

**STATE OF IDAHO
DEPARTMENT OF WATER
RESOURCES
AMENDED TRANSFER OF
WATER RIGHT TRANSFER
NO. 79895**

This is to certify that: **LORRAINE POVEY
115 SOUTH 1ST NORTH
CLIFTON, ID 83228**

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>
13-2224	WR/LICENSE	2/14/1961	2.470 cfs	644.0 af	N/A	184.0	GROUND WATER
13-7476	WR/LICENSE	10/29/1990	2.060 cfs	647.5 af	N/A	185.0	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>
13-2224	NO	NO	YES	YES	NO	NO
13-7476	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>
13-2224	13-2224	2.470 cfs	644.0 af	N/A	184.0	N/A	N/A	N/A	N/A	N/A
13-7476	13-7476	2.060 cfs	647.5 af	N/A	185.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		4.530 cfs	1120.0 af	322.0	320.0		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 11th day of May, 2015.

for 
Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 79895

IN FILE # 13-2224

WATER RIGHT NO. 13-2224
As Modified by Transfer No. 79895

In accordance with the approval of Transfer No. 79895, Water Right No. 13-2224 is now described as follows:

Right Holder: LORRAINE POVEY
115 SOUTH 1ST NORTH
CLIFTON, ID 83228

Priority Date: 2/14/1961

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
2.470 cfs
2.470 cfs

Diversion Volume
644.0 af
644.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENW Sec 22 Twp 14S Rge 38E FRANKLIN County
GROUND WATER SENW Sec 22 Twp 14S Rge 38E FRANKLIN 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	
14S	38E	22			28.0	37.0				17.0									82.0
14S	38E	23							35.0	31.0	27.0	9.0							102.0

POU Total Acres: 184.0

CONDITIONS OF APPROVAL

1. Rights 13-7476, 13-2220, 13-2224, 13-7927, and 13-7928 when combined shall not exceed a total annual maximum diversion volume of 1264.4 af at the field headgate and the irrigation of 399 acres.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. 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. 79895

WATER RIGHT NO. 13-7476**As Modified by Transfer No. 79895**

In accordance with the approval of Transfer No. 79895, Water Right No. 13-7476 is now described as follows:

Right Holder: HANK POVEY
398 E 200 S
CLIFTON, ID 83228

Priority Date: 10/29/1990

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	2.060 cfs	647.5 af
			2.060 cfs	647.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 27 Twp 14S Rge 38E FRANKLIN 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	
14S	38E	23							15.0		27.0	38.0							80.0
14S	38E	26					39.0	39.0											78.0
14S	38E	27	27.0																27.0

POU Total Acres: 185.0

CONDITIONS OF APPROVAL

1. Rights 13-7476, 13-2220, 13-2224, 13-7927, and 13-7928 when combined shall not exceed a total annual maximum diversion volume of 1264.4 af at the field headgate and the irrigation of 399 acres.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Transfer No. 79895

WATER RIGHT NO. 13-7476
As Modified by Transfer No. 79895

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 04/01 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 04/01 and after 10/31 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.