

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76960

This is to certify that: WILLIAM VAN HANDEL

PO BOX 231
MOUNTAIN HOME ID 83647
(208)366-2540

And

M PETER NIELSEN
4303 SW EASY ST
MOUNTAIN HOME ID 83647
(208)832-4382

have 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>
61-12229	WR/Decreed	03/15/1977	0.32 cfs	N/A	29.4	131.7	GROUND WATER
61-12231	WR/Decreed	04/23/1964	1.44 cfs	456.1 af	102.3	131.7	GROUND WATER

Purpose of Transfer (Changes Proposed)

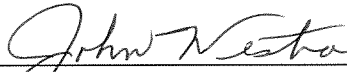
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
61-12229	YES	YES	YES	NO	NO	YES
61-12231	YES	YES	YES	NO	NO	YES

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>
61-12229	61-12267	0.01 cfs	N/A	N/A	N/A	61-12266	0.31 cfs	N/A	28.9	129.7
61-12231	61-12265	0.02 cfs	6.7 af	N/A	N/A	61-12264	1.42 cfs	449.4 af	100.8	129.7
COMBINED										
TOTALS		0.02 cfs	6.7 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 26th day of August, 20 11


John Westra, Western Regional Manager

SUPPORT DATA

IN FILE # 61-12229

WATER RIGHT NO. 61-12264
As Modified by Transfer No. 76960

In accordance with the approval of Transfer No. 76960, Water Right No. 61-12264 is now described as follows.

Right Holder: M PETER NIELSEN
 4303 SW EASY ST
 MOUNTAIN HOME ID 83647

Priority Date: April 23, 1964

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	1.42 CFS	449.4 AF
			1.42 CFS	449.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENW Sec. 19 Twp 04S Rge 05E ELMORE 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	
04S	05E	19	21.9	11.4	32.2		23.6		7.4	33.2									129.7

Total Acres: 129.7

CONDITIONS OF APPROVAL

- 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 right is limited to the irrigation of 100.8 acres within the place of use described above in a single irrigation season.
- Rights 61-12264 and 61-12266 when combined shall not exceed a total diversion rate of 1.42 cfs, a total annual maximum diversion volume of 449.4 af at the field headgate, and the irrigation of 129.7 acres.
- Right 61-12266 is an enlargement of Right 61-12264 pursuant to Section 42-1426, Idaho Code.
- The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10-26-2000.
- The following right is also diverted through point of diversion described above: 61-12266.

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 26th day of August, 20 11


 John Westra, Western Regional Manager

WATER RIGHT NO. 61-12265**As Modified by Transfer No. 76960**

In accordance with the approval of Transfer No. 76960, Water Right No. 61-12265 is now described as follows.

Right Holder: WILLIAM VAN HANDEL
PO BOX 231
MOUNTAIN HOME ID 83647 And

M PETER NIELSEN
4303 SW EASY ST
MOUNTAIN HOME ID 83647

Priority Date: April 23, 1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.02 CFS	6.7 AF
			0.02 CFS	6.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSW Sec. 26 Twp 03S Rge 06E ELMORE County

PLACE OF USE: COMMERCIAL

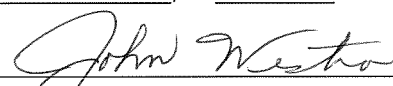
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	06E	26																	X

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
5. Rights 61-12265 and 61-12267 when combined shall not exceed a total diversion rate of .02 cfs nor a total annual maximum diversion volume of 6.0 af.
6. The following right is also diverted through point of diversion described above: 61-12267.

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 26th day of August, 20 11


John Westra, Western Regional Manager

WATER RIGHT NO. 61-12266
As Modified by Transfer No. 76960

In accordance with the approval of Transfer No. 76960, Water Right No. 61-12266 is now described as follows.

Right Holder: M PETER NIELSEN
 4303 SW EASY ST
 MOUNTAIN HOME ID 83647

Priority Date: March 15, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.31 CFS
			0.31 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENW Sec. 19 Twp 04S Rge 05E ELMORE 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	
04S	05E	19	21.9	11.4	32.2		23.6		7.4	33.2									129.7

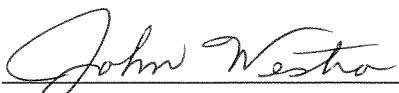
Total Acres: 129.7

CONDITIONS OF APPROVAL

- 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 right is limited to the irrigation of 28.9 acres within the place of use described above in a single irrigation season.
- Rights 61-12264 and 61-12266 when combined shall not exceed a total diversion rate of 1.42 cfs, a total annual maximum diversion volume of 449.4 af at the field headgate, and the irrigation of 129.7 acres.
- Right 61-12266 is an enlargement of Right 61-12264 pursuant to Section 42-1426, Idaho Code.
- The following right is also diverted through point of diversion described above: 61-12264.

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 26th day of August, 2011


 John Westra, Western Regional Manager

WATER RIGHT NO. 61-12267**As Modified by Transfer No. 76960**

In accordance with the approval of Transfer No. 76960, Water Right No. 61-12267 is now described as follows.

Right Holder: WILLIAM VAN HANDEL
PO BOX 231
MOUNTAIN HOME ID 83647 And

M PETER NIELSEN
4303 SW EASY ST
MOUNTAIN HOME ID 83647

Priority Date: March 15, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
COMMERCIAL	01/01	to 12/31	0.01 CFS
			0.01 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSW Sec. 26 Twp 03S Rge 06E ELMORE County

PLACE OF USE: COMMERCIAL

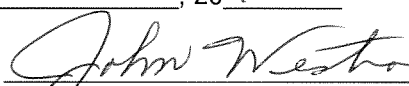
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	06E	26																	X

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
5. Rights 61-12265 and 61-12267 when combined shall not exceed a total diversion rate of .02 cfs nor a total annual maximum diversion volume of 6.0 af.
6. The following right is also diverted through point of diversion described above: 61-12265.

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 26th day of August, 20 11


John Westra, Western Regional Manager