

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79809**

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>
34-7226C	WR/DECREED	2/24/1980	1.518 cfs	266.0 af	76.0	154.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
34-172F	WR/DECREED	8/1/1898	0.197 cfs	N/A	9.9	146.2	BIG LOST RIVER
34-313A	WR/DECREED	5/1/1899	1.366 cfs	N/A	68.3	146.2	BIG LOST RIVER
34-446C	WR/DECREED	9/1/1899	0.338 cfs	N/A	16.9	146.2	BIG LOST RIVER
34-503D	WR/DECREED	6/1/1898	0.506 cfs	N/A	25.3	146.2	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>
34-7226C	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>
34-7226C	34-14470	0.096 cfs	16.8 af	N/A	4.8	34-7226C	1.362 cfs	238.7 af	68.2	146.2
COMBINED TOTALS		0.096 cfs	16.8 af	N/A	4.8		N/A	N/A	N/A	N/A

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

SUPPORT DATA

Transfer No. 79809

IN FILE # 34-7226C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79809

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



WATER RIGHT NO. 34-7226C
As Modified by Transfer No. 79809

In accordance with the approval of Transfer No. 79809, 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

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	1.362 cfs	238.7 af
			1.362 cfs	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.

Transfer No. 79809

WATER RIGHT NO. 34-7226C
As Modified by Transfer No. 79809

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. 34-14470

As Modified by Transfer No. 79809

In accordance with the approval of Transfer No. 79809, Water Right No. 34-14470 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

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	0.096 cfs	16.8 af
			0.096 cfs	16.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 5 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	26E	5															4.8		4.8

POU Total Acres: 4.8

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. Prior to the diversion and use of water under Transfer approval 79809, 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.
4. 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. 34-14470
As Modified by Transfer No. 79809

CONDITIONS OF APPROVAL

5. 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.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 34-172F

As Modified by Transfer No. 79809

In accordance with the approval of Transfer No. 79809, Water Right No. 34-172F is now described as follows:

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

Priority Date: 8/1/1898

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

5/01

To

to 10/15

Diversion Rate

0.197 cfs

0.197 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

NWNWNW

Sec 26 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: 9.9

POU Total Acres: 146.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 9.9 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. 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.
4. Water is delivered through Arco Canal.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Transfer No. 79809

WATER RIGHT NO. 34-172F
As Modified by Transfer No. 79809

CONDITIONS OF APPROVAL

6. 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. 34-313A

As Modified by Transfer No. 79809

In accordance with the approval of Transfer No. 79809, Water Right No. 34-313A is now described as follows:

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

Priority Date: 5/1/1899

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

5/01

to 10/15

To

Diversion Rate

1.366 cfs

1.366 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

NWNWNW

Sec 26 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: 68.3

POU Total Acres: 146.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 68.3 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. 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.
4. Water is delivered through Arco Canal.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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WATER RIGHT NO. 34-313A
As Modified by Transfer No. 79809

CONDITIONS OF APPROVAL

6. 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. 34-446C

As Modified by Transfer No. 79809

In accordance with the approval of Transfer No. 79809, Water Right No. 34-446C is now described as follows:

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

Priority Date: 9/1/1899

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

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01	to 10/15	0.338 cfs 0.338 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWNWNW Sec 26 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: 16.9
POU Total Acres: 146.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 16.9 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. 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.
4. Water is delivered through Arco Canal.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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WATER RIGHT NO. 34-446C
As Modified by Transfer No. 79809

CONDITIONS OF APPROVAL

6. 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. 34-503D

As Modified by Transfer No. 79809

In accordance with the approval of Transfer No. 79809, Water Right No. 34-503D is now described as follows:

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

Priority Date: 6/1/1898

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

5/01

to

To

10/15

Diversion Rate

0.506 cfs

0.506 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

NWNWNW

Sec 26 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: 25.3

POU Total Acres: 146.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 25.3 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. 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.
4. Water is delivered through Arco Canal.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Transfer No. 79809

WATER RIGHT NO. 34-503D
As Modified by Transfer No. 79809

CONDITIONS OF APPROVAL

6. 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.

