

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73748

This is to certify that: DARREL L AGENBROAD
27161 DAIRY RD
GRAND VIEW ID 83624-5044
(208)834-3077

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>
2-7279A	WR/Decree	02/08/1979	3.82 cfs	859.5 af	191	208	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>
2-7279A	YES	NO	YES	NO	NO	NO

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<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>
2-7168C	WR/Decree	08/30/1974	2.7 cfs	675 af	135	158	SNAKE RIVER
2-7168A	WR/Decree	08/30/1974	3.08 cfs	770 af	N/A	154	SNAKE RIVER

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>
2-7279A	2-10436	2.92 cfs	657 af	146	184	2-10435	0.90 cfs	202.5 af	N/A	45
COMBINED										
TOTALS		2.92 cfs	657 af	146	184		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 5th day of October, 2009


John Westra, Western Regional Manager

SCANNED

OCT 07 2009

SUPPORT DATA

IN FILE # 2-7279A

WATER RIGHT NO. 2-10435
As Modified by Transfer No. 73748

In accordance with the approval of Transfer No. 73748, Water Right No. 2-10435 is now described as follows.

Right Holder: DARREL L AGENBROAD
 27161 DAIRY RD
 GRAND VIEW ID 83624-5044

Priority Date: February 08, 1979

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	0.90 CFS	202.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L9 (SESW) Sec. 34 Twp 05S Rge 04E 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	
06S	03E	5	45.0																45.0
			L 1																

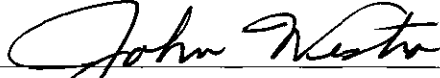
Total Acres: 45

CONDITIONS OF APPROVAL

1. Use of this right with rights listed below is limited to a total combined diversion rate of 48.44 cfs. Combined Right Nos: 2-7059, 2-7060B, 2-7061, 2-7062, 2-7064, 2-7168A, 2-7168B, 2-7237A, 2-7275, 2-10181, 2-10315, 2-10316, 2-10435, and 2-10436.
2. Use of this right with Right No. 2-07168C is limited to a total combined annual diversion volume of 202.5 AF.
3. The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. The following rights are diverted through point(s) of diversion described above: 2-7059, 2-7060B, 2-7061, 2-7062, 2-7064, 2-7168A, 2-7168B, 2-7237A, 2-7275, 2-10181, 2-10315, 2-10316, 2-10435, and 2-10436.

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 5th day of October, 2009


 John Westra, Western Regional Manager

WATER RIGHT NO. 2-10436
As Modified by Transfer No. 73748

In accordance with the approval of Transfer No. 73748, Water Right No. 2-10436 is now described as follows.

Right Holder: DARREL L AGENBROAD
 27161 DAIRY RD
 GRAND VIEW ID 83624-5044

Priority Date: February 08, 1979

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	2.92 CFS	657 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L9 (SESW) Sec. 34 Twp 05S Rge 04E 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	
06S	03E	5												40.0	35.0	33.0	38.0	38.0	184.0

Total Acres: 184

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. 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.
5. 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.

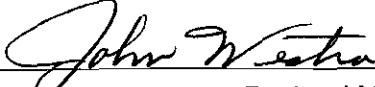
WATER RIGHT NO. 2-10436
As Modified by Transfer No. 73748

CONDITIONS OF APPROVAL

6. This right is limited to the irrigation of 146 acres within the place of use described above in a single irrigation season.
7. Rights 2-10436 and 2-7168A when combined shall not exceed the irrigation of 184 acres.
8. Rights 2-10435, 2-10436, 2-7059, 2-7060B, 2-10181, 2-10315, 2-10316, 2-7061, 2-7062, 2-7064, 2-7168A, 2-7168B, 2-7168C, 2-7237A, and 2-7275 when combined shall not exceed a total diversion rate of 48.44 cfs.
9. 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.
10. The following rights are diverted through point(s) of diversion described above: 2-7059, 2-7060B, 2-7061, 2-7062, 2-7064, 2-7168A, 2-7168B, 2-7237A, 2-7275, 2-10181, 2-10315, 2-10316, 2-10435, and 2-10436.

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 5th day of October, 20 09



John Westra, Western Regional Manager

WATER RIGHT NO. 2-7168C
As Modified by Transfer No. 73748

In accordance with the approval of Transfer No. 73748, Water Right No. 2-7168C is now described as follows.

Right Holder: AGENBROAD GRAND VIEW FAMILY LIMITED PARTNERSHIP
 27161 DAIRY RD
 GRAND VIEW ID 83624

Priority Date: August 30, 1974

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	2.70 CFS	675 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L9 (SESW) Sec. 34 Twp 05S Rge 04E 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	03E	32				40.0									40.0			40.0	120.0
05S	03E	33											38.0						38.0

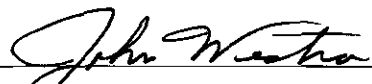
Total Acres: 158

CONDITIONS OF APPROVAL

1. The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.
2. Use of this right with Right No. 2-10435 is limited to a total combined annual diversion volume of 202.5 AF.
3. The following rights are diverted through point(s) of diversion described above: 2-7059, 2-7060B, 2-7061, 2-7062, 2-7064, 2-7168A, 2-7168B, 2-7237A, 2-7275, 2-10181, 2-10315, 2-10316, 2-10435, and 2-10436..
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. This right authorizes the irrigation of 135 total acres.

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 5th day of October, 2009


 John Westra, Western Regional Manager

WATER RIGHT NO. 2-7168A
As Modified by Transfer No. 73748

In accordance with the approval of Transfer No. 73748, Water Right No. 2-7168A is now described as follows.

Right Holder: DARREL L AGENBROAD
 27161 DAIRY RD
 GRAND VIEW ID 83624-5044

Priority Date: August 30, 1974

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	3.08 CFS	770 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L9 (SESW) Sec. 34 Twp 05S Rge 04E 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	
06S	03E	4											38.0						38.0
06S	03E	5											40.0				38.0	38.0	116.0

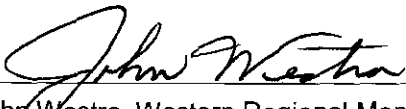
Total Acres: 154

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. The following rights are diverted through point(s) of diversion described above: 2-7059, 2-7060B, 2-7061, 2-7062, 2-7064, 2-7168A, 2-7168B, 2-7237A, 2-7275, 2-10181, 2-10315, 2-10316, 2-10435, and 2-10436.
3. Rights 2-10436 and 2-7168A when combined shall not exceed the irrigation of 184 acres.
4. The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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 5th day of October, 20 09


 John Westra, Western Regional Manager