

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78849**

This is to certify that: LARRY KEMP AND
SYNDEE KEMP
2600 STONE RIVER CIR
POCATELLO, ID 83204

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>
29-13240	WR/DECREED	2/26/1869	0.220 cfs	44.0 af	N/A	11.0	PORTNEUF RIVER
29-13241	WR/DECREED	2/26/1869	0.240 cfs	48.0 af	N/A	12.0	PORTNEUF RIVER
29-2462A	WR/DECREED	7/2/1962	0.090 cfs	N/A	N/A	5.0	PORTNEUF RIVER

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>
29-13240	NO	YES	NO	NO	NO	NO
29-13241	NO	YES	YES	NO	NO	NO
29-2462A	YES	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>
29-13240	29-13240	0.220 cfs	44.0 af	N/A	11.0	N/A	N/A	N/A	N/A	N/A
29-13241	29-13241	0.240 cfs	48.0 af	N/A	12.0	N/A	N/A	N/A	N/A	N/A
29-2462A	29-14086	0.004 cfs	N/A	N/A	0.2	29-2462A	0.086 cfs	N/A	N/A	4.8
COMBINED TOTALS		0.464 cfs	N/A	N/A	23.2		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 25th day of November, 2013.


for Chief, Water Allocation Bureau

Transfer No. 78849

SUPPORT DATA

IN FILE # 29-2462A

WATER RIGHT NO. 29-13240

As Modified by Transfer No. 78849

In accordance with the approval of Transfer No. 78849, Water Right No. 29-13240 is now described as follows:

Right Holder: LARRY KEMP AND
SYNDEE KEMP
2600 STONE RIVER CIR
POCATELLO, ID 83204

Priority Date: 2/26/1869

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.220 cfs	44.0 af
			0.220 cfs	44.0 af

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER SENW Sec 21 Twp 07S Rge 35E 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	
07S	35E	21								11.0									11.0

POU Total Acres: 11.0

CONDITIONS OF APPROVAL

1. Diversion of water under this right is limited to those times water is available for diversion under this right and priority from the original source, Mink Creek.
2. 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.
3. 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.
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. 29-D.
5. The following rights are diverted through point of diversion described above: 29-13240, 29-13241, and 29-14086.

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WATER RIGHT NO. 29-13240
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CONDITIONS OF APPROVAL

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. 29-13241
As Modified by Transfer No. 78849

In accordance with the approval of Transfer No. 78849, Water Right No. 29-13241 is now described as follows:

Right Holder: LARRY J KEMP FAMILY LP
 2600 STONE RIVER CIR
 POCA TELLO, ID 83204

Priority Date: 2/26/1869

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.240 cfs	48.0 af
			0.240 cfs	48.0 af

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER SENW Sec 21 Twp 07S Rge 35E 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	
07S	35E	21					3.2			8.8									12.0

POU Total Acres: 12.0

CONDITIONS OF APPROVAL

1. Diversion of water under this right is limited to those times water is available for diversion under this right and priority from the original source, Mink Creek.
2. 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.
3. 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.
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. 29-D.
5. The following rights are diverted through point of diversion described above: 29-13240, 29-13241, and 29-14086.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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WATER RIGHT NO. 29-13241
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CONDITIONS OF 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. 29-2462A
As Modified by Transfer No. 78849

In accordance with the approval of Transfer No. 78849, Water Right No. 29-2462A is now described as follows:

Right Holder: ROCKE ACREE AND
 SUSAN ACREE
 7776 W PORTNEUF RD
 POCA TELLO, ID 83204

Priority Date: 7/2/1962

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	0.086 cfs
			0.086 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER SESENW Sec 21 Twp 07S Rge 35E BANNOCK 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	
07S	35E	21									4.0	0.8							4.8

POU Total Acres: 4.8

CONDITIONS OF APPROVAL

1. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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WATER RIGHT NO. 29-14086

As Modified by Transfer No. 78849

In accordance with the approval of Transfer No. 78849, Water Right No. 29-14086 is now described as follows:

Right Holder: STONE RIVER DEVELOPERS LLC
2600 STONE RIVER CIR
POCATELLO, ID 83204

Priority Date: 7/2/1962

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.004 cfs
0.004 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER

SENE

Sec 21 Twp 07S Rge 35E 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	
07S	35E	21										0.2							0.2

POU Total Acres: 0.2

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
2. 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.
3. 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. 29-D.
4. The following rights are diverted through point of diversion described above: 29-13240, 29-13241, and 29-14086.
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.

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WATER RIGHT NO. 29-14086
As Modified by Transfer No. 78849

CONDITIONS OF APPROVAL

7. 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.