

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

Corrected

TRANSFER NO. 78192

This is to certify that: PORTER FAMILY LIVING TRUST  
PO BOX 2530  
KETCHUM ID 83340  
(208) 788-3490

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 Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 37-22765     | WR/Decreed          | 06/03/1884      | 0.1 cfs     | N/A           | N/A               | 2.5                | WOOD RIVER    |

**Purpose of Transfer (Changes Proposed)**

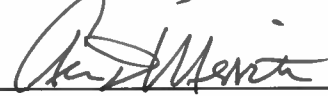
| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 37-22765              | NO           | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 37-22765              | <b>37-22765</b>                  | 0.1 cfs              | N/A                    | N/A               | 2.5                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>0.1 cfs</b>       | <b>N/A</b>             | <b>N/A</b>        | <b>2.5</b>         | <b>N/A</b>                         | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 29<sup>th</sup> day of January, 202013

  
Southern Region Manager

**WATER RIGHT NO. 37-22765**  
**As Modified by Transfer No. 78192**

In accordance with the approval of Transfer No. 78192, Water Right No. 37-22765 is now described as follows.

**Right Holder:** PORTER FAMILY LIVING TRUST  
PO BOX 2530  
KETCHUM ID 83340

**Priority Date:** 06/03/1884

**Source:** EAST FORK WOOD RIVER      **Tributary:** BIG WOOD RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 04/15       | to 10/31  | 0.10 CFS              |
|                       |             |           | 0.10 CFS              |

**LOCATION OF POINT(S) OF DIVERSION:**  
EAST FORK WOOD RIVER NWSESW      Sec. 3   Twp 03N   Rge 18E   BLAINE County

**PLACE OF USE:**    IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |     | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|-----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE  | NE | NW | SW | SE | Totals |
| 03N | 18E | 3   |    |    |    |    |    |    |    |    |    |    |    | 2.5 |    |    |    |    | 2.5    |

Total Acres: 2.5

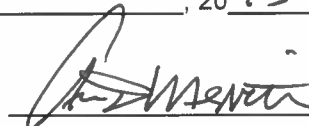
**WATER RIGHT NO. 37-22765**  
**As Modified by Transfer No. 78192**

**CONDITIONS OF APPROVAL**

1. The actual diversion rate of this right is .095 cfs.
2. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
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. 37.
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.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. Place of use is located within Lot 28, Block 2 of Hyndman Peak Subdivision.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.
10. This right is a split from former right 37-539E

This water right 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.

Dated this 29<sup>th</sup> day of January, 2013

  
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Southern Region Manager