

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79759

This is to certify that: DIANA M WHEELER
MICHAEL P WHEELER
2155 E 100 S
DECLO, ID 83323

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>
43-13688	WR/DECREED	5/20/1960	0.350 cfs	72.0 af	18.0	205.2	GROUND WATER
43-13690	WR/DECREED	2/12/1971	0.050 cfs	16.8 af	4.2	205.2	GROUND WATER
43-7129	WR/DECREED	9/13/1978	2.800 cfs	560.0 af	140.0	205.2	GROUND WATER
43-7192	WR/LICENSE	5/16/1983	0.820 cfs	172.0 af	43.0	205.2	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>
43-13688	NO	NO	YES	YES	NO	NO
43-13690	NO	NO	YES	YES	NO	NO
43-7129	NO	NO	YES	YES	NO	NO
43-7192	NO	NO	YES	YES	NO	NO

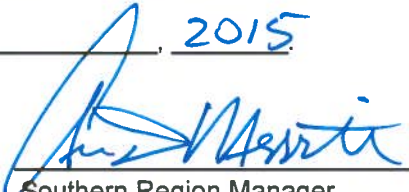
Summary Of Water Rights After the Approved Change

<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>
43-13688	43-13688	0.350 cfs	72.0 af	18.0	205.2	N/A	N/A	N/A	N/A	N/A
43-13690	43-13690	0.050 cfs	16.8 af	4.2	205.2	N/A	N/A	N/A	N/A	N/A
43-7129	43-7129	2.800 cfs	560.0 af	140.0	205.2	N/A	N/A	N/A	N/A	N/A
43-7192	43-7192	0.820 cfs	172.0 af	43.0	205.2	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.260 cfs	820.8 af	N/A	205.2		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 10th day of March, 2015

SUPPORT DATA
IN FILE # 43-7129


Southern Region Manager

Transfer No. 79759

WATER RIGHT NO. 43-13688
As Modified by Transfer No. 79759

In accordance with the approval of Transfer No. 79759, Water Right No. 43-13688 is now described as follows:

Right Holder: DIANA M WHEELER And
MICHAEL P WHEELER
2155 E 100 S
DECLO, ID 83323

Priority Date: 5/20/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.350 cfs	72.0 af
			0.350 cfs	72.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 25 Twp 10S Rge 26E	CASSIA County
GROUND WATER	NESW	Sec 25 Twp 10S Rge 26E	CASSIA 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	
10S	26E	25							32.0	31.2	38.5	38.5							140.2
10S	26E	26	35.0	10.0	1.0	19.0													65.0

Right Acre Limit: 18.0

POU Total Acres: 205.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 18 acres within the authorized place of use in a single irrigation season.
2. Rights 43-7129, 43-7192, 43-13688, and 43-13690 when combined shall not exceed a total diversion rate of 3.26 cfs, a total annual maximum diversion volume of 820.8 af at the field headgate, and the irrigation of 205.2 acres.
3. 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.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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WATER RIGHT NO. 43-13688
As Modified by Transfer No. 79759

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and 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 before 4/1 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 approval date of Transfer No. 77159.
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. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 43-7129
As Modified by Transfer No. 79759

In accordance with the approval of Transfer No. 79759, Water Right No. 43-7129 is now described as follows:

Right Holder: MICHAEL P WHEELER And
 DIANA M WHEELER
 2155 E 100 S
 DECLO, ID 83323

Priority Date: 9/13/1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2.800 cfs	560.0 af
			2.800 cfs	560.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENW	Sec 25 Twp 10S Rge 26E CASSIA County
GROUND WATER	NESW	Sec 25 Twp 10S Rge 26E CASSIA 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	
10S	26E	25							32.0	31.2	38.5	38.5							140.2
10S	26E	26	35.0	10.0	1.0	19.0													65.0

Right Acre Limit: 140.0

POU Total Acres: 205.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
2. Rights 43-7129 and 43-7192 when combined shall not exceed a total diversion rate of 2.86 cfs and a total annual maximum diversion volume of 732 af at the field headgate.
3. Rights 43-7129, 43-7192, 43-13688, and 43-13690 when combined shall not exceed a total diversion rate of 3.26 cfs, a total annual maximum diversion volume of 820.8 af at the field headgate, and the irrigation of 205.2 acres.
4. 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.

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WATER RIGHT NO. 43-7129
As Modified by Transfer No. 79759

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 4.0 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. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 43-7192
As Modified by Transfer No. 79759

In accordance with the approval of Transfer No. 79759, Water Right No. 43-7192 is now described as follows:

Right Holder: MICHAEL P WHEELER And
 DIANA M WHEELER
 2155 E 100 S
 DECLO, ID 83323

Priority Date: 5/16/1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.820 cfs	172.0 af
			0.820 cfs	172.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENW	Sec 25 Twp 10S Rge 26E CASSIA County
GROUND WATER	NESW	Sec 25 Twp 10S Rge 26E CASSIA 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	
10S	26E	25							32.0	31.2	38.5	38.5							140.2
10S	26E	26	35.0	10.0	1.0	19.0													65.0

Right Acre Limit: 43.0

POU Total Acres: 205.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 43.0 acres within the place of use described above in a single irrigation season.
2. Rights 43-7129 and 43-7192 when combined shall not exceed a total diversion rate of 2.86 cfs and a total annual maximum diversion volume of 732 af at the field headgate.
3. Rights 43-7129, 43-7192, 43-13688, and 43-13690 when combined shall not exceed a total diversion rate of 3.26 cfs, a total annual maximum diversion volume of 820.8 af at the field headgate, and the irrigation of 205.2 acres.
4. 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.

