

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75882

This is to certify that: ELIAS JACA and INEZ JACA
 817 W BLAINE AVE
 NAMPA ID 83651
 (208)466-8801

have requested a change to the water right listed below. This change in water right 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>
2-10443	WR/Decreed	03/15/1965	0.29 cfs	N/A		20.5	SNAKE RIVER

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>
2-10443	NO	NO	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>
2-10443	2-10443	0.29 cfs	73.8 af	N/A	16.4		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.29 cfs	73.8 af	N/A	16.4		N/A	N/A	N/A	N/A

Detailed Water Right Description attached

Dated this 31st day of December, 2009


 John Westra, Western Regional Manager

WATER RIGHT NO. 2-10443
As Modified by Transfer No. 75882

In accordance with the approval of Transfer No. 75882, Water Right No. 2-10443 is now described as follows.

Right Holder: ELIAS JACA And INEZ JACA
 817 W BLAINE AVE
 NAMPA ID 83651

Priority Date: March 15, 1965

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.19 CFS	
IRRIGATION	03/01	to 11/15	0.29 CFS	73.8 AF
			0.29 CFS	73.8 AF

LOCATION OF POINT OF DIVERSION:

SNAKE RIVER L2 (SESWNE) Sec. 27 Twp 01N Rge 03W OWYHEE County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 03W 27							X	X									
01N 03W 28				X							X		X				

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	
01N 03W 28				3.2							10.0		3.2				16.4

Total Acres: 16.4

CONDITIONS OF APPROVAL

1. The portion of Right 2-10443 in excess of this transfer approval in the amount of 0.29 cfs and 16.4 acres shall be considered forfeited through approval of Transfer 75882.
2. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

WATER RIGHT NO. 2-10443
As Modified by Transfer No. 75882

CONDITIONS OF APPROVAL

4. Place of use is within the area served by Opaline Irrigation District.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
6. The following rights are also diverted through point of diversion described above: 2-2266, 2-10406, 2-10407 & 2-10442
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 31st day of December, 20 09


John Westra, Western Regional Manager