

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74742

This is to certify that: JOHN M BELLER And
BARBARA A BELLER
3008 WILD ROSE
IDAHO FALLS ID 83402
(208)525-8738

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>
34-282B	WR/Decreed	06/01/1897	0.4 cfs	N/A	N/A	35.0	BIG LOST RIVER
34-856H	WR/Decreed	04/30/1884	0.8 cfs	N/A	N/A	50.0	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>
34-282B	NO	YES	YES	NO	NO	NO
34-856H	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>
34-282B	34-282B	0.4 cfs	N/A	35.0	85.0		N/A	N/A	N/A	N/A
34-856H	34-856H	0.8 cfs	N/A	50.0	85.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.2 cfs	N/A	85.0	85.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1ST day of July, 2008

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 34-282B

WATER RIGHT NO. 34-856H
As Modified by Transfer No. 74742

In accordance with the approval of Transfer No. 74742, Water Right No. 34-856H is now described as follows.

Right Holder: BARBARA A BELLER And/Or
JOHN M BELLER
3008 WILD ROSE
IDAHO FALLS ID 83402

Priority Date: April 30, 1884

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	0.80 CFS
			0.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NENWNE Sec. 24 Twp 06N Rge 25E CUSTER 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	
06N	26E	20							10.0				40.0	35.0					85.0

Total Acres: 85

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50 acres within the place of use described above in a single irrigation season.
2. Rights 34-282B and 34-856H when combined shall not exceed a total irrigation of 85 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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.

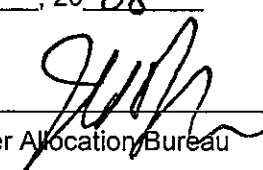
WATER RIGHT NO. 34-856H
As Modified by Transfer No. 74742

CONDITIONS OF APPROVAL

5. 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(s).
6. 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.
7. Water is delivered through Lower Burnett Ditch
8. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 1ST day of July, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-282B
As Modified by Transfer No. 74742

In accordance with the approval of Transfer No. 74742, Water Right No. 34-282B is now described as follows.

Right Holder: BARBARA A BELLER And/Or
JOHN M BELLER
3008 WILD ROSE
IDAHO FALLS ID 83402

Priority Date: June 01, 1897

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	0.40 CFS
			0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NENWNE Sec. 24 Twp 06N Rge 25E CUSTER 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
06N	26E	20							10.0				40.0	35.0					85.0

Total Acres: 85

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 35 acres within the place of use described above in a single irrigation season.
2. Rights 34-282B and 34-856H when combined shall not exceed a total irrigation of 85 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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.

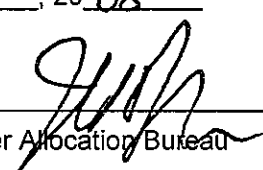
WATER RIGHT NO. 34-282B
As Modified by Transfer No. 74742

CONDITIONS OF APPROVAL

5. 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(s).
6. 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.
7. Water is delivered through Lower Burnett Ditch
8. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 1ST day of July, 20 08



Chief, Water Allocation Bureau