

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78483**

This is to certify that: HOWARD ROBINSON
KAREN ROBINSON
2288 WILLIAMSBURG CIRCLE
WEST JORDAN, UT 84088

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>
45-14377	WR/DECREED	5/1/1882	0.320 cfs	N/A	78.2	130.8	MILL CREEK
45-14379	WR/DECREED	4/1/1960	1.300 cfs	N/A	115.0	130.8	MILL CREEK
45-14381	WR/DECREED	12/31/1879	0.110 cfs	1.2 af	35.9	130.8	MILL CREEK
45-2363	WR/DECREED	2/6/1951	1.000 cfs	424.5 af	N/A	115.0	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>
45-14377	NO	NO	YES	NO	NO	NO
45-14379	NO	NO	YES	NO	NO	NO
45-14381	NO	NO	YES	NO	NO	NO
45-2363	NO	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>
45-14377	45-14377	0.320 cfs	N/A	78.2	130.8	N/A	N/A	N/A	N/A	N/A
45-14379	45-14379	1.300 cfs	N/A	90.0	130.8	N/A	N/A	N/A	N/A	N/A
45-14381	45-14381	0.110 cfs	N/A	35.9	130.8	N/A	N/A	N/A	N/A	N/A
45-2363	45-2363	1.000 cfs	308.0 af	90.0	130.8	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.730 cfs	N/A	90.0	130.8		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 20th day of May, 2013.

SUPPORT DATA

IN FILE # 45-2363

Southern Region Manager

Transfer No. 78483

WATER RIGHT NO. 45-2363
As Modified by Transfer No. 78483

In accordance with the approval of Transfer No. 78483, Water Right No. 45-2363 is now described as follows:

Right Holder: KAREN ROBINSON AND
 HOWARD ROBINSON
 2288 WILLIAMSBURG CIRCLE
 WEST JORDAN, UT 84088

Priority Date: 2/6/1951

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	1.000 cfs	308.0 af
			1.000 cfs	308.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW Sec 36 Twp 13S Rge 22E CASSIA 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	
13S	22E	35		17.8	40.0										33.0	40.0			130.8

Right Acre Limit: 90.0
 POU Total Acres: 130.8

CONDITIONS OF APPROVAL

1. Use of this right is combined with water from Mill Creek.
2. 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.
3. 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.
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. 140.

Transfer No. 78483

WATER RIGHT NO. 45-2363
As Modified by Transfer No. 78483

CONDITIONS OF APPROVAL

5. 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).
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. This right is limited to the irrigation of 90 acres within the authorized place of use in a single irrigation season.
8. Rights 45-14377, 45-14379, 45-14381, and 45-2363 when combined shall not exceed a total diversion rate of 2.73 cfs, and the irrigation of 90 acres.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 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 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than May 6, 2005
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Rights 45-2363, 45-14377, 45-14379, and 45-14381 are limited to the irrigation of a specific 90.0 acres within the 130.8 acre place of use authorized by this right in a single irrigation season. The specific 90.0 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 90.0 acres to be irrigated within the 130.8 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.
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. 45-14377 **As Modified by Transfer No. 78483**

In accordance with the approval of Transfer No. 78483, Water Right No. 45-14377 is now described as follows:

Right Holder: HOWARD ROBINSON And
 KAREN ROBINSON
 2288 WILLIAMSBURG CIRCLE
 WEST JORDAN, UT 84088

Priority Date: 5/1/1882

Source: MILL CREEK

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.320 cfs
 0.320 cfs

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK NESE Sec 36 Twp 13S Rge 22E CASSIA 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	
13S	22E	35		17.8	40.0										33.0	40.0			130.8

Right Acre Limit: 78.2
 POU Total Acres: 130.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 78.2 acres within the authorized place of use in a single irrigation season.
2. Rights 45-14377, 45-14379, and 45-14381 when combined shall not exceed a total diversion rate of 1.73 cfs and the irrigation of 90 acres.
3. Rights 45-14377, 45-14379, 45-14381, and 45-2363 when combined shall not exceed a total diversion rate of 2.73 cfs, and the irrigation of 90 acres.
4. Rights 45-14377, 45-17379, 45-14381, and 45-2363 are limited to the irrigation of a specific 90.0 acres within the 130.8 acre place of use authorized by these rights in a single irrigation season. The specific 90.0 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 90.0 acres to be irrigated within the 130.8 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.

