

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74796

This is to certify that: MARVIN L And LOVEL L BLACKER
 459 S 400 W
 BURLEY ID 83318
 (208)678-2852

have 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>
45-7672	WR/License	12/29/1989	0.5 cfs	100 af	25.0	213.0	GROUND WATER
45-7141	WR/Decreed	06/18/1973	2.25 cfs	592 af	N/A	188.0	GROUND WATER
45-7339B	WR/Decreed	02/02/1978	0.8 cfs	160 af	40.0	188.0	GROUND WATER
45-2482C	WR/Decreed	07/19/1954	2.7 cfs	608 af	N/A	152.0	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>
45-7672	NO	NO	YES	YES	NO	NO
45-7141	NO	NO	YES	YES	NO	NO
45-7339B	NO	NO	YES	YES	NO	NO
45-2482C	YES	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

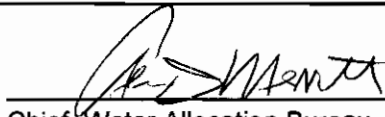
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
45-7672	45-7672	0.5 cfs	100 af	25.0	375.0		N/A	N/A	N/A	N/A
45-7141	45-7141	2.25 cfs	592 af	148.0	375.0		N/A	N/A	N/A	N/A
45-7339B	45-7339B	0.8 cfs	160 af	40.0	375.0		N/A	N/A	N/A	N/A
45-2482C	45-14142	2.63 cfs	593.2 af	148.3	375.0	45-14141	0.07 cfs	14.8 af	N/A	3.7

COMBINED

TOTALS **4.88 cfs 1445.2 af 361.3 375.0** **0.07 cfs 14.8 af N/A 3.7**

Detailed Water Right Description(s) attached

Dated this 28th day of October, 2008


 FOR Chief, Water Allocation Bureau

SUPPORT DATA
 IN FILE # 45-2482C

SCANNED

WATER RIGHT NO. 45-14141
As Modified by Transfer No. 74796

In accordance with the approval of Transfer No. 74796, Water Right No. 45-14141 is now described as follows.

Right Holder: MARVIN L And LOVEL L BLACKER
459 S 400 W
BURLEY ID 83318

Priority Date: July 19, 1954

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	0.07 CFS	14.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNW Sec. 15 Twp 11S Rge 22E CASSIA County

GROUND WATER NWNWSW Sec. 16 Twp 11S Rge 22E 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
11S	22E	15																	3.7

Total Acres: 3.7

WATER RIGHT NO. 45-14141
As Modified by Transfer No. 74796

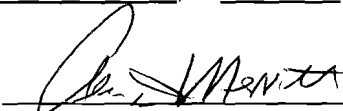
CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. 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. 140.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 74796, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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 28th day of October, 20 08

FOR



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-14142
As Modified by Transfer No. 74796

In accordance with the approval of Transfer No. 74796, Water Right No. 45-14142 is now described as follows.

Right Holder: MARVIN L And LOVEL L BLACKER
 459 S 400 W
 BURLEY ID 83318

Priority Date: July 19, 1954

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	2.63 CFS	593.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNW Sec. 15 Twp 11S Rge 22E CASSIA County

GROUND WATER NWNWSW Sec. 16 Twp 11S Rge 22E 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	
11S	22E	15			40.0	26.0			40.0	40.0			35.0	40.0					221.0
11S	22E	16													40.0	37.0	37.0	40.0	154.0

Total Acres: 375

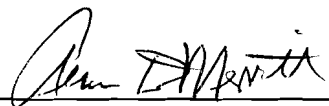
WATER RIGHT NO. 45-14142
As Modified by Transfer No. 74796

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 148.3 acres within the place of use described above in a single irrigation season.
2. Rights 45-7141, 45-7339B, 45-7672, and 45-14142 when combined shall not exceed a total diversion rate of 4.88 cfs, a total annual maximum diversion volume of 1445.2 af at the field headgate, and the irrigation of 361.3 acres.
3. 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.
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. 140.
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. Prior to the diversion and use of water under Transfer approval 74796, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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 28th day of October, 20 08



FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7141
As Modified by Transfer No. 74796

In accordance with the approval of Transfer No. 74796, Water Right No. 45-7141 is now described as follows.

