

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73426

This is to certify that: JACK HATLEY
3417 W ARIMO RD
ARIMO ID 83214
(208)254-3438

Or

SHELDON HATLEY
13589 S THACKER
ARIMO ID 83214
(208)254-9168

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>
29-405	WR/Decreed	05/01/1895	0.75 cfs	N/A	37.5	117.3	GARDEN CREEK
29-403	WR/Decreed	05/01/1896	0.75 cfs	N/A	37.5	117.3	GARDEN CREEK
29-4102	WR/Decreed	06/01/1942	0.2 cfs	N/A	10.0	104.3	SPRING
29-404	WR/Decreed	05/01/1904	1.0 cfs	N/A	50.0	117.3	GARDEN CREEK
29-406	WR/Decreed	05/01/1904	1.0 cfs	N/A	50.0	117.3	GARDEN CREEK
29-4187	WR/Decreed	06/01/1942	0.73 cfs	N/A	36.5	104.3	LITTLE GAP CREEK

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>
29-405	NO	NO	YES	NO	NO	NO
29-403	NO	NO	YES	NO	NO	NO
29-4102	NO	NO	YES	NO	NO	NO
29-404	NO	NO	YES	NO	NO	NO
29-406	NO	NO	YES	NO	NO	NO
29-4187	NO	NO	YES	NO	NO	NO

SUPPORT DATA

IN FILE #

29-0403

SCANNED

APR 24 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73426

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
29-405	29-405	0.75 cfs	N/A	37.5	117.3		N/A	N/A	N/A	N/A
29-403	29-403	0.75 cfs	N/A	37.5	117.3		N/A	N/A	N/A	N/A
29-4102	29-4102	0.2 cfs	N/A	10.0	104.3		N/A	N/A	N/A	N/A
29-404	29-404	1.0 cfs	N/A	50.0	117.3		N/A	N/A	N/A	N/A
29-406	29-406	1.0 cfs	N/A	50.0	117.3		N/A	N/A	N/A	N/A
29-4187	29-4187	0.73 cfs	N/A	36.5	104.3		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.35 cfs	N/A	117.3	117.3		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21 day of April, 2008

for Ernest Carlson

Chief, Water Allocation Bureau

WATER RIGHT NO. 29-403
As Modified by Transfer No. 73426

In accordance with the approval of Transfer No. 73426, Water Right No. 29-403 is now described as follows.

Right Holder: JACK HATLEY
 3417 W ARIMO RD
 ARIMO ID 83214
 And/Or

SHELDON HATLEY And/Or
 CHERYL HATLEY
 13589 S THACKER
 ARIMO ID 83214

Priority Date: May 01, 1896

Source: GARDEN CREEK

Tributary: MARSH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.75 CFS	
			0.75 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L1 (SENWNW) Sec. 7 Twp 10S Rge 36E BANNOCK 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	
10S	36E	5			24.0	7.0	3.3		6.0	34.0					30.0				104.3
							L 3												
10S	36E	7					13.0												13.0

Total Acres: 117.3

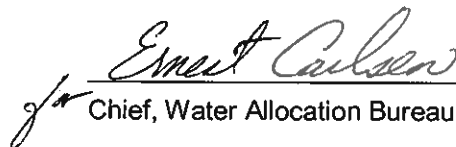
WATER RIGHT NO. 29-403
As Modified by Transfer No. 73426

CONDITIONS OF APPROVAL

1. 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.
2. This right is limited to the irrigation of 37.5 acres within the place of use described above in a single irrigation season.
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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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. 29B.
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. 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).
8. Rights 29-403, 29-404, 29-405, 29-406, 29-4102 and 29-4187 when combined shall not exceed a total diversion rate of 2.35 cfs and the irrigation of 117.3 acres.

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 21 day of April, 2008



for Chief, Water Allocation Bureau

WATER RIGHT NO. 29-404
As Modified by Transfer No. 73426

In accordance with the approval of Transfer No. 73426, Water Right No. 29-404 is now described as follows.

Right Holder: CHERYL HATLEY And/Or
 SHELDON HATLEY
 13589 S THACKER
 ARIMO ID 83214

And/Or

JACK HATLEY
 3417 W ARIMO RD
 ARIMO ID 83214

Priority Date: May 01, 1904

Source: GARDEN CREEK

Tributary: MARSH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.00 CFS	
			1.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L1 (SENWNW) Sec. 7 Twp 10S Rge 36E BANNOCK County

PLACE OF USE: IRRIGATION

<u>Twp Rge Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
10S 36E 5			24.0	7.0	3.3		6.0	34.0					30.0				104.3
10S 36E 7					13.0												13.0

Total Acres: 117.3

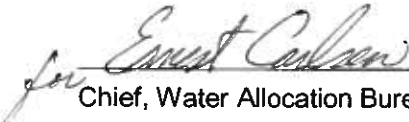
WATER RIGHT NO. 29-404
As Modified by Transfer No. 73426

CONDITIONS OF APPROVAL

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. 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).
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. 29B.
4. This right is limited to the irrigation of 50 acres within the place of use described above in a single irrigation season.
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. Rights 29-403, 29-404, 29-405, 29-406, 29-4102 and 29-4187 when combined shall not exceed a total diversion rate of 2.35 cfs and the irrigation of 117.3 acres.
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
8. 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 21 day of April, 2008



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-405
As Modified by Transfer No. 73426

In accordance with the approval of Transfer No. 73426, Water Right No. 29-405 is now described as follows.