Transfer No. 78483

WATER RIGHT NO. 45-14377
As Modified by Transfer No. 78483

CONDITIONS OF APPROVAL

5. 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. 45A.
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.
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. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.
9. The right holder shall accomplish the change authorized by this transfer within one 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. 45-14379
As Modified by Transfer No. 78483

In accordance with the approval of Transfer No. 78483, Water Right No. 45-14379 is now described as follows:

Right Holder: HOWARD ROBINSON And
 KAREN ROBINSON
 2288 WILLIAMSBURG CIRCLE
 WEST JORDAN, UT 84088

Priority Date: 4/1/1960

Source: MILL CREEK

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 1.300 cfs
 1.300 cfs

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK NESE Sec 36 Twp 13S Rge 22E CASSIA 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	
13S	22E	35		17.8	40.0										33.0	40.0			130.8

Right Acre Limit: 90.0

POU Total Acres: 130.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 90 acres within the authorized place of use in a single irrigation season.
2. Rights 45-14377, 45-14379, and 45-14381 when combined shall not exceed a total diversion rate of 1.73 cfs and the irrigation of 90 acres.
3. Rights 45-14377, 45-14379, 45-14381, and 45-2363 when combined shall not exceed a total diversion rate of 2.73 cfs, and the irrigation of 90 acres.
4. Rights 45-14377, 45-14379, 45-14381, and 45-2363 are limited to the irrigation of a specific 90.0 acres within the 130.8 acre place of use authorized by these rights in a single irrigation season. The specific 90.0 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 90.0 acres to be irrigated within the 130.8 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.

Transfer No. 78483

WATER RIGHT NO. 45-14379
As Modified by Transfer No. 78483

CONDITIONS OF APPROVAL

5. 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. 45A.
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.
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. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.
9. The right holder shall accomplish the change authorized by this transfer within one 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. 45-14381
As Modified by Transfer No. 78483

In accordance with the approval of Transfer No. 78483, Water Right No. 45-14381 is now described as follows:

Right Holder: HOWARD ROBINSON And
 KAREN ROBINSON
 2288 WILLIAMSBURG CIRCLE
 WEST JORDAN, UT 84088

Priority Date: 12/31/1879

Source: MILL CREEK

Tributary: SINKS

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.110 cfs	
STOCKWATER	01/01	to 12/31	0.020 cfs	1.2 af
			0.110 cfs	

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK NESE Sec 36 Twp 13S Rge 22E CASSIA 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	
13S	22E	35		17.8	40.0										33.0	40.0			130.8
Right Acre Limit:			35.9																
POU Total Acres:			130.8																

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	
13S	22E	35		X	X										X	X			0.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 35.9 acres within the authorized place of use in a single irrigation season.
2. Rights 45-14377, 45-14379, and 45-14381 when combined shall not exceed a total diversion rate of 1.73 cfs and the irrigation of 90 acres.
3. Rights 45-14377, 45-1437, 45-14381, and 45-2363 when combined shall not exceed a total diversion rate of 2.73 cfs, and the irrigation of 90 acres.

