

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74559

This is to certify that: RANDY HUGHES
310 N 2675 E
ST ANTHONY ID 83445
(208)624-3280

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>
22-12765	AJC/Beneficial Use	05/15/1986	1.55 cfs	511 af	N/A	1,345.0	GROUND WATER
22-7065	AJC/License	02/26/1973	5.2 cfs	910 af	260.0	1,345.0	GROUND WATER
22-7085	AJC/License	01/31/1974	12.73 cfs	3286.5 af	939.0	1,345.0	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>
22-12765	NO	NO	YES	NO	NO	NO
22-7065	NO	NO	YES	NO	NO	NO
22-7085	NO	NO	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>
22-12765	22-12765	1.55 cfs	511.0 af	146.0	1,345.0		N/A	N/A	N/A	N/A
22-7065	22-7065	5.2 cfs	910.0 af	260.0	1,345.0		N/A	N/A	N/A	N/A
22-7085	22-7085	12.73 cfs	3286.5 af	939.0	1,345.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		12.73 cfs	4707.5 af	1345.0	1345.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of April, 2008

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 22-7065

WATER RIGHT NO. 22-12765
As Modified by Transfer No. 74559

In accordance with the approval of Transfer No. 74559, Water Right No. 22-12765 is now described as follows.

Right Holder: RANDY HUGHES
 310 N 2675 E
 ST ANTHONY ID 83445

Priority Date: May 15, 1986

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/15	1.55 CFS	511.0 AF
			1.55 CFS	511.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SEENW	Sec. 17 Twp 07N	Rge 42E	FREMONT County
GROUND WATER	SWNWNW	Sec. 17 Twp 07N	Rge 42E	FREMONT County
GROUND WATER	NENESW	Sec. 18 Twp 07N	Rge 42E	FREMONT County
GROUND WATER	NENESE	Sec. 18 Twp 07N	Rge 42E	FREMONT 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	
07N	42E	7											29.0	34.0			30.0	33.0	126.0
07N	42E	8											32.0	35.0			32.0	33.0	132.0
07N	42E	17	34.0	33.0	33.0	35.0	35.0	32.0	33.0	35.0	33.0	39.0	30.4	35.8	33.0	31.0	1.9		474.1
07N	42E	18	34.0	32.0	40.0	40.0	33.0	28.0	37.0	40.0	34.0	30.0	30.0	33.0	33.0	33.0	33.0	33.0	543.0
07N	42E	20		1.1			34.0	32.0	1.0	1.8									69.9

Total Acres: 1345

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 74559, 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.
2. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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.

WATER RIGHT NO. 22-12765
As Modified by Transfer No. 74559

CONDITIONS OF APPROVAL

4. This right is based upon an enlargement of Rights No. 22-7065 and 22-7085 pursuant to Section 42-1426, Idaho Code.
5. This right is for an enlargement of 146 acres within the place of use described for this right.
6. The rights listed below are limited to the irrigation of a combined total of 1345 acres in a single irrigation season. Combined Right Nos.: 22-7065, 22-7085, and 22-12765.
7. The rights listed below are limited to a total combined diversion rate of 12.73 cfs and to a total combined annual diversion volume of 4707.5 AF. Combined Right Nos.: 22-7065, 22-7085, and 22-12765.
8. The following rights are also diverted through point of diversion described above: 22-7065 and 22-7085.
9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 10th day of April, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-7085
As Modified by Transfer No. 74559

In accordance with the approval of Transfer No. 74559, Water Right No. 22-7085 is now described as follows.