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WATER RIGHT NO. 43-7192
As Modified by Transfer No. 79759

CONDITIONS OF APPROVAL

5. 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.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and 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 before 4/1 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 approval date of Transfer No. 77159.
8. The right holder shall accomplish the change authorized by this transfer within one (1) 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.
11. 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 Gage station meet or exceed the minimum stream flows established by state action.
12. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 43-13690
As Modified by Transfer No. 79759

In accordance with the approval of Transfer No. 79759, Water Right No. 43-13690 is now described as follows:

Right Holder: DIANA M WHEELER And
 MICHAEL P WHEELER
 2155 E 100 S
 DECLO, ID 83323

Priority Date: 2/12/1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.050 cfs	16.8 af
			0.050 cfs	16.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENW	Sec 25 Twp 10S Rge 26E CASSIA County
GROUND WATER	NESW	Sec 25 Twp 10S Rge 26E CASSIA 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	
10S	26E	25							32.0	31.2	38.5	38.5							140.2
10S	26E	26	35.0	10.0	1.0	19.0													65.0

Right Acre Limit: 4.2
 POU Total Acres: 205.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4.2 acres within the authorized place of use in a single irrigation season.
2. Rights 43-7129, 43-7192, 43-13688, and 43-13690 when combined shall not exceed a total diversion rate of 3.26 cfs, a total annual maximum diversion volume of 820.8 af at the field headgate, and the irrigation of 205.2 acres.
3. 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.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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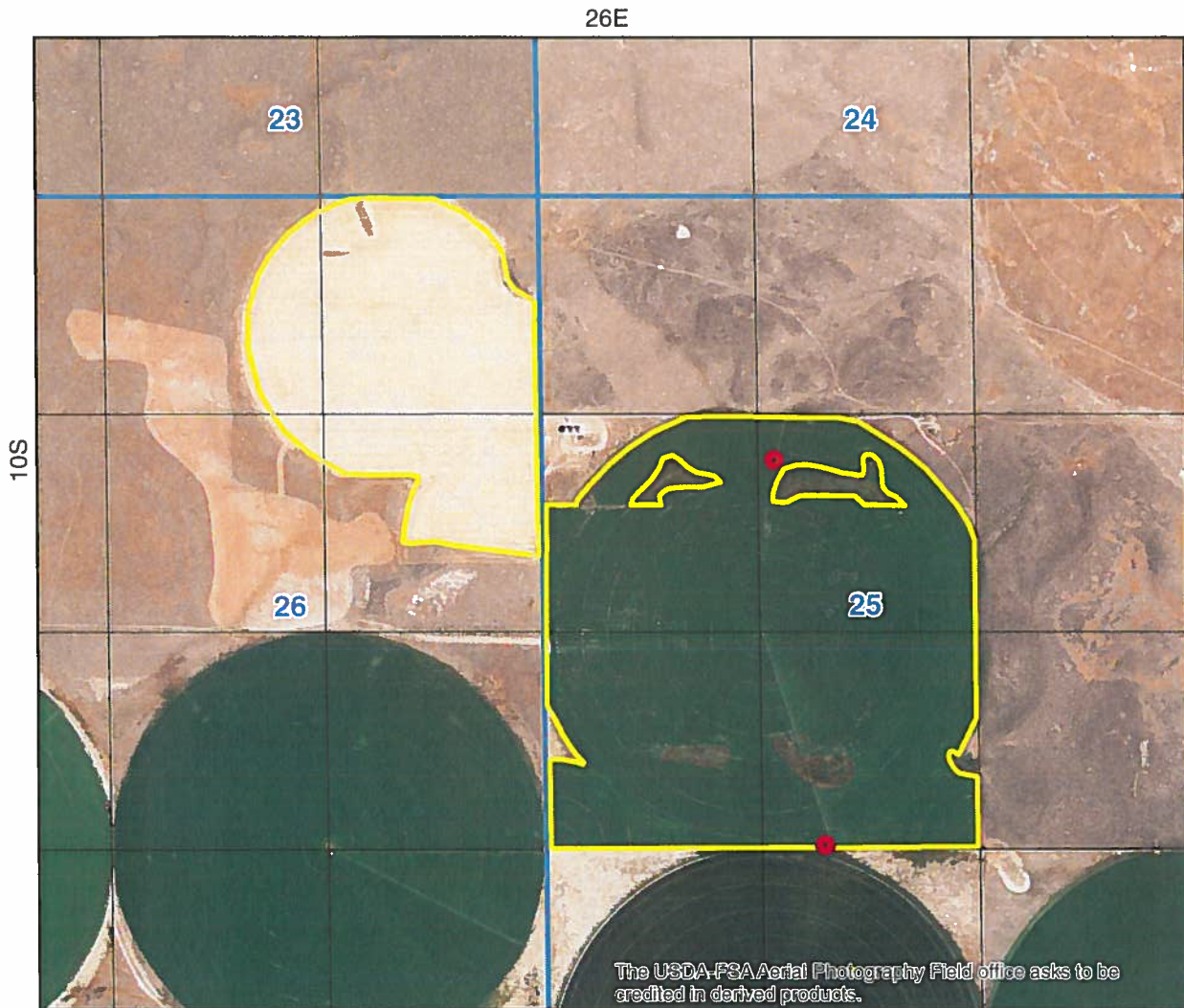
WATER RIGHT NO. 43-13690
As Modified by Transfer No. 79759

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and 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 before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002, the SRBA partial decree date.
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. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

State of Idaho
Department of Water Resources
Attachment To Transfer No. 79759
Rights: 43-7129, 43-7192, 43-13688 and 43-13690

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.125 0.25 0.5 Miles

