

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 79742**

This is to certify that: **HANK POVEY**  
398 E 200 S  
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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 13-2220            | WR/LICENSE          | 9/6/1960             | 0.340 cfs             | N/A                     | N/A               | 79.0               | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

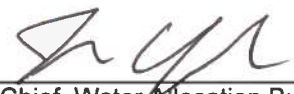
| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 13-2220               | NO           | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 13-2220                | 13-2220                          | 0.130 cfs            | 55.2 af                | N/A               | 30.7               | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>0.130 cfs</b>     | <b>55.2 af</b>         | <b>N/A</b>        | <b>30.7</b>        |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

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 10<sup>th</sup> day of February, 2015.

  
for \_\_\_\_\_  
Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 13-2220

Transfer No. 79742

# WATER RIGHT NO. 13-2220

## As Modified by Transfer No. 79742

In accordance with the approval of Transfer No. 79742, Water Right No. 13-2220 is now described as follows:

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

**Priority Date:** 9/6/1960

**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  | 0.130 cfs             | 55.2 af                 |
|                       |             |           | 0.130 cfs             | 55.2 af                 |

### LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 27 Twp 14S Rge 38E FRANKLIN 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 |        |
| 14S | 38E | 26  |    |    |    |    |    |    |    | 15.7 | 15.0 |    |    |    |    |    |    |    | 30.7   |

POU Total Acres: 30.7

### CONDITIONS OF APPROVAL

- 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.
- 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.
- The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
- If the surface water right(s) appurtenant to the place of use is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), this right to divert ground water 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. 79742

**WATER RIGHT NO. 13-2220**

**As Modified by Transfer No. 79742**

**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.

