

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72809

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>
36-8403	WR/License	11/28/1988	0.31 cfs	N/A	N/A	318.0	GROUND WATER
36-2389	WR/Decreed	06/15/1959	4.42 cfs	N/A	421.0	590.0	GROUND WATER
36-2451	WR/Decreed	12/21/1960	1.55 cfs	N/A	109.0	590.0	GROUND WATER
36-2346	WR/Decreed	02/06/1958	3.73 cfs	N/A	263.0	590.0	GROUND WATER
36-2363	WR/Decreed	11/13/1958	4.40 cfs	N/A	300.0	371.0	GROUND WATER
36-2339	WR/Decreed	09/30/1957	4.40 cfs	1272 af	N/A	318.0	GROUND WATER
36-2340	WR/Decreed	09/26/1957	5.47 cfs	N/A	280.0	868.0	GROUND WATER
36-2360	WR/Decreed	10/08/1958	5.52 cfs	N/A	276.0	868.0	GROUND WATER
36-2431	WR/Decreed	08/23/1960	4.04 cfs	N/A	202.0	868.0	GROUND WATER
36-4200	WR/Decreed	03/15/1974	0.84 cfs	N/A	N/A	371.0	GROUND WATER
36-15165	WR/Decreed	03/15/1970	2.20 cfs	N/A	N/A	868.0	GROUND WATER
36-16417	WR/Decreed	03/17/1963	0.28 cfs	56 af	N/A	14.0	GROUND WATER
36-16419	WR/Decreed	09/24/1968	0.59 cfs	N/A	55.9	69.0	GROUND WATER
36-16421	WR/Decreed	12/30/1983	0.13 cfs	32 af	N/A	8.0	GROUND WATER
36-16423	WR/Decreed	12/13/1952	0.11 cfs	N/A	5.8	69.0	GROUND WATER
36-16425	WR/Decreed	05/01/1976	0.15 cfs	N/A	N/A	69.0	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>
36-8403	NO	NO	YES	YES	NO	NO
36-2389	NO	NO	YES	YES	NO	NO
36-2451	NO	NO	YES	YES	NO	NO
36-2346	NO	NO	YES	YES	NO	NO
36-2363	NO	NO	YES	YES	NO	NO
36-2339	NO	NO	YES	YES	NO	NO
36-2340	NO	NO	YES	YES	NO	NO
36-2360	NO	NO	YES	YES	NO	NO
36-2431	NO	NO	YES	YES	NO	NO
36-4200	NO	NO	YES	YES	NO	NO

SUPPORT DATA

IN FILE # 36-2339

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72809

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>
36-15165	NO	NO	YES	YES	NO	NO
36-16417	NO	YES	YES	YES	NO	NO
36-16419	NO	YES	YES	YES	NO	NO
36-16421	NO	YES	YES	YES	NO	NO
36-16423	NO	YES	YES	YES	NO	NO
36-16425	NO	YES	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>
36-8403	36-8403	0.31 cfs	N/A	318.0	2,785.0		N/A	N/A	N/A	N/A
36-2389	36-2389	4.42 cfs	1684.0 af	421.0	2,785.0		N/A	N/A	N/A	N/A
36-2451	36-2451	1.55 cfs	436.0 af	109.0	2,785.0		N/A	N/A	N/A	N/A
36-2346	36-2346	3.73 cfs	1052.0 af	263.0	2,785.0		N/A	N/A	N/A	N/A
36-2363	36-2363	4.40 cfs	1200.0 af	300.0	2,785.0		N/A	N/A	N/A	N/A
36-2339	36-2339	4.40 cfs	1272.0 af	318.0	2,785.0		N/A	N/A	N/A	N/A
36-2340	36-2340	5.47 cfs	1120.0 af	280.0	2,785.0		N/A	N/A	N/A	N/A
36-2360	36-2360	5.52 cfs	1104.0 af	276.0	2,785.0		N/A	N/A	N/A	N/A
36-2431	36-2431	4.04 cfs	808.0 af	202.0	2,785.0		N/A	N/A	N/A	N/A
36-4200	36-4200	0.84 cfs	284.0 af	71.0	2,785.0		N/A	N/A	N/A	N/A
36-15165	36-15165	2.20 cfs	440.0 af	110.0	2,785.0		N/A	N/A	N/A	N/A
36-16417	36-16417	0.28 cfs	56.0 af	14.0	2,785.0		N/A	N/A	N/A	N/A
36-16419	36-16419	0.59 cfs	223.6 af	55.9	2,785.0		N/A	N/A	N/A	N/A
36-16421	36-16421	0.13 cfs	32.0 af	8.0	2,785.0		N/A	N/A	N/A	N/A
36-16423	36-16423	0.11 cfs	23.2 af	5.8	2,785.0		N/A	N/A	N/A	N/A
36-16425	36-16425	0.15 cfs	29.2 af	7.3	2,785.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		34.89 cfs	8,952.0 af	2,238.0	2,785.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of January, 20 07


Acting Administrator, Water Management Division

WATER RIGHT NO. 36-2339
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-2339 is now described as follows.

