

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78861**

This is to certify that: DANNY Q KWAN AND
SIMON W KWAN AND
STEVEN L BJERKLIE AND
THERESA A BJERKLIE
C/O DAVID F ANDERSON
159 N MT WASHBURN DR
DRIGGS, ID 83422
AND
DAVID F ANDERSON AND
SANDRA J ANDERSON
159 N MT WASHBURN DR
DRIGGS, ID 83422

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>
22-13805	WR/DECREED	2/25/1975	0.090 cfs	32.7 af	N/A	13.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

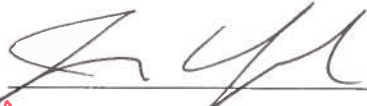
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-13805	NO	YES	NO	NO	NO	NO

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>
22-13805	22-13805	0.090 cfs	32.7 af	N/A	13.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.090 cfs	32.7 af	N/A	13.0		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 13th day of November, 2013.


SUPPORT DATA Water Resources Program Manager

Transfer No. 78861

IN FILE # 22-13805

WATER RIGHT NO. 22-13805

As Modified by Transfer No. 78861

In accordance with the approval of Transfer No. 78861, Water Right No. 22-13805 is now described as follows:

Right Holder: DAVID F ANDERSON AND
SANDRA J ANDERSON
159 N MT WASHBURN DR
DRIGGS, ID 83422
AND
STEVEN L BJERKLIE AND
THERESA A BJERKLIE AND
SIMON W KWAN AND
DANNY Q KWAN
C/O DAVID F ANDERSON
159 N MT WASHBURN DR
DRIGGS, ID 83422

Priority Date: 2/25/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	0.090 cfs 0.090 cfs	32.7 af 32.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWSE Sec 23 Twp 05N Rge 44E TETON 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	
05N	44E	23													13.0				13.0

POU Total Acres: 13.0

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Transfer No. 78861

WATER RIGHT NO. 22-13805
As Modified by Transfer No. 78861

CONDITIONS OF APPROVAL

4. This right does not grant any right-of-way or easement across the land of another.
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.
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.