

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75316

This is to certify that: S & S PARTNERSHIP
 1603 E 1500 N
 TERRETON ID 83450
 (208)663-4545

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>
35-7586	WR/Decreed	02/23/1976	6.41 cfs	1564 af	391.0	591.0	GROUND WATER
35-7605	WR/Decreed	04/28/1976	4 cfs	N/A	N/A	591.0	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>
35-7586	NO	NO	YES	NO	NO	NO
35-7605	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>
35-7586	35-7586	6.41 cfs	1564 af	391.0	591.0		N/A	N/A	N/A	N/A
35-7605	35-7605	4 cfs	800 af	N/A	591.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		6.41 cfs	2364 af	591.0	591.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 31 day of December, 2008


 for Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 35-7586

WATER RIGHT NO. 35-7605
As Modified by Transfer No. 75316

In accordance with the approval of Transfer No. 75316, Water Right No. 35-7605 is now described as follows.

Right Holder: S & S PARTNERSHIP
 1603 E 1500 N
 TERRETON ID 83450

Priority Date: April 28, 1976

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	4.00 CFS	800.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 19 Twp 04N Rge 35E 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	34E	24				40.0									40.0			35.0	115.0
04N	35E	19		31.0	40.0				36.0	40.0	40.0	36.0	36.0	40.0		40.0			339.0
								L 2				L 3	L 4						
04N	35E	30					40.0	36.0	28.0	33.0									137.0
							L 1	L 2											

Total Acres: 591

CONDITIONS OF APPROVAL

1. Rights 35-7605 and 35-7586 when combined shall not exceed a total diversion rate of 6.41 cfs, a total annual maximum diversion volume of 2364 af at the field headgate, and the irrigation of 591 acres.
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. 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. Prior to the diversion and use of water under Transfer approval 75316, 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.
5. The following rights are diverted through point(s) of diversion described above: 35-7586, 35-7605 .
6. 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.

WATER RIGHT NO. 35-7605
As Modified by Transfer No. 75316

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 31 day of December, 2008

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-7586
As Modified by Transfer No. 75316

In accordance with the approval of Transfer No. 75316, Water Right No. 35-7586 is now described as follows.

Right Holder: S & S PARTNERSHIP
1603 E 1500 N
TERRETON ID 83450

Priority Date: February 23, 1976

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	6.41 CFS	1,564.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 19 Twp 04N Rge 35E 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 34E 24				40.0									40.0			35.0	115.0
04N 35E 19		31.0	40.0				36.0	40.0	40.0	36.0	36.0	40.0		40.0			339.0
							L 2				L 3	L 4					
04N 35E 30					40.0	36.0	28.0	33.0									137.0
						L 1	L 2										

Total Acres: 591

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 391 acres within the place of use described above in a single irrigation season.
2. Rights 35-7586 and 35-7605 when combined shall not exceed a total diversion rate of 6.41 cfs, a total annual maximum diversion volume of 2364 af at the field headgate, and the irrigation of 591 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 75316, 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.

WATER RIGHT NO. 35-7586
As Modified by Transfer No. 75316

CONDITIONS OF APPROVAL

6. The following rights are diverted through point(s) of diversion described above: 35-7586, 35-7605 .
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 31 day of December, 2008



Chief, Water Allocation Bureau