

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 77307

This is to certify that: KENNETH MARSCHALL And
MARILYN MARSCHALL
3680 1ST LN E
PARMA ID 83660
(208)674-1251

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>
63-3606	WR/Decreed	07/02/1967	1.12 cfs	360 af	N/A	80.0	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

63-8081B	WR/Decreed	02/04/1975	0.24 cfs	54 af	N/A	12.0	GROUND WATER
63-9262	WR/Decreed	10/21/1980	1.61 cfs	535.5 af	N/A	119.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

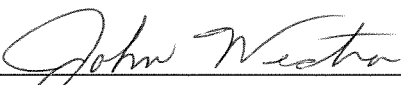
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-3606	YES	YES	YES	NO	NO	NO

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>
63-3606	63-33534	0.04 cfs	14.4 af	N/A	3.2	63-33533	1.08 cfs	345.6 af	N/A	76.8
COMBINED TOTALS		0.04 cfs	14.4 af	N/A	3.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7th day of July, 20 11


John Westra, Western Regional Manager

SUPPORT DATA

IN FILE # 63-3606

WATER RIGHT NO. 63-33533
As Modified by Transfer No. 77307

In accordance with the approval of Transfer No. 77307, Water Right No. 63-33533 is now described as follows.

Right Holder: KATHERINE L HYATT And
 JEFFERY A HYATT
 3400 2ND LN E
 PARMA ID 83660

Priority Date: July 02, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.08 CFS	345.6 AF
			1.08 CFS	345.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSW Sec. 34 Twp 07N Rge 05W PAYETTE 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			
07N	05W	34																	36.8	40.0	76.8

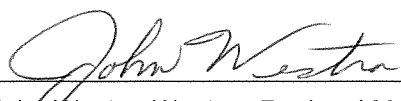
Total Acres: 76.8

CONDITIONS OF APPROVAL

1. 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.
2. The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. The rights listed below are limited to a total combined diversion rate of 2.02 cfs and to a total combined annual diversion volume of 687.6 AF. Combined Right Nos.: 63-8081B, 63-9262 and 63-33533.
4. The rights listed below are limited to the irrigation of a combined total of 140.8 acres in a single irrigation season. Combined Right Nos.: 63-9262 and 63-33533.
5. Right Nos. 63-8081B and 63-9262 are also diverted through point of diversion described above.

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 July, 20 11


 John Westra, Western Regional Manager

WATER RIGHT NO. 63-33534**As Modified by Transfer No. 77307**

In accordance with the approval of Transfer No. 77307, Water Right No. 63-33534 is now described as follows.

Right Holder: KENNETH MARSCHALL And
MARILYN MARSCHALL
3680 1ST LN E
PARMA ID 83660

Priority Date: July 02, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.04 CFS	14.4 AF
			0.04 CFS	14.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 34 Twp 07N Rge 05W PAYETTE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
07N	05W	34	NE	NW	SW	SE	3.2

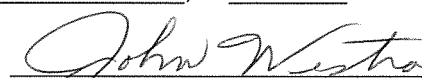
Total Acres: 3.2

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. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/6/2009.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
6. Point of diversion and place of use are located within Lot 2, Homestead Hills Subdivision.

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 July, 20 11


John Westra, Western Regional Manager

WATER RIGHT NO. 63-8081B
As Modified by Transfer No. 77307

In accordance with the approval of Transfer No. 77307, Water Right No. 63-8081B is now described as follows:

Right Holder: KATHERINE L HYATT And
 JEFFERY A HYATT
 3400 2ND LN E
 PARMA ID 83660

Priority: February 04, 1975

Maximum Diversion Rate: 0.24 CFS
 Maximum Diversion Volume: 54.0 AF

SOURCE

GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/15 to 10/31	0.24 CFS	54.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4SW1/4 Sec. 34, Twp 07N, Rge 05W, B.M. PAYETTE 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	
06N	05W	3		8.0	2.0													10.0	
				L 2															
07N	05W	34														2.0		2.0	

