

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75421

This is to certify that: BARBARA E GARDINER

1750 S HWY 81
MALTA ID 83342
(208)645-2563

And

GOLDEN F GARDINER
1750 S HWY 81
MALTA ID 83342
(208)645-2563

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>
43-300	WR/Decreed	04/01/1906	0.76 cfs	N/A		38.0	CASSIA CREEK
43-301	WR/Decreed	04/01/1913	0.8 cfs	N/A		65.0	CASSIA CREEK
43-2573	WR/Decreed	05/22/1963	3 cfs	668 af		167.0	GROUND WATER
43-4232	WR/Decreed	04/01/1931	0.5 cfs	N/A	65.0	65.0	CASSIA CREEK
43-4233	WR/Decreed	04/01/1955	1.76 cfs	352 af		88.0	GROUND WATER
43-4240	WR/Decreed	03/01/1949	2.32 cfs	N/A		116.0	CASSIA CREEK
43-10123	WR/Decreed	03/15/1962	1.4 cfs	240 af		70.0	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>
43-300	NO	NO	YES	NO	NO	NO
43-301	NO	NO	YES	NO	NO	NO
43-2573	NO	NO	YES	YES	NO	NO
43-4232	NO	NO	YES	NO	NO	NO
43-4233	NO	NO	YES	YES	NO	NO
43-4240	NO	NO	YES	NO	NO	NO
43-10123	NO	NO	YES	YES	NO	NO

SUPPORT DATA

IN FILE # 43-300

SCANNED
SEP 30 2008

all 16 pg

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75421

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
43-300	43-300	0.76 cfs	N/A	38.0	396.0		N/A	N/A	N/A	N/A
43-301	43-301	0.8 cfs	N/A	65.0	396.0		N/A	N/A	N/A	N/A
43-2573	43-2573	3 cfs	668 af	167.0	396.0		N/A	N/A	N/A	N/A
43-4232	43-4232	0.5 cfs	N/A	65.0	396.0		N/A	N/A	N/A	N/A
43-4233	43-4233	1.76 cfs	352 af	88.0	396.0		N/A	N/A	N/A	N/A
43-4240	43-4240	2.32 cfs	N/A	116.0	396.0		N/A	N/A	N/A	N/A
43-10123	43-10123	1.4 cfs	240 af	70.0	396.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		9.08 cfs	1584 af		396		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15th day of September, 2009


For _____
Chief, Water Allocation Bureau

WATER RIGHT NO. 43-300
As Modified by Transfer No. 75421

In accordance with the approval of Transfer No. 75421, Water Right No. 43-300 is now described as follows.

Right Holder: GOLDEN F GARDINER
 1750 S HWY 81
 MALTA ID 83342

And

BARBARA E GARDINER
 1750 S HWY 81
 MALTA ID 83342

Priority Date: April 01, 1906

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.76 CFS
			0.76 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK SESENW Sec. 23 Twp 13S Rge 26E CASSIA 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	
13S 26E 23													40.0	38.0	35.0	37.0	150.0
13S 26E 24							35.0		31.0	28.0	32.0			31.0			157.0
13S 26E 25							32.0	21.0									53.0
13S 26E 26	22.0	2.3		11.7													36.0

Total Acres: 396

WATER RIGHT NO. 43-300
As Modified by Transfer No. 75421

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.
2. Rights 43-300, 43-301, 43-2573, 43-4232, 43-4233, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 7.92 cfs, a total annual maximum diversion volume of 1584.0 af at the field headgate, and the irrigation of 396.0 acres.
3. 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.
4. 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. 43C.
5. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
6. 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.
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.

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 15th day of September, 20 09


FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 43-301
As Modified by Transfer No. 75421

In accordance with the approval of Transfer No. 75421, Water Right No. 43-301 is now described as follows.

Right Holder: GOLDEN F GARDINER
 1750 S HWY 81
 MALTA ID 83342

And

BARBARA E GARDINER
 1750 S HWY 81
 MALTA ID 83342

Priority Date: April 01, 1913

Source: CASSIA CREEK

Tributary: RAFT RIVER

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

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK SESENW Sec. 23 Twp 13S Rge 26E CASSIA 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	
13S 26E 23													40.0	38.0	35.0	37.0	150.0
13S 26E 24							35.0		31.0	28.0	32.0			31.0			157.0
13S 26E 25							32.0	21.0									53.0
13S 26E 26	22.0	2.3		11.7													36.0

Total Acres: 396

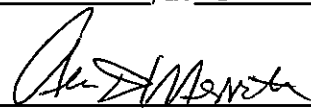
WATER RIGHT NO. 43-301
As Modified by Transfer No. 75421

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 65 acres within the place of use described above in a single irrigation season.
2. Rights 43-301 and 43-4232 when combined shall not exceed the irrigation of 65 acres in a single irrigation season.
3. Rights 43-301, 43-4232 and 43-10123 when combined shall not exceed a total diversion rate of 2.06 cfs, and the irrigation of 103 acres in a single irrigation season.
4. Rights 43-300, 43-301, 43-2573, 43-4232, 43-4233, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 7.92 cfs, a total annual maximum diversion volume of 1584.0 af at the field headgate, and the irrigation of 396.0 acres.
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. 43C.
7. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
8. 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.
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.

