

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75401

This is to certify that: RUSSELL J KLEMPER
 3080 W 1500 S
 ABERDEEN ID 83210
 (208)221-4236

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>
35-13734	WR/Decreed	01/14/1949	0.92 cfs	N/A	41.2	97.7	GROUND WATER
35-13736	WR/Decreed	11/17/1958	0.89 cfs	N/A	44.6	97.7	GROUND WATER
35-13738	WR/Decreed	07/09/1962	0.14 cfs	N/A	11.9	97.7	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>
35-13734	NO	YES	YES	NO	NO	NO
35-13736	NO	YES	YES	NO	NO	NO
35-13738	NO	YES	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>
35-13734	35-13734	0.92 cfs	164.8 af	41.2	97.7		N/A	N/A	N/A	N/A
35-13736	35-13736	0.89 cfs	178.4 af	44.6	97.7		N/A	N/A	N/A	N/A
35-13738	35-13738	0.14 cfs	47.6 af	11.9	97.7		N/A	N/A	N/A	N/A
COMBINED TOTALS		1.95 cfs	390.8 af	97.7	97.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12 day of May, 20 09

for Ernest Carlson
 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 35-13734

**WATER RIGHT NO. 35-13734
As Modified by Transfer No. 75401**

In accordance with the approval of Transfer No. 75401, Water Right No. 35-13734 is now described as follows.

Right Holder: RUSSELL J KLEMPER
3080 W 1500 S
ABERDEEN ID 83210

Priority Date: January 14, 1949

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	0.92 CFS	164.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWNW Sec. 13 Twp 05S Rge 30E BINGHAM 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
05S 30E 13					39.0	39.0	15.0	4.7									97.7

Total Acres: 97.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 41.2 acres within the place of use described above in a single irrigation season.
2. Rights 35-13734, 35-13736 and 35-13738 when combined shall not exceed the irrigation of 97.7 acres.
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. 120.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 75401, 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.
6. 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.

WATER RIGHT NO. 35-13734
As Modified by Transfer No. 75401

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The following rights are diverted through point(s) of diversion described above: 35-13734, 35-13736, 35-13738.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 12 day of May, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-13736
As Modified by Transfer No. 75401**

In accordance with the approval of Transfer No. 75401, Water Right No. 35-13736 is now described as follows.

Right Holder: RUSSELL J KLEMPER
3080 W 1500 S
ABERDEEN ID 83210

Priority Date: November 17, 1958

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	0.89 CFS	178.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWNW Sec. 13 Twp 05S Rge 30E BINGHAM 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	
05S	30E	13					39.0	39.0	15.0	4.7									97.7

Total Acres: 97.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 44.6 acres within the place of use described above in a single irrigation season.
2. Rights 35-13734, 35-13736 and 35-13738 when combined shall not exceed the irrigation of 97.7 acres.
3. 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.
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. 120.
5. Prior to the diversion and use of water under Transfer approval 75401, 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.
6. 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.

WATER RIGHT NO. 35-13736
As Modified by Transfer No. 75401

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The following rights are diverted through point(s) of diversion described above: 35-13734, 35-13736, 35-13738.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 12 day of May, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-13738
As Modified by Transfer No. 75401**

In accordance with the approval of Transfer No. 75401, Water Right No. 35-13738 is now described as follows.

Right Holder: RUSSELL J KLEMPER
3080 W 1500 S
ABERDEEN ID 83210

Priority Date: July 09, 1962

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	0.14 CFS	47.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWNW Sec. 13 Twp 05S Rge 30E BINGHAM 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
05S	30E	13					39.0	39.0	15.0	4.7									97.7

Total Acres: 97.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11.9 acres within the place of use described above in a single irrigation season.
2. Rights 35-13734, 35-13736 and 35-13738 when combined shall not exceed the irrigation of 97.7 acres.
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. 120.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 75401, 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.
6. 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.

WATER RIGHT NO. 35-13738
As Modified by Transfer No. 75401

CONDITIONS OF APPROVAL

7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. 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.
9. The following rights are diverted through point(s) of diversion described above: 35-13734, 35-13736, 35-13738.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 12 day of May, 2009

Ernest Carlsson
for Chief, Water Allocation Bureau