

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76459**

This is to certify that: ARDEL W WICKEL

1084 E 300 N
DECLO ID 83323
(208)654-2341

And

JUDY M WICKEL
1084 E 300 N
DECLO ID 83323
(208)654-2341

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>
45-2468	WR/Decreed	12/09/1953	1.48 cfs	296 af		74.0	GROUND WATER
45-7471	WR/Decreed	05/22/1981	1.36 cfs	272 af		68.0	GROUND WATER
45-7449	WR/Decreed	07/15/1980	0.41 cfs	101.4 af		25.0	GROUND WATER
45-7336	WR/Decreed	01/24/1978	4.38 cfs	N/A	400.0	471.0	GROUND WATER
45-13773	WR/Decreed	03/15/1968	0.66 cfs	N/A	71.0	471.0	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>
45-2468	NO	YES	YES	YES	NO	NO
45-7471	NO	NO	YES	YES	NO	NO
45-7449	NO	NO	YES	YES	NO	NO
45-7336	NO	NO	YES	YES	NO	NO
45-13773	NO	NO	YES	YES	NO	NO

SUPPORT DATA

IN FILE # 45-2468

TRANSFER OF WATER RIGHT **TRANSFER NO. 76459**

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
45-2468	45-2468	1.48 cfs	296 af	74.0	849.0		N/A	N/A	N/A	N/A
45-7471	45-7471	1.36 cfs	272 af	68.0	849.0		N/A	N/A	N/A	N/A
45-7449	45-7449	0.41 cfs	101.4 af	25.0	849.0		N/A	N/A	N/A	N/A
45-7336	45-7336	4.38 cfs	1600 af	400.0	849.0		N/A	N/A	N/A	N/A
45-13773	45-13773	0.66 cfs	284 af	71.0	849.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		7.63 cfs	2553.4 af	638	849		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 16th day of June, 20 10


 Southern Region Manager

WATER RIGHT NO. 45-2468
As Modified by Transfer No. 76459

In accordance with the approval of Transfer No. 76459, Water Right No. 45-2468 is now described as follows.

Right Holder: ARDEL W WICKEL And JUDY M WICKEL
 1084 E 300 N
 DECLO ID 83323

Priority Date: December 09, 1953

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	1.48 CFS	296.0 AF
			1.48 CFS	296.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SEWNNE	Sec. 20 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	SEWNNE	Sec. 30 Twp 10S	Rge 25E	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 25E 20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	31.0	20.0	610.0
10S 25E 29					38.0	37.0	29.0	16.0									120.0
10S 25E 30	39.0	24.0	23.0	33.0													119.0

Total Acres: 849

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 74 acres within the authorized place of use in a single irrigation season.
2. Rights 45-7336, 45-2468, 45-7449, 45-7471, and 45-13773 when combined shall not exceed a total diversion rate of 7.63 cfs, a total annual maximum diversion volume of 2553.4 af at the field headgate, and the irrigation of 638 acres.

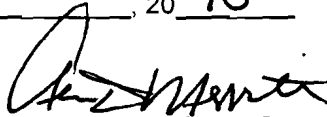
WATER RIGHT NO. 45-2468
As Modified by Transfer No. 76459

CONDITIONS OF APPROVAL

3. The following rights are limited to the irrigation of a specific 638 acres within the 849 acre place of use authorized by this right in a single irrigation season: 45-7336, 45-2468, 45-7449, 45-7471, and 45-13773. The specific 638 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 638 acres to be irrigated within the 849 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.
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 76459, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 16th day of June, 20 10


Southern Region Manager

WATER RIGHT NO. 45-7336
As Modified by Transfer No. 76459

In accordance with the approval of Transfer No. 76459, Water Right No. 45-7336 is now described as follows.

Right Holder: ARDEL W WICKEL And JUDY M WICKEL
 1084 E 300 N
 DECLO ID 83323

Priority Date: January 24, 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	4.38 CFS	1,600.0 AF
			4.38 CFS	1,600.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SEWNNE	Sec. 20 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	SEWNNE	Sec. 30 Twp 10S	Rge 25E	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 25E 20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	31.0	20.0	610.0
10S 25E 29					38.0	37.0	29.0	16.0									120.0
10S 25E 30	39.0	24.0	23.0	33.0													119.0

Total Acres: 849

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 400 acres within the authorized place of use in a single irrigation season.
2. Rights 45-7336 and 45-13773 when combined shall not exceed a total diversion rate of 4.38 cfs and a total annual maximum diversion volume of 1884 af at the field headgate.
3. Rights 45-7336, 45-2468, 45-7449, 45-7471, and 45-13773 when combined shall not exceed a total diversion rate of 7.63 cfs, a total annual maximum diversion volume of 2553.4 af at the field headgate, and the irrigation of 638 acres.
4. Right No. 45-13773 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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.

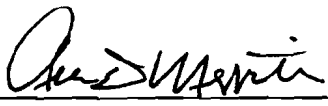
WATER RIGHT NO. 45-7336
As Modified by Transfer No. 76459

CONDITIONS OF APPROVAL

6. The following rights are limited to the irrigation of a specific 638 acres within the 849 acre place of use authorized by this right in a single irrigation season: 45-7336, 45-2468, 45-7449, 45-7471, and 45-13773. The specific 638 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 638 acres to be irrigated within the 849 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.
7. 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.
8. 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.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 76459, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 16th day of June, 20 10



Southern Region Manager

WATER RIGHT NO. 45-7449
As Modified by Transfer No. 76459

In accordance with the approval of Transfer No. 76459, Water Right No. 45-7449 is now described as follows.