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 15th day of September, 20 09



FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2573
As Modified by Transfer No. 75421

In accordance with the approval of Transfer No. 75421, Water Right No. 43-2573 is now described as follows.

Right Holder: GOLDEN F GARDINER
 1750 S HWY 81
 MALTA ID 83342

And

BARBARA E GARDINER
 1750 S HWY 81
 MALTA ID 83342

Priority Date: May 22, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.00 CFS	668.0 AF
			3.00 CFS	668.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec. 23 Twp 13S Rge 26E CASSIA County

GROUND WATER SWNENE Sec. 26 Twp 13S Rge 26E CASSIA 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	
13S 26E 23													40.0	38.0	35.0	37.0	150.0
13S 26E 24							35.0		31.0	28.0	32.0			31.0			157.0
13S 26E 25							32.0	21.0									53.0
13S 26E 26	22.0	2.3		11.7													36.0

Total Acres: 396

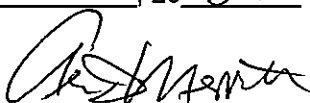
WATER RIGHT NO. 43-2573
As Modified by Transfer No. 75421

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 167 acres within the place of use described above in a single irrigation season.
2. Rights 43-2573 and 43-4233 when combined shall not exceed a total diversion rate of 3.30 cfs.
3. Rights 43-2573, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 6.60 cfs, and the irrigation of 330 acres in a single irrigation season.
4. Rights 43-2573, 43-4233 and 43-10123 when combined shall not exceed a total diversion rate of 4.70 cfs, a total annual maximum diversion volume of 1260.0 af at the field headgate, and the irrigation of 325 acres.
5. Rights 43-300, 43-301, 43-2573, 43-4232, 43-4233, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 7.92 cfs, a total annual maximum diversion volume of 1584.0 af at the field headgate, and the irrigation of 396.0 acres.
6. 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.
7. 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.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.
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.
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.

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 15th day of September, 2009



FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4232
As Modified by Transfer No. 75421

In accordance with the approval of Transfer No. 75421, Water Right No. 43-4232 is now described as follows.

Right Holder: GOLDEN F GARDINER
 1750 S HWY 81
 MALTA ID 83342

And

BARBARA E GARDINER
 1750 S HWY 81
 MALTA ID 83342

Priority Date: April 01, 1931

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	0.50 CFS
			0.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK SESENW Sec. 23 Twp 13S Rge 26E CASSIA 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	
13S 26E 23													40.0	38.0	35.0	37.0	150.0
13S 26E 24							35.0		31.0	28.0	32.0			31.0			157.0
13S 26E 25							32.0	21.0									53.0
13S 26E 26	22.0	2.3		11.7													36.0

Total Acres: 396

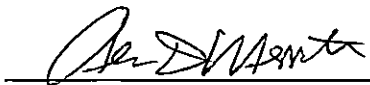
WATER RIGHT NO. 43-4232
As Modified by Transfer No. 75421

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 65 acres within the place of use described above in a single irrigation season.
2. Rights 43-301 and 43-4232 when combined shall not exceed the irrigation of 65 acres in a single irrigation season.
3. Rights 43-301, 43-4232 and 43-10123 when combined shall not exceed a total diversion rate of 2.06 cfs, and the irrigation of 103 acres in a single irrigation season.
4. Rights 43-300, 43-301, 43-2573, 43-4232, 43-4233, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 7.92 cfs, a total annual maximum diversion volume of 1584.0 af at the field headgate, and the irrigation of 396.0 acres.
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. 43C.
7. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
8. 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.
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.

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 15th day of September, 2009



FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4233
As Modified by Transfer No. 75421

In accordance with the approval of Transfer No. 75421, Water Right No. 43-4233 is now described as follows.

