

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78675**

This is to certify that: **HUBERT SHAW**
411 S 750 E
DIETRICH, ID 83324

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>
37-7149	WR/DECREED	6/26/1972	4.460 cfs	1148.0 af	N/A	287.0	GROUND WATER
37-7394	WR/DECREED	12/1/1974	5.940 cfs	1825.4 af	455.0	461.8	GROUND WATER
37-7814	WR/DECREED	12/12/1979	0.140 cfs	27.2 af	6.8	461.8	GROUND WATER
37-8705	WR/LICENSE	2/21/1991	7.000 cfs	N/A	N/A	410.0	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>
37-7149	NO	NO	YES	YES	NO	NO
37-7394	NO	NO	YES	YES	NO	NO
37-7814	NO	NO	YES	YES	NO	NO
37-8705	NO	NO	YES	YES	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>
37-7149	37-7149	4.460 cfs	1148.0 af	287.0	1892.0	N/A	N/A	N/A	N/A	N/A
37-7394	37-7394	5.940 cfs	1825.4 af	455.0	1892.0	N/A	N/A	N/A	N/A	N/A
37-7814	37-7814	0.140 cfs	27.2 af	6.8	1892.0	N/A	N/A	N/A	N/A	N/A
37-8705	37-8705	7.000 cfs	1640.0 af	410.0	1892.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		17.400 cfs	4640.6 af	1158.8	1892.0		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 16th day of September, 2013.

SUPPORT DATA

IN FILE # 37-7149


Southern Region Manager

Transfer No. 78675

WATER RIGHT NO. 37-7149**As Modified by Transfer No. 78675**

In accordance with the approval of Transfer No. 78675, Water Right No. 37-7149 is now described as follows:

Right Holder: WILLIAM HUBERT SHAW
411 S 750 E
DIETRICH, ID 83324

Priority Date: 6/26/1972

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	4.460 cfs	1148.0 af
			4.460 cfs	1148.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSESW	Sec 20 Twp 06S Rge 19E LINCOLN County
GROUND WATER	NENWNE	Sec 28 Twp 06S Rge 19E LINCOLN County
GROUND WATER	NWNENE	Sec 29 Twp 06S Rge 19E LINCOLN County
GROUND WATER	NESWSW	Sec 29 Twp 06S Rge 19E LINCOLN 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	
06S	19E	20	40	40	40	40	12	40	40	40	40	40	40	40	40	40	40	40	612
06S	19E	21											40	40			40	40	200
06S	19E	22							40	40	40	40							160
06S	19E	28	40	40	40	40			40		40	40	40	40					360
06S	19E	29	40	40	40	40			40	40	40	40	40	40	40	40	40	40	560

Right Acre Limit: 287.0

POU Total Acres: 1892

CONDITIONS OF APPROVAL

1. 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. 130.
2. This right is limited to the irrigation of 287 acres within the authorized place of use in a single irrigation season.
3. 37-7149, 37-7394, 37-7814 and 37-8705 when combined shall not exceed a total diversion rate of 17.4 cfs, a total annual maximum diversion volume of 4640.6 af at the field headgate, and the irrigation of 1158.8 acres.

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WATER RIGHT NO. 37-7149

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CONDITIONS OF APPROVAL

4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
6. 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).
7. 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.
8. 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. This right has 150 acres irrigated with shares from Big Wood Canal Company. This right is supplemental to these 150 acres. The remaining 137 acres are irrigated with primary ground water.
9. 37-7149, 37-7394, 37-7814 and 37-8705 are limited to the irrigation of a specific 1158.8 acres within the 1892 acre place of use authorized by these rights in a single irrigation season. The specific 1158.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1158.8 acres to be irrigated within the 1892 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. Prior to the diversion and use of water under Transfer approval 78675, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. 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. 37-7149
As Modified by Transfer No. 78675

CONDITIONS OF APPROVAL

14. 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. 37-7394**As Modified by Transfer No. 78675**

In accordance with the approval of Transfer No. 78675, Water Right No. 37-7394 is now described as follows:

Right Holder: WILLIAM HUBERT SHAW
411 S 750 E
DIETRICH, ID 83324

Priority Date: 12/1/1974

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 11/01	5.940 cfs	1820.0 af
STOCKWATER	01/01	to 12/31	0.090 cfs	5.4 af
			5.940 cfs	1825.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSESW	Sec 20 Twp 06S Rge 19E	LINCOLN County
GROUND WATER	NENWNE	Sec 28 Twp 06S Rge 19E	LINCOLN County
GROUND WATER	NWNENE	Sec 29 Twp 06S Rge 19E	LINCOLN County
GROUND WATER	NESWSW	Sec 29 Twp 06S Rge 19E	LINCOLN 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	
06S	19E	20	40	40	40	40	12	40	40	40	40	40	40	40	40	40	40	40	612
06S	19E	21											40	40	40		40	40	200
06S	19E	22							40	40	40	40	40	40					160
06S	19E	28	40	40	40	40			40		40	40	40	40					360
06S	19E	29	40	40	40	40			40	40	40	40	40	40	40	40	40	40	560

Right Acre Limit: 455.0

POU Total Acres: 1892.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	19E	20					X												

CONDITIONS OF APPROVAL

1. 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. 130.

