

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73749

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>
57-2239	WR/Decreed	01/23/1961	1.42 cfs	319 af	N/A	71.0	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>
57-2239	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>
57-2239	57-2239	1.42 cfs	319 af	71	128		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.42 cfs	319 af	71	128		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

WATER RIGHT NO. 57-2239
As Modified by Transfer No. 73749

In accordance with the approval of Transfer No. 73749, Water Right No. 57-2239 is now described as follows.

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

Priority Date: January 23, 1961

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	1.42 CFS	319 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWSW Sec. 5 Twp 06S Rge 03E OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06S	03E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			48.0							40.0				40.0					128.0

Total Acres: 128

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.

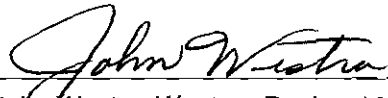
WATER RIGHT NO. 57-2239
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CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 71 acres within the place of use described above in a single irrigation season.
6. Rights 57-2239 and 57-2226 when combined shall not exceed the irrigation of 128 acres.
7. 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.
8. The following rights are diverted through point(s) of diversion described above: 57-2226 and 57-2239.

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