

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74432

This is to certify that: JOYCE POLATIS Or
 RANDALL J POLATIS
 453 S 1100 W
 PINGREE ID 83262
 (208)684-5355

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>
35-2240A	WR/Decreed	08/18/1952	5.63 cfs	N/A	320.0	358.0	GROUND WATER
35-10315	WR/Decreed	06/18/1974	0.6 cfs	N/A	N/A	358.0	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>
35-2240A	YES	YES	NO	NO	NO	NO
35-10315	YES	YES	NO	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>
35-2240A	35-13698	0.63 cfs	143.2 af	35.8	40.0	35-13697	5 cfs	N/A	284.2	318.0
35-10315	35-13700	0.07 cfs	16.8 af	4.2	40.0	35-13699	0.53 cfs	N/A	33.8	318.0
COMBINED										
TOTALS		0.63 cfs	160 af	40.0	40.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of April, 20 08

Shelly W. Keen
 for Chief, Water Allocation Bureau

SUPPORT DATA
 IN FILE # 35-2240A

WATER RIGHT NO. 35-13697
As Modified by Transfer No. 74432

In accordance with the approval of Transfer No. 74432, Water Right No. 35-13697 is now described as follows.

Right Holder: JOYCE POLATIS Or
 RANDALL J POLATIS
 453 S 1100 W
 PINGREE ID 83262

Priority Date: August 18, 1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	5.00 CFS
			5.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESWNE	Sec. 17 Twp 03S	Rge 33E	BINGHAM County
GROUND WATER	SENWSE	Sec. 17 Twp 03S	Rge 33E	BINGHAM 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	
03S	33E	17	40.0	40.0	40.0	40.0					7.0								318.0

Total Acres: 318

CONDITIONS OF APPROVAL

- 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.
- The rights listed below are limited to a total combined diversion rate of 5.00 cfs and to a total combined annual diversion volume of 1272.0 AF. Combined Right Nos.: 35-13697 and 35-13699.
- The rights listed below are limited to the irrigation of a combined total of 318.0 acres in a single irrigation season. Combined Right Nos.: 35-13697 and 35-13699.
- This right is limited to the irrigation of 284.2 acres within the place of use described above in a single irrigation season.
- The following rights are diverted through point(s) of diversion described above: 35-13697 and 35-13699.
- Right No. 35-13699 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
- Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

WATER RIGHT NO. 35-13697
As Modified by Transfer No. 74432

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 3rd day of April, 20 08

Shelly W. Keen
for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13698
As Modified by Transfer No. 74432

In accordance with the approval of Transfer No. 74432, Water Right No. 35-13698 is now described as follows.

Right Holder: RANDALL J POLATIS Or
 JOYCE POLATIS
 453 S 1100 W
 PINGREE ID 83262

Priority Date: August 18, 1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.63 CFS	143.2 AF
			0.63 CFS	143.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSW Sec. 17 Twp 03S Rge 33E BINGHAM 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	
03S	33E	17									33.0						7.0		40.0

Total Acres: 40

CONDITIONS OF APPROVAL

1. The following rights are diverted through point(s) of diversion described above: 35-2323, 35-7305, 35-13698, 35-13700
2. Right No. 35-13700 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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. Rights 35-13698 and 35-13700 when combined shall not exceed a total diversion rate of 0.63 cfs, a total annual maximum diversion volume of 160.0 af at the field headgate, and the irrigation of 40.0 acres.
5. This right is limited to the irrigation of 35.8 acres within the place of use described above in a single irrigation season.
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. 35-13698
As Modified by Transfer No. 74432

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 74432, 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.
8. 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.
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. 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.

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 3rd day of April, 2008

for Shelley W. Keen
Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13699
As Modified by Transfer No. 74432

In accordance with the approval of Transfer No. 74432, Water Right No. 35-13699 is now described as follows.

Right Holder: JOYCE POLATIS Or
 RANDALL J POLATIS
 453 S 1100 W
 PINGREE ID 83262

Priority Date: June 18, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	0.53 CFS
			0.53 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESWNE	Sec. 17 Twp 03S	Rge 33E	BINGHAM County
GROUND WATER	SENWSE	Sec. 17 Twp 03S	Rge 33E	BINGHAM 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		
03S	33E	17	40.0	40.0	40.0	40.0					7.0					40.0	40.0	33.0	38.0	318.0

Total Acres: 318

CONDITIONS OF APPROVAL

- 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.
- The following rights are diverted through point(s) of diversion described above: 35-13697 and 35-13699.
- This right is for an enlargement of 33.8 acres within the place of use described for this right.
- The rights listed below are limited to a total combined diversion rate of 5.00 cfs and to a total combined annual diversion volume of 1272.0 AF. Combined Right Nos.: 35-13697 and 35-13699.
- This right is based upon an enlargement of Right No. 35-13697 pursuant to Section 42-1426, Idaho Code.
- 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.

WATER RIGHT NO. 35-13699
As Modified by Transfer No. 74432

CONDITIONS OF APPROVAL

7. The rights listed below are limited to the irrigation of a combined total of 318.0 acres in a single irrigation season. Combined Right Nos.: 35-13697 and 35-13699.

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 3rd day of April, 2008

Shelley W. Keen
for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13700
As Modified by Transfer No. 74432

In accordance with the approval of Transfer No. 74432, Water Right No. 35-13700 is now described as follows.

Right Holder: RANDALL J POLATIS OR
 JOYCE POLATIS
 453 S 1100 W
 PINGREE ID 83262

Priority Date: June 18, 1974

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	0.07 CFS	16.8 AF
			0.07 CFS	16.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSW Sec. 17 Twp 03S Rge 33E BINGHAM 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	
03S 33E 17																	40.0

Total Acres: 40

CONDITIONS OF APPROVAL

1. The following rights are diverted through point(s) of diversion described above: 35-2323, 35-7305, 35-13698, 35-13700
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. Rights 35-13698 and 35-13700 when combined shall not exceed a total diversion rate of 0.63 cfs, a total annual maximum diversion volume of 160.0 af at the field headgate, and the irrigation of 40.0 acres.
4. This right is limited to the irrigation of 4.2 acres within the place of use described above in a single irrigation season.
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. 120.

WATER RIGHT NO. 35-13700
As Modified by Transfer No. 74432

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 74432, 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.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. 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.
12. This right is for an enlargement of 4.2 acres within the place of use described for this right.
13. This right is based upon an enlargement of Right No. 35-13698 pursuant to Section 42-1426, Idaho Code.

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 3rd day of April, 2008

Shelley W. Keen
for Chief, Water Allocation Bureau