

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74496

This is to certify that: MATTHEW HORNBACHER Or
HENRY HORNBACHER Or
ROSELLA HORNBACHER
3075 S HORNBACHER
AMERICAN FALLS ID 83211
(208) 226-2188

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>
29-7175	WR/Decreed	03/04/1974	3.95 cfs	N/A	N/A	308.8	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>
29-7175	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>
29-7175	29-7175	3.95 cfs	1081.5 af	N/A	308.8		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		3.95 cfs	1081.5 af	N/A	308.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of October, 20 08

Chief, Water Allocation Bureau

WATER RIGHT NO. 29-7175
As Modified by Transfer No. 74496

In accordance with the approval of Transfer No. 74496, Water Right No. 29-7175 is now described as follows.

Right Holder: HENRY HORNBACHER Or
MATTHEW HORNBACHER Or
ROSELLA HORNBACHER
3075 S HORNBACHER
AMERICAN FALLS ID 83211

Priority Date: March 04, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/15	3.95 CFS	1,081.5 AF
			3.95 CFS	1,081.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWNE Sec. 17 Twp 08S Rge 31E POWER 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		
08S	31E	8			32.2	37.0			15.0	37.0	36.0	14.0			.1	9.0	9.2	32.0	31.0	252.5
08S	31E	9						18.0				.4								18.4
08S	34E	17	29.0	8.9																37.9

Total Acres: 308.8

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 74496, 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.
2. 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.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 29-7175
As Modified by Transfer No. 74496

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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 29th day of October, 2008



Chief, Water Allocation Bureau