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WATER RIGHT NO. 37-7394
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CONDITIONS OF APPROVAL

2. This right is limited to the irrigation of 455 acres within the authorized place of use in a single irrigation season.
3. Rights 37-7394 and 37-7814 when combined shall not exceed a total diversion rate of 5.94 cfs.
4. 37-7149, 37-7394, 37-7814 and 37-8705 when combined shall not exceed a total diversion rate of 17.4 cfs, a total annual maximum diversion volume of 4640.6 af at the field headgate, and the irrigation of 1158.8 acres.
5. 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.
6. 37-7149, 37-7394, 37-7814 and 37-8705 are limited to the irrigation of a specific 1158.8 acres within the 1892 acre place of use authorized by these rights in a single irrigation season. The specific 1158.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1158.8 acres to be irrigated within the 1892 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. Prior to the diversion and use of water under Transfer approval 78675, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 37-7814**As Modified by Transfer No. 78675**

In accordance with the approval of Transfer No. 78675, Water Right No. 37-7814 is now described as follows:

Right Holder: WILLIAM HUBERT SHAW
411 S 750 E
DIETRICH, ID 83324

Priority Date: 12/12/1979

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 11/01	0.140 cfs	27.2 af
			0.140 cfs	27.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSESW	Sec 20 Twp 06S Rge 19E	LINCOLN County
GROUND WATER	NENWNE	Sec 28 Twp 06S Rge 19E	LINCOLN County
GROUND WATER	NWNENE	Sec 29 Twp 06S Rge 19E	LINCOLN County
GROUND WATER	NESWSW	Sec 29 Twp 06S Rge 19E	LINCOLN 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	
06S	19E	20	40	40	40	40	12	40	40	40	40	40	40	40	40	40	40	40	612
06S	19E	21											40	40	40		40	40	200
06S	19E	22							40	40	40	40							160
06S	19E	28	40	40	40	40			40		40	40	40	40					360
06S	19E	29	40	40	40	40			40	40	40	40	40	40	40	40	40	40	560

Right Acre Limit: 6.8

POU Total Acres: 1892.0

CONDITIONS OF APPROVAL

1. 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. 130.
2. This right is limited to the irrigation of 6.8 acres within the authorized place of use in a single irrigation season.
3. Rights 37-7394 and 37-7814 when combined shall not exceed a total diversion rate of 5.94 cfs.
4. 37-7149, 37-7394, 37-7814 and 37-8705 when combined shall not exceed a total diversion rate of 17.4 cfs, a total annual maximum diversion volume of 4640.6 af at the field headgate, and the irrigation of 1158.8 acres.

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WATER RIGHT NO. 37-7814

As Modified by Transfer No. 78675

CONDITIONS OF APPROVAL

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. 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.
7. 37-7149, 37-7394, 37-7814 and 37-8705 are limited to the irrigation of a specific 1158.8 acres within the 1892 acre place of use authorized by these rights in a single irrigation season. The specific 1158.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1158.8 acres to be irrigated within the 1892 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. Prior to the diversion and use of water under Transfer approval 78675, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.
13. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

WATER RIGHT NO. 37-8705**As Modified by Transfer No. 78675**

In accordance with the approval of Transfer No. 78675, Water Right No. 37-8705 is now described as follows:

Right Holder: WILLIAM HUBERT SHAW
411 S 750 E
DIETRICH, ID 83324

Priority Date: 2/21/1991

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	7.000 cfs	1640.0 af
			7.000 cfs	1640.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSESW	Sec 20 Twp 06S Rge 19E	LINCOLN County
GROUND WATER	NENWNE	Sec 28 Twp 06S Rge 19E	LINCOLN County
GROUND WATER	NWNENE	Sec 29 Twp 06S Rge 19E	LINCOLN County
GROUND WATER	NESWSW	Sec 29 Twp 06S Rge 19E	LINCOLN 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	
06S	19E	20	40	40	40	40	12	40	40	40	40	40	40	40	40	40	40	40	612
06S	19E	21											40	40	40		40	40	200
06S	19E	22							40	40	40	40							160
06S	19E	28	40	40	40	40			40	40	40	40	40	40					360
06S	19E	29	40	40	40	40			40	40	40	40	40	40	40	40	40	40	560

Right Acre Limit: 410.0

POU Total Acres: 1892

CONDITIONS OF APPROVAL

1. 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. 130.
2. This right is limited to the irrigation of 410 acres within the authorized place of use in a single irrigation season.
3. 37-7149, 37-7394, 37-7814 and 37-8705 when combined shall not exceed a total diversion rate of 17.4 cfs, a total annual maximum diversion volume of 4640.6 af at the field headgate, and the irrigation of 1158.8 acres.

