

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78594**

This is to certify that: MARGARET E SMITH AND/OR
RONALD G SMITH
25357 WAMSTAD RD
PARMA, ID 83660

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

SUPPORT DATA

IN FILE # 63-9058

<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>
63-10555	WR/LICENSE	12/29/1987	2.200 cfs	495.0 af	N/A	110.0	GROUND WATER
63-9058	WR/DECREED	10/18/1977	1.600 cfs	576.0 af	N/A	128.0	GROUND WATER
63-9074	WR/LICENSE	11/8/1977	8.000 cfs	3887.7 af	N/A	951.0	GROUND WATER
63-9881	WR/DECREED	2/25/1982	0.900 cfs	202.5 af	N/A	45.0	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>
63-10555	NO	YES	NO	YES	NO	NO
63-9058	NO	YES	NO	YES	NO	NO
63-9074	NO	YES	NO	YES	NO	NO
63-9881	NO	YES	NO	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>
63-10555	63-10555	2.200 cfs	495.0 af	N/A	110.0	N/A	N/A	N/A	N/A	N/A
63-9058	63-9058	1.600 cfs	576.0 af	N/A	128.0	N/A	N/A	N/A	N/A	N/A
63-9074	63-9074	8.000 cfs	3887.7 af	N/A	951.0	N/A	N/A	N/A	N/A	N/A
63-9881	63-9881	0.900 cfs	202.5 af	N/A	45.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		11.750 cfs	5160.2 af	N/A	1234.0		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 2nd day of July, 2013.


Western Regional Manager

Transfer No. 78594

WATER RIGHT NO. 63-9058**As Modified by Transfer No.**

In accordance with the approval of Transfer No. 78594, Water Right No. 63-9058 is now described as follows:

Right Holder: RONALD G SMITH
25357 WAMSTAD RD

PARMA, ID 83660

Priority Date: 10/18/1977

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

1.600 cfs

1.600 cfs

Diversion Volume

576.0 af

576.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L2 (SWNW)	Sec 31 Twp 05N Rge 05W CANYON County
GROUND WATER	L3 (NWSW)	Sec 31 Twp 05N Rge 05W CANYON County
GROUND WATER	L3 (NWSW)	Sec 31 Twp 05N Rge 05W CANYON County
GROUND WATER	SENW	Sec 31 Twp 05N Rge 05W CANYON 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	
05N	05W	31							34.0			36.0	39.0	19.0					128.0
									L 2			L 3	L 4						

POU Total Acres: 128.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Rights 63-9058 and 63-9881 when combined shall not exceed a total diversion rate of 1.60 cfs and a total annual maximum diversion volume of 777.5 af at the field headgate.

Transfer No. 78594

WATER RIGHT NO. 63-9058
As Modified by Transfer No.

CONDITIONS OF APPROVAL

5. Rights 63-9058, 63-9074, 63-9881 and 63-9881 when combined shall not exceed a total diversion rate of 11.75 cfs and a total annual maximum diversion volume of 5160.2 af at the field headgate.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
7. Diversion of water from the additional well located in SE NW Section 31, T05N, R05W and the existing well located in Lot 3 (NW SW) Section 31, T05N, R05W known as the "Cattle Well", authorized under Transfer 78594, shall not exceed a total combined maximum diversion rate of 7.80 cfs.
8. 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.
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. 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.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
12. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and after 11/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/3/2009.
13. Rights 63-9058, 63-9074, 63-9881, and 63-10555 are diverted through points of diversion described above.
14. This right does not grant any right-of-way or easement across the land of another.
15. Use of this right is combined with water from Wilder Irrigation District.

WATER RIGHT NO. 63-9074**As Modified by Transfer No.**

In accordance with the approval of Transfer No. 78594, Water Right No. 63-9074 is now described as follows:

Right Holder: RONALD G SMITH
25357 WAMSTAD RD

PARMA, ID 83660

Priority Date: 11/8/1977

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	8.000 cfs	3887.7 af
			8.000 cfs	3887.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L2 (SWNW)	Sec 31 Twp 05N Rge 05W CANYON County
GROUND WATER	L3 (NWSW)	Sec 31 Twp 05N Rge 05W CANYON County
GROUND WATER	L3 (NWSW)	Sec 31 Twp 05N Rge 05W CANYON County
GROUND WATER	SENW	Sec 31 Twp 05N Rge 05W CANYON 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	
04N	06W	1					26.0	35.0	17.0										78.0
04N	06W	2	40.0	39.0	40.0	40.0	2.0		9.0	40.0	39.0	10.0	9.0	35.0	38.0	40.0	35.0		416.0
			L 1	L 2			L 3		L 5			L 6	L 7						
04N	06W	11		26.0															26.0
05N	06W	36					35.0	35.0	37.0	37.0	37.0	36.0	35.0	35.0	38.0	38.0	34.0	34.0	431.0

POU Total Acres: 951.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Rights 63-9058, 63-9074, 63-9881 and 63-10555 when combined shall not exceed a total diversion rate of 11.75 cfs and a total annual maximum diversion volume of 5160.2 af at the field headgate.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 78594

WATER RIGHT NO. 63-9074

As Modified by Transfer No.

