

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73953

This is to certify that: BARRY J PETERSON And
 PHYLLIS M PETERSON
 1111 POPLAR DR
 MOUNTAIN HOME ID 83647
 (208)587-3804

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>
61-4002B	WR/Decreed	04/01/1961	0.16 cfs	28.5 af	N/A	7.0	GROUND WATER
61-4002A	WR/Decreed	04/01/1961	0.3 cfs	90.4 af	N/A	22.6	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>
61-4002B	YES	YES	YES	NO	NO	NO
61-4002A	YES	YES	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>
61-4002B	61-12147	0.16 cfs	28.1 af	6.9	39.4	61-12146	0.01 cfs	0.4 af	N/A	0.1
61-4002A	61-12145	0.23 cfs	68.0 af	17.0	39.4	61-12144	0.07 cfs	22.4 af	N/A	5.6
COMBINED TOTALS		0.39 cfs	96.1 af	23.9	39.4		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of March, 20 08

 Chief, Water Allocation Bureau

SUPPORT DATA
 IN FILE # 61-4002A

WATER RIGHT NO. 61-12144
As Modified by Transfer No. 73953

In accordance with the approval of Transfer No. 73953, Water Right No. 61-12144 is now described as follows.

Right Holder: SUNRISE PARK INC
 5 COUNTRY PL W
 BRENHAM TX 77833

Priority Date: April 01, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.07 CFS	22.4 AF
			0.07 CFS	22.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENE Sec. 35 Twp 03S Rge 06E ELMORE 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	06E	35	1.2			4.4													5.6

Total Acres: 5.6

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
3. The following rights are diverted through point of diversion described above: 61-12144, 61-12146.

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 18th day of March, 20 08

 Chief, Water Allocation Bureau

WATER RIGHT NO. 61-12145
As Modified by Transfer No. 73953

In accordance with the approval of Transfer No. 73953, Water Right No. 61-12145 is now described as follows.

Right Holder: BARRY J PETERSON And
 PHYLLIS M PETERSON
 1111 POPLAR DR
 MOUNTAIN HOME ID 83647

Priority Date: April 01, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.23 CFS	68.0 AF
			0.23 CFS	68.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNW Sec. 35 Twp 03S Rge 06E ELMORE 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	06E	35		2.4	13.0				5.0	19.0									39.4

Total Acres: 39.4

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. After specific notification by the Department, the right holder shall install a suitable measuring device 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.

WATER RIGHT NO. 61-12145
As Modified by Transfer No. 73953

CONDITIONS OF APPROVAL

6. Rights 61-12145 and 61-12147 when combined shall not exceed the irrigation of 23.9 acres in a single irrigation season.
7. This right is limited to the irrigation of 17 acres within the place of use described above in a single irrigation season.
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 following rights are diverted through point of diversion described above: 61-12145, 61-12147.

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 18th day of March, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-12146
As Modified by Transfer No. 73953

In accordance with the approval of Transfer No. 73953, Water Right No. 61-12146 is now described as follows.

Right Holder: BARRY J PETERSON And
 PHYLLIS M PETERSON
 1111 POPLAR DR
 MOUNTAIN HOME ID 83647

Priority Date: April 01, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.01 CFS	0.4 AF
			0.01 CFS	0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENE Sec. 35 Twp 03S Rge 06E ELMORE 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	06E	35		.05	.05														.1

Total Acres: 0.1

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
3. The following rights are diverted through point of diversion described above: 61-12144, 61-12146.

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 18th day of March, 20 08

 Chief, Water Allocation Bureau

**WATER RIGHT NO. 61-12147
As Modified by Transfer No. 73953**

In accordance with the approval of Transfer No. 73953, Water Right No. 61-12147 is now described as follows.

Right Holder: BARRY J PETERSON And
PHYLLIS M PETERSON
1111 POPLAR DR
MOUNTAIN HOME ID 83647

Priority Date: April 01, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.14 CFS	27.6 AF
STOCKWATER	01/01	to 12/31	0.02 CFS	0.5 AF
			0.16 CFS	28.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNW Sec. 35 Twp 03S Rge 06E ELMORE 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	06E	35		2.4	13.0				5.0	19.0									39.4

Total Acres: 39.4

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. After specific notification by the Department, the right holder shall install a suitable measuring device 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.

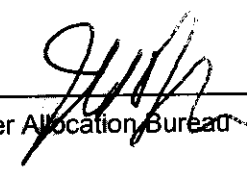
WATER RIGHT NO. 61-12147
As Modified by Transfer No. 73953

CONDITIONS OF APPROVAL

6. This right is limited to the irrigation of 6.9 acres within the place of use described above in a single irrigation season.
7. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
8. Rights 61-12145 and 61-12147 when combined shall not exceed the irrigation of 23.9 acres in a single irrigation season.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. 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.
12. The following rights are diverted through point of diversion described above: 61-12145, 61-12147.

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 18th day of March, 20 08



Chief, Water Allocation Bureau