

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77757

This is to certify that: **TOMMY C WADDOUPS LLC**
 22914 N SHORTHORN
 SUN CITY WEST AZ 85375
 (623)546-5784

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>
34-784	WR/Decreed	06/01/1884	0.6 cfs	N/A	30.0	316.0	ANTELOPE CREEK
34-785	WR/Decreed	05/01/1886	2.9 cfs	N/A	145.0	316.0	ANTELOPE CREEK
34-786	WR/Decreed	09/27/1911	1.7 cfs	N/A	85.0	316.0	ANTELOPE CREEK

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>
34-784	NO	YES	YES	NO	NO	NO
34-785	NO	YES	YES	NO	NO	NO
34-786	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>
34-784	34-784	0.6 cfs	N/A	30.0	260.0		N/A	N/A	N/A	N/A
34-785	34-785	2.9 cfs	N/A	145.0	260.0		N/A	N/A	N/A	N/A
34-786	34-786	1.7 cfs	N/A	85.0	260.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		5.2 cfs	N/A	260.0	260.0		N/A	N/A	N/A	N/A

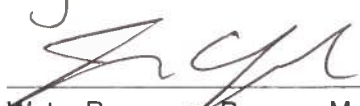
Detailed Water Right Description(s) attached

Dated this 23rd day of August, 2012

SUPPORT DATA

IN FILE #

34-784


 Water Resources Program Manager

WATER RIGHT NO. 34-784
As Modified by Transfer No. 77757

In accordance with the approval of Transfer No. 77757, Water Right No. 34-784 is now described as follows.

Right Holder: TOMMY C WADDOUPS LLC
22914 N SHORTHORN
SUN CITY WEST AZ 85375

Priority Date: June 01, 1884

Source: ANTELOPE CREEK

Tributary: BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01	to 10/15	0.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

ANTELOPE CREEK	L3 (NENW)	Sec. 1 Twp 04N	Rge 24E	BUTTE County
ANTELOPE CREEK	NWSW	Sec. 36 Twp 05N	Rge 24E	CUSTER County
ANTELOPE CREEK	SESW	Sec. 36 Twp 05N	Rge 24E	BUTTE County
ANTELOPE CREEK	SESW	Sec. 36 Twp 05N	Rge 24E	BUTTE County

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	24E	1					5.0												5.0
							L 3												
05N	24E	36			19.7	20.0				4.2	34.8			10.2	38.5	40.3	37.2	7.7	212.6
05N	25E	31							23.3		19.1								42.4

Total Acres: 260

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 30.0 acres within the authorized place of use in a single irrigation season.
2. Rights 34-784, 34-785 and 34-786 when combined shall not exceed the irrigation of 260.0 acres.
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. 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).
5. 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.

WATER RIGHT NO. 34-784
As Modified by Transfer No. 77757

CONDITIONS OF APPROVAL

6. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 23rd day of August, 2012



Water Resources Program Manager

WATER RIGHT NO. 34-785
As Modified by Transfer No. 77757

In accordance with the approval of Transfer No. 77757, Water Right No. 34-785 is now described as follows.

Right Holder: TOMMY C WADDOUPS LLC
22914 N SHORTHORN
SUN CITY WEST AZ 85375

Priority Date: May 01, 1886

Source: ANTELOPE CREEK

Tributary: BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01 to	10/15	2.90 CFS

LOCATION OF POINT(S) OF DIVERSION:

ANTELOPE CREEK	L3 (NENW)	Sec. 1 Twp 04N	Rge 24E	BUTTE County
ANTELOPE CREEK	NWSW	Sec. 36 Twp 05N	Rge 24E	CUSTER County
ANTELOPE CREEK	SESW	Sec. 36 Twp 05N	Rge 24E	CUSTER County
ANTELOPE CREEK	SESW	Sec. 36 Twp 05N	Rge 24E	BUTTE County

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	24E	1					5.0												5.0
							L3												
05N	24E	36			19.7	20.0				4.2	34.8			10.2	38.5	40.3	37.2	7.7	212.6
05N	25E	31							23.3		19.1								42.4

Total Acres: 260

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 145.0 acres within the authorized place of use in a single irrigation season.
2. Rights 34-784, 34-785 and 34-786 when combined shall not exceed the irrigation of 260.0 acres.
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. 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).
5. 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.

WATER RIGHT NO. 34-785
As Modified by Transfer No. 77757

CONDITIONS OF APPROVAL

6. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 23rd day of August, 20 12



Water Resources Program Manager

WATER RIGHT NO. 34-786
As Modified by Transfer No. 77757

In accordance with the approval of Transfer No. 77757, Water Right No. 34-786 is now described as follows.

Right Holder: TOMMY C WADDOUPS LLC
22914 N SHORTHORN
SUN CITY WEST AZ 85375

Priority Date: September 27, 1911

Source: ANTELOPE CREEK

Tributary: BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01	to 10/15	1.70 CFS

LOCATION OF POINT(S) OF DIVERSION:

ANTELOPE CREEK	L3 (NENW)	Sec. 1 Twp 04N	Rge 24E	BUTTE County
ANTELOPE CREEK	NWSW	Sec. 36 Twp 05N	Rge 24E	CUSTER County
ANTELOPE CREEK	SESW	Sec. 36 Twp 05N	Rge 24E	CUSTER County
ANTELOPE CREEK	SESW	Sec. 36 Twp 05N	Rge 24E	BUTTE County

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	24E	1					5.0												5.0
							L 3												
05N	24E	36			19.7	20.0				4.2	34.8			10.2	38.5	40.3	37.2	7.7	212.6
05N	25E	31							23.3		19.1								42.4

Total Acres: 260

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 85.0 acres within the authorized place of use in a single irrigation season.
2. Rights 34-784, 34-785 and 34-786 when combined shall not exceed the irrigation of 260.0 acres.
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. 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).
5. 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.

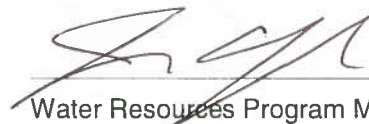
WATER RIGHT NO. 34-786
As Modified by Transfer No. 77757

CONDITIONS OF APPROVAL

6. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 23rd day of August, 20 12


Water Resources Program Manager