

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 77447**

This is to certify that: JERRY BROWER And  
 CONNIE BROWER  
 2767 LEISURE WORLD  
 MESA AZ 85206  
 (480)325-7405

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 35-14156     | WR/Decreed          | 08/19/1952      | 1.55 cfs    | 412 af        | N/A               | 103.0              | GROUND WATER  |
| 35-14161     | WR/Decreed          | 08/19/1952      | 1.19 cfs    | 340 af        | N/A               | 85.0               | GROUND WATER  |

**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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 35-14156              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 35-14161              | NO           | NO         | YES        | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 35-14156              | <b>35-14156</b>                  | 1.55 cfs             | 412 af                 | 103.0             | 332.5              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 35-14161              | <b>35-14161</b>                  | 1.19 cfs             | 340 af                 | 85.0              | 332.5              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>2.74 cfs</b>      | <b>752 af</b>          | <b>188.0</b>      | <b>332.5</b>       |                                    | N/A                   | N/A                     | N/A                         | N/A                          |

Detailed Water Right Description(s) attached

Dated this 7<sup>th</sup> day of October, 20 11

  
 Water Resources Program Manager

SUPPORT DATA  
 IN FILE # 35-14156

**WATER RIGHT NO. 35-14156**  
**As Modified by Transfer No. 77447**

In accordance with the approval of Transfer No. 77447, Water Right No. 35-14156 is now described as follows.

**Right Holder:** JERRY BROWER And  
 CONNIE BROWER  
 2767 LEISURE WORLD  
 MESA AZ 85206

**Priority Date:** August 19, 1952

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 1.55 CFS              | 412.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |        |                                        |
|--------------|--------|----------------------------------------|
| GROUND WATER | NWSWNE | Sec. 36 Twp 01S Rge 33E BINGHAM County |
| GROUND WATER | SESW   | Sec. 36 Twp 01S Rge 33E BINGHAM 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  |        |
| 01S | 33E | 36  | 8.0 | 35.0 | 40.0 | 38.5 | 40.0 |    | 3.5 | 40.0 | 40.0 | 4.5 | .5 | 3.0 | 34.0 | 40.0 | 2.5 | 3.0 | 332.5  |

Total Acres: 332.5

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 103.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14156 and 35-14161 when combined shall not exceed the irrigation of 188.0 acres.
3. Rights 35-14156 and 35-14161 are limited to the irrigation of a specific 188.0 acres within the 332.5 acre place of use authorized by this right in a single irrigation season. The specific 188.0 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 188.0 acres to be irrigated within the 332.5 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

**WATER RIGHT NO. 35-14156**  
**As Modified by Transfer No. 77447**

**CONDITIONS OF APPROVAL**

6. Prior to the diversion and use of water under Transfer approval 77447, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one years of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 7<sup>th</sup> day of October, 20 11



Water Resources Program Manager

**WATER RIGHT NO. 35-14161**  
**As Modified by Transfer No. 77447**

In accordance with the approval of Transfer No. 77447, Water Right No. 35-14161 is now described as follows.

**Right Holder:** JERRY BROWER And  
 CONNIE BROWER  
 2767 LEISURE WORLD  
 MESA AZ 85206

**Priority Date:** August 19, 1952

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 10/31  | 1.19 CFS              | 340.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |        |                 |         |                |
|--------------|--------|-----------------|---------|----------------|
| GROUND WATER | NWSWNE | Sec. 36 Twp 01S | Rge 33E | BINGHAM County |
| GROUND WATER | SESW   | Sec. 36 Twp 01S | Rge 33E | BINGHAM 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  |        |
| 01S | 33E | 36  | 8.0 | 35.0 | 40.0 | 38.5 | 40.0 |    | 3.5 | 40.0 | 40.0 | 4.5 | .5 | 3.0 | 34.0 | 40.0 | 2.5 | 3.0 | 332.5  |

Total Acres: 332.5

**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 35-14156 and 35-14161 when combined shall not exceed the irrigation of 188.0 acres.
3. Rights 35-14156 and 35-14161 are limited to the irrigation of a specific 188.0 acres within the 332.5 acre place of use authorized by this right in a single irrigation season. The specific 188.0 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 188.0 acres to be irrigated within the 332.5 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

**WATER RIGHT NO. 35-14161**  
**As Modified by Transfer No. 77447**

**CONDITIONS OF APPROVAL**

6. Prior to the diversion and use of water under Transfer approval 77447, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one years of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 7th day of October, 20 11

  
Water Resources Program Manager