

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77207

This is to certify that: MICHAEL P WHEELER And DIANA M WHEELER
 2155 E 100 S
 DECLO ID 83323
 (208)349-5761

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>
43-7020D	WR/Decreed	02/12/1971	2.22 cfs	840 af	210.0	280.0	GROUND WATER
43-10041	WR/Decreed	03/15/1987	0.15 cfs	N/A		7.5	GROUND WATER
43-7319	WR/License	01/09/1992	1.79 cfs	280 af	280.0	280.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

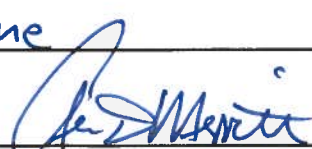
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-7020D	NO	YES	YES	NO	NO	NO
43-10041	NO	YES	YES	NO	NO	NO
43-7319	NO	YES	YES	NO	NO	NO

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>
43-7020D	43-7020D	2.22 cfs	840 af	210.0	287.5		N/A	N/A	N/A	N/A
43-10041	43-10041	0.15 cfs	N/A	7.5	287.5		N/A	N/A	N/A	N/A
43-7319	43-7319	1.79 cfs	280 af	280.0	287.5		N/A	N/A	N/A	N/A
COMBINED TOTALS		4.01 cfs	1120 af	287.5	287.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of June, 2011


 Southern Region Manager

SUPPORT DATA

IN FILE # 43-7020 D

WATER RIGHT NO. 43-7020D
As Modified by Transfer No. 77207

In accordance with the approval of Transfer No. 77207, Water Right No. 43-7020D is now described as follows.

Right Holder: DIANA M WHEELER
 2155 E 100 S
 DECLO ID 83323

And

MICHAEL P WHEELER
 2155 E 100 S
 DECLO ID 83323

Priority Date: February 12, 1971

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	2.22 CFS	840.0 AF
			2.22 CFS	840.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 27 Twp 10S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S 26E 27			39.0	23.0				22.5	39.0			23.0	39.0	40.0	39.0	23.0	287.5

Total Acres: 287.5

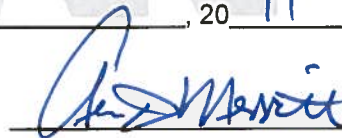
WATER RIGHT NO. 43-7020D
As Modified by Transfer No. 77207

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 210 acres within the authorized place of use in a single irrigation season.
2. Rights 43-7020D and 43-7319 when combined shall not exceed the irrigation of 280 acres.
3. Rights 43-7020D, 43-7319, and 43-10041 when combined shall not exceed a total diversion rate of 4.01 cfs, a total annual maximum diversion volume of 1120.0 af at the field headgate, and the irrigation of 287.5 acres.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. 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 6/28/2002, the SRBA partial decree date.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 21st day of June, 2011


Southern Region Manager

WATER RIGHT NO. 43-7319
As Modified by Transfer No. 77207

In accordance with the approval of Transfer No. 77207, Water Right No. 43-7319 is now described as follows.

Right Holder: MICHAEL P WHEELER
 2155 E 100 S
 DECLO ID 83323

And

DIANA M WHEELER
 2155 E 100 S
 DECLO ID 83323

Priority Date: January 09, 1992

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	1.79 CFS	280.0 AF
			1.79 CFS	280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 27 Twp 10S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE					
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
10S	26E	27			39.0	23.0				22.5	39.0				23.0	39.0	40.0	39.0	23.0	287.5

Total Acres: 287.5

WATER RIGHT NO. 43-7319
As Modified by Transfer No. 77207

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 280 acres within the authorized place of use in a single irrigation season.
2. Rights 43-7020D and 43-7319 when combined shall not exceed the irrigation of 280 acres.
3. Rights 43-7020D, 43-7319, and 43-10041 when combined shall not exceed a total diversion rate of 4.01 cfs, a total annual maximum diversion volume of 1120.0 af at the field headgate, and the irrigation of 287.5 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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 21st day of June, 20 11



Southern Region Manager

WATER RIGHT NO. 43-10041
As Modified by Transfer No. 77207

In accordance with the approval of Transfer No. 77207, Water Right No. 43-10041 is now described as follows.

Right Holder: MICHAEL P WHEELER
 2155 E 100 S
 DECLO ID 83323

And

DIANA M WHEELER
 2155 E 100 S
 DECLO ID 83323

Priority Date: March 15, 1987

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.15 CFS
			0.15 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 27 Twp 10S Rge 26E CASSIA 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	
10S	26E	27			39.0	23.0				22.5	39.0			23.0	39.0	40.0	39.0	23.0	287.5

Total Acres: 287.5

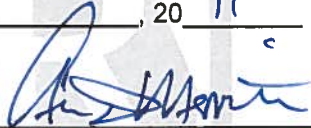
WATER RIGHT NO. 43-10041
As Modified by Transfer No. 77207

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 7.5 acres within the authorized place of use in a single irrigation season.
2. Rights 43-7020D, 43-7319, and 43-10041 when combined shall not exceed a total diversion rate of 4.01 cfs, a total annual maximum diversion volume of 1120.0 af at the field headgate, and the irrigation of 287.5 acres.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 21st day of June, 2011


Southern Region Manager