CONDITIONS OF APPROVAL

5. Diversion of water from the additional well located in SE NW Section 31, T05N, R05W and the existing well located in Lot 3 (NW SW) Section 31, T05N, R05W known as the "Cattle Well", authorized under Transfer 78594, shall not exceed a total combined maximum diversion rate of 7.80 cfs.
6. 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.
7. 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.
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and after 11/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/3/2009.
11. Rights 63-9058, 63-9074, 63-9881, and 63-10555 are diverted through points of diversion described above.
12. This right does not grant any right-of-way or easement across the land of another.
13. Use of this right is combined with water from Wilder Irrigation District.

WATER RIGHT NO. 63-10555**As Modified by Transfer No.**

In accordance with the approval of Transfer No. 78594, Water Right No. 63-10555 is now described as follows:

Right Holder: RONALD G SMITH
25357 WAMSTAD RD

PARMA, ID 83660

Priority Date: 12/29/1987

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	2.200 cfs	495.0 af
			2.200 cfs	495.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L2 (SWNW)	Sec 31 Twp 05N Rge 05W CANYON County
GROUND WATER	L3 (NWSW)	Sec 31 Twp 05N Rge 05W CANYON County
GROUND WATER	L3 (NWSW)	Sec 31 Twp 05N Rge 05W CANYON County
GROUND WATER	SENW	Sec 31 Twp 05N Rge 05W CANYON 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	
05N	05W	31					33.0	33.0	5.0	39.0									110.0
								L 1	L 2										

POU Total Acres: 110.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Rights 63-9058, 63-9074, 63-9881 and 63-10555 when combined shall not exceed a total diversion rate of 11.75 cfs and a total annual maximum diversion volume of 5160.2 af at the field headgate.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 78594

WATER RIGHT NO. 63-10555

As Modified by Transfer No.

CONDITIONS OF APPROVAL

5. Diversion of water from the additional well located in SE NW Section 31, T05N, R05W and the existing well located in Lot 3 (NW SW) Section 31, T05N, R05W known as the "Cattle Well", authorized under Transfer 78594, shall not exceed a total combined maximum diversion rate of 7.80 cfs.
6. 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.
7. 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.
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and after 11/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/3/2009.
11. Rights 63-9058, 63-9074, 63-9881, and 63-10555 are diverted through points of diversion described above.
12. This right does not grant any right-of-way or easement across the land of another.
13. Use of this right is combined with water from Wilder Irrigation District.

WATER RIGHT NO. 63-9881**As Modified by Transfer No.**

In accordance with the approval of Transfer No. 78594, Water Right No. 63-9881 is now described as follows:

Right Holder: RONALD G SMITH
25357 WAMSTAD RD

PARMA, ID 83660

Priority Date: 2/25/1982

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
0.900 cfs
0.900 cfs

Diversion Volume
202.5 af
202.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L2 (SWNW)	Sec 31 Twp 05N Rge 05W CANYON County
GROUND WATER	L3 (NWSW)	Sec 31 Twp 05N Rge 05W CANYON County
GROUND WATER	L3 (NWSW)	Sec 31 Twp 05N Rge 05W CANYON County
GROUND WATER	SENW	Sec 31 Twp 05N Rge 05W CANYON 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	
05N	05W	31									29.0			16.0					45.0

POU Total Acres: 45.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Rights 63-9058 and 63-9881 when combined shall not exceed a total diversion rate of 1.60 cfs and a total annual maximum diversion volume of 777.5 af at the field headgate.

Transfer No. 78594

WATER RIGHT NO. 63-9881
As Modified by Transfer No.

CONDITIONS OF APPROVAL

5. Rights 63-9058, 63-9074, 63-9881 and 63-10555 when combined shall not exceed a total diversion rate of 11.75 cfs and a total annual maximum diversion volume of 5160.2 af at the field headgate.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
7. Diversion of water from the additional well located in SE NW Section 31, T05N, R05W and the existing well located in Lot 3 (NW SW) Section 31, T05N, R05W known as the "Cattle Well", authorized under Transfer 78594, shall not exceed a total combined maximum diversion rate of 7.80 cfs.
8. 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.
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. 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.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
12. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and after 11/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/3/2009.
13. Rights 63-9058, 63-9074, 63-9881, and 63-10555 are diverted through points of diversion described above.
14. This right does not grant any right-of-way or easement across the land of another.
15. Use of this right is combined with water from Wilder Irrigation District.