

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77175

This is to certify that: D STEVE BENSON
 4025 GEORGES RD
 AMERICAN FALLS ID 83211
 (208)548-2330

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>
41-4030	WR/Decreed	04/01/1924	2 cfs	N/A	N/A	107.5	FALL 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>
41-4030	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>
41-4030	41-4030	2 cfs	N/A	107.5	930.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		2 cfs	N/A	107.5	930		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of April, 2011


 Southern Region Manager

WATER RIGHT NO. 41-4030
As Modified by Transfer No. 77175

In accordance with the approval of Transfer No. 77175, Water Right No. 41-4030 is now described as follows.

Right Holder: D STEVE BENSON
 4025 GEORGES RD
 AMERICAN FALLS ID 83211

Priority Date: April 01, 1924

Source: FALL CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	2.00 CFS
			2.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

FALL CREEK NENE Sec. 29 Twp 09S Rge 29E POWER 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	
09S 29E 21								38.0	38.0	38.0	38.0	39.0	39.0	39.0	39.0	39.0	347.0
09S 29E 22										40.0	40.0						80.0
09S 29E 28	39.0	39.0	39.0		39.0	39.0	35.0	39.0	39.0	39.0							347.0
09S 29E 29	39.0	39.0		39.0									39.0				156.0

Total Acres: 930

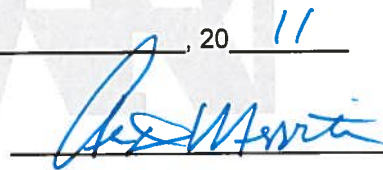
WATER RIGHT NO. 41-4030
As Modified by Transfer No. 77175

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 107.5 acres within the 930 acre place of use authorized by this right in a single irrigation season. The specific 107.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 107.5 acres to be irrigated within the 930 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. This right is limited to the irrigation of 107.5 acres within the authorized place of use in a single irrigation season.
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.

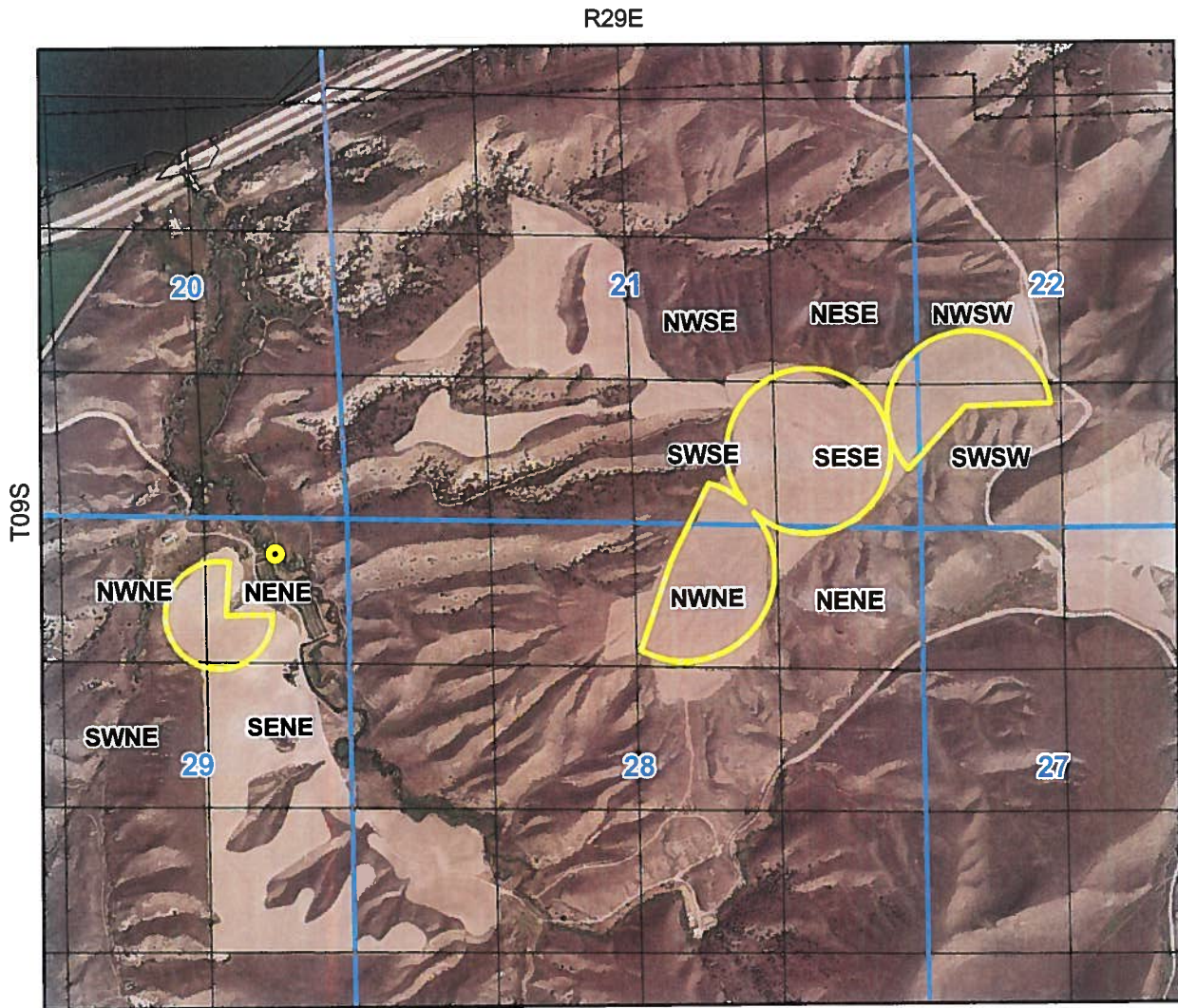
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of April, 20 11


Southern Region Manager

State of Idaho
Department of Water Resources
Attachment To Transfer Of Water Right
Transfer No. 77175
Rights: 41-4030

This map depicts the IRRIGATION place of use for the 107.5 acres authorized to be used within the 930 acre permissible place of use at the time of this approval and is attached to the approval document solely for illustrative purposes.



Legend

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.2 0.4 0.8 Miles

