

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED*****TRANSFER NO. 73776**

This is to certify that: TED CANTRELL And/Or
SANDY CANTRELL
28294 RIVER RD
BRUNEAU ID 83604
(208)834-2153

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>
57-7100	WR/Decreed	03/29/1973	1.06 cfs	N/A	N/A	53.0	SHOOFLY 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>
57-7100	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>
57-7100	57-7100	1.06 cfs	N/A	53.0	132.5	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.06 cfs	N/A	53.0	132.5	N/A	N/A	N/A	N/A	N/A

Right 57-7100 is subject to the conditions of the Order Granting Petition for Reconsideration and Issuance of Amended Preliminary Order dated November 25, 2009, which has become final in the matter of Application for Transfer 73776.

Detailed Water Right Description(s) attached

Dated this 11th day of December, 20 09

for Camela S Skages
Chief, Water Allocation Bureau

WATER RIGHT NO. 57-7100
As Modified by Transfer No. 73776

In accordance with the approval of Transfer No. 73776, Water Right No. 57-7100 is now described as follows.

Right Holder: TED CANTRELL And/Or
 SANDY CANTRELL
 28294 RIVER RD
 BRUNEAU ID 83604

Priority Date: March 29, 1973

Source: SHOOFLY CREEK **Tributary:** SNAKE RIVER

BENEFICIAL USE **From** **To** **Diversion Rate**
 IRRIGATION 03/15 to 11/15 1.06 CFS

LOCATION OF POINT(S) OF DIVERSION:
 SHOOFLY CREEK SWSW Sec. 25 Twp 05S Rge 03E OWYHEE 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	
05S	04E	30											2.5						2.5
												L 9							
05S	04E	31					32.0	48.0	20.0	30.0									130.0
							L 2	L 3											

Total Acres: 132.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 53 acres within the place of use described above in a single irrigation season.
2. Rights 57-7100 and 2-202A when combined shall not exceed the irrigation of 111 acres.
3. Right 57-7051A is currently appurtenant to a part of the place of use described above. However, Right 57-7051A is currently leased to the Water Supply Bank and is not being used at its authorized place of use. If the use of Right 57-7051A resumes on its currently described place of use, it shall not exceed 3.22 cfs and the irrigation of 161 acres when used in combination with Rights 2-202A and 57-7100. If the purpose of use or place of use for Right 57-7051A is changed through a transfer approved by the Department before its currently authorized use is resumed, the combined use limits will be evaluated in the transfer process and may not apply.

WATER RIGHT NO. 57-7100
As Modified by Transfer No. 73776

CONDITIONS OF APPROVAL

4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval or originating approval/SRBA partial decree date.
5. 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.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. The following rights are diverted through point(s) of diversion described above: 57-7100 and 57-2228.
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 11th day of December, 20 09


for Chief, Water Allocation Bureau