

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74511

This is to certify that: MICHAEL L JAMES
 21610 ROBINSON RD
 OREANA ID 83650
 208-834-2925

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>
2-10333	AJC/License	07/30/1969	2.8 cfs	630 af	N/A	140.0	SNAKE RIVER
2-10397	AJC/License	07/30/1969	1.74 cfs	N/A	N/A	82.0	SNAKE RIVER
2-10399	AJC/License	07/30/1969	1.4 cfs	N/A	N/A	70.0	SNAKE 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>
2-10333	YES	YES	YES	NO	NO	NO
2-10397	YES	YES	YES	NO	NO	NO
2-10399	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>
2-10333	2-10423	0.8 cfs	N/A	40.0	123.0	2-10422	2 cfs	N/A	N/A	100.0
2-10397	2-10421	0.26 cfs	N/A	13.0	123.0	2-10420	1.74 cfs	N/A	N/A	69.0
2-10399	2-10399	1.4 cfs	N/A	70.0	123.0		N/A	N/A	N/A	N/A

COMBINED

TOTALS	2.46 cfs	N/A	123	123		N/A	N/A	N/A	N/A
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Detailed Water Right Descriptions attached

Dated this 6th day of March, 20 09


 John Westra, Western Regional Manager

SUPPORT DATA

IN FILE # 2-10333

WATER RIGHT NO. 2-10399
As Modified by Transfer No. 74511

In accordance with the approval of Transfer No. 74511, Water Right No. 2-10399 is now described as follows.

Right Holder: MICHAEL L JAMES
 21610 ROBINSON RD
 OREANA ID 83650

Priority Date: July 30, 1969

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/01 to	10/31	1.40 CFS
			1.40 CFS

LOCATION OF POINT OF DIVERSION:

SNAKE RIVER L4 (NENE) Sec. 8 Twp 04S Rge 02E OWYHEE 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	
04S	02E	18			40.0				40.0					40.0				3.0	123.0

Total Acres: 123

CONDITIONS OF APPROVAL

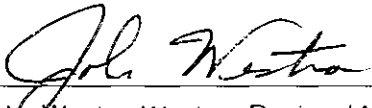
1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho 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. This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.
5. 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.
6. The period of use for the irrigation described in this approval may be extended to 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 after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

WATER RIGHT NO. 2-10399
As Modified by Transfer No. 74511

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. Rights 2-10399, 2-10421 and 2-10423 when combined shall not exceed the irrigation of 123 acres in a single irrigation season.
9. The following rights are also diverted through point of diversion described above: 2-2261A, 2-2261C, 2-2261D, 2-2259, 2-10421 and 2-10423.

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 6th day of March, 20 09



John Westra, Western Regional Manager

WATER RIGHT NO. 2-10420
As Modified by Transfer No. 74511

In accordance with the approval of Transfer No. 74511, Water Right No. 2-10420 is now described as follows.

Right Holder: MIKE IHLI OR LINDA IHLI
 643 S SCHOOL AVE
 KUNA ID 83634

Priority Date: July 30, 1969

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/01	to 10/31	1.74 CFS
			1.74 CFS

LOCATION OF POINT OF DIVERSION:

SNAKE RIVER L7 (SWSW) Sec. 26 Twp 03S Rge 01E OWYHEE 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	
04S 01E 1			12.0														12.0
04S 01E 12	24.0			2.0									4.0			12.0	42.0
04S 01E 13	15.0																15.0

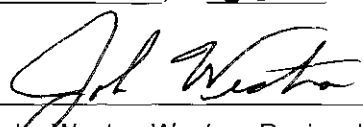
Total Acres: 69

CONDITIONS OF APPROVAL

- 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.
- The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
- Use of this right with Right Nos. 57-7034A, 57-11708, 57-11709 and 57-11710 is limited to a total combined annual diversion volume of 2220 AF.
- The following rights are also diverted through point of diversion described above: 2-2357A, 2-2357B, 2-2173, 2-7046E, and 2-10398.

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 6th day of March, 20 09


 John Westra, Western Regional Manager

WATER RIGHT NO. 2-10421
As Modified by Transfer No. 74511

In accordance with the approval of Transfer No. 74511, Water Right No. 2-10421 is now described as follows.

