

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76422

This is to certify that: CHARLES W HIGHAM
370 N STATE
SHELLEY ID 83274
(208)357-3401

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>
23-64	WR/Decreed	06/15/1898	2.4 cfs	N/A	N/A	119.0	RAINEY CREEK
23-11392	WR/Decreed	06/15/1898	0.5 cfs	N/A	N/A	N/A	RAINEY CREEK

Purpose of Transfer (Changes Proposed)

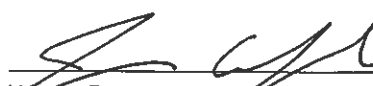
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
23-64	NO	YES	NO	NO	NO	NO
23-11392	NO	YES	NO	NO	NO	NO

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>
23-64	23-64	2.4 cfs	N/A	N/A	119.0		N/A	N/A	N/A	N/A
23-11392	23-11392	0.5 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.4 cfs	N/A	N/A	119.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 8th day of April, 2010


Water Resources Program Manager

SUPPORT DATA

IN FILE # 23-64

WATER RIGHT NO. 23-64
As Modified by Transfer No. 76422

In accordance with the approval of Transfer No. 76422, Water Right No. 23-64 is now described as follows.

Right Holder: CHARLES W HIGHAM
370 N STATE
SHELLEY ID 83274

Priority Date: June 15, 1898

Source: RAINEY CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	2.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

RAINEY CREEK SWSWSE Sec. 33 Twp 02N Rge 44E BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N 44E 4							40.0				40.0	39.0					119.0

Total Acres: 119

CONDITIONS OF APPROVAL

1. Rights 23-64 and 23-11392 when combined shall not exceed a total diversion rate of 2.40 cfs.
2. 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. 01.
3. 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).
4. This right does not grant any right-of-way or easement across the land of another.
5. Water is delivered through Bills Ditch.
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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. 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.

WATER RIGHT NO. 23-64
As Modified by Transfer No. 76422

CONDITIONS OF APPROVAL

9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

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 8th day of April, 2010



Water Resources Program Manager



WATER RIGHT NO. 23-11392
As Modified by Transfer No. 76422

In accordance with the approval of Transfer No. 76422, Water Right No. 23-11392 is now described as follows.

Right Holder: CHARLES W HIGHAM
 370 N STATE
 SHELLEY ID 83274

Priority Date: June 15, 1898

Source: RAINEY CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01 to	12/31	0.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

RAINEY CREEK SWSWSE Sec. 33 Twp 02N Rge 44E BONNEVILLE County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N 44E 4							X				X	X					

CONDITIONS OF APPROVAL

1. Rights 23-64 and 23-11392 when combined shall not exceed a total diversion rate of 2.40 cfs.
2. 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. 01.
3. 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).
4. Water is delivered through Bills Ditch.
5. The quantity of water decreed for this water right is not a determination of historical beneficial use.
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.
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(s) of the date of this approval.

WATER RIGHT NO. 23-11392
As Modified by Transfer No. 76422

CONDITIONS OF APPROVAL

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 8th day of April, 20 10



Water Resources Program Manager

