

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77600

This is to certify that: HOWARD ROBINSON And KAREN ROBINSON
 2288 WILLIAMSBURG CIRCLE
 WEST JORDAN UT 84088
 (801)450-0126

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>
45-14377	WR/Decreed	05/01/1882	0.32 cfs	N/A	78.2	154.0	MILL CREEK
45-14379	WR/Decreed	04/01/1960	1.3 cfs	N/A	115.0	115.0	MILL CREEK
45-14381	WR/Decreed	12/31/1879	0.11 cfs	1.2 af	35.9	70.0	MILL 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>
45-14377	NO	NO	YES	NO	NO	NO
45-14379	NO	NO	YES	NO	NO	NO
45-14381	NO	NO	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	0.32 cfs	N/A	78.2	130.8		N/A	N/A	N/A	N/A
45-14379	45-14379	1.3 cfs	N/A	115.0	130.8		N/A	N/A	N/A	N/A
45-14381	45-14381	0.11 cfs	1.2 af	35.9	130.8		N/A	N/A	N/A	N/A
COMBINED TOTALS		1.73 cfs		115	130.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 22nd day of May, 20 12


 Southern Region Manager

SUPPORT DATA

IN FILE # 47-14377

WATER RIGHT NO. 45-14377
As Modified by Transfer No. 77600

In accordance with the approval of Transfer No. 77600, 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: May 01, 1882

Source: MILL CREEK

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.32 CFS
			0.32 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

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 115 acres.
3. The rights in Transfer 77600 are limited to the irrigation of a specific 115.0 acres within the 130.8 acre place of use authorized by these rights in a single irrigation season. The specific 115.0 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 115.0 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.
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. 45A.
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.

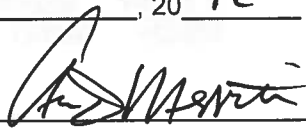
WATER RIGHT NO. 45-14377
As Modified by Transfer No. 77600

CONDITIONS OF APPROVAL

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. 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.
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 22nd day of May, 2012



Southern Region Manager

WATER RIGHT NO. 45-14379
As Modified by Transfer No. 77600

In accordance with the approval of Transfer No. 77600, 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: April 01, 1960

Source: MILL CREEK

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	1.30 CFS
			1.30 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

Total Acres: 130.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 115 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 115 acres.
3. The rights in Transfer 77600 are limited to the irrigation of a specific 115.0 acres within the 130.8 acre place of use authorized by these rights in a single irrigation season. The specific 115.0 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 115.0 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.
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. 45A.
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.

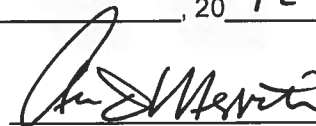
WATER RIGHT NO. 45-14379
As Modified by Transfer No. 77600

CONDITIONS OF APPROVAL

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. 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.
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 22nd day of May, 2012



Southern Region Manager

WATER RIGHT NO. 45-14381
As Modified by Transfer No. 77600

In accordance with the approval of Transfer No. 77600, 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: December 31, 1879

Source: MILL CREEK

Tributary: SINKS

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	03/15	to 11/15	0.11 CFS	
STOCKWATER	01/01	to 12/31	0.02 CFS	1.2 AF
			0.11 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

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

Total Acres: 130.8

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 22E 35		X	X										X	X			

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 115 acres.
3. The rights in Transfer 77600 are limited to the irrigation of a specific 115.0 acres within the 130.8 acre place of use authorized by these rights in a single irrigation season. The specific 115.0 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 115.0 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.**

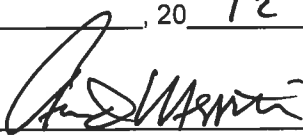
WATER RIGHT NO. 45-14381
As Modified by Transfer No. 77600

CONDITIONS OF APPROVAL

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. 45A.
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.
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. 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.
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 22nd day of May, 2012



