

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79765**

This is to certify that: **KEVIN PECK**
700 W GLOVER RD
ARIMO, ID 83214

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>
29-14125	WR/LICENSE	6/13/1983	0.300 cfs	28.2 af	N/A	22.0	GROUND WATER
29-14126	WR/DECREED	6/15/1973	0.040 cfs	19.2 af	6.8	6.8	GROUND WATER
29-14127	WR/DECREED	1/8/1970	0.100 cfs	29.1 af	12.8	12.8	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>
29-14125	NO	YES	YES	NO	NO	NO
29-14126	NO	YES	YES	NO	NO	NO
29-14127	NO	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>
29-14125	29-14125	0.300 cfs	28.2 af	N/A	22.0	N/A	N/A	N/A	N/A	N/A
29-14126	29-14126	0.040 cfs	19.2 af	6.8	22.0	N/A	N/A	N/A	N/A	N/A
29-14127	29-14127	0.100 cfs	29.1 af	12.8	22.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.440 cfs	77.0 af	22.0	22.0		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 10th day of February, 2015.


for Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 79765

IN FILE # 29-14125

WATER RIGHT NO. 29-14125**As Modified by Transfer No. 79765**

In accordance with the approval of Transfer No. 79765, Water Right No. 29-14125 is now described as follows:

Right Holder: KEVIN PECK Or
ALECIA PECK
700 W GLOVER RD
ARIMO, ID 83214

Priority Date: 6/13/1983

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From 04/01 **To** 10/31

Diversion Rate

0.300 cfs
0.300 cfs

Diversion Volume

28.2 af
28.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

NESW
NWNW

Sec 20 Twp 10S Rge 36E BANNOCK County
Sec 29 Twp 10S Rge 36E BANNOCK 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	36E	20						16.5									2.5		19.0
11S	36E	29		3.0															3.0

POU Total Acres: 22.0

CONDITIONS OF APPROVAL

1. Rights 29-14125, 29-14126 and 29-14127 when combined shall not exceed a total diversion rate of 0.44 cfs, a total annual maximum diversion volume of 77.0 af at the field headgate, and the irrigation of 22 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 lands above.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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WATER RIGHT NO. 29-14125

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CONDITIONS OF APPROVAL

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.



WATER RIGHT NO. 29-14126
As Modified by Transfer No. 79765

In accordance with the approval of Transfer No. 79765, Water Right No. 29-14126 is now described as follows:

Right Holder: KEVIN PECK Or
ALECIA PECK
700 W GLOVER RD
ARIMO, ID 83214

Priority Date: 6/15/1973

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
0.040 cfs
0.040 cfs

Diversion Volume
19.2 af
19.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 20 Twp 10S Rge 36E BANNOCK County
GROUND WATER NWNW Sec 29 Twp 10S Rge 36E BANNOCK 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	36E	20						16.5									2.5		19.0
11S	36E	29		3.0															3.0

Right Acre Limit: 6.8
POU Total Acres: 22.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6.8 acres within the authorized place of use in a single irrigation season.
2. Rights 29-14126 and 29-14127 when combined shall not exceed a total diversion rate of 0.17 cfs, a total annual maximum diversion volume of 60.5 af and the irrigation of 19.7 acres.
3. Rights 29-14125, 29-14126 and 29-14127 when combined shall not exceed a total diversion rate of 0.44 cfs, a total annual maximum diversion volume of 77.0 af at the field headgate, and the irrigation of 22 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. 29-14126

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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 lands above.
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.



WATER RIGHT NO. 29-14127**As Modified by Transfer No. 79765**

In accordance with the approval of Transfer No. 79765, Water Right No. 29-14127 is now described as follows:

Right Holder: KEVIN PECK Or
ALECIA PECK
700 W GLOVER RD
ARIMO, ID 83214

Priority Date: 1/8/1970

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From 05/01 to **To** 10/01

Diversion Rate

0.100 cfs
0.100 cfs

Diversion Volume

29.1 af
29.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

NESW
NWNW

Sec 20 Twp 10S Rge 36E BANNOCK County
Sec 29 Twp 10S Rge 36E BANNOCK 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	36E	20						16.5									2.5		19.0
11S	36E	29		3.0															3.0

Right Acre Limit: 12.8

POU Total Acres: 22.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 12.8 acres within the authorized place of use in a single irrigation season.
2. Rights 29-14126 and 29-14127 when combined shall not exceed a total diversion rate of 0.17 cfs, a total annual maximum diversion volume of 60.5 af and the irrigation of 19.7 acres.
3. Rights 29-14125, 29-14126 and 29-14127 when combined shall not exceed a total diversion rate of 0.44 cfs, a total annual maximum diversion volume of 77.0 af at the field headgate, and the irrigation of 22 acres.
4. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than March 22, 2004.

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WATER RIGHT NO. 29-14127
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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 3.5 afa per acre at the field headgate for irrigation of the lands above.
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.

