

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74475

This is to certify that: STEPHEN B KING
3318 W 3300 N
MOORE ID 83255-8724
(208)554-3062

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>
34-2402	WR/Decreed	02/21/1961	3.2 cfs	560 af	N/A	160.0	GROUND WATER
34-2388A	WR/Decreed	09/16/1960	1.6 cfs	N/A	N/A	81.0	GROUND WATER
34-7067A	WR/Decreed	03/22/1974	0.91 cfs	N/A	N/A	56.0	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>
34-2402	YES	NO	YES	NO	NO	NO
34-2388A	NO	NO	YES	YES	NO	NO
34-7067A	NO	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>
34-2402	34-13947	1.64 cfs	287 af	82.0	170.0	34-13946	1.56 cfs	273 af	N/A	78.0
34-2388A	34-2388A	1.6 cfs	283.5 af	81.0	170.0		N/A	N/A	N/A	N/A
34-7067A	34-7067A	0.91 cfs	196 af	56.0	170.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.15 cfs	595 af	170.0	170.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 22nd day of May, 20 08

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 34-2388A

WATER RIGHT NO. 34-7067A
As Modified by Transfer No. 74475

In accordance with the approval of Transfer No. 74475, Water Right No. 34-7067A is now described as follows.

Right Holder: ELVA S KING Or
 STEPHEN B KING
 3318 W 3300 N
 MOORE ID 83255-8724

Priority Date: March 22, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.91 CFS	196.0 AF
			0.91 CFS	196.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE County
 (Rediversion)

GROUND WATER NWNESW Sec. 15 Twp 05N Rge 26E BUTTE County

GROUND WATER NWNWNE Sec. 16 Twp 05N Rge 26E BUTTE County

GROUND WATER SESWNE Sec. 16 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	15											30.0	25.0					55.0
05N	26E	16			.6	.4									32.0	17.0	30.0	35.0	115.0

Total Acres: 170

CONDITIONS OF APPROVAL

1. Land on the west side of the Big Lost River is irrigation via an exchange of water with the Big Lost River. Water from the well is injected into the Island Canal and an equal amount is rediverted from the Big Lost River at the point of rediversion above, the Moore Canal. Water may be rediverted from the Big Lost River only when there is current demand for the water injected into the Island Canal by Island Canal water users with currently deliverable priorities downstream from the point of injection.
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. 34.
3. Prior to the diversion and use of water under Transfer approval 74475, 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. 34-7067A
As Modified by Transfer No. 74475

CONDITIONS OF APPROVAL

4. 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.
5. 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.
6. This right is limited to the irrigation of 56 acres within the place of use described above in a single irrigation season.
7. Rights 34-2388A and 34-7067A when combined shall not exceed a total annual maximum diversion volume of 283.5 af at the field headgate, and the irrigation of 81 acres.
8. Rights 34-2388A, 34-7067A and 34-13947 when combined shall not exceed a total annual maximum diversion volume of 595 af at the field headgate, and the irrigation of 170 acres.
9. Rights 34-301B, 34-892B, 34-893B, 34-2388A, 34-7067A and 34-13947 when combined shall not exceed a total diversion rate of 5.53 cfs and the irrigation of 170 acres.
10. The following rights are diverted through point(s) of diversion described above: 34-2388A, 34-2388B, 34-7067A, 34-7067B, 34-13946, 34-13947.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 22nd day of May, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-2388A
As Modified by Transfer No. 74475

In accordance with the approval of Transfer No. 74475, Water Right No. 34-2388A is now described as follows.

Right Holder: STEPHEN B KING Or
 ELVA S KING
 3318 W 3300 N
 MOORE ID 83255-8724

Priority Date: September 16, 1960

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	1.60 CFS	283.5 AF
			1.60 CFS	283.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE County
 (Rediversion)

GROUND WATER NWNESW Sec. 15 Twp 05N Rge 26E BUTTE County

GROUND WATER NWNWNE Sec. 16 Twp 05N Rge 26E BUTTE County

GROUND WATER SESWNE Sec. 16 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	15											30.0	25.0					55.0
05N	26E	16			.6	.4									32.0	17.0	30.0	35.0	115.0