Southern Region Manager

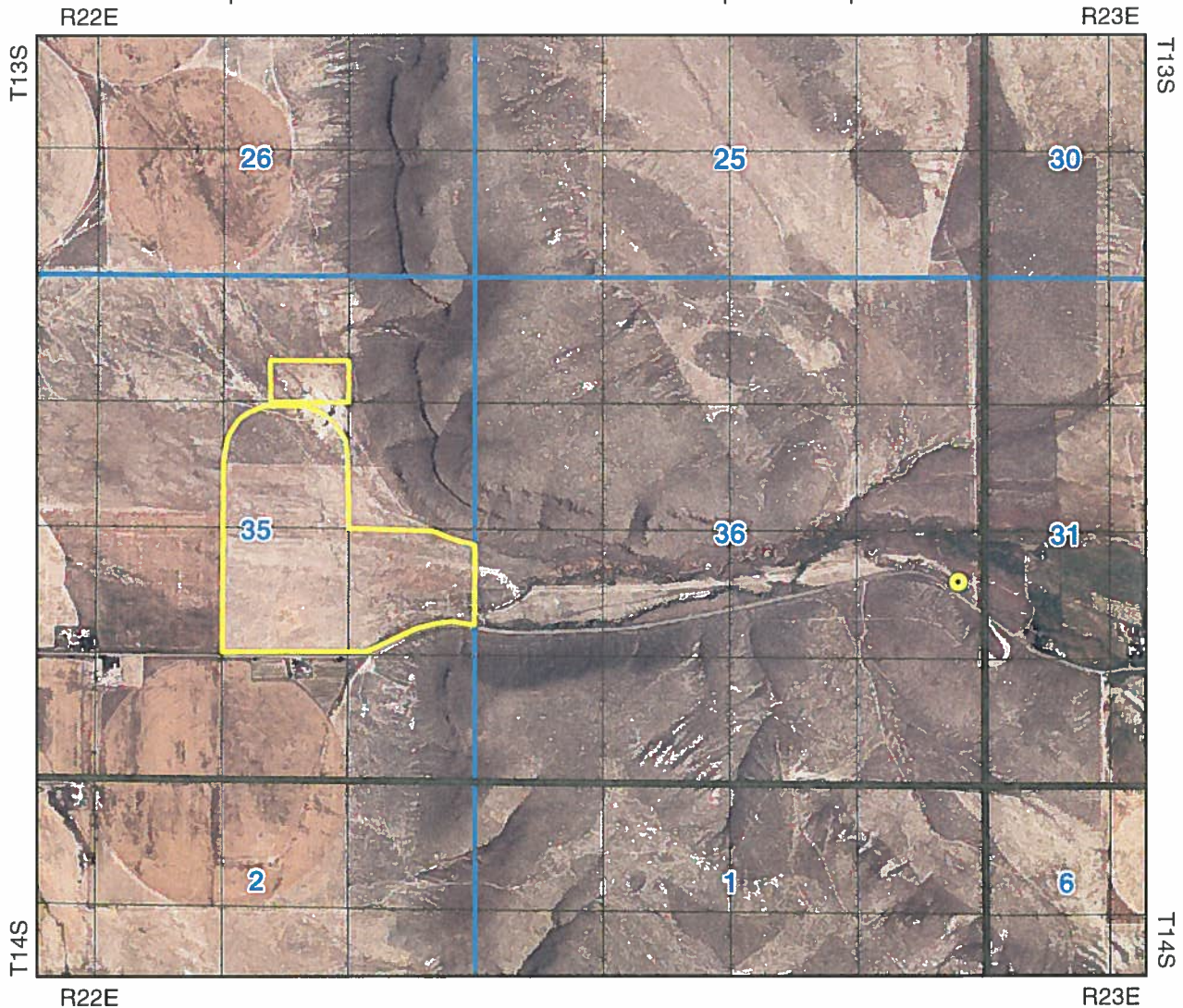
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 77600

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

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes. The map depicts the authorized 115 acres within the 130.8 permissible place of use.



0 0.225 0.45 0.9 Miles

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