Right Holder: RANDY HUGHES
 310 N 2675 E
 ST ANTHONY ID 83445

Priority Date: January 31, 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	10/15	12.73 CFS	3,286.5 AF
			12.73 CFS	3,286.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 17 Twp 07N	Rge 42E	FREMONT County
GROUND WATER	SWNWNW	Sec. 17 Twp 07N	Rge 42E	FREMONT County
GROUND WATER	NENESW	Sec. 18 Twp 07N	Rge 42E	FREMONT County
GROUND WATER	NENESE	Sec. 18 Twp 07N	Rge 42E	FREMONT 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	
07N	42E	7											29.0	34.0			30.0	33.0	126.0
07N	42E	8											32.0	35.0			32.0	33.0	132.0
07N	42E	17	34.0	33.0	33.0	35.0	35.0	32.0	33.0	35.0	33.0	39.0	30.4	35.8	33.0	31.0	1.9		474.1
07N	42E	18	34.0	32.0	40.0	40.0	33.0	28.0	37.0	40.0	34.0	30.0	30.0	33.0	33.0	33.0	33.0	33.0	543.0
07N	42E	20		1.1			34.0	32.0	1.0	1.8									69.9

Total Acres: 1345

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 74559, 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.
2. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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.

WATER RIGHT NO. 22-7085
As Modified by Transfer No. 74559

CONDITIONS OF APPROVAL

4. Right No. 22-12765 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
5. This right is limited to the irrigation of 939 acres within the place of use described above in a single irrigation season.
6. The rights listed below are limited to the irrigation of a combined total of 1345 acres in a single irrigation season. Combined Right Nos.: 22-7065, 22-7085, and 22-12765.
7. The rights listed below are limited to a total combined diversion rate of 12.73 cfs and to a total combined annual diversion volume of 4707.5 AF. Combined Right Nos.: 22-7065, 22-7085, and 22-12765.
8. The following rights are also diverted through point of diversion described above: 22-7065 and 22-12765.
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 10th day of April, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-7065
As Modified by Transfer No. 74559

In accordance with the approval of Transfer No. 74559, Water Right No. 22-7065 is now described as follows.

Right Holder: RANDY HUGHES
 310 N 2675 E
 ST ANTHONY ID 83445

Priority Date: February 26, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/15	5.20 CFS	910.0 AF
			5.20 CFS	910.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 17 Twp 07N	Rge 42E	FREMONT County
GROUND WATER	SWNWNW	Sec. 17 Twp 07N	Rge 42E	FREMONT County
GROUND WATER	NENESW	Sec. 18 Twp 07N	Rge 42E	FREMONT County
GROUND WATER	NENESE	Sec. 18 Twp 07N	Rge 42E	FREMONT 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	
07N	42E	7											29.0	34.0			30.0	33.0	126.0
07N	42E	8											32.0	35.0			32.0	33.0	132.0
07N	42E	17	34.0	33.0	33.0	35.0	35.0	32.0	33.0	35.0	33.0	39.0	30.4	35.8	33.0	31.0	1.9		474.1
07N	42E	18	34.0	32.0	40.0	40.0	33.0	28.0	37.0	40.0	34.0	30.0	30.0	33.0	33.0	33.0	33.0	33.0	543.0
07N	42E	20		1.1			34.0	32.0	1.0	1.8									69.9

Total Acres: 1345

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2. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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.

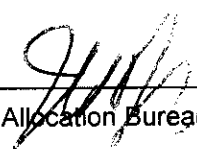
WATER RIGHT NO. 22-7065
As Modified by Transfer No. 74559

CONDITIONS OF APPROVAL

4. Right No. 22-12765 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
5. This right is limited to the irrigation of 260 acres within the place of use described above in a single irrigation season.
6. The rights listed below are limited to the irrigation of a combined total of 1345 acres in a single irrigation season. Combined Right Nos.: 22-7065, 22-7085, and 22-12765.
7. The rights listed below are limited to a total combined diversion rate of 12.73 cfs and to a total combined annual diversion volume of 4707.5 AF. Combined Right Nos.: 22-7065, 22-7085, and 22-12765.
8. The following rights are also diverted through point of diversion described above: 22-7085 and 22-12765.
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.
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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 10th day of April, 20 08



Chief, Water Allocation Bureau