

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77209

This is to certify that: WEST MOUNTAIN WATER ASSN INC
 PO BOX 388
 CASCADE ID 83611
 (208)382-4288

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>
65-13088	WR/License	07/26/1989	0.05 cfs	34.8 af	N/A	N/A	ROCK CREEK
65-3111A	WR/Decreed	06/01/1894	0.05 cfs	30.0 af	N/A	N/A	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>
65-13088	NO	NO	YES	NO	NO	NO
65-3111A	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>
65-13088	65-13088	0.05 cfs	34.8 af	N/A	N/A		N/A	N/A	N/A	N/A
65-3111A	65-3111A	0.05 cfs	30.0 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.05 cfs	36.2 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of August, 20 12

for Samuel S. Skaggs
 Chief, Water Allocation Bureau

SUPPORT DATA
 IN FILE # 65-3111A

**WATER RIGHT NO. 65-3111A
As Modified by Transfer No. 77209**

In accordance with the approval of Transfer No. 77209, Water Right No. 65-3111A is now described as follows.

Right Holder: WEST MOUNTAIN WATER ASSN INC
PO BOX 388
CASCADE ID 83611

Priority Date: June 01, 1894

Source: ROCK CREEK

Tributary: NORTH FORK PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	to 12/31	0.05 CFS	30.0 AF
			0.05 CFS	30.0 AF

LOCATION OF POINT(S) OF DIVERSION:

ROCK CREEK NESW Sec. 3 Twp 13N Rge 03E VALLEY County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N 03E 3	X	X	X	X									X	X	X	X	
	L1	L2															
	L8	L7															

CONDITIONS OF APPROVAL

1. Rights 65-3111A and 65-13088 when combined shall not exceed a total diversion rate of 0.05 cfs, and a total annual maximum diversion volume of 36.2 af.
2. 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. 65, Payette River and tributaries.
3. 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).
4. Source is also known as Richard Creek.
5. The following right is also diverted through the point of diversion described above: 65-13088.
6. This right does not grant any right-of-way or easement across the land of another.
7. The quantity of water decreed for this water right is not a determination of historical beneficial use.

WATER RIGHT NO. 65-3111A
As Modified by Transfer No. 77209

CONDITIONS OF APPROVAL

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 10th day of August, 20 12

for Patricia S. Skaggs
Chief, Water Allocation Bureau

WATER RIGHT NO. 65-13088
As Modified by Transfer No. 77209

In accordance with the approval of Transfer No. 77209, Water Right No. 65-13088 is now described as follows.

Right Holder: WEST MOUNTAIN WATER ASSN INC
 PO BOX 388
 CASCADE ID 83611

Priority Date: July 26, 1989

Source: ROCK CREEK

Tributary: NORTH FORK PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.05 CFS	34.8 AF
			0.05 CFS	34.8 AF

LOCATION OF POINT(S) OF DIVERSION:

ROCK CREEK NESW Sec. 3 Twp 13N Rge 03E VALLEY County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N 03E 3	X	X	X	X									X	X	X	X	
	L 1	L 2															
	L 8	L 7															

CONDITIONS OF APPROVAL

1. Rights 65-3111A and 65-13088 when combined shall not exceed a total diversion rate of 0.05 cfs, and a total annual maximum diversion volume of 36.2 af.
2. 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. 65, Payette River and tributaries.
3. 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).
4. The following right is also diverted through the point of diversion described above: 65-3111A.
5. Domestic use is for 29 homes.
6. Source is also known as Richard Creek.
7. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 65-13088
As Modified by Transfer No. 77209

CONDITIONS OF APPROVAL

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.

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 10th day of August, 2012

for Camela S. Skaggs
Chief, Water Allocation Bureau