

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76308

This is to certify that: KENT MERRILL
532 N 3825 E
RIGBY ID 83442
(208)745-6990

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>
25-7603	WR/License	02/28/1992	0.7 cfs	140 af	N/A	35.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

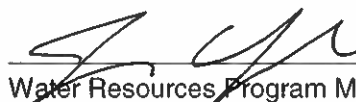
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
25-7603	YES	YES	YES	NO	NO	NO

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>
25-7603	25-14248	0.07 cfs	14.4 af	N/A	3.6	25-14247	0.63 cfs	125.6 af	N/A	31.4
COMBINED										
TOTALS		0.07 cfs	14.4 af	N/A	3.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of May, 20 10


Water Resources Program Manager

SUPPORT DATA
IN FILE # 25-7603

WATER RIGHT NO. 25-14247
As Modified by Transfer No. 76308

In accordance with the approval of Transfer No. 76308, Water Right No. 25-14247 is now described as follows.

Right Holder: KENT MERRILL
 532 N 3825 E
 RIGBY ID 83442

Priority Date: February 28, 1992

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	0.63 CFS	125.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 (SWSW) Sec. 30 Twp 04N Rge 39E JEFFERSON 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	
04N 39E 30											31.4						31.4
											L 4						

Total Acres: 31.4

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
2. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
3. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
4. 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.

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 20th day of May, 2010



 Water Resources Program Manager

WATER RIGHT NO. 25-14248
As Modified by Transfer No. 76308

In accordance with the approval of Transfer No. 76308, Water Right No. 25-14248 is now described as follows.

Right Holder: KENT MERRILL
 532 N 3825 E
 RIGBY ID 83442

Priority Date: February 28, 1992

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	0.07 CFS	14.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNESW Sec. 1 Twp 04N Rge 38E JEFFERSON 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	
04N	38E	1																	3.6

Total Acres: 3.6

CONDITIONS OF APPROVAL

1. 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. 120.
2. 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.
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. Prior to the diversion and use of water under Transfer approval 76308, 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.
5. 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.

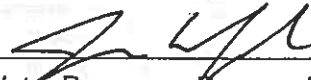
WATER RIGHT NO. 25-14248
As Modified by Transfer No. 76308

CONDITIONS OF APPROVAL

6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
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(s) 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.

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 20th day of May, 20 10



Water Resources Program Manager