Right Holder: MARVIN L And LOVEL L BLACKER
 459 S 400 W
 BURLEY ID 83318

Priority Date: June 18, 1973

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	2.25 CFS	592.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNW Sec. 15 Twp 11S Rge 22E CASSIA County

GROUND WATER NWNWSW Sec. 16 Twp 11S Rge 22E 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	
11S	22E	15			40.0	26.0			40.0	40.0			35.0	40.0					221.0
11S	22E	16													40.0	37.0	37.0	40.0	154.0

Total Acres: 375

WATER RIGHT NO. 45-7141
As Modified by Transfer No. 74796

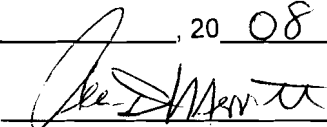
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 148.0 acres within the place of use described above in a single irrigation season.
2. Rights 45-7141 and 45-7339B when combined shall not exceed a total diversion rate of 2.25 cfs, a total annual maximum diversion volume of 752 af at the field headgate, and the irrigation of 188 acres.
3. Rights 45-7141, 45-7339B, and 45-7672, when combined shall not exceed a total diversion rate of 2.25 cfs, a total annual maximum diversion volume of 852 af at the field headgate, and the irrigation of 213 acres.
4. Rights 45-7141, 45-7339B, 45-7672, and 45-14142 when combined shall not exceed a total diversion rate of 4.88 cfs, a total annual maximum diversion volume of 1445.2 af at the field headgate, and the irrigation of 361.3 acres.
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 lands above.
6. 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. 140.
7. 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.
8. Prior to the diversion and use of water under Transfer approval 74796, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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 28th day of October, 2008

FOR



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7339B
As Modified by Transfer No. 74796

In accordance with the approval of Transfer No. 74796, Water Right No. 45-7339B is now described as follows.

Right Holder: MARVIN L And LOVEL L BLACKER
 459 S 400 W
 BURLEY ID 83318

Priority Date: February 02, 1978

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	0.80 CFS	160.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNW Sec. 15 Twp 11S Rge 22E CASSIA County

GROUND WATER NWNWSW Sec. 16 Twp 11S Rge 22E 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	
11S	22E	15			40.0	26.0			40.0	40.0			35.0	40.0					221.0
11S	22E	16													40.0	37.0	37.0	40.0	154.0

Total Acres: 375

WATER RIGHT NO. 45-7339B
As Modified by Transfer No. 74796

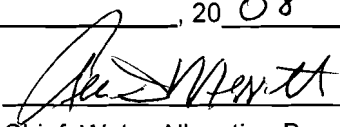
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40.0 acres within the place of use described above in a single irrigation season.
2. Rights 45-7141 and 45-7339B when combined shall not exceed a total diversion rate of 2.25 cfs, a total annual maximum diversion volume of 752 af at the field headgate, and the irrigation of 188 acres.
3. Rights 45-7141, 45-7339B, and 45-7672, when combined shall not exceed a total diversion rate of 2.25 cfs, a total annual maximum diversion volume of 852 af at the field headgate, and the irrigation of 213 acres.
4. Rights 45-7141, 45-7339B, 45-7672, and 45-14142 when combined shall not exceed a total diversion rate of 4.88 cfs, a total annual maximum diversion volume of 1445.2 af at the field headgate, and the irrigation of 361.3 acres.
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 lands above.
6. 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. 140.
7. 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.
8. Prior to the diversion and use of water under Transfer approval 74796, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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 28th day of October, 20 08

FOR


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7672
As Modified by Transfer No. 74796

In accordance with the approval of Transfer No. 74796, Water Right No. 45-7672 is now described as follows.

Right Holder: MARVIN L And LOVEL L BLACKER
 459 S 400 W
 BURLEY ID 83318

Priority Date: December 29, 1989

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	0.50 CFS	100.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNW Sec. 15 Twp 11S Rge 22E CASSIA County

GROUND WATER NWNWSW Sec. 16 Twp 11S Rge 22E CASSIA 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>	
11S 22E 15			40.0	26.0			40.0	40.0			35.0	40.0					221.0
11S 22E 16													40.0	37.0	37.0	40.0	154.0

Total Acres: 375

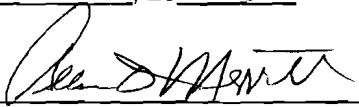
WATER RIGHT NO. 45-7672
As Modified by Transfer No. 74796

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 25.0 acres within the place of use described above in a single irrigation season.
2. Rights 45-7141, 45-7339B, and 45-7672, when combined shall not exceed a total diversion rate of 2.25 cfs, a total annual maximum diversion volume of 852 af at the field headgate, and the irrigation of 213 acres.
3. Rights 45-7141, 45-7339B, 45-7672, and 45-14142 when combined shall not exceed a total diversion rate of 4.88 cfs, a total annual maximum diversion volume of 1445.2 af at the field headgate, and the irrigation of 361.3 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. 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. 140.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 74796, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 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.
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 28th day of October, 20 08



FOR Chief, Water Allocation Bureau