

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75165

This is to certify that: VAL F WAHLEN And/Or
 LORI WAHLEN
 1352 S 2700 W
 ABERDEEN ID 83210
 (208) 397-4392

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>
35-7019	WR/Decreed	04/02/1968	2.22 cfs	444 af	N/A	111.0	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>
35-7019	NO	YES	NO	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>
35-7019	35-7019	2.22 cfs	444 af	N/A	111.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.22 cfs	444 af	N/A	111.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12 day of February, 2009


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 35-7019

WATER RIGHT NO. 35-7019
As Modified by Transfer No. 75165

In accordance with the approval of Transfer No. 75165, Water Right No. 35-7019 is now described as follows.

Right Holder: VAL F WAHLEN And/Or
 LORI WAHLEN
 1352 S 2700 W
 ABERDEEN ID 83210

Priority Date: April 02, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20 to	11/01	2.22 CFS	444.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 22 Twp 04S Rge 31E 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	Totals
04S 31E 22	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	111.0

Total Acres: 111

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. Prior to the diversion and use of water under Transfer approval 75165, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. 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.
5. 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.

WATER RIGHT NO. 35-7019
As Modified by Transfer No. 75165

CONDITIONS OF APPROVAL

6. 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.
7. The use of water for irrigation under this right may begin as early as April 1 and may continue as late as November 1, provided other elements of the right are not exceeded. The use of water before April 20 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than February 25, 2002.
8. Use of this right is combined with water from Aberdeen Springfield Canal Co.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 February, 2009

Ernest Caplan
for. Chief, Water Allocation Bureau