

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75689

This is to certify that: EUGENE L And JOYCE SHAW

803 E 270 S
 DIETRICH ID 83324
 (208)539-2926

And

WILLIAM HUBERT And RITA S SHAW
 411 S 750 E
 DIETRICH ID 83324
 (208)544-7534

have 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>
37-7314	WR/Decreed	11/05/1973	2.8 cfs	560 af	140.0	220.0	GROUND WATER
37-7716	WR/Decreed	05/22/1978	0.78 cfs	156 af	39.0	220.0	GROUND WATER
37-7726	WR/Decreed	08/10/1978	0.82 cfs	164 af	41.0	220.0	GROUND WATER

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>
37-7314	NO	NO	YES	NO	NO	NO
37-7716	NO	NO	YES	NO	NO	NO
37-7726	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

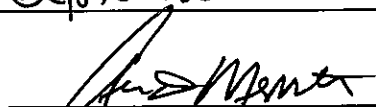
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-7314	37-7314	2.8 cfs	560 af	140.0	180.0		N/A	N/A	N/A	N/A
37-7716	37-7716	0.78 cfs	156 af	N/A	39.0		N/A	N/A	N/A	N/A
37-7726	37-7726	0.8 cfs	160 af	40.0	180.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		3.3 cfs	876.0 af	N/A	219.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of September, 20 09

SUPPORT DATA

IN FILE # 37-7314

For 
 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7716
As Modified by Transfer No. 75689

In accordance with the approval of Transfer No. 75689, Water Right No. 37-7716 is now described as follows.

Right Holder: WILLIAM HUBERT
411 S 750 E
DIETRICH ID 83324

And

RITA S SHAW
411 S 750 E
DIETRICH ID 83324

Priority Date: May 22, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.78 CFS	156.0 AF
			0.78 CFS	156.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 (SWNWNW) Sec. 19 Twp 06S Rge 19E LINCOLN 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
06S 18E 24	39.0																39.0

Total Acres: 39

CONDITIONS OF APPROVAL

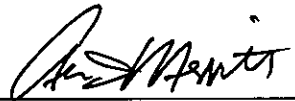
1. Rights 37-7716, 37-7314, and 37-7726 when combined shall not exceed a total diversion rate of 3.30 cfs.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Use of water 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. 130.

WATER RIGHT NO. 37-7716
As Modified by Transfer No. 75689

4. Prior to the diversion and use of water under Transfer approval 75689, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. This right does not grant any right-of-way or easement across the land of another.
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 30th day of September, 2009



for Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7314
As Modified by Transfer No. 75689

In accordance with the approval of Transfer No. 75689, Water Right No. 37-7314 is now described as follows.

Right Holder: EUGENE L SHAW
 803 E 270 S
 DIETRICH ID 83324

And

JOYCE SHAW
 803 E 270 S
 DIETRICH ID 83324-5125

Priority Date: November 05, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.80 CFS	560.0 AF
			2.80 CFS	560.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 (SWNWNW) Sec. 19 Twp 06S Rge 19E LINCOLN 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 19E 19					40.0	40.0	33.0	40.0									153.0
					L 1	L 2	L 5	L 6									
06S 19E 19						27.0											27.0
						L 3											

Total Acres: 180

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140 acres within the place of use described above in a single irrigation season.
2. Rights 37-7314 and 37-7726 when combined shall not exceed a total diversion rate of 3.30 cfs, a total annual maximum diversion volume of 720 af at the field headgate, and the irrigation of 180 acres.
3. Rights 37-7716, 37-7314, and 37-7726 when combined shall not exceed a total diversion rate of 3.30 cfs.

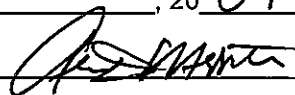
WATER RIGHT NO. 37-7314
As Modified by Transfer No. 75689

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. 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. 130.
6. Prior to the diversion and use of water under Transfer approval 75689, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 30th day of September, 20 09

FOR



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7726
As Modified by Transfer No. 75689

In accordance with the approval of Transfer No. 75689, Water Right No. 37-7726 is now described as follows.

Right Holder: JOYCE SHAW
 803 E 270 S
 DIETRICH ID 83324-5125

And

EUGENE L SHAW
 803 E 270 S
 DIETRICH ID 83324

Priority Date: August 10, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.80 CFS	160.0 AF
			0.80 CFS	160.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 (SWNWNW) Sec. 19 Twp 06S Rge 19E LINCOLN 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 19E 19					40.0	40.0	33.0	40.0									153.0
					L 1	L 2	L 5	L 6									
06S 19E 19						27.0											27.0
						L 3											

Total Acres: 180

CONDITIONS OF APPROVAL

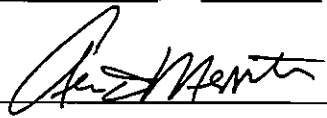
1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.
3. Rights 37-7314 and 37-7726 when combined shall not exceed a total diversion rate of 3.30 cfs, a total annual maximum diversion volume of 720 af at the field headgate, and the irrigation of 180 acres.

WATER RIGHT NO. 37-7726
As Modified by Transfer No. 75689

4. Rights 37-7716, 37-7314, and 37-7726 when combined shall not exceed a total diversion rate of 3.30 cfs.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
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. 130.
7. Prior to the diversion and use of water under Transfer approval 75689, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 30th day of September, 2009


For _____
Chief, Water Allocation Bureau