

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77659

This is to certify that: BRUCE H WHEATLEY
2584 W ARIMO RD
ARIMO ID 83214
(208)254-3357

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>
29-4470	WR/Decreed	04/01/1905	0.2 cfs	N/A	N/A	20.0	ELLIS CREEK

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
29-401	WR/Decreed	05/01/1902	0.75 cfs	N/A	N/A	43.0	GARDEN CREEK
29-402	WR/Decreed	05/01/1904	1 cfs	N/A	N/A	43.0	GARDEN 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>
29-4470	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>
29-4470	29-4470	0.2 cfs	N/A	14.2	14.2		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.2 cfs	N/A	14.2	14.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of January, 2012


Water Resources Program Manager

SUPPORT DATA
IN FILE # 29-4470

WATER RIGHT NO. 29-4470
As Modified by Transfer No. 77659

In accordance with the approval of Transfer No. 77659, Water Right No. 29-4470 is now described as follows.

Right Holder: BRUCE H WHEATLEY And/Or
DARLENE WHEATLEY
2584 W ARIMO RD
ARIMO ID 83214

Priority Date: April 01, 1905

Source: ELLIS CREEK

Tributary: BIRCH CREEK

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

ELLIS CREEK

L1 (NESW)

Sec. 33 Twp 09S Rge 36E BANNOCK 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	
09S	36E	33													1.0	13.2			14.2

Total Acres: 14.2

WATER RIGHT NO. 29-4470
As Modified by Transfer No. 77659

CONDITIONS OF APPROVAL

1. 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.
2. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right does not grant any right-of-way or easement across the land of another.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 25th day of January, 2012


Water Resources Program Manager

WATER RIGHT NO. 29-401
As Modified by Transfer No. 77659

In accordance with the approval of Transfer No. 77659, Water Right No. 29-401 is now described as follows.

Right Holder: BRUCE H WHEATLEY AND/OR
DARLENE WHEATLEY
2584 W ARIMO RD
ARIMO ID 83214

Priority Date: May 01, 1902

Source: GARDEN CREEK

Tributary: MARSH CREEK

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK

SESE

Sec. 5 Twp 10S Rge 36E BANNOCK County

GARDEN CREEK

L1 (NWNW)

Sec. 7 Twp 10S Rge 36E BANNOCK 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	
09S	36E	33													4.0	17.6	1.4		23.0
															L 2		L 5		

Total Acres: 23

CONDITIONS OF APPROVAL

1. The rights listed below are limited to a total combined diversion rate of 0.93 cfs. Combined Right Nos.: 29-401 and 29-402.
2. The rights listed below are limited to the irrigation of a combined total of 23 acres in a single irrigation season. Combined Right Nos.: 29-401 and 29-402.
3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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 25th day of January, 20 12


Water Resources Program Manager

WATER RIGHT NO. 29-402
As Modified by Transfer No. 77659

In accordance with the approval of Transfer No. 77659, Water Right No. 29-402 is now described as follows.

Right Holder: BRUCE H WHEATLEY AND/OR
 DARLENE WHEATLEY
 2584 W ARIMO RD
 ARIMO ID 83214

Priority Date: May 01, 1904

Source: GARDEN CREEK

Tributary: MARSH CREEK

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

0.53 CFS

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK	SESE	Sec. 5	Twp 10S	Rge 36E	BANNOCK County
GARDEN CREEK	L1 (NWNW)	Sec. 7	Twp 10S	Rge 36E	BANNOCK 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	
09S	36E	33													4.0	17.6	1.4		23.0
															L 2		L 5		

Total Acres: 23

CONDITIONS OF APPROVAL

1. The rights listed below are limited to a total combined diversion rate of 0.93 cfs. Combined Right Nos.: 29-401 and 29-402.
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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 25th day of January, 20 12


 Water Resources Program Manager