Right Holder: MICHAEL L JAMES
 21610 ROBINSON RD
 OREANA ID 83650

Priority Date: July 30, 1969

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/01 to	10/31	0.26 CFS
			0.26 CFS

LOCATION OF POINT OF DIVERSION:

SNAKE RIVER L4 (NENE) Sec. 8 Twp 04S Rge 02E OWYHEE 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	
04S	02E	18			40.0		40.0		40.0								3.0		123.0

Total Acres: 123

CONDITIONS OF APPROVAL

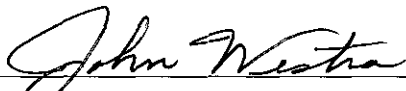
1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
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.
5. The period of use for the irrigation described in this approval may be extended to 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 after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 2-10421
As Modified by Transfer No. 74511

7. Rights 2-10399, 2-10421 and 2-10423 when combined shall not exceed the irrigation of 123 acres in a single irrigation season.
8. The following rights are also diverted through point of diversion described above: 2-2261A, 2-2261C, 2-2261D, 2-2259, 2-10399 and 2-10423.
9. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
10. This right does not grant any right-of-way or easement across the land of another.
11. This right is limited to the irrigation of 13 acres within the place of use described above in a single irrigation season.

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 6th day of March, 2009



John Westra, Western Regional Manager

WATER RIGHT NO. 2-10422
As Modified by Transfer No. 74511

In accordance with the approval of Transfer No. 74511, Water Right No. 2-10422 is now described as follows.

Right Holder: MIKE IHLI OR LINDA IHLI
 643 S SCHOOL AVE
 KUNA ID 83634

Priority Date: July 30, 1969

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	2.00 CFS	
			2.00 CFS	

LOCATION OF POINT OF DIVERSION:

SNAKE RIVER L7 (SWSW) Sec. 26 Twp 03S Rge 01E OWYHEE 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	
04S	01E	1														20.0			20.0
04S	01E	12			20.0											20.0	20.0		60.0
04S	01E	13			20.0														20.0

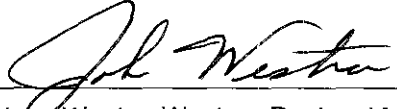
Total Acres: 100

CONDITIONS OF APPROVAL

- 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.
- The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
- The following rights are also diverted through point of diversion described above: 2-2357A, 2-2357B, 2-2173, 2-7046E, and 2-10398.
- Use of this right with Right Nos. 57-7034A, 57-11708, 57-11709 and 57-11710 is limited to a total combined annual diversion volume of 2220 AF.

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 6th day of March, 20 09


 John Westra, Western Regional Manager

WATER RIGHT NO. 2-10423
As Modified by Transfer No. 74511

In accordance with the approval of Transfer No. 74511, Water Right No. 2-10423 is now described as follows.

Right Holder: MICHAEL L JAMES
 21610 ROBINSON RD
 OREANA ID 83650

Priority Date: July 30, 1969

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	0.80 CFS	
			0.80 CFS	

LOCATION OF POINT OF DIVERSION:

SNAKE RIVER L4 (NENE) Sec. 8 Twp 04S Rge 02E OWYHEE 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
04S 02E 18			40.0		40.0			40.0								3.0	123.0

Total Acres: 123

CONDITIONS OF APPROVAL

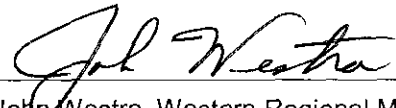
1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. After specific notification by the 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.
4. The period of use for the irrigation described in this approval may be extended to 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 after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
6. Rights 2-10399, 2-10421 and 2-10423 when combined shall not exceed the irrigation of 123 acres in a single irrigation season.
7. The following rights are also diverted through point of diversion described above: 2-2261A, 2-2261C, 2-2261D, 2-2259, 2-10399 and 2-10421.

WATER RIGHT NO. 2-10423
As Modified by Transfer No. 74511

8. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
9. This right does not grant any right-of-way or easement across the land of another.
10. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

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 6th day of March, 2009


John Westra, Western Regional Manager