

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72811

This is to certify that: RICHARD L KECHTER
218 W 13TH
BURLEY ID 83318
(208)678-5607

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>
36-16416	WR/Decreed	03/17/1963	4.38 cfs	876 af	N/A	219.0	GROUND WATER
36-16418	WR/Decreed	09/24/1968	3.45 cfs	N/A	329.1	406.0	GROUND WATER
36-16420	WR/Decreed	12/30/1983	1.95 cfs	488 af	N/A	122.0	GROUND WATER
36-16422	WR/Decreed	12/13/1952	0.65 cfs	N/A	34.2	406.0	GROUND WATER
36-16424	WR/Decreed	05/01/1976	0.85 cfs	N/A	N/A	406.0	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>
36-16416	NO	NO	YES	YES	NO	NO
36-16418	NO	NO	YES	YES	NO	NO
36-16420	NO	NO	YES	YES	NO	NO
36-16422	NO	NO	YES	YES	NO	NO
36-16424	NO	NO	YES	YES	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>
36-16416	36-16416	4.38 cfs	876.0 af	219.0	995.0		N/A	N/A	N/A	N/A
36-16418	36-16418	3.45 cfs	1316.4 af	329.1	995.0		N/A	N/A	N/A	N/A
36-16420	36-16420	1.95 cfs	488.0 af	122.0	995.0		N/A	N/A	N/A	N/A
36-16422	36-16422	0.65 cfs	136.8 af	34.2	995.0		N/A	N/A	N/A	N/A
36-16424	36-16424	0.85 cfs	170.8 af	42.7	995.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		9.54 cfs	2988.0 af	747.0	995.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of January, 20 07

SUPPORT DATA

IN FILE # 36-16416


Acting Administrator, Water Management Division

WATER RIGHT NO. 36-16416
As Modified by Transfer No. 72811

In accordance with the approval of Transfer No. 72811, Water Right No. 36-16416 is now described as follows.

Right Holder: RICHARD L KECHTER
 218 W 13TH
 BURLEY ID 83318

Priority Date: March 17, 1963

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	4.38 CFS	876.0 AF
			4.38 CFS	876.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE SW	Sec. 9 Twp 07S	Rge 21E LINCOLN County
GROUND WATER	NWNENE	Sec. 16 Twp 07S	Rge 21E LINCOLN 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	
07S	21E	8		40.0	40.0	40.0			40.0	40.0	40.0	40.0			40.0	40.0	40.0		400.0
07S	21E	9									40.0	40.0	40.0						120.0
07S	21E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0									315.0
07S	21E	17	40.0	40.0	40.0	40.0													160.0

Total Acres: 995

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 219 acres within the place of use described above in a single irrigation season.
2. Rights 36-16416 and 36-16420 when combined shall not exceed a total diversion rate of 5.45 cfs, a total annual maximum diversion volume of 1364 af at the field headgate, and the irrigation of 341 acres.
3. Rights 36-16416, 36-16418, 36-16420, 36-16422, and 36-16424 when combined shall not exceed a total diversion rate of 9.54 cfs, a total annual maximum diversion volume of 2988 af at the field headgate, and the irrigation of 747 acres.
4. 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.
5. 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. 130.

WATER RIGHT NO. 36-16416
As Modified by Transfer No. 72811

CONDITIONS OF APPROVAL

6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under Transfer approval 72811, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 27, 2001.
9. Rights 36-16418, 36-16420, 36-16422, and 36-16424 are 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.

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 10th day of January, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 36-16418
As Modified by Transfer No. 72811

In accordance with the approval of Transfer No. 72811, Water Right No. 36-16418 is now described as follows.

Right Holder: RICHARD L KECHTER
 218 W 13TH
 BURLEY ID 83318

Priority Date: September 24, 1968

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	3.45 CFS	1,316.4 AF
			3.45 CFS	1,316.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE SW	Sec. 9 Twp 07S	Rge 21E LINCOLN County
GROUND WATER	NWNENE	Sec. 16 Twp 07S	Rge 21E LINCOLN 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	
07S 21E 8		40.0	40.0	40.0			40.0	40.0	40.0	40.0			40.0	40.0	40.0		400.0
07S 21E 9									40.0	40.0	40.0						120.0
07S 21E 16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0									315.0
07S 21E 17	40.0	40.0	40.0	40.0													160.0

Total Acres: 995

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 329.1 acres within the place of use described above in a single irrigation season.
2. Rights 36-16418, 36-16422, and 36-16424 when combined shall not exceed a total diversion rate of 4.09 cfs, a total annual maximum diversion volume of 1624 af at the field headgate, and the irrigation of 406 acres.
3. Rights 36-16416, 36-16418, 36-16420, 36-16422, and 36-16424 when combined shall not exceed a total diversion rate of 9.54 cfs, a total annual maximum diversion volume of 2988 af at the field headgate, and the irrigation of 747 acres.
4. 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.
5. 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. 130.

WATER RIGHT NO. 36-16418
As Modified by Transfer No. 72811

CONDITIONS OF APPROVAL

6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under Transfer approval 72811, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 27, 2001.
9. Right no. 36-16424 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
10. Rights 36-16416, 36-16420, 36-16422, and 36-16424 are also diverted through the point(s) of diversion described above.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 10th day of January, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 36-16420
As Modified by Transfer No. 72811

In accordance with the approval of Transfer No. 72811, Water Right No. 36-16420 is now described as follows.