Right Holder: GOLDEN F GARDINER
 1750 S HWY 81
 MALTA ID 83342

And

BARBARA E GARDINER
 1750 S HWY 81
 MALTA ID 83342

Priority Date: April 01, 1955

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	1.76 CFS	352.0 AF
			1.76 CFS	352.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec. 23 Twp 13S Rge 26E CASSIA County

GROUND WATER SWNENE Sec. 26 Twp 13S Rge 26E CASSIA 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	
13S	26E	23													40.0	38.0	35.0	37.0	150.0
13S	26E	24							35.0		31.0	28.0	32.0			31.0			157.0
13S	26E	25							32.0	21.0									53.0
13S	26E	26	22.0	2.3		11.7													36.0

Total Acres: 396

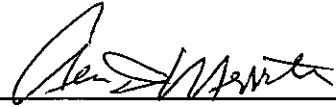
WATER RIGHT NO. 43-4233
As Modified by Transfer No. 75421

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 88 acres within the place of use described above in a single irrigation season.
2. Rights 43-2573 and 43-4233 when combined shall not exceed a total diversion rate of 3.30 cfs.
3. Rights 43-2573, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 6.60 cfs, and the irrigation of 330 acres in a single irrigation season.
4. Rights 43-2573, 43-4233 and 43-10123 when combined shall not exceed a total diversion rate of 4.70 cfs, a total annual maximum diversion volume of 1260.0 af at the field headgate, and the irrigation of 325 acres.
5. Rights 43-300, 43-301, 43-2573, 43-4232, 43-4233, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 7.92 cfs, a total annual maximum diversion volume of 1584.0 af at the field headgate, and the irrigation of 396.0 acres.
6. 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.
7. 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.
8. 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.
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.

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 15th day of September, 2009



FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4240
As Modified by Transfer No. 75421

In accordance with the approval of Transfer No. 75421, Water Right No. 43-4240 is now described as follows.

Right Holder: GOLDEN F GARDINER
 1750 S HWY 81
 MALTA ID 83342

And

BARBARA E GARDINER
 1750 S HWY 81
 MALTA ID 83342

Priority Date: March 01, 1949

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	2.32 CFS
			2.32 CFS

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK SESENW Sec. 23 Twp 13S Rge 26E CASSIA 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	
13S 26E 23													40.0	38.0	35.0	37.0	150.0
13S 26E 24							35.0		31.0	28.0	32.0			31.0			157.0
13S 26E 25							32.0	21.0									53.0
13S 26E 26	22.0	2.3		11.7													36.0

Total Acres: 396

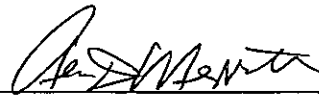
WATER RIGHT NO. 43-4240
As Modified by Transfer No. 75421

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 116 acres within the place of use described above in a single irrigation season.
2. Rights 43-2573, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 6.60 cfs, and the irrigation of 330 acres in a single irrigation season.
3. Rights 43-300, 43-301, 43-2573, 43-4232, 43-4233, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 7.92 cfs, a total annual maximum diversion volume of 1584.0 af at the field headgate, and the irrigation of 396.0 acres.
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. 43C.
6. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
7. 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.
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.

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 15th day of September, 2009



FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 43-10123
As Modified by Transfer No. 75421

In accordance with the approval of Transfer No. 75421, Water Right No. 43-10123 is now described as follows.

Right Holder: GOLDEN F GARDINER
 1750 S HWY 81
 MALTA ID 83342

And

BARBARA E GARDINER
 1750 S HWY 81
 MALTA ID 83342

Priority Date: March 15, 1962

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	1.40 CFS	240.0 AF
			1.40 CFS	240.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec. 23 Twp 13S Rge 26E CASSIA County

GROUND WATER SWNENE Sec. 26 Twp 13S Rge 26E CASSIA 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	
13S 26E 23													40.0	38.0	35.0	37.0	150.0
13S 26E 24							35.0		31.0	28.0	32.0			31.0			157.0
13S 26E 25							32.0	21.0									53.0
13S 26E 26	22.0	2.3		11.7													36.0

Total Acres: 396

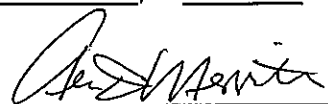
WATER RIGHT NO. 43-10123
As Modified by Transfer No. 75421

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.
2. Rights 43-10123 and 43-13533 when combined shall not exceed a total diversion rate of 1.40 cfs.
3. Rights 43-301, 43-4232 and 43-10123 when combined shall not exceed a total diversion rate of 2.06 cfs, and the irrigation of 103 acres in a single irrigation season.
4. Rights 43-2573, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 6.60 cfs, and the irrigation of 330 acres in a single irrigation season.
5. Rights 43-2573, 43-4233 and 43-10123 when combined shall not exceed a total diversion rate of 4.70 cfs, a total annual maximum diversion volume of 1260.0 af at the field headgate, and the irrigation of 325 acres.
6. Rights 43-300, 43-301, 43-2573, 43-4232, 43-4233, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 7.92 cfs, a total annual maximum diversion volume of 1584.0 af at the field headgate, and the irrigation of 396.0 acres.
7. 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.
8. 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.
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.
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.

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 15th day of September, 2009


For Chief, Water Allocation Bureau