cfs

LOCATION OF POINT(S) OF DIVERSION

TOPONCE CREEK SWSESE Sec 33 Twp 06S Rge 38E CARIBOU 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	
06S	38E	26							10.0	29.0	20.0								59.0
									L 5	L 6	L 11								

POU Total Acres: 59.0

CONDITIONS OF APPROVAL

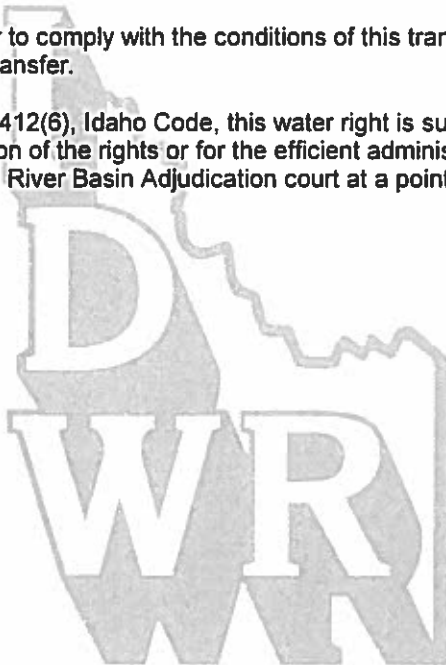
1. Rights 29-90A, 29-91A, 29-92A, 29-93A, 29-10248, 29-13248, and 29-13482 when combined shall not exceed a total diversion rate of 1.20 cfs and the irrigation of 59.0 acres.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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. 29.
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. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after September 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than March 22, 2004.

Transfer No. 80135

WATER RIGHT NO. 29-93A
As Modified by Transfer No. 80135

CONDITIONS OF APPROVAL

6. Right No. 29-13482 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
7. Water is delivered through the Feeder Canal.
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.



WATER RIGHT NO. 29-13482

As Modified by Transfer No. 80135

In accordance with the approval of Transfer No. 80135, Water Right No. 29-13482 is now described as follows:

Right Holder: WAYNE C PERKINS
13825 N 7TH ST STE M
PHOENIX, AZ 85022

Priority Date: 4/15/1946

Source: TOPONCE CREEK

Tributary: PORTNEUF RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 09/15

Diversion Rate

1.200 cfs

1.200 cfs

LOCATION OF POINT(S) OF DIVERSION

TOPONCE CREEK SWSESE Sec 33 Twp 06S Rge 38E CARIBOU 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	
06S	38E	26							10.0	29.0	20.0								59.0
									L 5	L 6	L 11								

Right Acre Limit: 9.0

POU Total Acres: 59.0

CONDITIONS OF APPROVAL

1. Rights 29-90A, 29-91A, 29-92A, 29-93A, 29-10248, 29-13248, and 29-13482 when combined shall not exceed a total diversion rate of 1.20 cfs and the irrigation of 59.0 acres.
2. 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).
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. 29.
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.

Transfer No. 80135

WATER RIGHT NO. 29-13482
As Modified by Transfer No. 80135

CONDITIONS OF APPROVAL

5. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
6. This right is based upon an enlargement of Right No. 29-90A, 29-91A, 29-92A, 29-93A, 29-10248, and 29-13248 pursuant to Section 42-1426, Idaho Code.
7. This right is for an enlargement of 9.0 acres within the place of use described for this right.
8. Water is delivered through the Feeder Canal.
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 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.