Right Holder: RICHARD L KECHTER
 218 W 13TH
 BURLEY ID 83318

Priority Date: December 30, 1983

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	1.95 CFS	488.0 AF
			1.95 CFS	488.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESEW	Sec. 9 Twp 07S Rge 21E LINCOLN County
GROUND WATER	NWNE	Sec. 16 Twp 07S Rge 21E LINCOLN 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	
07S 21E 8		40.0	40.0	40.0			40.0	40.0	40.0	40.0			40.0	40.0	40.0		400.0
07S 21E 9									40.0	40.0	40.0						120.0
07S 21E 16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0									315.0
07S 21E 17	40.0	40.0	40.0	40.0													160.0

Total Acres: 995

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 122 acres within the place of use described above in a single irrigation season.
2. Rights 36-16416 and 36-16420 when combined shall not exceed a total diversion rate of 5.45 cfs, a total annual maximum diversion volume of 1364 af at the field headgate, and the irrigation of 341 acres.
3. Rights 36-16416, 36-16418, 36-16420, 36-16422, and 36-16424 when combined shall not exceed a total diversion rate of 9.54 cfs, a total annual maximum diversion volume of 2988 af at the field headgate, and the irrigation of 747 acres.
4. 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.
5. 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. 130.

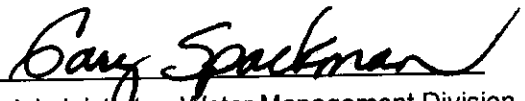
WATER RIGHT NO. 36-16420
As Modified by Transfer No. 72811

CONDITIONS OF APPROVAL

6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under Transfer approval 72811, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than November 20, 2001.
10. Rights 36-16416, 36-16418, 36-16422, and 36-16424 are also diverted through the point(s) of diversion described above.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 10th day of January, 2007


Acting Administrator, Water Management Division

WATER RIGHT NO. 36-16422
As Modified by Transfer No. 72811

In accordance with the approval of Transfer No. 72811, Water Right No. 36-16422 is now described as follows.

Right Holder: RICHARD L KECHTER
 218 W 13TH
 BURLEY ID 83318

Priority Date: December 13, 1952

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	0.65 CFS	136.8 AF
			0.65 CFS	136.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESEW	Sec. 9 Twp 07S	Rge 21E	LINCOLN County
GROUND WATER	NWNENE	Sec. 16 Twp 07S	Rge 21E	LINCOLN 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	
07S	21E	8		40.0	40.0	40.0			40.0	40.0	40.0	40.0			40.0	40.0	40.0		400.0
07S	21E	9									40.0	40.0	40.0						120.0
07S	21E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0									315.0
07S	21E	17	40.0	40.0	40.0	40.0													160.0

Total Acres: 995

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 34.2 acres within the place of use described above in a single irrigation season.
2. Rights 36-16418, 36-16422, and 36-16424 when combined shall not exceed a total diversion rate of 4.09 cfs, a total annual maximum diversion volume of 1624 af at the field headgate, and the irrigation of 406 acres.
3. Rights 36-16416, 36-16418, 36-16420, 36-16422, and 36-16424 when combined shall not exceed a total diversion rate of 9.54 cfs, a total annual maximum diversion volume of 2988 af at the field headgate, and the irrigation of 747 acres.
4. 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.
5. 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. 130.

WATER RIGHT NO. 36-16422
As Modified by Transfer No. 72811

CONDITIONS OF APPROVAL

6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under Transfer approval 72811, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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 no. 36-16424 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Rights 36-16416, 36-16418, 36-16420, and 36-16424 are 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.

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 10th day of January, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 36-16424
As Modified by Transfer No. 72811

In accordance with the approval of Transfer No. 72811, Water Right No. 36-16424 is now described as follows.

Right Holder: RICHARD L KECHTER
 218 W 13TH
 BURLEY ID 83318

Priority Date: May 01, 1976

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	0.85 CFS	170.8 AF
			0.85 CFS	170.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESEW	Sec. 9 Twp 07S Rge 21E LINCOLN County
GROUND WATER	NWNENE	Sec. 16 Twp 07S Rge 21E LINCOLN 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	
07S 21E 8		40.0	40.0	40.0			40.0	40.0	40.0	40.0			40.0	40.0	40.0		400.0
07S 21E 9									40.0	40.0	40.0						120.0
07S 21E 16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0									315.0
07S 21E 17	40.0	40.0	40.0	40.0													160.0

Total Acres: 995

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 42.7 acres within the place of use described above in a single irrigation season.
2. Rights 36-16418, 36-16422, and 36-16424 when combined shall not exceed a total diversion rate of 4.09 cfs, a total annual maximum diversion volume of 1624 af at the field headgate, and the irrigation of 406 acres.
3. Rights 36-16416, 36-16418, 36-16420, 36-16422, and 36-16424 when combined shall not exceed a total diversion rate of 9.54 cfs, a total annual maximum diversion volume of 2988 af at the field headgate, and the irrigation of 747 acres.
4. 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.
5. 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. 130.

WATER RIGHT NO. 36-16424
As Modified by Transfer No. 72811

CONDITIONS OF APPROVAL

6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under Transfer approval 72811, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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. This right is based upon an enlargement of right nos.: 36-16418 and 36-16422 pursuant to Section 42-1426, Idaho Code.
9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
10. Rights 36-16416, 36-16418, 36-16420, and 36-16422 are also diverted through the point(s) of diversion described above.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 10th day of January, 2007


Acting Administrator, Water Management Division