

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79422**

This is to certify that: **KIMBERLY WHITTIER WILLIAMS TRUST**
C/O KIMBERLY WHITTIER
1801 WOODY GRANITE RD
BAKERSFIELD, CA 93308

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>
29-2237A	WR/DECREED	12/11/1922	0.140 cfs	N/A	N/A	7.0	MIDNIGHT CREEK

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>
29-2237A	NO	YES	YES	NO	NO	YES

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>
29-2237A	29-2237A	0.000 cfs	18.6 af	5.3	7.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.000 cfs	18.6 af	5.3	5.3		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 9th day of October, 2014.


 for Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 79422

IN FILE # 29-2237A

WATER RIGHT NO. 29-2237A
As Modified by Transfer No. 79422

In accordance with the approval of Transfer No. 79422, Water Right No. 29-2237A is now described as follows:

Right Holder: KIMBERLY WHITTIER WILLIAMS TRUST
 C/O KIMBERLY WHITTIER
 1801 WOODY GRANITE RD
 BAKERSFIELD, CA 93308

Priority Date: 12/11/1922

Source: MIDNIGHT CREEK

Tributary: RATTLESNAKE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION STORAGE	01/01	to 12/31		18.6 af
IRRIGATION FROM STORAGE	04/01	to 10/31		18.6 af
				18.6 af

LOCATION OF POINT(S) OF DIVERSION

MIDNIGHT CREEK NESW Sec 18 Twp 08S Rge 34E POWER County

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	34E	18											5.3						5.3
													1.4						

Right Acre Limit: 5.3

POU Total Acres: 5.3

PLACE OF USE: IRRIGATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	34E	18											X						
													1.4						0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.3 acres. The number of irrigated acres may not be increased in a future transfer approval.
2. The right holder shall not store water at a rate exceeding 0.14 cfs.
3. The pond established by the storage of water under this right shall not exceed a total capacity of 2.0 acre-feet or a total surface area of 0.6 acres.

Transfer No. 79422

WATER RIGHT NO. 29-2237A
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CONDITIONS OF APPROVAL

4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29O.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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.