Right Holder: ARDEL W WICKEL And JUDY M WICKEL
 1084 E 300 N
 DECLO ID 83323

Priority Date: July 15, 1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.03 CFS	1.4 AF
IRRIGATION	03/15	to 11/15	0.40 CFS	100.0 AF
			0.41 CFS	101.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SEWNNE	Sec. 20 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	SENWNW	Sec. 30 Twp 10S	Rge 25E	CASSIA County

PLACE OF USE: STOCKWATER

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 25E 20	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
10S 25E 29					X	X	X	X									
10S 25E 30	X	X	X	X													

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 25E 20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	31.0	20.0	610.0
10S 25E 29					38.0	37.0	29.0	16.0									120.0
10S 25E 30	39.0	24.0	23.0	33.0													119.0

Total Acres: 849

WATER RIGHT NO. 45-7449
As Modified by Transfer No. 76459

CONDITIONS OF APPROVAL

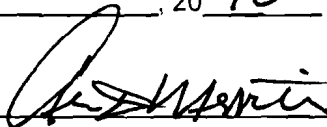
1. This right is limited to the irrigation of 25 acres within the authorized place of use in a single irrigation season.
2. Rights 45-7336, 45-2468, 45-7449, 45-7471, and 45-13773 when combined shall not exceed a total diversion rate of 7.63 cfs, a total annual maximum diversion volume of 2553.4 af at the field headgate, and the irrigation of 638 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. The following rights are limited to the irrigation of a specific 638 acres within the 849 acre place of use authorized by this right in a single irrigation season: 45-7336, 45-2468, 45-7449, 45-7471, and 45-13773. The specific 638 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 638 acres to be irrigated within the 849 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.
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. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval 76459, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 45-7449
As Modified by Transfer No. 76459

12. 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 16th day of June, 20 10



Southern Region Manager

WATER RIGHT NO. 45-7471
As Modified by Transfer No. 76459

In accordance with the approval of Transfer No. 76459, Water Right No. 45-7471 is now described as follows.

Right Holder: ARDEL W WICKEL And JUDY M WICKEL
 1084 E 300 N
 DECLO ID 83323

Priority Date: May 22, 1981

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	1.36 CFS	272.0 AF
			1.36 CFS	272.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SEWNNE	Sec. 20 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	SEWNNE	Sec. 30 Twp 10S	Rge 25E	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	25E	20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	31.0	20.0	610.0
10S	25E	29					38.0	37.0	29.0	16.0									120.0
10S	25E	30	39.0	24.0	23.0	33.0													119.0

Total Acres: 849

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 68 acres within the authorized place of use in a single irrigation season.
2. Rights 45-7336, 45-2468, 45-7449, 45-7471, and 45-13773 when combined shall not exceed a total diversion rate of 7.63 cfs, a total annual maximum diversion volume of 2553.4 af at the field headgate, and the irrigation of 638 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.

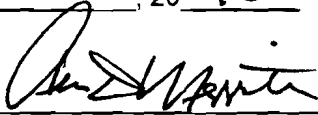
WATER RIGHT NO. 45-7471
As Modified by Transfer No. 76459

CONDITIONS OF APPROVAL

4. The following rights are limited to the irrigation of a specific 638 acres within the 849 acre place of use authorized by this right in a single irrigation season: 45-7336, 45-2468, 45-7449, 45-7471, and 45-13773. The specific 638 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 638 acres to be irrigated within the 849 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.
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. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval 76459, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 16th day of June, 20 10


Southern Region Manager

WATER RIGHT NO. 45-13773
As Modified by Transfer No. 76459

In accordance with the approval of Transfer No. 76459, Water Right No. 45-13773 is now described as follows.

Right Holder: ARDEL W WICKEL And JUDY M WICKEL
 1084 E 300 N
 DECLO ID 83323

Priority Date: March 15, 1968

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	0.66 CFS	284.0 AF
			0.66 CFS	284.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SEWNNE	Sec. 20 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWSWNE	Sec. 30 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	SEWNW	Sec. 30 Twp 10S	Rge 25E	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 25E 20	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	31.0	20.0	610.0
10S 25E 29					38.0	37.0	29.0	16.0									120.0
10S 25E 30	39.0	24.0	23.0	33.0													119.0

Total Acres: 849

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71 acres within the authorized place of use in a single irrigation season.
2. Rights 45-7336, 45-2468, 45-7449, 45-7471, and 45-13773 when combined shall not exceed a total diversion rate of 7.63 cfs, a total annual maximum diversion volume of 2553.4 af at the field headgate, and the irrigation of 638 acres.
3. Rights 45-7336 and 45-13773 when combined shall not exceed a total diversion rate of 4.38 cfs and a total annual maximum diversion volume of 1884 af at the field headgate.
4. This right is based upon an enlargement of Right No. 45-7336 pursuant to Section 42-1426, Idaho Code.
5. This right is for an enlargement of 71 acres within the place of use described for this right.
6. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

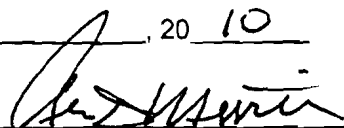
WATER RIGHT NO. 45-13773
As Modified by Transfer No. 76459

CONDITIONS OF APPROVAL

7. 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.
8. The following rights are limited to the irrigation of a specific 638 acres within the 849 acre place of use authorized by this right in a single irrigation season: 45-7336, 45-2468, 45-7449, 45-7471, and 45-13773. The specific 638 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 638 acres to be irrigated within the 849 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.
9. 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.
10. 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.
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. Prior to the diversion and use of water under Transfer approval 76459, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
13. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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 16th day of June, 20 10


Southern Region Manager