

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73352

This is to certify that: WALLACE W DRISCOLL And
 MAURINE D DRISCOLL
 2459 W 1100 S
 ABERDEEN ID 83210
 (208)328-2498

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>
35-10442	WR/Decreed	07/19/1957	0.3 cfs	N/A	15.0	370.0	GROUND WATER
35-2218	WR/Decreed	03/24/1952	7.1 cfs	N/A	355.0	370.0	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>
35-10442	NO	NO	YES	NO	NO	NO
35-2218	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>
35-10442	35-10442	0.3 cfs	60 af	15.0	370.0		N/A	N/A	N/A	N/A
35-2218	35-2218	7.1 cfs	1420 af	355.0	370.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		7.4 cfs	1480 af	370.0	370.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of July, 20 07


 Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 35-2218

WATER RIGHT NO. 35-2218
As Modified by Transfer No. 73352

In accordance with the approval of Transfer No. 73352, Water Right No. 35-2218 is now described as follows.

Right Holder: MAURINE D DRISCOLL And
 WALLACE W DRISCOLL
 2459 W 1100 S
 ABERDEEN ID 83210

Priority Date: March 24, 1952

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	7.10 CFS	1,420.0 AF
			7.10 CFS	1,420.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 11 Twp 04S	Rge 31E	BINGHAM County
GROUND WATER	SESE	Sec. 11 Twp 04S	Rge 31E	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			
04S	31E	11			8.0	29.0												35.0	37.0	18.0	127.0
04S	31E	12								15.0	40.0	40.0	15.0								110.0
04S	31E	13					18.0	34.0	17.0												69.0
04S	31E	14	31.0			33.0															64.0

Total Acres: 370

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 355 acres within the place of use described above in a single irrigation season.
2. Rights 35-2218 and 35-10442 when combined shall not exceed a total diversion rate of 7.4 cfs, a total annual maximum diversion volume of 1480 af at the field headgate, and the irrigation of 370 acres.
3. Use of this right is combined with water from Aberdeen Springfield Canal Co.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

WATER RIGHT NO. 35-2218
As Modified by Transfer No. 73352

CONDITIONS OF APPROVAL

5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. Prior to the diversion and use of water under Transfer approval 73352, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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. 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.
8. 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.
9. Right 35-10442 is also diverted through the point(s) of diversion described above.
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.
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1480 af at the field headgate for the lands above.

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 12th day of July, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-10442
As Modified by Transfer No. 73352

In accordance with the approval of Transfer No. 73352, Water Right No. 35-10442 is now described as follows.

Right Holder: WALLACE W DRISCOLL And
 MAURINE D DRISCOLL
 2459 W 1100 S
 ABERDEEN ID 83210

Priority Date: July 19, 1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.30 CFS	60.0 AF
		0.30 CFS	60.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 11 Twp 04S	Rge 31E	BINGHAM County
GROUND WATER	SESE	Sec. 11 Twp 04S	Rge 31E	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	
04S	31E	11			8.0	29.0									35.0	37.0		18.0	127.0
04S	31E	12									15.0	40.0	40.0	15.0					110.0
04S	31E	13					18.0	34.0	17.0										69.0
04S	31E	14	31.0			33.0													64.0

Total Acres: 370

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 15 acres within the place of use described above in a single irrigation season.
2. Rights 35-2218 and 35-10442 when combined shall not exceed a total diversion rate of 7.4 cfs, a total annual maximum diversion volume of 1480 af at the field headgate, and the irrigation of 370 acres.
3. Use of this right is combined with water from Aberdeen Springfield Canal Co.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

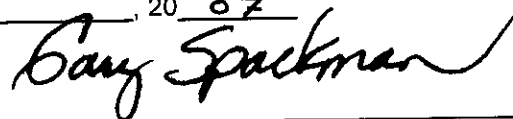
WATER RIGHT NO. 35-10442
As Modified by Transfer No. 73352

CONDITIONS OF APPROVAL

5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 73352, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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. Right 35-2218 is also diverted through the point(s) of diversion described 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. 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.
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.
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1480 af at the field headgate for the lands above.

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 12th day of JULY, 2007



Chief, Water Allocation Bureau