

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77374

This is to certify that: MARTIN W HALPERN
 PO BOX 32
 ARGYLE TX 76226
 (940)241-2259

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>
75-7067	WR/Decreed	03/09/1976	0.16 cfs	28.3 af	N/A	8.1	SOUTH GULCH CREEK
75-4043	WR/Decreed	05/01/1952	0.15 cfs	N/A	3.4	3.4	SOUTH GULCH CREEK, SPRING

Purpose of Transfer (Changes Proposed)

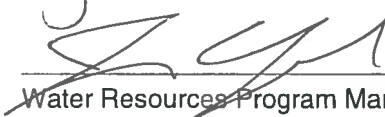
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
75-7067	NO	NO	YES	NO	YES	YES
75-4043	NO	NO	YES	NO	NO	NO

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>
75-7067	75-7067	0.16 cfs	7.7 af	3.8	6.1		N/A	N/A	N/A	N/A
75-4043	75-4043	0.15 cfs	N/A	3.4	6.1		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.31 cfs	7.7 af	6.1	6.1		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of August, 20 11


 Water Resources Program Manager

SUPPORT DATA

IN FILE # 75-4043

WATER RIGHT NO. 75-4043
As Modified by Transfer No. 77374

In accordance with the approval of Transfer No. 77374, Water Right No. 75-4043 is now described as follows.

Right Holder: MARTIN W HALPERN
 PO BOX 32
 ARGYLE TX 76226

Priority Date: May 01, 1952

Source: SOUTH GULCH CREEK **Tributary:** BIG HAT CREEK
 SPRING BIG HAT CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01	to 12/31	0.02 CFS
IRRIGATION	04/01	to 10/31	0.13 CFS
			0.15 CFS

LOCATION OF POINT(S) OF DIVERSION:

SOUTH GULCH CREEK	SESW	Sec. 11 Twp 17N Rge 20E LEMHI County
SPRING	SESW	Sec. 11 Twp 17N Rge 20E LEMHI County

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	
17N	20E	14					X	X	X	X									

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	
17N	20E	14					1.1	1.2	1.4	2.4									6.1

Total Acres: 6.1

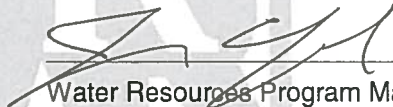
WATER RIGHT NO. 75-4043
As Modified by Transfer No. 77374

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.4 acres within the authorized place of use in a single irrigation season.
2. Rights 75-4043 and 75-7067 when combined shall not exceed the irrigation of 6.1 acres.
3. 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.
4. Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
5. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6. Place of use does not include federal public lands
7. This right does not grant any right-of-way or easement across the land of another.
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.

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 August, 20 11


Water Resources Program Manager

Right Holder: MARTIN W HALPERN
PO BOX 32
ARGYLE TX 76226

Source: SOUTH GULCH CREEK **Tributary:** BIG HAT CREEK

LOCATION OF POINT(S) OF DIVERSION:

PLACE OF USE: IRRIGATION

Total Acres: 6.1

[illegible]

WATER RIGHT NO. 75-7067
As Modified by Transfer No. 77374

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.8 acres within the authorized place of use in a single irrigation season.
2. Rights 75-7067 and 75-4043 when combined shall not exceed the irrigation of 6.1 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
5. The three (3) ponds established by the storage of water under this right shall not exceed a total capacity of 6.0 acre-feet and a total surface area of 1 acre.
6. Right 75-7067 authorizes the diversion of an annual total of 7.7 acre-feet to be used for the initial filling of the ponds and for the replacement of losses caused by evaporation.
7. The right holder shall install and maintain an impermeable liner in the ponds to eliminate seepage losses.
8. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
9. Place of use does not include federal public lands.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 August, 20 11


Water Resources Program Manager