Right Holder: JACK HATLEY
 3417 W ARIMO RD
 ARIMO ID 83214

And/Or

SHELDON HATLEY And/Or
 CHERYL HATLEY
 13589 S THACKER
 ARIMO ID 83214

Priority Date: May 01, 1895

Source: GARDEN CREEK

Tributary: MARSH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.75 CFS	
			0.75 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L1 (SENWNW) Sec. 7 Twp 10S Rge 36E BANNOCK 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	
10S	36E	5			24.0	7.0	3.3		6.0	34.0					30.0				104.3
10S	36E	7					L 3												13.0
							13.0												

Total Acres: 117.3

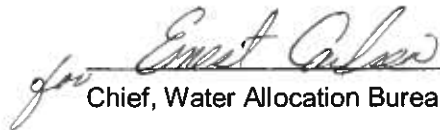
WATER RIGHT NO. 29-405
As Modified by Transfer No. 73426

CONDITIONS OF APPROVAL

1. 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).
2. 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.
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.
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. 29B.
5. Rights 29-403, 29-404, 29-405, 29-406, 29-4102 and 29-4187 when combined shall not exceed a total diversion rate of 2.35 cfs and the irrigation of 117.3 acres.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. This right is limited to the irrigation of 37.5 acres within the place of use described above in a single irrigation season.

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 21 day of April, 2008



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-406
As Modified by Transfer No. 73426

In accordance with the approval of Transfer No. 73426, Water Right No. 29-406 is now described as follows.

Right Holder: JACK HATLEY
 3417 W ARIMO RD
 ARIMO ID 83214

And/Or

SHELDON HATLEY And/Or
 CHERYL HATLEY
 13589 S THACKER
 ARIMO ID 83214

Priority Date: May 01, 1904

Source: GARDEN CREEK

Tributary: MARSH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.00 CFS	
			1.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L1 (SENWNW) Sec. 7 Twp 10S Rge 36E BANNOCK 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	
10S	36E	5			24.0	7.0	3.3		6.0	34.0					30.0				104.3
10S	36E	7					L 3												13.0
							13.0												

Total Acres: 117.3

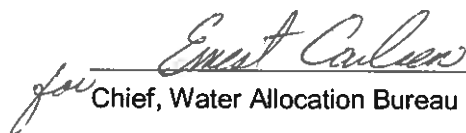
WATER RIGHT NO. 29-406
As Modified by Transfer No. 73426

CONDITIONS OF APPROVAL

1. 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. 29B.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Rights 29-403, 29-404, 29-405, 29-406, 29-4102 and 29-4187 when combined shall not exceed a total diversion rate of 2.35 cfs and the irrigation of 117.3 acres.
4. 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.
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. This right is limited to the irrigation of 50 acres within the place of use described above in a single irrigation season.
7. 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).
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

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 21 day of April, 2008



for Chief, Water Allocation Bureau

WATER RIGHT NO. 29-4102
As Modified by Transfer No. 73426

In accordance with the approval of Transfer No. 73426, Water Right No. 29-4102 is now described as follows.

Right Holder: JACK HATLEY
 3417 W ARIMO RD
 ARIMO ID 83214

And/Or

SHELDON HATLEY And/Or
 CHERYL HATLEY
 13589 S THACKER
 ARIMO ID 83214

Priority Date: June 01, 1942

Source: SPRING

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.20 CFS	
STOCKWATER	01/01	to 12/31	0.02 CFS	
			0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SPRING NESENW Sec. 5 Twp 10S Rge 36E BANNOCK 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	
10S	36E	5			24.0	7.0	3.3		6.0	34.0					30.0				104.3
							L 3												

Total Acres: 104.3

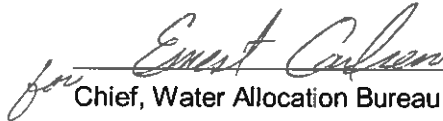
WATER RIGHT NO. 29-4102
As Modified by Transfer No. 73426

CONDITIONS OF APPROVAL

1. 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. 29B.
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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
4. 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.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Rights 29-403, 29-404, 29-405, 29-406, 29-4102 and 29-4187 when combined shall not exceed a total diversion rate of 2.35 cfs and the irrigation of 117.3 acres.
7. This right is limited to the irrigation of 10 acres within the place of use described above in a single irrigation season.
8. 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).

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 21 day of April, 2008



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-4187
As Modified by Transfer No. 73426

In accordance with the approval of Transfer No. 73426, Water Right No. 29-4187 is now described as follows.

Right Holder: SHELDON HATLEY And/Or
 CHERYL HATLEY
 13589 S THACKER
 ARIMO ID 83214

And/Or

JACK HATLEY
 3417 W ARIMO RD
 ARIMO ID 83214

Priority Date: June 01, 1942

Source: LITTLE GAP CREEK

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.73 CFS	
STOCKWATER	01/01	to 12/31	0.02 CFS	
			0.73 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE GAP CREEK SENESE Sec. 36 Twp 09S Rge 35E BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10S	36E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	104.3
					24.0	7.0	3.3		6.0	34.0					30.0				
							L 3												

Total Acres: 104.3

WATER RIGHT NO. 29-4187
As Modified by Transfer No. 73426

CONDITIONS OF APPROVAL

1. 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.
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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this 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. 29B.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. This right is limited to the irrigation of 36.5 acres within the place of use described above in a single irrigation season.
7. Rights 29-403, 29-404, 29-405, 29-406, 29-4102 and 29-4187 when combined shall not exceed a total diversion rate of 2.35 cfs and the irrigation of 117.3 acres.
8. 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).

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 21 day of April, 2008

for Ernest Carlson

Chief, Water Allocation Bureau