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WATER RIGHT NO. 37-8705

As Modified by Transfer No. 78675

CONDITIONS OF APPROVAL

4. 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).
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. 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.
8. 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. This right has all 410 acres irrigated with shares from Big Wood Canal Company. This right is supplemental to all irrigated acres with no primary ground water acres.
9. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, 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.
10. 37-7149, 37-7394, 37-7814 and 37-8705 are limited to the irrigation of a specific 1158.8 acres within the 1892 acre place of use authorized by these rights in a single irrigation season. The specific 1158.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1158.8 acres to be irrigated within the 1892 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. Prior to the diversion and use of water under Transfer approval 78675, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. 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. 37-8705

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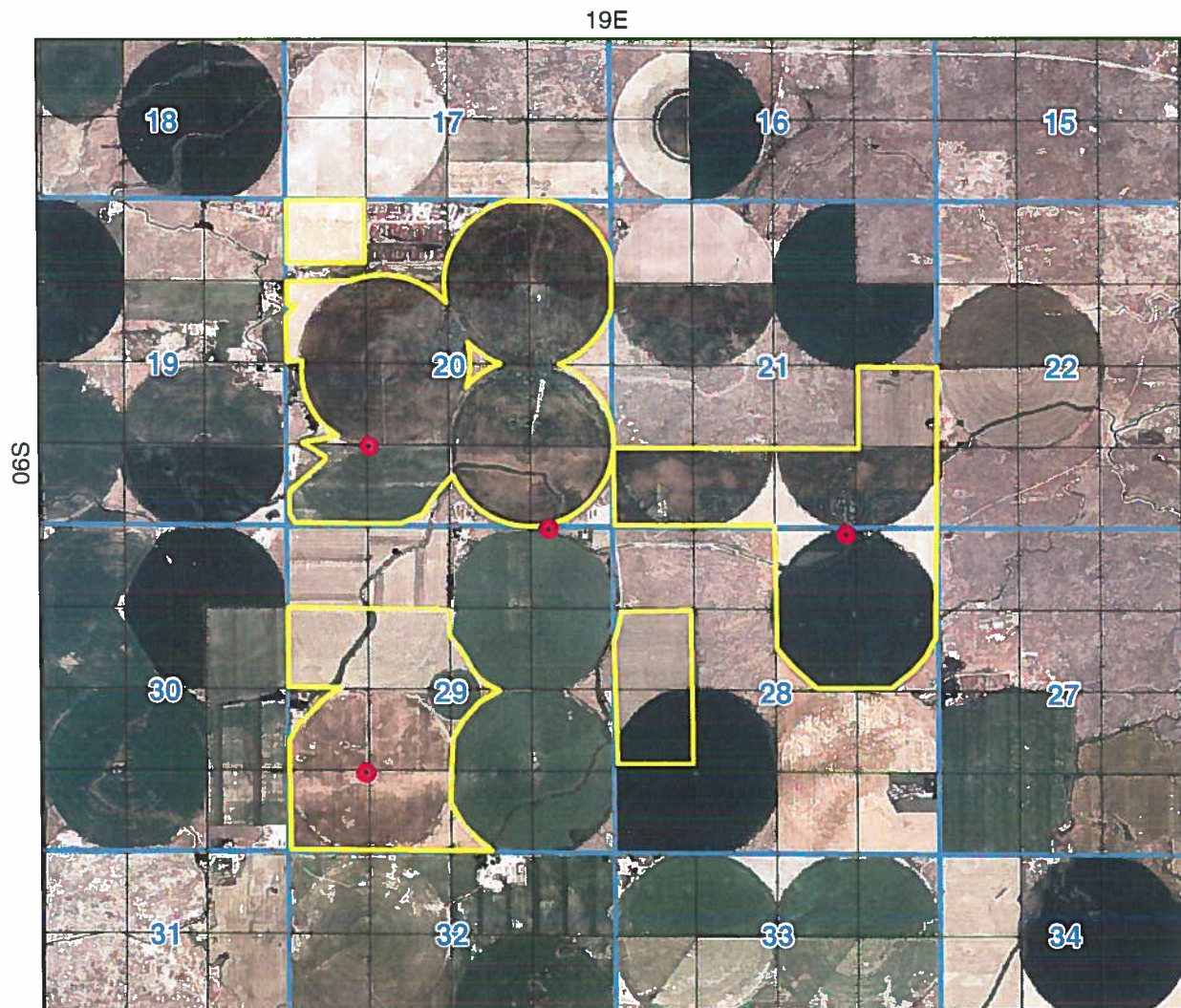
CONDITIONS OF APPROVAL

15. 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.



