

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74369

This is to certify that: KYM FERGUSON Or
 ANNE FERGUSON
 15533 E RIRIE HWY
 RIRIE ID 83443
 (208)538-7949

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>
1-223	WR/Decreed	06/01/1891	6 cfs	N/A	N/A	165.0	SNAKE RIVER
1-258	WR/Decreed	01/22/1916	3 cfs	N/A	N/A	165.0	SNAKE RIVER

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>
1-223	NO	YES	NO	NO	NO	NO
1-258	NO	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>
1-223	1-223	6 cfs	N/A	165.0	165.0		N/A	N/A	N/A	N/A
1-258	1-258	3 cfs	N/A	165.0	165.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		9 cfs	N/A	165.0	165.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of February, 2008

 Chief, Water Allocation Bureau

SUPPORT DATA
 IN FILE # 1-223

WATER RIGHT NO. 1-223
As Modified by Transfer No. 74369

In accordance with the approval of Transfer No. 74369, Water Right No. 1-223 is now described as follows.

Right Holder: THOMAS THOMPSON Or
 KYM FERGUSON Or
 DOROTHY E THOMPSON Or
 ANNE FERGUSON
 15533 E RIRIE HWY
 RIRIE ID 83443

Priority Date: June 01, 1891

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	6.00 CFS
			6.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER NENW Sec. 35 Twp 04N Rge 40E JEFFERSON 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	
04N	40E	26					19.0	12.0	39.0	28.0									98.0
							L 4			L 3									
04N	40E	27	28.0			39.0													67.0
			L 1																

Total Acres: 165

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. 01.
2. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. 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).
4. Rights 01-223 and 01-258 when combined shall not exceed the irrigation of 165 acres.
5. Use of this right is combined with water from Butler Island Canal Co.
6. Water is delivered through the Butler Island Canal.

WATER RIGHT NO. 1-223
As Modified by Transfer No. 74369

CONDITIONS OF APPROVAL

7. Place of use described as NENW of section 26, Township 4N Range 40E B.M. is also known as Tract 41.
8. This right does not grant any right-of-way or easement across the land of another.
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 19th day of February, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 1-258
As Modified by Transfer No. 74369

In accordance with the approval of Transfer No. 74369, Water Right No. 1-258 is now described as follows.

Right Holder: KYM FERGUSON Or
THOMAS THOMPSON Or
ANNE FERGUSON Or
DOROTHY E THOMPSON
15533 E RIRIE HWY
RIRIE ID 83443

Priority Date: January 22, 1916

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	3.00 CFS
			3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER NENW Sec. 35 Twp 04N Rge 40E JEFFERSON 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	
04N	40E	26					19.0	12.0	39.0	28.0									98.0
								L 4		L 3									
04N	40E	27	28.0			39.0													67.0
			L 1																

Total Acres: 165

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. 01.
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. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 01-223 and 01-258 when combined shall not exceed the irrigation of 165 acres.
5. Use of this right is combined with water from Butler Island Canal Co.
6. Water is delivered through Butler Island Canal.

WATER RIGHT NO. 1-258
As Modified by Transfer No. 74369

CONDITIONS OF APPROVAL

7. Place of use described as NENW of section 26, Township 4N Range 40E B.M. is also known as Tract 41.
8. This right does not grant any right-of-way or easement across the land of another.
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 19th day of February, 20 08



Chief, Water Allocation Bureau