

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 74964

This is to certify that: ALAN C BATT And  
MILLIE BATT  
3224 E 200 N  
RIBGY ID 83442  
(208)754-4114

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 25-7109      | WR/Decreed          | 05/02/1977      | 3.03 cfs    | 801.5 af      | N/A               | 229.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 25-7109               | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 25-7109               | <b>25-7109</b>                   | 3.03 cfs             | 801.5 af               | N/A               | 229.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>3.03 cfs</b>      | <b>801.5 af</b>        | <b>N/A</b>        | <b>229.0</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 24 day of June, 2007

*Ernest Carlson*  
for Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 25-7109

**WATER RIGHT NO. 25-7109**  
**As Modified by Transfer No. 74964**

In accordance with the approval of Transfer No. 74964, Water Right No. 25-7109 is now described as follows.

**Right Holder:** ALLAN BATT And  
MILLIE BATT  
3224 E 200 N  
RIBGY ID 83442

**Priority Date:** May 02, 1977

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01 to    | 11/01     | 3.03 CFS              | 801.5 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      SWNESE                      Sec. 24 Twp 04N   Rge 37E   JEFFERSON 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 |        |
| 04N | 37E | 23  |    |    |    |    |    |    |      |      |      |      |      |      | .3 |    |    | .4 | .7     |
| 04N | 37E | 24  |    |    |    |    |    |    | 8.0  | 8.0  | 38.0 | 38.0 | 33.0 | 33.0 |    |    |    |    | 158.0  |
| 04N | 37E | 25  |    |    |    |    |    |    | 39.8 | 30.5 |      |      |      |      |    |    |    |    | 70.3   |

Total Acres: 229

**CONDITIONS OF APPROVAL**

1. 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. 120.
2. 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.
3. Prior to the diversion and use of water under Transfer approval 74964, 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.
4. 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.
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 this right is combined with water from Burgess Canal Co.

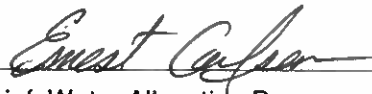
**WATER RIGHT NO. 25-7109**  
**As Modified by Transfer No. 74964**

**CONDITIONS OF APPROVAL**

7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 24 day of June, 2009

  
for Chief, Water Allocation Bureau