

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74924

This is to certify that: STEVEN L KAUER Or
PATRICIA A KAUER
695 N 700 W
BLACKFOOT ID 83221
(208)604-2205

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>
35-13431	WR/Decreed	03/20/1959	0.02 cfs	4.0 af	1.0	7.0	GROUND WATER
35-13766	WR/Decreed	03/20/1956	0.01 cfs	4.2 af	N/A	2.8	GROUND WATER
35-13770	WR/Decreed	04/27/1947	0.02 cfs	8.4 af	2.4	2.8	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>
35-13431	NO	YES	YES	NO	NO	NO
35-13766	NO	YES	YES	NO	NO	NO
35-13770	NO	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>
35-13431	35-13431	0.02 cfs	4.0 af	1.0	2.8		N/A	N/A	N/A	N/A
35-13766	35-13766	0.01 cfs	4.2 af	N/A	2.8		N/A	N/A	N/A	N/A
35-13770	35-13770	0.02 cfs	8.4 af	2.4	2.8		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.04 cfs	11.2 af	2.8	2.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15th day of September, 20 08

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 35-13431

WATER RIGHT NO. 35-13431
As Modified by Transfer No. 74924

In accordance with the approval of Transfer No. 74924, Water Right No. 35-13431 is now described as follows.

Right Holder: PATRICIA A KAUER Or
 STEVEN L KAUER
 695 N 700 W
 BLACKFOOT ID 83221

Priority Date: March 20, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.02 CFS	4.0 AF
			0.02 CFS	4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESW Sec. 36 Twp 01S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
01S	34E	36	NE	NW	SW	SE	2.8
			NE	NW	SW	SE	2.8

Total Acres: 2.8

CONDITIONS OF APPROVAL

1. Rights 35-13766, 35-13770, 35-13431 when combined shall not exceed a total diversion rate of 0.04 cfs, a total annual maximum diversion volume of 11.2 af at the field headgate, and the irrigation of 2.8 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 74924, 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. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 35-13431
As Modified by Transfer No. 74924

CONDITIONS OF APPROVAL

7. The following rights are diverted through the point of diversion described above: 35-13431, 35-13766, and 35-13770.
8. This right is limited to the irrigation of 1 acre within the place of use described above in a single irrigation season.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 15th day of September, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13766
As Modified by Transfer No. 74924

In accordance with the approval of Transfer No. 74924, Water Right No. 35-13766 is now described as follows.

Right Holder: STEVEN L KAUER Or
 PATRICIA A KAUER
 695 N 700 W
 BLACKFOOT ID 83221

Priority Date: March 20, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.01 CFS	4.2 AF
			0.01 CFS	4.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESW Sec. 36 Twp 01S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
01S	34E	36	NE	NW	SW	SE	2.8
			NE	NW	SW	SE	2.8

Total Acres: 2.8

CONDITIONS OF APPROVAL

1. Rights 35-13766, 35-13770, 35-13431 when combined shall not exceed a total diversion rate of 0.04 cfs, a total annual maximum diversion volume of 11.2 af at the field headgate, and the irrigation of 2.8 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 74924, 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. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 35-13766
As Modified by Transfer No. 74924

CONDITIONS OF APPROVAL

7. The following rights are diverted through the point of diversion described above: 35-13431, 35-13766, and 35-13770.
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 15th day of September, 20 08



Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-13770
As Modified by Transfer No. 74924**

In accordance with the approval of Transfer No. 74924, Water Right No. 35-13770 is now described as follows.

Right Holder: STEVEN L KAUER Or
PATRICIA A KAUER
695 N 700 W
BLACKFOOT ID 83221

Priority Date: April 27, 1947

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	0.02 CFS	8.4 AF
			0.02 CFS	8.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESW Sec. 36 Twp 01S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01S	34E	36	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	2.8
																			2.8

Total Acres: 2.8

CONDITIONS OF APPROVAL

1. Rights 35-13766, 35-13770, 35-13431 when combined shall not exceed a total diversion rate of 0.04 cfs, a total annual maximum diversion volume of 11.2 af at the field headgate, and the irrigation of 2.8 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 74924, 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. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

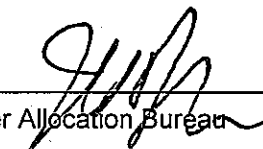
WATER RIGHT NO. 35-13770
As Modified by Transfer No. 74924

CONDITIONS OF APPROVAL

7. The following rights are diverted through the point of diversion described above: 35-13431, 35-13766, and 35-13770.
8. This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 15th day of September, 2008



Chief, Water Allocation Bureau