

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75607

This is to certify that: JANET YATES
 1941 S 2450 E
 MALTA ID 83342
 (208)645-2438

KIRTLAND YATES
 1941 S 2450 E
 MALTA ID 83342
 (208)645-2438

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>
43-2307	WR/Decreed	03/31/1948	2.9 cfs	666 af	166.5	235.0	GROUND WATER
43-10593	WR/Decreed	06/30/1985	0.84 cfs	N/A	68.5	235.0	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>
43-2307	NO	NO	NO	YES	NO	NO
43-10593	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

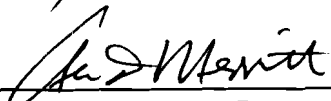
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-2307	43-2307	2.9 cfs	666 af	166.5	235.0	N/A	N/A	N/A	N/A	N/A
43-10593	43-10593	0.84 cfs	N/A	68.5	235.0	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.9 cfs	666 af	235	235	N/A	N/A	N/A	N/A	N/A

SUPPORT DATA
IN FILE # 43-2307

STATE OF IDAHO
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TRANSFER OF WATER RIGHT
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Detailed Water Right Description(s) attached

Dated this 22nd day of May, 20 09

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2307
As Modified by Transfer No. 75607

In accordance with the approval of Transfer No. 75607, Water Right No. 43-2307 is now described as follows.

Right Holder:

Priority Date: March 31, 1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.90 CFS	666.0 AF
			2.90 CFS	666.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSW Sec. 33 Twp 13S Rge 27E CASSIA County

GROUND WATER SWSW Sec. 33 Twp 13S Rge 27E 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 27E 33					40.0	39.0	37.0	40.0	40.0	39.0							235.0

Total Acres: 235

WATER RIGHT NO. 43-2307
As Modified by Transfer No. 75607

CONDITIONS OF APPROVAL

1. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
2. This right is limited to the irrigation of 166.5 acres within the place of use described above in a single irrigation season.
3. Rights 43-2307 and 43-10593 when combined shall not exceed a total diversion rate of 2.90 cfs, a total annual maximum diversion volume of 666 af at the field headgate, and the irrigation of 235 acres.
4. The right holder shall accomplish the change authorized by this transfer within 1 year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

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 22nd day of May, 2009


For Chief, Water Allocation Bureau

WATER RIGHT NO. 43-10593
As Modified by Transfer No. 75607

In accordance with the approval of Transfer No. 75607, Water Right No. 43-10593 is now described as follows.

Right Holder: KIRTLAND YATES
 1941 S 2450 E
 MALTA ID 83342

JANET YATES
 1941 S 2450 E
 MALTA ID 83342

Priority Date: June 30, 1985

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	0.84 CFS	
		0.84 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSW Sec. 33 Twp 13S Rge 27E CASSIA County

GROUND WATER SWSW Sec. 33 Twp 13S Rge 27E CASSIA 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
13S 27E 33					40.0	39.0	37.0	40.0	40.0	39.0							235.0

Total Acres: 235

WATER RIGHT NO. 43-10593
As Modified by Transfer No. 75607

CONDITIONS OF APPROVAL

1. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
2. This right is limited to the irrigation of 68.5 acres within the place of use described above in a single irrigation season.
3. Rights 43-2307 and 43-10593 when combined shall not exceed a total diversion rate of 2.90 cfs, a total annual maximum diversion volume of 666 af at the field headgate, and the irrigation of 235 acres.
4. This right is an expansion of Right No. 43-2307 pursuant to Section 42-1416B, Idaho Code.
5. The right holder shall accomplish the change authorized by this transfer within 1 year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

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 22nd day of May, 2009



TAR Chief, Water Allocation Bureau