Total Acres: 12

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. Right Nos. 63-9262 and 63-33533 are also diverted through point of diversion described above.
4. The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

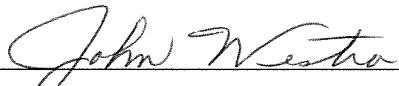
WATER RIGHT NO. 63-8081B
As Modified by Transfer No. 77307

CONDITIONS OF APPROVAL

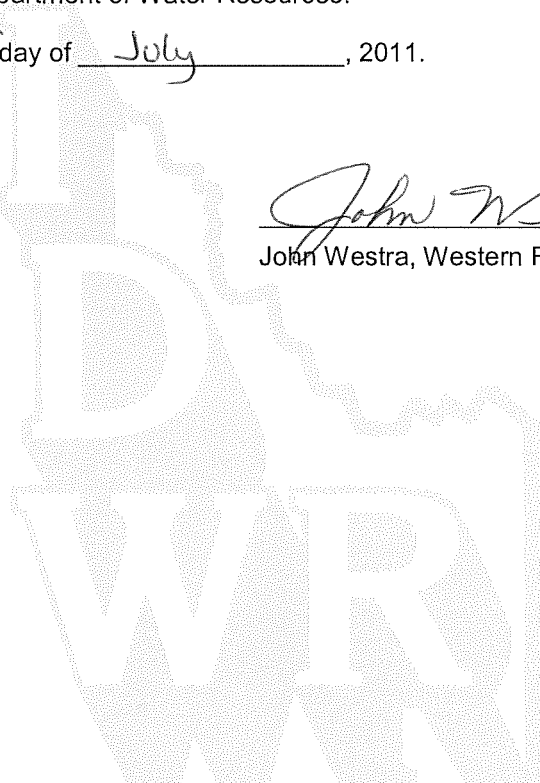
5. The rights listed below are limited to a total combined diversion rate of 2.02 cfs and to a total combined annual diversion volume of 687.6 AF. Combined Right Nos.: 63-8081B, 63-9262 and 63-33533.
6. Right Nos. 63-8081A and 63-8081B are limited to a total combined diversion rate of 2.4 cfs and to a total combined annual diversion volume of 540 AF.
7. Right Nos. 63-8081A and 63-8081B are limited to the irrigation of a combined total of 120 acres in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and application rules of the Department of Water Resources.

Signed and sealed this 7th day of July, 2011.



John Westra, Western Regional Manager



WATER RIGHT NO. 63-9262
As Modified by Transfer No. 77307

In accordance with the approval of Transfer No. 77307, Water Right No. 63-9262 is now described as follows:

Right Holder: KATHERINE L HYATT And
 JEFFERY A HYATT
 3400 2ND LN E
 PARMA ID 83660

Priority: October 21, 1980

Maximum Diversion Rate: 1.61 CFS
 Maximum Diversion Volume: 535.5 AF

SOURCE

GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/15 to 11/15	1.61 CFS	535.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4SW1/4 Sec. 34, Twp 07N, Rge 05W, B.M. PAYETTE County

PLACE OF USE: IRRIGATION

<u>Twp Rge Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
06N 05W 3					46.0	18.0											64.0
07N 05W 34					L 3	L 4					18.0	37.0					55.0

Total Acres: 119

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
3. The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

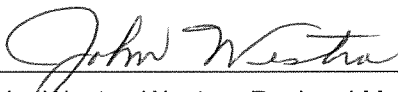
**WATER RIGHT NO. 63-9262
As Modified by Transfer No. 77307**

CONDITIONS OF APPROVAL

4. Right Nos. 63-8081B and 63-33533 are also diverted through point of diversion described above.
5. The rights listed below are limited to a total combined diversion rate of 2.02 cfs and to a total combined annual diversion volume of 687.6 AF. Combined Right Nos.: 63-8081B, 63-9262 and 63-33533.
6. Right Nos. 63-9262 and 63-33533 are limited to the irrigation of a combined total of 140.8 acres in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and application rules of the Department of Water Resources.

Signed and sealed this 7th day of July, 2011.



John Westra, Western Regional Manager

