

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76333

This is to certify that: **GEORGE M KELLEY**
 PO BOX 25
 ALBION ID 83311
 (208)673-5364

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>
45-4084	WR/Decreed	04/01/1958	0.54 cfs	108 af	27.0	57.0	GROUND WATER
45-4236	WR/Decreed	06/15/1961	0.6 cfs	120 af	30.0	57.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

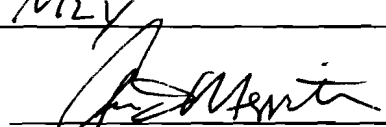
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-4084	NO	YES	YES	NO	NO	NO
45-4236	NO	YES	YES	NO	NO	NO

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>
45-4084	45-4084	0.54 cfs	108.0 af	27.0	1,350.6		N/A	N/A	N/A	N/A
45-4236	45-4236	0.6 cfs	120.0 af	30.0	1,350.6		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.14 cfs	228.0 af	57.0	1350.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of May, 20 10


 Southern Region Manager

SUPPORT DATA

IN FILE # 45-4084

WATER RIGHT NO. 45-4084
As Modified by Transfer No. 76333

In accordance with the approval of Transfer No. 76333, Water Right No. 45-4084 is now described as follows.

Right Holder: GEORGE M KELLEY
 PO BOX 25
 ALBION ID 83311

Priority Date: April 01, 1958

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	0.54 CFS	108.0 AF
			0.54 CFS	108.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENE Sec. 35 Twp 11S Rge 24E 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 24E 25							35.0	9.7	29.0	40.0	40.0	40.0			6.9		200.6
11S 24E 26															40.0	40.0	80.0
11S 24E 35	40.0	39.0	40.0	40.0									40.0	40.0	40.0	40.0	319.0
11S 24E 36		18.0	29.0		40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	15.0	40.0	40.0	34.0	495.0
11S 25E 31											11.0						11.0
											L 4						
12S 24E 1					41.0	41.0											82.0
					L 3	L 4											
12S 24E 2	41.0	41.0			41.0			40.0									163.0
	L 1	L 2			L 3												

Total Acres: 1350.6

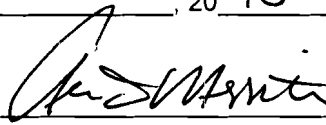
WATER RIGHT NO. 45-4084
As Modified by Transfer No. 76333

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 27.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-4084 and 45-4236 when combined shall not exceed a total diversion rate of 1.14 cfs, a total annual maximum diversion volume of 228.0 af at the field headgate, and the irrigation of 57.0 acres.
3. Rights 45-4084 and 45-4236 are limited to the irrigation of a specific 57.0 acres within the 1350.6 acre place of use authorized by this right in a single irrigation season. The specific 57.0 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 57.0 acres to be irrigated within the 1350.6 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 does not grant any right-of-way or easement across the land of another.
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. 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).
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 May, 2010


Southern Region Manager

WATER RIGHT NO. 45-4236
As Modified by Transfer No. 76333

In accordance with the approval of Transfer No. 76333, Water Right No. 45-4236 is now described as follows.

Right Holder: GEORGE M KELLEY
 PO BOX 25
 ALBION ID 83311

Priority Date: June 15, 1961

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	0.60 CFS	120.0 AF
			0.60 CFS	120.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENE Sec. 35 Twp 11S Rge 24E 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 24E 25							35.0	9.7	29.0	40.0	40.0	40.0			6.9		200.6
11S 24E 26															40.0	40.0	80.0
11S 24E 35	40.0	39.0	40.0	40.0									40.0	40.0	40.0	40.0	319.0
11S 24E 36		18.0	29.0		40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	15.0	40.0	40.0	34.0	495.0
11S 25E 31											11.0						11.0
											L 4						
12S 24E 1					41.0	41.0											82.0
					L 3	L 4											
12S 24E 2	41.0	41.0			41.0			40.0									163.0
	L 1	L 2			L 3												

Total Acres: 1350.6

WATER RIGHT NO. 45-4236
As Modified by Transfer No. 76333

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 30.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-4084 and 45-4236 when combined shall not exceed a total diversion rate of 1.14 cfs, a total annual maximum diversion volume of 228.0 af at the field headgate, and the irrigation of 57.0 acres.
3. Rights 45-4084 and 45-4236 are limited to the irrigation of a specific 57.0 acres within the 1350.6 acre place of use authorized by this right in a single irrigation season. The specific 57.0 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 57.0 acres to be irrigated within the 1350.6 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 does not grant any right-of-way or easement across the land of another.
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. 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).
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

