

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74823

This is to certify that: **MONTOUR FARMERS DITCH CO**

LON MC CONNEL
10040 GATFIELD RD
EMMETT ID 83617
(208)584-3314

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>
65-58	WR/Decreed	06/23/1884	21.63 cfs	N/A	823.0		PAYETTE RIVER
65-22678	WR/Decreed	06/23/1884	0.04 cfs	N/A	N/A	N/A	PAYETTE RIVER

Purpose of Transfer (Changes Proposed)

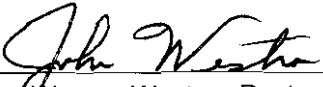
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
65-58	NO	YES	YES	YES	NO	NO
65-22678	NO	YES	YES	YES	NO	NO

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>
65-58	65-58	21.63 cfs	N/A	823.0	1,339.9		N/A	N/A	N/A	N/A
65-22678	65-22678	0.04 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		21.63 cfs		823.0	1,339.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of April, 2009


 John Westra, Western Regional Manager

SUPPORT DATA

IN FILE # 165-58

WATER RIGHT NO. 65-58
As Modified by Transfer No. 74823

In accordance with the approval of Transfer No. 74823, Water Right No. 65-58 is now described as follows.

Right Holder: MONTOUR FARMERS DITCH CO
LON MC CONNEL
10040 GATFIELD RD
EMMETT ID 83617

Priority Date: June 23, 1884

Source: PAYETTE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	21.63 CFS
			21.63 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAYETTE RIVER	SWSE	Sec. 24 Twp 07N	Rge 01E	GEM County
PAYETTE RIVER	SWNE	Sec. 25 Twp 07N	Rge 01E	GEM County

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. This right is limited to the irrigation of 823 acres within the 1339.9-acre service area of The Montour Farmers Ditch Company in a single irrigation season.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
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. 65.

WATER RIGHT NO. 65-58
As Modified by Transfer No. 74823

CONDITIONS OF APPROVAL

7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 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 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/3/2002.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
10. Use of this right with Right No. 65-22678 is limited to a total combined diversion rate of 21.63 cfs.
11. The following rights are diverted through points of diversion described above: 65-58 and 65-22678.
12. The point of diversion in the SWSE of Section 24 is limited to a diversion rate of 4.0 cfs.

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 30th day of April, 2009



John Westra, Western Regional Manager

WATER RIGHT NO. 65-22678
As Modified by Transfer No. 74823

In accordance with the approval of Transfer No. 74823, Water Right No. 65-22678 is now described as follows.

Right Holder: MONTOUR FARMERS DITCH CO
 LON MC CONNEL
 10040 GATFIELD RD
 EMMETT ID 83617

Priority Date: June 23, 1884

Source: PAYETTE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01	to 12/31	0.04 CFS
			0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAYETTE RIVER	SWSE	Sec. 24 Twp 07N	Rge 01E	GEM County
PAYETTE RIVER	SWNE	Sec. 25 Twp 07N	Rge 01E	GEM County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	01E	22	X	X	X	X	X			X	X			X	X	X	X	X	
			L 1	L 2			L 3												
07N	01E	23			X		X	X	X	X	X	X	X	X					
					L 5		L 4	L 3		L 4									
07N	01E	26		X	X		X	X	X	X		X	X						
07N	01E	27	X	X	X	X	X		X	X					X	X		X	

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. The quantity of water under this right shall not exceed 13,000 gallons per day.

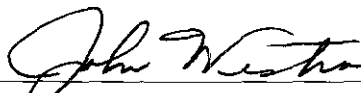
WATER RIGHT NO. 65-22678
As Modified by Transfer No. 74823

CONDITIONS OF APPROVAL

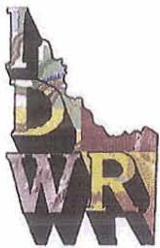
5. The quantity of water decreed for this water right is not a determination of historical beneficial use.
6. Use of this right with Right No. 65-58 is limited to a total combined diversion rate of 21.63 cfs.
7. The following rights are diverted through points of diversion described above: 65-58 and 65-22678.
8. The point of diversion in the SWSE of Section 24 is limited to a diversion rate of 4.0 cfs.

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 30th day of April, 2009



John Westra, Western Regional Manager



Montour Farmers Ditch Co

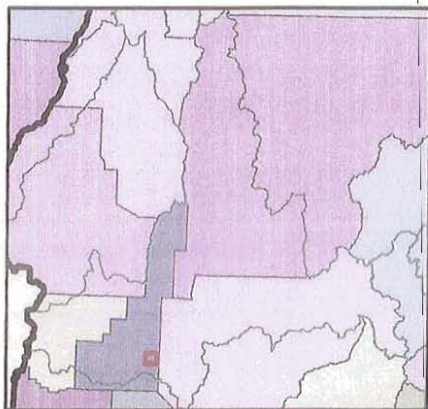
Water Right: 65-58

R01E

Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  PLS Sections
-  Quarter Quarters



**Gem County
IDWR Basin 65**

Prepared by Sharla Curtis
On April 21, 2009
2004 Aerial Photography

