

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 75742**

This is to certify that: SHANE ROBERTS  
 20 SHARON LOOP  
 OVID ID 83254  
 (208)945-2686

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 11-46        | WR/Decreed          | 05/15/1864      | 0.52 cfs    | N/A           | N/A               | N/A                | NORTH CREEK   |

**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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 11-46                 | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 11-46                  | <b>11-46</b>                     | 0.52 cfs             | N/A                    | N/A               | 26.0               |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>0.52 cfs</b>      | <b>N/A</b>             | <b>N/A</b>        | <b>26.0</b>        |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 26<sup>th</sup> day of July, 20 11

  
 Water Resources Program Manager

SUPPORT DATA

IN FILE # 11-46

**WATER RIGHT NO. 11-46**  
**As Modified by Transfer No. 75742**

In accordance with the approval of Transfer No. 75742, Water Right No. 11-46 is now described as follows.

**Right Holder:** SHANE ROBERTS  
 20 SHARON LOOP  
 OVID ID 83254

**Priority Date:** May 15, 1864

**Source:** NORTH CREEK

**Tributary:** BEAR RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

04/01 to 11/01

**To**

**Diversion Rate**

0.52 CFS

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

NORTH CREEK SWNESE Sec. 32 Twp 12S Rge 43E BEAR LAKE 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 |        |
| 13S | 43E | 4   |    |    |    |    |     |    |    |     |    |     |    | 2.4 |    |    |    |    | 2.4    |
| 13S | 43E | 9   |    |    |    |    | 9.3 |    | .7 | 8.2 | .6 | 4.8 |    |     |    |    |    |    | 23.6   |

Total Acres: 26

**WATER RIGHT NO. 11-46**  
**As Modified by Transfer No. 75742**

**CONDITIONS OF APPROVAL**

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. 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. 11.
4. Water is delivered through Liberty Ditch.
5. This right does not grant any right-of-way or easement across the land of another.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 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 26<sup>th</sup> day of July, 20 11

  
Water Resources Program Manager