Transfer No. 78483

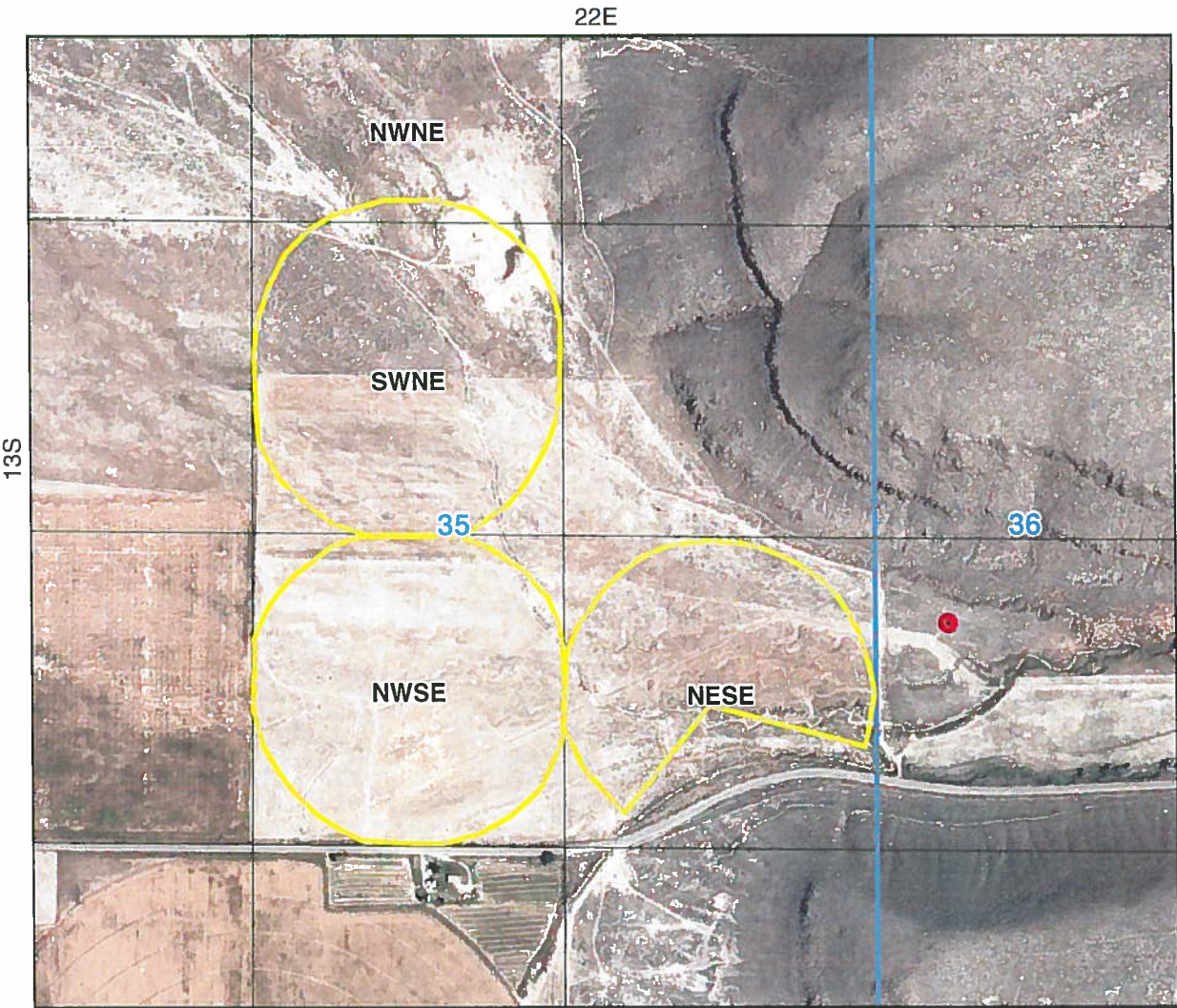
WATER RIGHT NO. 45-14381
As Modified by Transfer No. 78483

CONDITIONS OF APPROVAL

4. Rights 45-14377, 45-14379, 45-14381, and 45-2363 are limited to the irrigation of a specific 90.0 acres within the 130.8 acre place of use authorized by these rights in a single irrigation season. The specific 90.0 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 90.0 acres to be irrigated within the 130.8 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. Additionally when only the 12/31/1879 priority water rights are deliverable and in rotation the water user shall identify to the watermaster which specific 35.9 acres will be irrigated.
5. 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. 45A.
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.
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. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.
9. The right holder shall accomplish the change authorized by this transfer within one 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.