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

Priority Date: September 30, 1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	4.40 CFS	1,272.0 AF
		4.40 CFS	1,272.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0			40.0	160.0
08S 21E 9			40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12						40.0	40.0										80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-2339
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. Rights 36-2339 and 36-8403 when combined shall not exceed a total diversion rate of 4.71 cfs, a total annual maximum diversion volume of 1272 af at the field headgate, and the irrigation of 318 acres.
2. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 acres.
3. 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.
4. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

5. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
6. 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.
7. 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).
8. Prior to the diversion and use of water under Transfer approval 72809, 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.
9. Rights 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 are also diverted through the points 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.

WATER RIGHT NO. 36-2339
As Modified by Transfer No. 72809

CONDITIONS OF 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. 36-8403
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-8403 is now described as follows.

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

Priority Date: November 28, 1988

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	0.31 CFS
			0.31 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S	21E	8	40.0			40.0									40.0			40.0	160.0
08S	21E	9			40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S	21E	10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S	21E	11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S	21E	12						40.0	40.0										80.0
08S	21E	15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S	21E	16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-8403
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. Rights 36-2339 and 36-8403 when combined shall not exceed a total diversion rate of 4.71 cfs, a total annual maximum diversion volume of 1272 af at the field headgate, and the irrigation of 318 acres.
2. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 acres.
3. 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.
4. 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.
5. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. 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 the date of this approval.

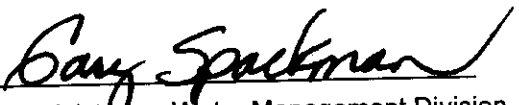
WATER RIGHT NO. 36-8403
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

11. Rights 36-2339, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 are also diverted through the points of diversion described above.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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. 36-2340
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-2340 is now described as follows.

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

Priority Date: September 26, 1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	5.47 CFS	1,120.0 AF
		5.47 CFS	1,120.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0			40.0	160.0
08S 21E 9			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12					40.0	40.0											80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-2340
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 280 acres within the place of use described above in a single irrigation season.
2. Rights 36-2340, 36-2360, 36-2431, and 36-15165 when combined shall not exceed a total diversion rate of 15.03 cfs, a total annual maximum diversion volume of 3472 af at the field headgate, and the irrigation of 868 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. Right no. 36-15165 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. Rights 36-2339, 36-8403, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 are also diverted through the points of diversion described above.

WATER RIGHT NO. 36-2340
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 36-2360
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-2360 is now described as follows.

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

Priority Date: October 08, 1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	5.52 CFS	1,104.0 AF
		5.52 CFS	1,104.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0			40.0	160.0
08S 21E 9			40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12						40.0	40.0										80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-2360
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 276 acres within the place of use described above in a single irrigation season.
2. Rights 36-2340, 36-2360, 36-2431, and 36-15165 when combined shall not exceed a total diversion rate of 15.03 cfs, a total annual maximum diversion volume of 3472 af at the field headgate, and the irrigation of 868 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. Right no. 36-15165 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. Rights 36-2339, 36-8403, 36-2340, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 are also diverted through the points of diversion described above.

WATER RIGHT NO. 36-2360
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 36-2431
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-2431 is now described as follows.

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

Priority Date: August 23, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	4.04 CFS	808.0 AF
		4.04 CFS	808.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0			40.0	160.0
08S 21E 9			40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12						40.0	40.0										80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-2431
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 202 acres within the place of use described above in a single irrigation season.
2. Rights 36-2340, 36-2360, 36-2431, and 36-15165 when combined shall not exceed a total diversion rate of 15.03 cfs, a total annual maximum diversion volume of 3472 af at the field headgate, and the irrigation of 868 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.

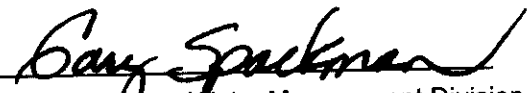
WATER RIGHT NO. 36-2431
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

10. Right no. 36-15165 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 are also diverted through the points of diversion described above.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 36-15165
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-15165 is now described as follows.

