

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79813

This is to certify that: BUTTE COUNTY CEMETERY MAINTENANCE DISTRICT
PO BOX 302
ARCO, ID 83213

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>
33-7229	WR/LICENSE	10/29/1999	0.030 cfs	3.5 af	N/A	1.0	GROUND WATER
34-7226C	WR/DECREE	2/24/1980	1.518 cfs	266.0 af	76.0	154.0	GROUND WATER

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>
33-7229	NO	YES	YES	NO	NO	NO
34-7226C	YES	YES	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>
33-7229	33-7229	0.030 cfs	3.5 af	1.0	4.0	N/A	N/A	N/A	N/A	N/A
34-7226C	33-14955	0.060 cfs	10.5 af	3.0	4.0	34-7226C	1.362 cfs	238.7 af	68.2	146.2
COMBINED TOTALS		0.090 cfs	14.0 af	4.0	4.0		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 9th day of June, 2015.


for Chief, Water Allocation Bureau

* The remaining portion of Water Right No. 34-7226C reflects the remaining total after approval of Transfers 79809 and 79813.

SUPPORT DATA

Transfer No. 79813

IN FILE # 33-7229

WATER RIGHT NO. 33-7229

As Modified by Transfer No. 79813

In accordance with the approval of Transfer No. 79813, Water Right No. 33-7229 is now described as follows:

Right Holder: BUTTE COUNTY CEMETERY MAINTENANCE DISTRICT
PO BOX 302
ARCO, ID 83213

Priority Date: 10/29/1999

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.030 cfs	3.5 af
			0.030 cfs	3.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 9 Twp 05N Rge 29E 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	29E	9	1.6	2.4															4.0
Right Acre Limit:			1.0																
POU Total Acres:			4.0																

CONDITIONS OF APPROVAL

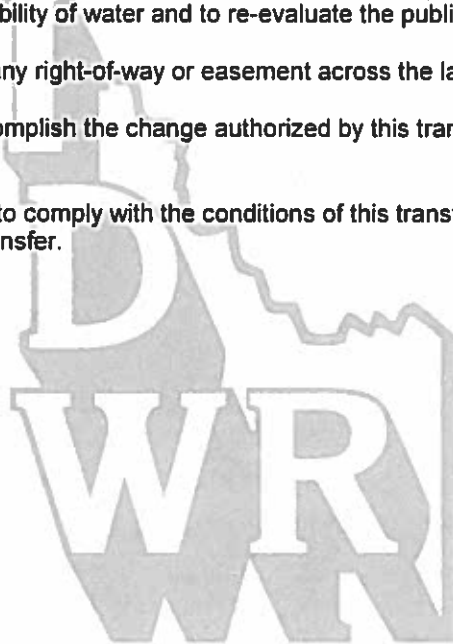
1. This right is limited to the irrigation of 1 acre within the authorized place of use in a single irrigation season.
2. Rights 33-7229 and 33-14955 when combined shall not exceed the irrigation of 4 acres.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. Prior to the diversion and use of water under Transfer approval 79813, 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.
5. 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.

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WATER RIGHT NO. 33-7229
As Modified by Transfer No. 79813

CONDITIONS OF APPROVAL

6. The following rights are diverted through point(s) of diversion described above: 33-7229 and 33-14955.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
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.



WATER RIGHT NO. 34-7226C

As Modified by Transfer No. 79813

In accordance with the approval of Transfer No. 79813, Water Right No. 34-7226C is now described as follows:

Right Holder: BUTTE COUNTY
PO BOX 737
ARCO, ID 83213

Priority Date: 2/24/1980

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 11/01

Diversion Rate

1.362 cfs

1.362 cfs

Diversion Volume

238.7 af

238.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSWSE

Sec 23 Twp 04N 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	
04N	27E	32													32.5	33.7	40.0	40.0	146.2

Right Acre Limit: 68.2

POU Total Acres: 146.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 68.2 acres within the authorized place of use in a single irrigation season.
2. Rights 34-172F, 34-313A, 34-446C, 34-503D, and 34-7226C when combined shall not exceed a total diversion rate of 3.644 cfs and the irrigation of 146.2 acres.
3. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gaging station meet or exceed the minimum stream flows established by state action.
4. Water is injected into the Arco Canal at a point above the measuring gauge used by the watermaster in delivery of water to the Arco Canal.
5. Water is delivered through Arco Canal.

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WATER RIGHT NO. 34-7226C
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CONDITIONS OF APPROVAL

6. The following rights are diverted through point(s) of diversion described above: 34-7226B and 34-7226D.
7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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 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. 33-14955
As Modified by Transfer No. 79813

In accordance with the approval of Transfer No. 79813, Water Right No. 33-14955 is now described as follows:

Right Holder: BUTTE COUNTY CEMETERY MAINTENANCE DISTRICT
 PO BOX 302
 ARCO, ID 83213

Priority Date: 2/24/1980

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 11/01

Diversion Rate

0.060 cfs
 0.060 cfs

Diversion Volume

10.5 af
 10.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 9 Twp 05N Rge 29E 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	29E	9	1.6	2.4															4.0

Right Acre Limit: 3.0

POU Total Acres: 4.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3 acres within the authorized place of use in a single irrigation season.
2. Rights 33-7229 and 33-14955 when combined shall not exceed the irrigation of 4 acres.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gaging station meet or exceed the minimum stream flows established by state action.

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WATER RIGHT NO. 33-14955
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CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79813, 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. The following rights are diverted through point(s) of diversion described above: 33-7229 and 33-14955.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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 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.