

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79684

This is to certify that: **RAYMOND L BACKEN**
260 BOBTAIL MEADOWS RD STE 100
LIBBY, MT 59923

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>
63-32429	WR/DECREED	11/4/1948	0.800 cfs	N/A	N/A	59.3	GROUND WATER
63-32432	WR/DECREED	2/27/1971	0.590 cfs	N/A	N/A	65.3	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>
63-32429	YES	YES	NO	NO	NO	NO
63-32432	YES	YES	NO	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>
63-32429	63-34015	0.030 cfs	N/A	N/A	2.1	63-32429	0.770 cfs	N/A	N/A	57.2
63-32432	63-34016	0.020 cfs	N/A	N/A	2.1	63-32432	0.570 cfs	N/A	N/A	63.2
COMBINED TOTALS		0.050 cfs	N/A	2.1	2.1		N/A	N/A	67.2	67.2

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 29th day of May, 2015.


JEFF PEPPERSACK, Interim Western Region Manager

SUPPORT DATA

IN FILE # 63-32429

Transfer No. 79684

WATER RIGHT NO. 63-32429

As Modified by Transfer No. 79684

In accordance with the approval of Transfer No. 79684, Water Right No. 63-32429 is now described as follows:

Right Holder: BARRETT FARMS LTD
2308 TERRACE DR
CALDWELL, ID 83605

Priority Date: 11/4/1948

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
03/01

To
to 11/15

Diversion Rate
0.770 cfs
0.770 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 17 Twp 03N Rge 03W CANYON 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	
03N	03W	17								14.0	34.3					8.9			57.2
																L 1			

POU Total Acres: 57.2

CONDITIONS OF APPROVAL

1. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. This right is a split from former right 63-2734A.
3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. 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 lands above.
5. Rights 63-32429 and 63-32432 when combined shall not exceed a total annual maximum diversion volume of 302.4 af at the field headgate, and the irrigation of 67.2 acres.
6. Right Nos. 63-32430, 63-32431, 63-32432, 63-32433 and 63-32434 are also diverted through point of diversion described above.

Transfer No. 79684

WATER RIGHT NO. 63-34015 **As Modified by Transfer No. 79684**

In accordance with the approval of Transfer No. 79684, Water Right No. 63-34015 is now described as follows:

Right Holder: RAYMOND L BACKEN
 260 BOBTAIL MEADOWS RD STE 100
 LIBBY, MT 59923

Priority Date: 11/4/1948

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 03/01

To
 to 11/15

Diversion Rate
 0.030 cfs
 0.030 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L1 (NWSE) Sec 17 Twp 03N Rge 03W CANYON 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	
03N	03W	17															2.1			2.1
																	L 1			

POU Total Acres: 2.1

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Rights 63-34015 and 63-34016 when combined shall not exceed a total annual maximum diversion volume of 9.5 af at the field headgate, and the irrigation of 2.1 acres.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. Right Nos. 63-34015 and 63-34016 are diverted through point of diversion described above.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 79684

WATER RIGHT NO. 63-34015
As Modified by Transfer No. 79684

CONDITIONS OF APPROVAL

7. 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. 63-32432

As Modified by Transfer No. 79684

In accordance with the approval of Transfer No. 79684, Water Right No. 63-32432 is now described as follows:

Right Holder: BARRETT FARMS LTD
2308 TERRACE DR
CALDWELL, ID 83605

Priority Date: 2/27/1971

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
03/01

To
to 10/01

Diversion Rate
0.570 cfs
0.570 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 17 Twp 03N Rge 03W CANYON 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	
03N	03W	17								13.0	32.3			10.0		7.9			63.2
																L 1			

POU Total Acres: 63.2

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. This right is a split from former right 63-7394A.
3. The use of water for irrigation under this right may continue as late as November 15, provided other elements of the right are not exceeded. The use of water after October 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. Rights 63-32429 and 63-32432 when combined shall not exceed a total annual maximum diversion volume of 302.4 af at the field headgate, and the irrigation of 67.2 acres.
5. Right Nos. 63-32429, 63-32430, 63-32431, 63-32433 and 63-32434 are also diverted through point of diversion described above.

Transfer No. 79684

WATER RIGHT NO. 63-32432
As Modified by Transfer No. 79684

CONDITIONS OF APPROVAL

6. 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 lands above.



WATER RIGHT NO. 63-34016

As Modified by Transfer No. 79684

In accordance with the approval of Transfer No. 79684, Water Right No. 63-34016 is now described as follows:

Right Holder: RAYMOND L BACKEN
260 BOBTAIL MEADOWS RD STE 100
LIBBY, MT 59923

Priority Date: 2/27/1971

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 03/01 **To** 10/01

Diversion Rate
0.020 cfs
0.020 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L1 (NWSE) Sec 17 Twp 03N Rge 03W CANYON 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	
03N	03W	17														2.1			2.1
																L 1			

POU Total Acres: 2.1

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Rights 63-34015 and 63-34016 when combined shall not exceed a total annual maximum diversion volume of 9.5 af at the field headgate, and the irrigation of 2.1 acres.
3. The period of use for the irrigation described in this approval may be extended to 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 after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than April 29, 2009.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. Right Nos. 63-34015 and 63-34016 are diverted through point of diversion described above.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 79684

WATER RIGHT NO. 63-34016
As Modified by Transfer No. 79684

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

