

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73551

This is to certify that: ALVIN FOWERS
2044 N PINWOOD
IDAHO FALLS ID 83401
(208) 542-4430

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>
34-2406D	WR/Decreed	03/20/1961	0.6 cfs	N/A		30.5	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
34-13921	WR/Decreed	03/02/1896	0.07 cfs	N/A	N/A	5.0	BIG LOST RIVER
34-13923	WR/Decreed	06/01/1896	0.02 cfs	N/A	N/A	5.0	BIG LOST RIVER

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>
34-2406D	YES	YES	NO	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>
34-2406D	34-13909	0.1 cfs	17.5 af	N/A	5.0	34-13908	0.5 cfs	89.3 af	N/A	25.5
COMBINED TOTALS		0.1 cfs	17.5 af	5.0	5.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of July, 2008

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 34-2406D

WATER RIGHT NO. 34-13908
As Modified by Transfer No. 73551

In accordance with the approval of Transfer No. 73551, Water Right No. 34-13908 is now described as follows.

Right Holder: DIANE BROWN Or
 DUANE BROWN
 3424 N 3350 W
 MOORE ID 83255

Priority Date: March 20, 1961

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	0.50 CFS	89.3 AF
			0.50 CFS	89.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSE Sec. 9 Twp 05N Rge 26E BUTTE 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	
05N 26E 9																	25.5
																	25.5

Total Acres: 25.5

CONDITIONS OF APPROVAL

1. Rights 34-13908, 34-2406H and 34-12367 when combined shall not exceed a total diversion rate of 2.30 cfs.
2. Right 34-13920, 34-13922 and 34-13908 when combined shall not exceed a total diversion rate of 0.69 cfs, and the irrigation of 25.5 acres.
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 29th day of July, 20 08

 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13909
As Modified by Transfer No. 73551

In accordance with the approval of Transfer No. 73551, Water Right No. 34-13909 is now described as follows.

Right Holder: ALVIN FOWERS
 2044 N PINWOOD
 IDAHO FALLS ID 83401

Priority Date: March 20, 1961

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	0.10 CFS	17.5 AF
			0.10 CFS	17.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSE Sec. 9 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	26E	9															5.0		5.0

Total Acres: 5

CONDITIONS OF APPROVAL

1. Right 34-13909, 34-13921 and 34-13923 when combined shall not exceed a total diversion rate of 0.13 cfs, and the irrigation of 5 acres.
2. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
3. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. 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. 34.
6. 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.

WATER RIGHT NO. 34-13909
As Modified by Transfer No. 73551

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 73551, 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.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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 29th day of July, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13921
As Modified by Transfer No. 73551

In accordance with the approval of Transfer No. 73551, Water Right No. 34-13921 is now described as follows.

Right Holder: ALVIN FOWERS
 2044 N PINWOOD
 IDAHO FALLS ID 83401
 (208) 542-4430

Priority Date: March 02, 1896

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01 to	10/15	0.07 CFS
			0.07 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE 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	
05N	26E	9																	5.0
																			5.0

Total Acres: 5

CONDITIONS OF APPROVAL

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. 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.
3. Right 34-13909, 34-13921 and 34-13923 when combined shall not exceed a total diversion rate of 0.13 cfs, and the irrigation of 5 acres.
4. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
5. Water is delivered through Moore Diversion, Westside Ditch.

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 25th day of July, 20 08

 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13923
As Modified by Transfer No. 73551

In accordance with the approval of Transfer No. 73551, Water Right No. 34-13923 is now described as follows.

Right Holder: ALVIN FOWERS
 2044 N PINWOOD
 IDAHO FALLS ID 83401
 (208) 542-4430

Priority Date: June 01, 1896

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01 to	10/15	0.02 CFS
			0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05N	26E	9	NE	NW	SW	SE	5.0
			NE	NW	SW	SE	5.0

Total Acres: 5

CONDITIONS OF APPROVAL

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. 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.
3. Right 34-13909, 34-13921 and 34-13923 when combined shall not exceed a total diversion rate of 0.13 cfs, and the irrigation of 5 acres.
4. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
5. Water is delivered through Moore Diversion, Westside Ditch.

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 July, 2008


 Chief, Water Allocation Bureau