

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74709

This is to certify that: DON E BROWN And
LUAINA BROWN
280 N 4570 E
RIGBY ID 83442
(208) 538-6835

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>
25-4305	WR/Decreed	05/01/1949	2.27 cfs	454.4 af	N/A	113.6	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>
25-4305	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>
25-4305	25-4305	2.27 cfs	454.4 af	N/A	113.6		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.27 cfs	454.4 af	N/A	113.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of June, 20 08

Chief, Water Allocation Bureau

WATER RIGHT NO. 25-4305
As Modified by Transfer No. 74709

In accordance with the approval of Transfer No. 74709, Water Right No. 25-4305 is now described as follows.

Right Holder: DON E BROWN And
 LUAINA BROWN
 280 N 4570 E
 RIGBY ID 83442

Priority Date: May 01, 1949

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	2.27 CFS	454.4 AF
			2.27 CFS	454.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 20 Twp 04N Rge 40E JEFFERSON 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	
04N 40E 17									5.7	5.9	36.0	36.0					83.6
04N 40E 20					15.0	15.0			L 2								30.0

Total Acres: 113.6

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 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.
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. 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.

WATER RIGHT NO. 25-4305
As Modified by Transfer No. 74709

CONDITIONS OF APPROVAL

7. 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.
8. Prior to the diversion and use of water under Transfer approval 74709, 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.

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 24th day of June, 20 08



Chief, Water Allocation Bureau