

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72638**

This is to certify that: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
(208)373-4000

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>
23-11299	WR/Decreed	06/30/1898	0.12 cfs	N/A	N/A	5.9	GARDEN CREEK
23-11295	WR/Decreed	06/01/1882	0.12 cfs	N/A	N/A	5.9	GARDEN CREEK
23-11297	WR/Decreed	06/01/1888	0.12 cfs	N/A	N/A	5.9	GARDEN CREEK
23-11301	WR/Decreed	01/22/1916	0.12 cfs	N/A	N/A	5.9	GARDEN CREEK

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>
23-11299	NO	YES	NO	NO	NO	NO
23-11295	NO	YES	NO	NO	NO	NO
23-11297	NO	YES	NO	NO	NO	NO
23-11301	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>
23-11299	23-11299	0.12 cfs	N/A	N/A	5.9		N/A	N/A	N/A	N/A
23-11295	23-11295	0.12 cfs	N/A	N/A	5.9		N/A	N/A	N/A	N/A
23-11297	23-11297	0.12 cfs	N/A	N/A	5.9		N/A	N/A	N/A	N/A
23-11301	23-11301	0.12 cfs	N/A	N/A	5.9		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.12 cfs	N/A	5.9	5.9		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 23-11295

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72638

Detailed Water Right Description(s) attached

Dated this 7th day of May, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 23-11295
As Modified by Transfer No. 72638

In accordance with the approval of Transfer No. 72638, Water Right No. 23-11295 is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
 USDI BUREAU OF LAND MANAGEMENT
 IDAHO STATE OFFICE
 1387 S VINNELL WAY
 BOISE ID 83709-1657

Priority Date: June 01, 1882

Source: GARDEN CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.12 CFS	
			0.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L2 (SWSWNW) Sec. 30 Twp 02N Rge 43E BONNEVILLE 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	
02N 43E 30										1.9					3.2		5.1
										L 3					L 9		
02N 43E 31							.8										.8
							L 2										

Total Acres: 5.9

CONDITIONS OF APPROVAL

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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. 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.
5. 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).

WATER RIGHT NO. 23-11295
As Modified by Transfer No. 72638

CONDITIONS OF APPROVAL

6. Rights 23-11291, 23-11295, 23-11297, 23-11299 and 23-11301 when combined shall not exceed a total diversion rate of 0.12 cfs and the irrigation of 5.9 acres.
7. Rights 23-11295, 23-11296, 23-11297, 23-11298, 23-11299, 23-12300, 23-12301 and 23-11302 are also diverted through the point(s) of diversion described above.
8. This right does not grant any right-of-way or easement across the land of another.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of 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 7th day of May, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 23-11297
As Modified by Transfer No. 72638

In accordance with the approval of Transfer No. 72638, Water Right No. 23-11297 is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
 USDI BUREAU OF LAND MANAGEMENT
 IDAHO STATE OFFICE
 1387 S VINNELL WAY
 BOISE ID 83709-1657

Priority Date: June 01, 1888

Source: GARDEN CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.12 CFS	
			0.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L2 (SWSWNW) Sec. 30 Twp 02N Rge 43E BONNEVILLE 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	
02N 43E 30										1.9					3.2		5.1
										L 3					L 9		
02N 43E 31							.8										.8
							L 2										

Total Acres: 5.9

CONDITIONS OF APPROVAL

1. Rights 23-11291, 23-11295, 23-11297, 23-11299 and 23-11301 when combined shall not exceed a total diversion rate of 0.12 cfs and the irrigation of 5.9 acres.
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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
4. Rights 23-11295, 23-11296, 23-11297, 23-11298, 23-11299, 23-12300, 23-12301 and 23-11302 are also diverted through the point(s) of diversion described above.
5. This right does not grant any right-of-way or easement across the land of another.
6. 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).

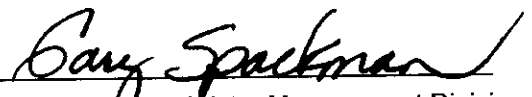
WATER RIGHT NO. 23-11297
As Modified by Transfer No. 72638

CONDITIONS OF APPROVAL

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. 01.
8. 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.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of 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 7th day of May, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 23-11299
As Modified by Transfer No. 72638

In accordance with the approval of Transfer No. 72638, Water Right No. 23-11299 is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
 USDI BUREAU OF LAND MANAGEMENT
 IDAHO STATE OFFICE
 1387 S VINNELL WAY
 BOISE ID 83709-1657

Priority Date: June 30, 1898

Source: GARDEN CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.12 CFS	
			0.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L2 (SWSWNW) Sec. 30 Twp 02N Rge 43E BONNEVILLE 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	
02N	43E	30										1.9					3.2		5.1
												L 3					L 9		
02N	43E	31							.8										.8
									L 2										

Total Acres: 5.9

CONDITIONS OF APPROVAL

1. Rights 23-11295, 23-11296, 23-11297, 23-11298, 23-11299, 23-12300, 23-12301 and 23-11302 are also diverted through the point(s) of diversion described above.
2. Rights 23-11291, 23-11295, 23-11297, 23-11299 and 23-11301 when combined shall not exceed a total diversion rate of 0.12 cfs and the irrigation of 5.9 acres.
3. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
4. 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.
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.

WATER RIGHT NO. 23-11299
As Modified by Transfer No. 72638

CONDITIONS OF APPROVAL

7. 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).
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 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of 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 7th day of May, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 23-11301
As Modified by Transfer No. 72638

In accordance with the approval of Transfer No. 72638, Water Right No. 23-11301 is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
 USDI BUREAU OF LAND MANAGEMENT
 IDAHO STATE OFFICE
 1387 S VINNELL WAY
 BOISE ID 83709-1657

Priority Date: January 22, 1916

Source: GARDEN CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.12 CFS	
			0.12 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GARDEN CREEK L2 (SWSWNW) Sec. 30 Twp 02N Rge 43E BONNEVILLE 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	
02N 43E 30										1.9					3.2		5.1
										L 3					L 9		
02N 43E 31							.8										.8
							L 2										

Total Acres: 5.9

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
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. 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. Rights 23-11291, 23-11295, 23-11297, 23-11299 and 23-11301 when combined shall not exceed a total diversion rate of 0.12 cfs and the irrigation of 5.9 acres.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

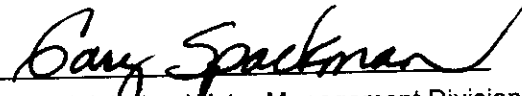
WATER RIGHT NO. 23-11301
As Modified by Transfer No. 72638

CONDITIONS OF APPROVAL

7. Rights 23-11295, 23-11296, 23-11297, 23-11298, 23-11299, 23-12300, 23-12301 and 23-11302 are also diverted through the point(s) of diversion described above.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

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 7th day of May, 20 07


Acting Administrator, Water Management Division