

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75825

This is to certify that: JASON RUNSER And AMY RUNSER

PO BOX 118
 WENDELL ID 83355
 (208) 539-9327

And

CHRISTOPHER TUTTLE
 9391 W PREECE
 BOISE ID 83704
 (208) 761-6361

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>
37-22457	WR/Decreed	04/01/1951	0.22 cfs	N/A	11.0	22.0	WASTE WATER
37-22458	WR/Decreed	04/01/1951	0.22 cfs	N/A	11.0	22.0	WASTE 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>
37-22457	NO	NO	YES	YES	NO	NO
37-22458	NO	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>
37-22457	37-22457	0.22 cfs	N/A	11.0	88.1		N/A	N/A	N/A	N/A
37-22458	37-22458	0.22 cfs	N/A	11.0	88.1		N/A	N/A	N/A	N/A

COMBINED

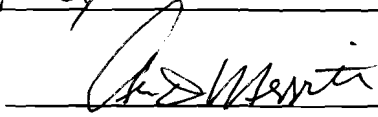
TOTALS	0.44 cfs		22	88.1		N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 18th day of May, 2010

SUPPORT DATA

IN FILE # 37-22457


 Southern Region Manager

WATER RIGHT NO. 37-22457
As Modified by Transfer No. 75825

In accordance with the approval of Transfer No. 75825, Water Right No. 37-22457 is now described as follows.

Right Holder: AMY RUNSER
PO BOX 118
WENDELL ID 83355

And

JASON RUNSER
PO BOX 118
WENDELL ID 83355

Priority Date: April 01, 1951

Source: WASTE WATER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	0.22 CFS

LOCATION OF POINT(S) OF DIVERSION:

WASTE WATER SESW Sec. 24 Twp 06S Rge 14E GOODING County

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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	
06S 14E 24												40.0			2.1	42.1	
06S 14E 25			12.0				34.0									46.0	

Total Acres: 88.1

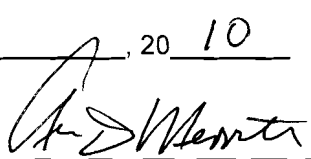
WATER RIGHT NO. 37-22457
As Modified by Transfer No. 75825

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11 acres within the place of use described above in a single irrigation season.
2. This right is limited to the irrigation of a specific 11 acres within the 88.1 acre place of use authorized by this right in a single irrigation season. The specific 11 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 11 acres to be irrigated within the 88.1 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.
3. Rights 37-22457, and 37-22458 when combined shall not exceed a total diversion rate of 0.44 cfs, and the irrigation of 22 acres.
4. The source of this right is waste water originally diverted by the Big Wood Canal Co.
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. 130.
6. 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).
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. This right does not grant any right-of-way or easement across the land of another.
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 18th day of May, 2010


Southern Region Manager

WATER RIGHT NO. 37-22458
As Modified by Transfer No. 75825

In accordance with the approval of Transfer No. 75825, Water Right No. 37-22458 is now described as follows.

Right Holder: CHRISTOPHER TUTTLE
 9391 W PREECE
 BOISE ID 83704

Priority Date: April 01, 1951

Source: WASTE WATER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	0.22 CFS

LOCATION OF POINT(S) OF DIVERSION:

WASTE WATER SESW Sec. 24 Twp 06S Rge 14E GOODING County

WASTE WATER SESW Sec. 24 Twp 06S Rge 14E GOODING 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	
06S 14E 24												40.0				2.1	42.1
06S 14E 25			12.0				34.0										46.0

Total Acres: 88.1

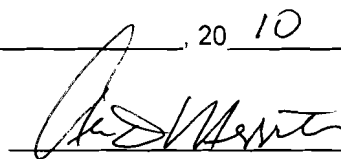
WATER RIGHT NO. 37-22458
As Modified by Transfer No. 75825

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11 acres within the place of use described above in a single irrigation season.
2. This right is limited to the irrigation of a specific 11 acres within the 88.1 acre place of use authorized by this right in a single irrigation season. The specific 11 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 11 acres to be irrigated within the 88.1 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.
3. Rights 37-22457, and 37-22458 when combined shall not exceed a total diversion rate of 0.44 cfs, and the irrigation of 22 acres.
4. The source of this right is waste water originally diverted by the Big Wood Canal Co.
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. 130.
6. 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).
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. This right does not grant any right-of-way or easement across the land of another.
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 18th day of May, 20 10


Southern Region Manager