State of Idaho
Department of Water Resources
Attachment To Transfer No. 78675
Rights: 37-7149, 37-7394, 37-7814 and 37-8705

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



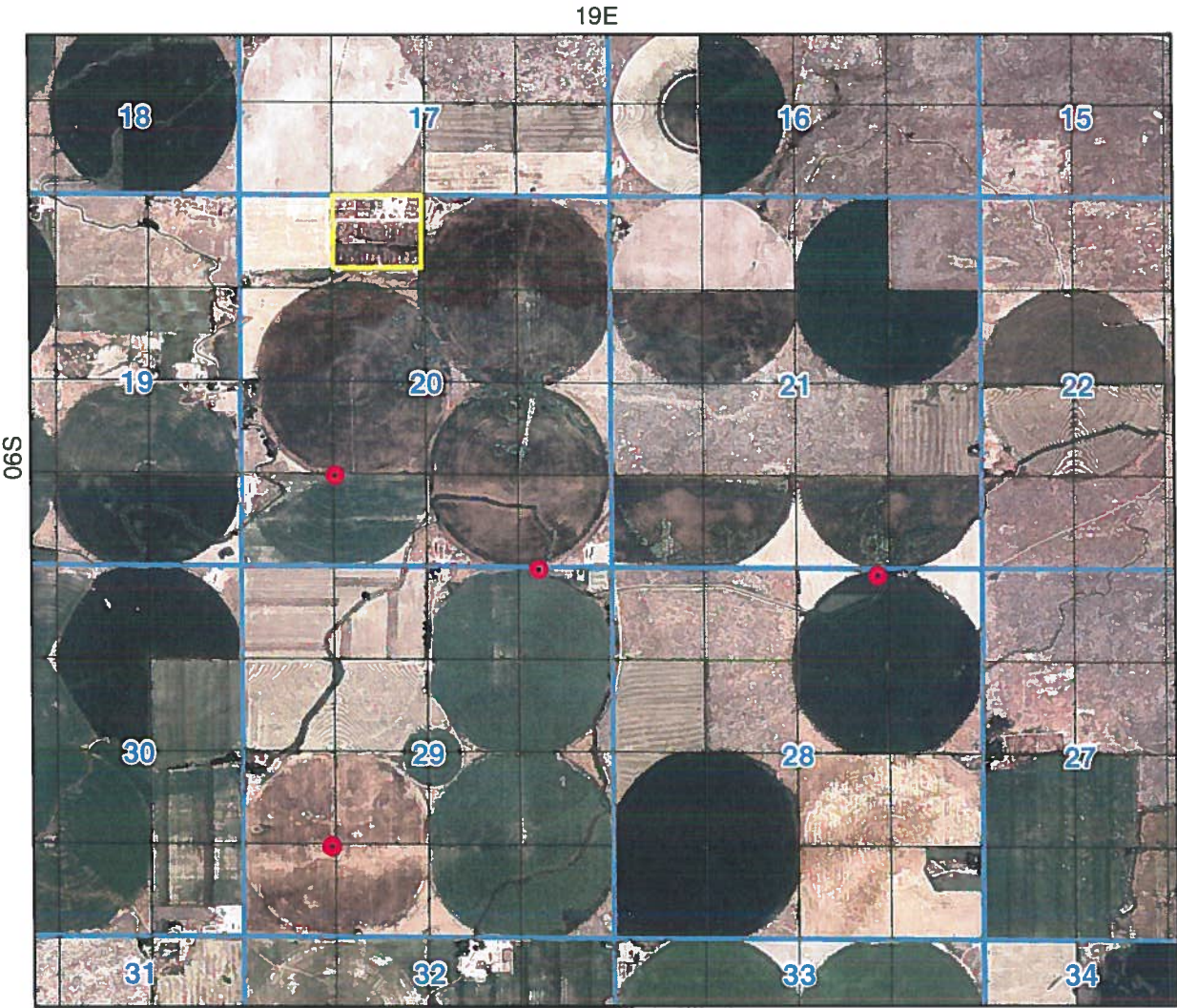
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.35 0.7 1.4 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 78675
Right: 37-7394

This map depicts the STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.3 0.6 1.2 Miles

