

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77830

This is to certify that: PETER LINN And
 TRUDY LINN
 1400 E 6000 S
 VICTOR ID 83455
 (208) 787-2213

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>
22-535	WR/Decreed	05/15/1896	0.3 cfs	N/A	15.0	17.0	UNNAMED STREAM
22-2095	WR/Decreed	05/05/1920	0.2 cfs	N/A	10.0	17.0	UNNAMED STREAM

Purpose of Transfer (Changes Proposed)

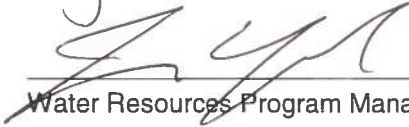
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-535	NO	YES	YES	YES	YES	YES
22-2095	NO	YES	YES	YES	YES	YES

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>
22-535	22-535	0.3 cfs	N/A	14.0	16.0		N/A	N/A	N/A	N/A
22-2095	22-2095	0.2 cfs	N/A	9.4	16.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.5 cfs	N/A	16.0	16.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of August, 2012


 Water Resources Program Manager

SUPPORT DATA

IN FILE # 22-535

WATER RIGHT NO. 22-535
As Modified by Transfer No. 77830

In accordance with the approval of Transfer No. 77830, Water Right No. 22-535 is now described as follows.

Right Holder: PETER LINN And
 TRUDY LINN
 1400 E 6000 S
 VICTOR ID 83455

Priority Date: May 15, 1896

Source: UNNAMED STREAM

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	04/15	to 10/31	0.02 CFS	
WILDLIFE STORAGE	01/01	to 12/31		1.1 AF
FIRE PROTECTION STORAGE	01/01	to 12/31		1.1 AF
RECREATION STORAGE	01/01	to 12/31		1.1 AF
IRRIGATION	04/15	to 10/31	0.28 CFS	

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM	SESW	Sec. 30 Twp 04N	Rge 46E	TETON County
UNNAMED STREAM	NWNE	Sec. 31 Twp 04N	Rge 46E	TETON County

PLACE OF USE: WILDLIFE STORAGE, FIRE PROTECTION STORAGE, RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	46E	30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	46E	30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														1.6	14.4				16.0

Total Acres: 16

WATER RIGHT NO. 22-535
As Modified by Transfer No. 77830

CONDITIONS OF APPROVAL

1. Diversion of water from the point of diversion located in NWSESW, Sec. 30, T04N, R46E shall not exceed a total maximum diversion rate of .03 cfs.
2. This right is limited to the irrigation of 9.4 acres within the authorized place of use in a single irrigation season.
3. Rights 22-535 and 22-2095 when combined shall not exceed the irrigation of 16 acres.
4. Rights 22-535 and 22-2095 authorize the diversion of an annual total of 1.6 acre-feet to be used for the initial filling of the pond and for the replacement of losses caused by evaporation.
5. The pond established by the storage of water under this right shall not exceed a total capacity of 1.1 acre-feet or a total surface area of 0.3 acres.
6. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
7. 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.
8. Source is also known as Juanita Creek.
9. This right does not grant any right-of-way or easement across the land of another.
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.

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 29th day of August, 20 12


Water Resources Program Manager

WATER RIGHT NO. 22-2095
As Modified by Transfer No. 77830

In accordance with the approval of Transfer No. 77830, Water Right No. 22-2095 is now described as follows.

Right Holder: PETER LINN And
 TRUDY LINN
 1400 E 6000 S
 VICTOR ID 83455

Priority Date: May 05, 1920

Source: UNNAMED STREAM

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
FIRE PROTECTION STORAGE	01/01	to 12/31		0.5 AF
RECREATION STORAGE	01/01	to 12/31		0.5 AF
WILDLIFE STORAGE	01/01	to 12/31		0.5 AF
IRRIGATION	04/15	to 10/31	0.19 CFS	
DIVERSION TO STORAGE	04/15	to 10/31	0.01 CFS	

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SESW Sec. 30 Twp 04N Rge 46E TETON County
 UNNAMED STREAM NWNE Sec. 31 Twp 04N Rge 46E TETON County

PLACE OF USE: FIRE PROTECTION STORAGE, RECREATION STORAGE, WILDLIFE STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	46E	30												X					

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	46E	30												1.6	14.4				16.0

Total Acres: 16

WATER RIGHT NO. 22-2095
As Modified by Transfer No. 77830

CONDITIONS OF APPROVAL

1. Diversion of water from the point of diversion located in NWSESW, Sec. 30, T04N, R46E shall not exceed a total maximum diversion rate of .03 cfs.
2. Rights 22-535 and 22-2095 when combined shall not exceed the irrigation of 16 acres.
3. Rights 22-535 and 22-2095 authorize the diversion of an annual total of 1.6 acre-feet to be used for the initial filling of the pond and for the replacement of losses caused by evaporation.
4. The pond established by the storage of water under this right shall not exceed a total capacity of 1.1 acre-feet or a total surface area of 0.3 acres.
5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
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 place of use.
7. Source is also known as Juanita Creek.
8. This right does not grant any right-of-way or easement across the land of another.
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.

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 29th day of August, 2012


Water Resources Program Manager