

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71910

This is to certify that: WILLIAM T SHERBINE
 200 BASELINE RD
 BELLEVUE ID 83313
 (208)309-1235

And

THERESA L SHERBINE
 200 BASELINE RD
 BELLEVUE ID 83313
 (208)788-4846

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>
37-115D	AJC/Decreed	06/12/1886	2.00 cfs	N/A	N/A	191.0	BIG WOOD RIVER
37-590A	AJC/Decreed	05/01/1886	4.00 cfs	N/A	N/A	191.0	BIG WOOD 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>
37-115D	NO	YES	NO	NO	NO	NO
37-590A	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>
37-115D	37-115D	2.00 cfs	N/A	N/A	191.0		N/A	N/A	N/A	N/A
37-590A	37-590A	4.00 cfs	N/A	N/A	191.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		6.00 cfs	N/A	191.0	191.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of August, 20 07


 Administrator, Water Management Division

SUPPORT DATA

IN FILE # 37-115D

WATER RIGHT NO. 37-115D
As Modified by Transfer No. 71910

In accordance with the approval of Transfer No. 71910, Water Right No. 37-115D is now described as follows.

Right Holder: THERESA L SHERBINE
 200 BASELINE RD
 BELLEVUE ID 83313

And

WILLIAM T SHERBINE
 200 BASELINE RD
 BELLEVUE ID 83313

Priority Date: June 12, 1886

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MITIGATION	04/15 to	10/31	0.10 CFS	
IRRIGATION	04/15 to	10/31	1.90 CFS	
			2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NWSESW Sec. 12 Twp 01N Rge 18E BLAINE County

BIG WOOD RIVER NWSENW Sec. 25 Twp 01N Rge 18E BLAINE County
 (Rediversion)

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01S	19E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
									18.0	14.0	40.0	40.0	40.0	39.0					191.0
									L 4	L 3									

Total Acres: 191

CONDITIONS OF APPROVAL

1. The rights listed below are limited to the irrigation of a combined total of 191 acres in a single irrigation season. Combined Right Nos.: 37-115D, 37-590A, and 37-2561.
2. To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using 0.10 cfs of this right, which shall remain undiverted in the Big Wood River.
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. 37.

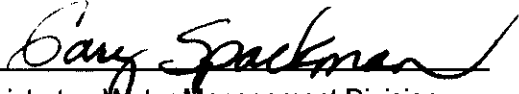
WATER RIGHT NO. 37-115D
As Modified by Transfer No. 71910

CONDITIONS OF APPROVAL

4. 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.
5. This right does not grant any right-of-way or easement across the land of another.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. This right is measured and administered at the point of redirection.

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 23rd day of August, 20 07


Administrator, Water Management Division

WATER RIGHT NO. 37-590A
As Modified by Transfer No. 71910

In accordance with the approval of Transfer No. 71910, Water Right No. 37-590A is now described as follows.

Right Holder: THERESA L SHERBINE
 200 BASELINE RD
 BELLEVUE ID 83313

And

WILLIAM T SHERBINE
 200 BASELINE RD
 BELLEVUE ID 83313

Priority Date: May 01, 1886

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	3.80 CFS	
MITIGATION	04/15 to	10/31	0.20 CFS	
			4.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NWSESW Sec. 12 Twp 01N Rge 18E BLAINE County

BIG WOOD RIVER NWSENW Sec. 25 Twp 01N Rge 18E BLAINE County
 (Rediversion)

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01S	19E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
									18.0	14.0	40.0	40.0	40.0	39.0					191.0
									L 4	L 3									

Total Acres: 191

CONDITIONS OF APPROVAL

- The rights listed below are limited to the irrigation of a combined total of 191 acres in a single irrigation season. Combined Right Nos.: 37-115D, 37-590A, and 37-2561.
- To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using 0.20 cfs of this right, which shall remain undiverted in the Big Wood River.

WATER RIGHT NO. 37-590A
As Modified by Transfer No. 71910

CONDITIONS OF APPROVAL

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. 37.
4. 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.
5. This right does not grant any right-of-way or easement across the land of another.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. This right is measured and administered at the point of redirection.

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 23rd day of August, 20 07



Administrator, Water Management Division