

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74290

This is to certify that: GARY W AND DONNA M GEHRING FAMILY TRUST
3648 GEHRING RD
AMERICAN FALLS ID 83211

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>
35-13637	WR/Decreed	01/26/1962	2.13 cfs	788 af	N/A	197.0	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>
35-13637	YES	NO	YES	YES	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>
35-13637	35-13666	0.05 cfs	20 af	N/A	5.0	35-13665	2.08 cfs	768 af	N/A	192.0
COMBINED										
TOTALS		0.05 cfs	20 af	N/A	5.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of June, 20 08

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 35-13437

WATER RIGHT NO. 35-13665**As Modified by Transfer No. 74290**

In accordance with the approval of Transfer No. 74290, Water Right No. 35-13665 is now described as follows.

Right Holder: KATHERINE SCHROEDER
C/O WILLIAM SCHROEDER
2388 S MOSER RD
AMERICAN FALLS ID 83211

Or

CLARENCE R SCHROEDER
2308 S MOSER RD
AMERICAN FALLS ID 83211

Priority Date: January 26, 1962

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	2.08 CFS	768.0 AF
			2.08 CFS	768.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L5 (NENESW) Sec. 7 Twp 07S 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		
07S	31E	7	38.0		40.0	40.0							25.0	10.0				12.0		165.0
07S	31E	8							3.0				L 5	L 4				L 7		3.0

Total Acres: 192

CONDITIONS OF APPROVAL

1. Use of this right is combined with water from Aberdeen Springfield Canal Co.
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.

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 June, 20 08

Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13666
As Modified by Transfer No. 74290

In accordance with the approval of Transfer No. 74290, Water Right No. 35-13666 is now described as follows.

Right Holder: GARY W AND DONNA M GEHRING FAMILY TRUST
 3648 GEHRING RD
 AMERICAN FALLS ID 83211

Priority Date: January 26, 1962

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	0.05 CFS	20.0 AF
			0.05 CFS	20.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L7 (SWNW) Sec. 8 Twp 07S Rge 31E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07S	31E	8	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				3.7						1.3									5.0
										L 6									

Total Acres: 5

CONDITIONS OF APPROVAL

1. 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.
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. 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 74290, 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.

WATER RIGHT NO. 35-13666
As Modified by Transfer No. 74290

CONDITIONS OF APPROVAL

7. 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.
8. Use of this right is combined with water from Aberdeen Springfield Canal Co.
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 25th day of June, 20 08



Chief, Water Allocation Bureau