

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78556

This is to certify that: GARY ROGERS
3771 N US HWY 93
MOORE, ID 83255-8725

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>
34-7118B	WR/DECREED	11/24/1975	10.610 cfs	1855.0 af	N/A	530.0	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>
34-7118B	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>
34-7118B	34-14394	1.800 cfs	315.0 af	N/A	90.0	34-7118B	8.810 cfs	1540.0 af	N/A	440.0
COMBINED TOTALS		1.800 cfs	315.0 af	N/A	90.0		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 10th day of October, 2013.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 78556

IN FILE # 34-7118B

WATER RIGHT NO. 34-7118B**As Modified by Transfer No. 78556**

In accordance with the approval of Transfer No. 78556, Water Right No. 34-7118B is now described as follows:

Right Holder: W GARY ROGERS
PO BOX 476
ARCO, ID 83213

Priority Date: 11/24/1975

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	8.810 cfs	1540.0 af
			8.810 cfs	1540.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L3 (NWNWSW)	Sec 7	Twp 03N Rge 26E	BUTTE County
GROUND WATER	L3 (NWNWSW)	Sec 7	Twp 03N Rge 26E	BUTTE County
GROUND WATER	NENESE	Sec 7	Twp 03N Rge 26E	BUTTE County
GROUND WATER	NWNWSW	Sec 8	Twp 03N Rge 26E	BUTTE County
GROUND WATER	SESWSE	Sec 32	Twp 05N Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec 32	Twp 05N Rge 26E	BUTTE 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	
03N	26E	7									30.5	29.0	29.0	30.5	30.5	29.0	29.0	30.5	238.0
03N	26E	8									30.0	29.5	29.5	30.0	4.0	19.0	30.0	30.0	202.0

POU Total Acres: 440.0

CONDITIONS OF APPROVAL

1. Rights 34-7118B, 34-7186A and 34-7186B when combined shall not exceed a total annual maximum diversion volume of 1540 af at the field headgate, and the irrigation of 440 acres.
2. The total instantaneous diversion of water from all points of diversion under Right 34-7118B shall not exceed 8.81 cfs, nor total combined annual volume of 1540 af.
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. 34.
4. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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WATER RIGHT NO. 34-7118B
As Modified by Transfer No. 78556

CONDITIONS OF APPROVAL

5. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. 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 lands above.
7. Prior to the diversion and use of water under Transfer approval 71665, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 34-14394

As Modified by Transfer No. 78556

In accordance with the approval of Transfer No. 78556, Water Right No. 34-14394 is now described as follows:

Right Holder: W GARY ROGERS
PO BOX 476
ARCO, ID 83213

Priority Date: 11/24/1975

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	1.800 cfs	315.0 af
			1.800 cfs	315.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L3 (SWNWSW) Sec 30 Twp 06N Rge 26E custer 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	
06N	26E	30									30.0	19.4	15.6	25.0					90.0

POU Total Acres: 90.0

CONDITIONS OF APPROVAL

1. Approval of this transfer does not authorize the alteration of any stream for the placement, operation or maintenance of the proposed pivot.
2. 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. 34.
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. 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.
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. 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. 34-14394
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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.