

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75240

This is to certify that: ROBERT J SHEPARD And
 JANET SHEPARD
 2233 E 1010 S
 HAZELTON ID 83335
 (208)829-4173

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>
36-7737A	WR/Decreed	07/29/1977	1.42 cfs	480 af	N/A	120.0	GROUND WATER
36-7737B	WR/Decreed	07/29/1977	0.16 cfs	N/A	11.0	142.0	GROUND WATER
36-14201	WR/Decreed	06/01/1952	2.25 cfs	N/A	131.0	142.0	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>
36-7737A	NO	NO	NO	YES	NO	NO
36-7737B	NO	NO	NO	YES	NO	NO
36-14201	NO	NO	NO	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>
36-7737A	36-7737A	1.42 cfs	480 af	N/A	120.0		N/A	N/A	N/A	N/A
36-7737B	36-7737B	0.16 cfs	44 af	11.0	142.0		N/A	N/A	N/A	N/A
36-14201	36-14201	2.25 cfs	524 af	131.0	142.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		3.67 cfs	1048 af	N/A	262		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 16th day of December, 2008

FOR


 Chief, Water Allocation Bureau

SUPPORT DATA
 IN FILE # 36 - 7737A

**WATER RIGHT NO. 36-7737A
As Modified by Transfer No. 75240**

In accordance with the approval of Transfer No. 75240, Water Right No. 36-7737A is now described as follows.

Right Holder: ROBERT J SHEPARD And
JANET SHEPARD
2233 E 1010 S
HAZELTON ID 83335

Priority Date: July 29, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	1.42 CFS	480.0 AF
		1.42 CFS	480.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENW Sec. 11 Twp 10S Rge 20E JEROME County

GROUND WATER SWNENW Sec. 14 Twp 10S Rge 20E JEROME 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	
10S	20E	11							40.0	40.0			37.0					3.0	120.0

Total Acres: 120

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
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. 130.
3. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. Prior to the diversion and use of water under Transfer approval 75240, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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. 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.

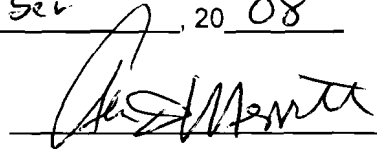
WATER RIGHT NO. 36-7737A
As Modified by Transfer No. 75240

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 16th day of December, 20 08

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Chief, Water Allocation Bureau

WATER RIGHT NO. 36-7737B
As Modified by Transfer No. 75240

In accordance with the approval of Transfer No. 75240, Water Right No. 36-7737B is now described as follows.

Right Holder: ROBERT J SHEPARD And
 JANET SHEPARD
 2233 E 1010 S
 HAZELTON ID 83335

Priority Date: July 29, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.16 CFS	44.0 AF
			0.16 CFS	44.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENW Sec. 11 Twp 10S Rge 20E JEROME County

GROUND WATER SWNENW Sec. 14 Twp 10S Rge 20E JEROME 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	
10S 20E 11									3.0			37.0					40.0
10S 20E 14	27.0	39.0			36.0												102.0

Total Acres: 142

CONDITIONS OF APPROVAL

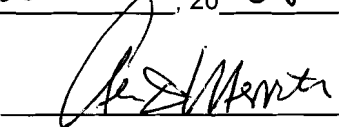
1. This right is limited to the irrigation of 11 acres within the place of use described above in a single irrigation season.
2. Rights 36-7737B and 36-14201 when combined shall not exceed a total diversion rate of 2.25 cfs, a total annual maximum diversion volume of 568.0 af at the field headgate, and the irrigation of 142 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. 130.
4. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

WATER RIGHT NO. 36-7737B
As Modified by Transfer No. 75240

5. Prior to the diversion and use of water under Transfer approval 75240, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
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.
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 16th day of December, 20 08

FOR 
Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-14201
As Modified by Transfer No. 75240**

In accordance with the approval of Transfer No. 75240, Water Right No. 36-14201 is now described as follows.

Right Holder: ROBERT J SHEPARD And
JANET SHEPARD
2233 E 1010 S
HAZELTON ID 83335

Priority Date: June 01, 1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	2.25 CFS	524.0 AF
		2.25 CFS	524.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENW Sec. 11 Twp 10S Rge 20E JEROME County

GROUND WATER SWNENW Sec. 14 Twp 10S Rge 20E JEROME 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	
10S 20E 11									3.0			37.0					40.0
10S 20E 14	27.0	39.0			36.0												102.0

Total Acres: 142

CONDITIONS OF APPROVAL

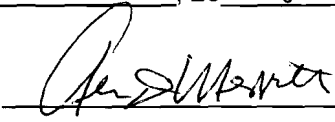
1. This right is limited to the irrigation of 131 acres within the place of use described above in a single irrigation season.
2. Rights 36-7737B and 36-14201 when combined shall not exceed a total diversion rate of 2.25 cfs, a total annual maximum diversion volume of 568.0 af at the field headgate, and the irrigation of 142 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. 130.
4. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

WATER RIGHT NO. 36-14201
As Modified by Transfer No. 75240

5. Prior to the diversion and use of water under Transfer approval 75240 the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
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.
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 16th day of December, 20 08


FOR Chief, Water Allocation Bureau