

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74629

This is to certify that: TERRY H MODE

2751 S 850 E
HAGERMAN ID 83332
(208)539-6212

And

JANELLE R MODE
2751 S 850 E
HAGERMAN ID 83332
(208)837-4014

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>
36-16524	WR/Decreed	03/30/1884	1.65 cfs	N/A	N/A	18.0	BILLINGSLEY CREEK

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>
36-16524	YES	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>
36-16524	36-16594	0.07 cfs	N/A	N/A	0.9	36-16593	1.46 cfs	N/A	N/A	15.9
COMBINED										
TOTALS		0.07 cfs	N/A	N/A	0.9		1.46 cfs	N/A	N/A	15.9

Detailed Water Right Description(s) attached

Dated this 7th day of November, 20 08

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 36-16524

WATER RIGHT NO. 36-16593
As Modified by Transfer No. 74629

In accordance with the approval of Transfer No. 74629, Water Right No. 36-16593 is now described as follows.

Right Holder: CURT KANEASTER
 And
 DIXIE KANEASTER
 1122 E 2500 S
 HAGERMAN ID 83332

Priority Date: March 30, 1884

Source: BILLINGSLEY CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	02/15 to	11/30	1.46 CFS
			1.46 CFS

LOCATION OF POINT(S) OF DIVERSION:

BILLINGSLEY CREEK	NWSENE	Sec. 11 Twp 07S	Rge 13E	GOODING County
BILLINGSLEY CREEK	SESENE	Sec. 11 Twp 07S	Rge 13E	GOODING 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	
07S	13E	27																	15.9

Total Acres: 15.9

CONDITIONS OF APPROVAL

1. The portion of Right 36-16593 in excess of 1.46 cfs and 15.9 acres shall be considered forfeited through approval of Transfer 74629.
2. Water is delivered through the E. M. Bell and Buckeye Ditches.
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.

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 7th day of November, 20 08

 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16594
As Modified by Transfer No. 74629

In accordance with the approval of Transfer No. 74629, Water Right No. 36-16594 is now described as follows.

Right Holder: TERRY H MODE
 And
 JANELLE R MODE
 2751 S 850 E
 HAGERMAN ID 83332

Priority Date: March 30, 1884

Source: BILLINGSLEY CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	02/15	to 11/30	0.08 CFS
			0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

BILLINGSLEY CREEK NWSENE Sec. 11 Twp 07S Rge 13E GOODING 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	
07S	13E	21				.9													.9
						1.5													

Total Acres: 0.9

CONDITIONS OF APPROVAL

1. The portion of Right 36-16594 used for conveyance losses is 0.02 cfs.
2. Water is delivered through the E. M. Bell Ditch.
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. 36A.
4. 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.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 36-16594
As Modified by Transfer No. 74629

CONDITIONS OF 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.

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 7th day of November, 2008



Chief, Water Allocation Bureau