

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75337

This is to certify that: NANCIE TATUM
PO BOX 1365
SUN VALLEY ID 83353
(415) 706-9365

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>
37-22327	WR/Decreed	12/14/1974	0.31 cfs	50.7 af	N/A	14.3	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>
37-22327	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>
37-22327	37-22656	0.04 cfs	7.0 af	1.5	2.7	37-22655	0.27 cfs	43.7 af	12.3	14.3
COMBINED TOTALS		0.04 cfs	7.0 af	1.5	2.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 9th day of August, 20 11

for Pamela S. Skaggs
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22655
As Modified by Transfer No. 75337

In accordance with the approval of Transfer No. 75337, Water Right No. 37-22655 is now described as follows.

Right Holder: KATHI WAGNER And
 ROBERT WAGNER
 PO BOX 182
 BELLEVUE ID 83313

Priority Date: December 14, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.25 CFS	43.1 AF
DOMESTIC	01/01	to 12/31	0.02 CFS	0.6 AF
			0.27 CFS	43.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENE Sec. 28 Twp 01N Rge 18E BLAINE 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	
01N 18E 28			1.3	13.0													14.3

Total Acres: 14.3

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 18E 28			X	X													

CONDITIONS OF APPROVAL

- Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
- This right is limited to the irrigation of 12.3 acres within the authorized place of use in a single irrigation season.
- The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

WATER RIGHT NO. 37-22655
As Modified by Transfer No. 75337

CONDITIONS OF APPROVAL

4. 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 purposes.
5. 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 9th day of August, 2011

for Camela S Skaggs
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22656
As Modified by Transfer No. 75337

In accordance with the approval of Transfer No. 75337, Water Right No. 37-22656 is now described as follows.

Right Holder: KATHI WAGNER And
 ROBERT WAGNER
 PO BOX 182
 BELLEVUE ID 83313

Priority Date: December 14, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.03 CFS	5.3 AF
MITIGATION	04/15	to 10/15	0.01 CFS	1.7 AF
			0.04 CFS	7.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWSE Sec. 6 Twp 03N Rge 18E BLAINE 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>	
03N 18E 6														2.7			2.7

Total Acres: 2.7

PLACE OF USE: MITIGATION

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>	
03N 18E 6														X			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.5 acres within the place of use described above in a single irrigation season.
2. To prevent injury to water rights 37-7919 and 37-8307 held in the name of the Idaho Water Resource Board for minimum stream flows on the Big Wood River the 0.03 cfs allowed for irrigation use from ground water authorized by Transfer 75337 shall be subject to curtailment when flows at the Hailey gauge drop below 189 cfs or curtailed by priority whichever occurs first. The Director retains jurisdiction to modify this condition authorized by Transfer 75337 to prevent injury to other users as may be required based on future studies or the addition of gauges on the Big Wood River.

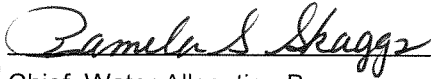
WATER RIGHT NO. 37-22656
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CONDITIONS OF APPROVAL

3. The portion of this ground water right designated for mitigation use shall remain undiverted to prevent injury to other water right holders.
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. 37, Big Wood River.
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.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. The diversion and use of water described in Transfer 75337 may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
9. The right holder shall accomplish the change authorized by this transfer within one year 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 9th day of August, 2011


for Chief, Water Allocation Bureau