

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77382

This is to certify that: ALBERT JAY COTTLE And/or JULENE COTTLE
 1750 S 1900 E
 MALTA ID 83342
 (208)645-2567

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>
43-412	WR/Decreed	06/15/1873	2 cfs	N/A		162.3	CASSIA CREEK
43-88	WR/Decreed	03/01/1880	0.06 cfs	N/A	2.4	162.3	CASSIA 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>
43-412	NO	YES	NO	YES	NO	NO
43-88	NO	YES	NO	YES	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>
43-412	43-412	2 cfs	N/A	N/A	162.3		N/A	N/A	N/A	N/A
43-88	43-88	0.06 cfs	N/A	2.4	162.3		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.06 cfs			162.3		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of September, 20 11


 Southern Region Manager

WATER RIGHT NO. 43-88
As Modified by Transfer No. 77382

In accordance with the approval of Transfer No. 77382, Water Right No. 43-88 is now described as follows.

Right Holder: ALBERT JAY COTTLE
 1750 S 1900 E
 MALTA ID 83342

And/Or

JULENE COTTLE
 1750 S 1900 E
 MALTA ID 83342

Priority Date: March 01, 1880

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.06 CFS
			0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK	SWSWSW	Sec. 20 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	NESW	Sec. 21 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	NESE	Sec. 21 Twp 13S Rge 26E 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	26E	21				13.0					9.3			23.0	27.0	36.0	24.0	21.0	9.0	162.3

Total Acres: 162.3

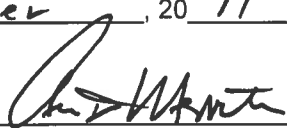
WATER RIGHT NO. 43-88
As Modified by Transfer No. 77382

CONDITIONS OF APPROVAL

1. 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. 43-C.
2. This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.
3. Rights 43-88 and 43-13421 when combined shall not exceed a total annual maximum diversion volume of 9.6 af at the field headgate, and the irrigation of 2.4 acres.
4. Rights 43-88 and 43-412 when combined shall not exceed a total diversion rate of 2.06 cfs and the irrigation of 162.3 acres.
5. Rights 43-412, 43-4191, 43-88, 43-13421 and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
6. 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 diversions.
7. 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.
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 12th day of September, 20 11


Southern Region Manager

WATER RIGHT NO. 43-412
As Modified by Transfer No. 77382

In accordance with the approval of Transfer No. 77382, Water Right No. 43-412 is now described as follows.

Right Holder: ALBERT JAY COTTLE
1750 S 1900 E
MALTA ID 83342

And/Or

JULENE COTTLE
1750 S 1900 E
MALTA ID 83342

Priority Date: June 15, 1873

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	2.00 CFS
			2.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK	SWSWSW	Sec. 20 Twp 13S	Rge 26E	CASSIA County
CASSIA CREEK	NESW	Sec. 21 Twp 13S	Rge 26E	CASSIA County
CASSIA CREEK	NESE	Sec. 21 Twp 13S	Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13S	26E	21				13.0					9.3		23.0	27.0	36.0	24.0	21.0	9.0	162.3

Total Acres: 162.3

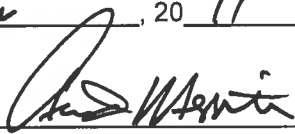
WATER RIGHT NO. 43-412
As Modified by Transfer No. 77382

CONDITIONS OF APPROVAL

1. Rights 43-88 and 43-412 when combined shall not exceed a total diversion rate of 2.06 cfs and the irrigation of 162.3 acres.
2. Rights 43-412, 43-4191, 43-88, 43-13421 and 43-2271 when combined shall not exceed the irrigation of 164.3 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 43-C.
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 diversions.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 12th day of September, 20 11



Southern Region Manager

State of Idaho
Department of Water Resources

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



Legend

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