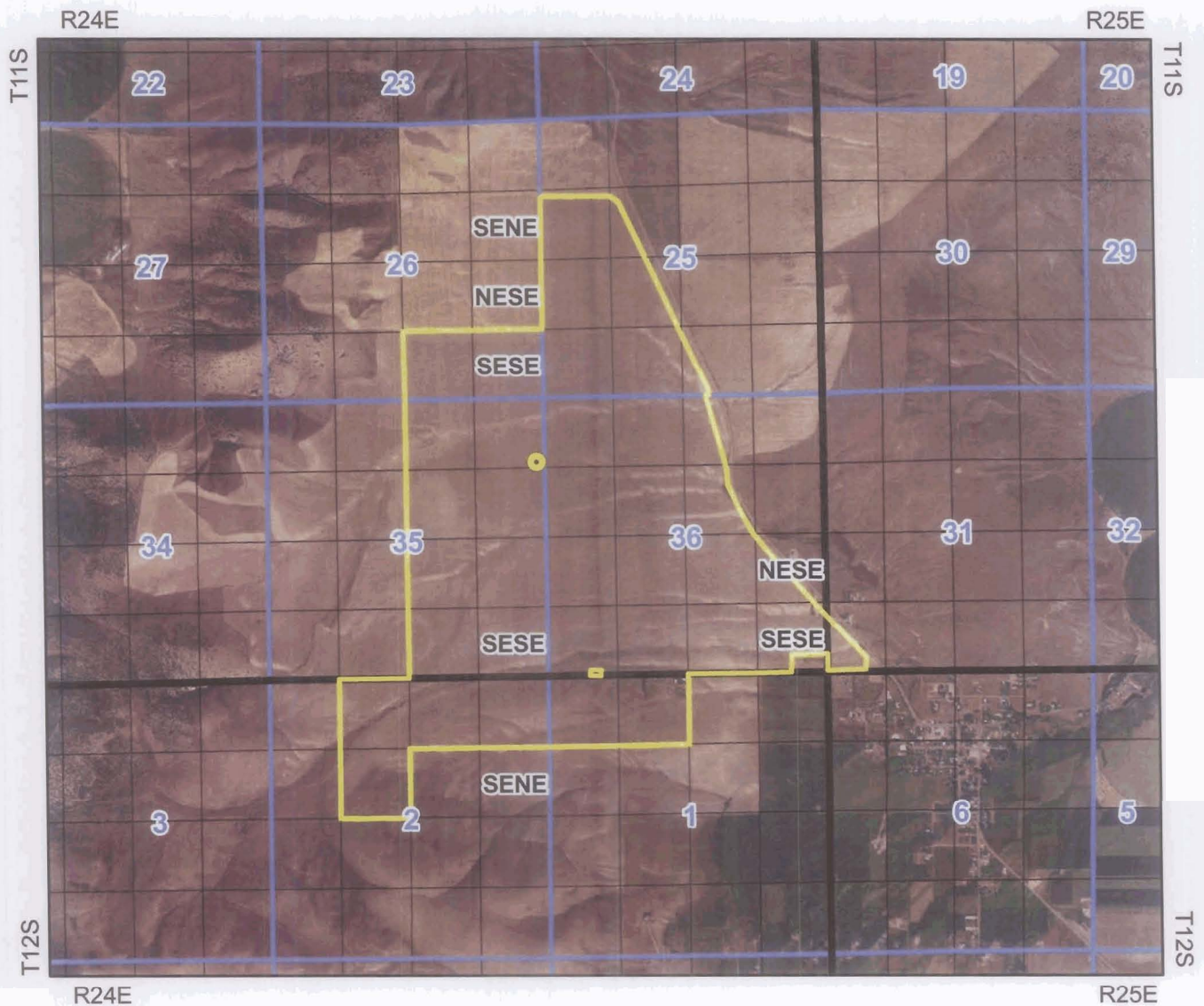
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of May, 20 10


Southern Region Manager

State of Idaho
Department of Water Resources
Transfer Of Water Right

Transfer No. 76333
Water Service Area Boundary for George M Kelley
Rights: 45-4084, 45-4236



Legend

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

0 0.4 0.8 1.6 Miles