State of Idaho
Department of Water Resources
Attachment To Transfer No. 78483
Right: 45-2363

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 0.075 0.15 0.3 Miles

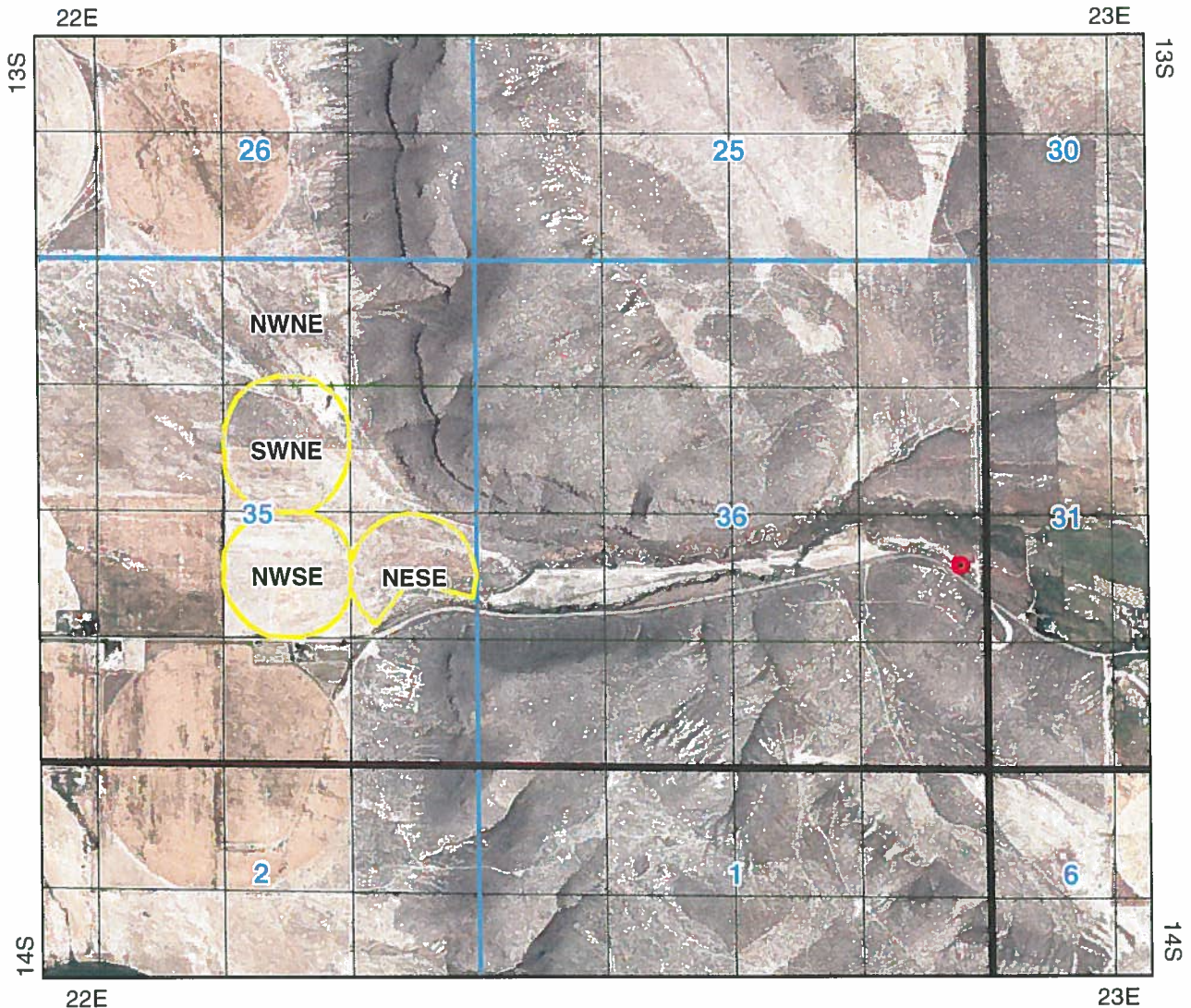


State of Idaho
Department of Water Resources

Attachment To Transfer No. 78483

Rights: 45-14377, 45-14379 and 45-14381

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 0.225 0.45 0.9 Miles