Total Acres: 170

CONDITIONS OF APPROVAL

1. Land on the west side of the Big Lost River is irrigation via an exchange of water with the Big Lost River. Water from the well is injected into the Island Canal and an equal amount is rediverted from the Big Lost River at the point of rediversion above, the Moore Canal. Water may be rediverted from the Big Lost River only when there is current demand for the water injected into the Island Canal by Island Canal water users with currently deliverable priorities downstream from the point of injection.
2. Prior to the diversion and use of water under Transfer approval 74475, 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.
3. 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. 34-2388A

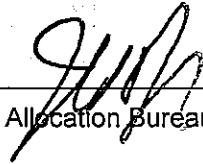
As Modified by Transfer No. 74475

CONDITIONS OF APPROVAL

4. 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.
5. 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.
6. This right is limited to the irrigation of 81 acres within the place of use described above in a single irrigation season.
7. Rights 34-2388A and 34-7067A when combined shall not exceed a total annual maximum diversion volume of 283.5 af at the field headgate, and the irrigation of 81 acres.
8. Rights 34-2388A, 34-7067A, and 34-13497 when combined shall not exceed a total diversion rate of 5.53 cfs, a total annual maximum diversion volume of 595 af at the field headgate, and the irrigation of 170 acres.
9. The following rights are diverted through point(s) of diversion described above: 34-2388A, 34-2388B, 34-7067A, 34-7067B, 34-13946, 34-13947.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 22nd day of May, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13946
As Modified by Transfer No. 74475

In accordance with the approval of Transfer No. 74475, Water Right No. 34-13946 is now described as follows.

Right Holder: STEPHEN B KING Or
 ELVA S KING
 3318 W 3300 N
 MOORE ID 83255-8724

Priority Date: February 21, 1961

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	1.56 CFS	273.0 AF
			1.56 CFS	273.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWNE	Sec. 16 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 16 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	16			30.0	31.0											16.8	.2	78.0

Total Acres: 78

CONDITIONS OF APPROVAL

1. Unperforated casing shall be installed and maintained to a depth of 50 feet or the first confining layer, whichever is deeper.
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 22nd day of May, 20 08

 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13947
As Modified by Transfer No. 74475

In accordance with the approval of Transfer No. 74475, Water Right No. 34-13947 is now described as follows.

Right Holder: STEPHEN B KING Or
 ELVA S KING
 3318 W 3300 N
 MOORE ID 83255-8724

Priority Date: February 21, 1961

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	1.64 CFS	287.0 AF
			1.64 CFS	287.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSESE	Sec. 4	Twp 05N	Rge 26E	BUTTE County
(Rediversion)					
GROUND WATER	NWNESW	Sec. 15	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	NWNWNE	Sec. 16	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 16	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	15											30.0	25.0					55.0
05N	26E	16			.6	.4									32.0	17.0	30.0	35.0	115.0

Total Acres: 170

CONDITIONS OF APPROVAL

1. Imperforated casing shall be installed and maintained to a depth of 50 feet or the first confining layer, whichever is deeper.
2. Land on the west side of the Big Lost River is irrigation via an exchange of water with the Big Lost River. Water from the well is injected into the Island Canal and an equal amount is rediverted from the Big Lost River at the point of rediversion above, the Moore Canal. Water may be rediverted from the Big Lost River only when there is current demand for the water injected into the Island Canal by Island Canal water users with currently deliverable priorities downstream from the point of injection.
3. Prior to the diversion and use of water under Transfer approval 74475, 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. 34-13947
As Modified by Transfer No. 74475

CONDITIONS OF APPROVAL

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.
5. 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.
6. 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.
7. This right is limited to the irrigation of 82 acres within the place of use described above in a single irrigation season.
8. Rights 34-301B, 34-892B, 34-893B, 34-2388A, 34-7067A and 34-13947 when combined shall not exceed a total diversion rate of 5.53 cfs and the irrigation of 170 acres.
9. Rights 34-2388A, 34-7067A and 34-13947 when combined shall not exceed a total annual maximum diversion volume of 595 af at the field headgate, and the irrigation of 170 acres.
10. The following rights are diverted through point(s) of diversion described above: 34-2388A, 34-2388B, 34-7067A, 34-7067B, 34-13946, 34-13947.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 22nd day of May, 2008



Chief, Water Allocation Bureau