

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79170

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>
13-7476	WR/LICENSE	10/29/1990	2.060 cfs	N/A	N/A	185.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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	472.5 af	N/A	135.0	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>
13-7476	YES	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>
13-7476	13-7909	0.430 cfs	68.7 af	N/A	38.6	13-7476	1.630 cfs	N/A	N/A	146.4
COMBINED TOTALS		0.430 cfs	68.7 af	N/A	38.6		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 28th day of April, 2014.


for Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 13-7476

Transfer No. 79170

WATER RIGHT NO. 13-7476**As Modified by Transfer No. 79170**

In accordance with the approval of Transfer No. 79170, 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

BENEFICIAL USE

IRRIGATION

From

4/15

to 10/15

To**Diversion Rate**

1.630 cfs

1.630 cfs

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									1.4	38.0				2.0			41.4
14S	38E	26					39.0	39.0											78.0
14S	38E	27	27.0																27.0

POU Total Acres: 146.4

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 512.4 af at the field headgate for the lands above.

Transfer No. 79170

WATER RIGHT NO. 13-7909

As Modified by Transfer No. 79170

In accordance with the approval of Transfer No. 79170, Water Right No. 13-7909 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	4/15	to 10/15	0.430 cfs	68.7 af
			0.430 cfs	68.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNW Sec 22 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	21				3.3													3.3
14S	38E	22							30.5				4.8						35.3

POU Total Acres: 38.6

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
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.
5. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

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WATER RIGHT NO. 13-7909
As Modified by Transfer No. 79170

CONDITIONS OF APPROVAL

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



WATER RIGHT NO. 13-2224

As Modified by Transfer No. 79170

In accordance with the approval of Transfer No. 79170, Water Right No. 13-2224 is now described as follows:

Right Holder: LEONARD A POVEY

CLIFTON, ID

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

472.5 af

472.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SENE

Sec 22 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	22			31.0	20.0				18.0									69.0
14S	38E	23			2.0		12.0		20.0	27.0		2.0				3.0			66.0

POU Total Acres: 135.0