

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75801

This is to certify that: MICHAEL MIHALKA And/Or
 LINDA MIHALKA
 11720 N HWY 52
 HORSESHOE BEND ID 83629
 (208)584-3707

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
65-2590B	WR/Decreed	04/19/1954	0.08 cfs	N/A	N/A	4.2	PAYETTE RIVER

Purpose of Transfer (Changes Proposed)

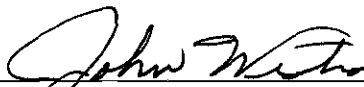
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
65-2590B	NO	YES	NO	NO	NO	NO

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
65-2590B	65-2590B	0.08 cfs	N/A	N/A	4.2		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.08 cfs	N/A	N/A	4.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of March, 20 10


 John Westra, Western Regional Manager

WATER RIGHT NO. 65-2590B
As Modified by Transfer No. 75801

In accordance with the approval of Transfer No. 75801, Water Right No. 65-2590B is now described as follows.

Right Holder: MICHAEL MIHALKA And/Or
 LINDA MIHALKA
 11720 N HWY 52
 HORSESHOE BEND ID 83629

Priority Date: April 19, 1954

Source: GROUND WATER

Tributary: PAYETTE RIVER

BENEFICIAL USE

IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
04/01	to 11/01	0.08 CFS
		0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1 (SESE) Sec. 24 Twp 07N Rge 01E GEM 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	
07N	01E	24																4.2	4.2
																		L 1	

Total Acres: 4.2

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. To prevent injury to prior water rights appropriating water from the deeper aquifer and to maintain a hydraulic connection with the Payette River, the well used as a point of diversion for this water right shall be constructed and maintained in the interval between land surface and the first confining layer in the aquifer.

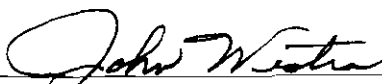
WATER RIGHT NO. 65-2590B
As Modified by Transfer No. 75801

CONDITIONS OF APPROVAL

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. 65, Payette River.
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 diversions.
8. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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 3rd day of March, 2010


John Westra, Western Regional Manager