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

Priority Date: March 15, 1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	2.20 CFS	440.0 AF
		2.20 CFS	440.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S	21E	8	40.0			40.0										40.0		40.0	160.0
08S	21E	9			40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S	21E	10	40.0	40.0	40.0	40.0				40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	40.0	476.0
08S	21E	11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S	21E	12						40.0	40.0										80.0
08S	21E	15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S	21E	16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-15165
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 110 acres within the place of use described above in a single irrigation season.
2. Rights 36-2340, 36-2360, 36-2431, and 36-15165 when combined shall not exceed a total diversion rate of 15.03 cfs, a total annual maximum diversion volume of 3472 af at the field headgate, and the irrigation of 868 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. This right is based upon an enlargement of right nos. 36-2360, 36-2431 and 36-2340 pursuant to Section 42-1426, Idaho Code.

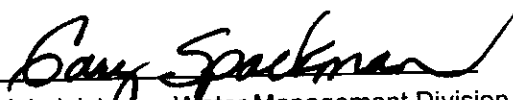
WATER RIGHT NO. 36-15165
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

11. 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.
12. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 are also diverted through the points of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 36-2346
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-2346 is now described as follows.

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

Priority Date: February 06, 1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	3.73 CFS	1,052.0 AF
		3.73 CFS	1,052.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0			40.0	160.0
08S 21E 9			40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12						40.0	40.0										80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-2346
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 263 acres within the place of use described above in a single irrigation season.
2. Rights 36-2346, 36-2389, and 36-2451 when combined shall not exceed a total diversion rate of 9.70 cfs, a total annual maximum diversion volume of 2360 af at the field headgate, and the irrigation of 590 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 are also diverted through the points 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.

WATER RIGHT NO. 36-2346
As Modified by Transfer No. 72809

CONDITIONS OF 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. 36-2389
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-2389 is now described as follows.

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

Priority Date: June 15, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	4.42 CFS	1,684.0 AF
			4.42 CFS	1,684.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S	21E	8	40.0			40.0									40.0			40.0	160.0
08S	21E	9			40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S	21E	10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S	21E	11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S	21E	12						40.0	40.0										80.0
08S	21E	15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S	21E	16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-2389
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 421 acres within the place of use described above in a single irrigation season.
2. Rights 36-2346, 36-2389, and 36-2451 when combined shall not exceed a total diversion rate of 9.70 cfs, a total annual maximum diversion volume of 2360 af at the field headgate, and the irrigation of 590 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 are also diverted through the points 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.

WATER RIGHT NO. 36-2389
As Modified by Transfer No. 72809

CONDITIONS OF 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. 36-2451
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-2451 is now described as follows.

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

Priority Date: December 21, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	1.55 CFS	436.0 AF
			1.55 CFS	436.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0			40.0	160.0
08S 21E 9			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12					40.0	40.0											80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-2451
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 109 acres within the place of use described above in a single irrigation season.
2. Rights 36-2346, 36-2389, and 36-2451 when combined shall not exceed a total diversion rate of 9.70 cfs, a total annual maximum diversion volume of 2360 af at the field headgate, and the irrigation of 590 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 are also diverted through the points 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.

WATER RIGHT NO. 36-2451
As Modified by Transfer No. 72809

CONDITIONS OF 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. 36-2363
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-2363 is now described as follows.

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

Priority Date: November 13, 1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	4.40 CFS	1,200.0 AF
			4.40 CFS	1,200.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0			40.0	160.0
08S 21E 9			40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12						40.0	40.0										80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-2363
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 300 acres within the place of use described above in a single irrigation season.
2. Rights 36-2363 and 36-4200 when combined shall not exceed a total diversion rate of 4.40 cfs, a total annual maximum diversion volume of 1484 af at the field headgate, and the irrigation of 371 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. Right no. 36-4200 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 are also diverted through the points of diversion described above.

WATER RIGHT NO. 36-2363
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 36-4200
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-4200 is now described as follows.

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

Priority Date: March 15, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.84 CFS	284.0 AF
			0.84 CFS	284.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0			40.0	160.0
08S 21E 9			40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12						40.0	40.0										80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-4200
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71 acres within the place of use described above in a single irrigation season.
2. Rights 36-2363 and 36-4200 when combined shall not exceed a total diversion rate of 4.40 cfs, a total annual maximum diversion volume of 1484 af at the field headgate, and the irrigation of 371 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. This right is based upon an enlargement of right no. 36-2363 pursuant to Section 42-1426, Idaho Code.

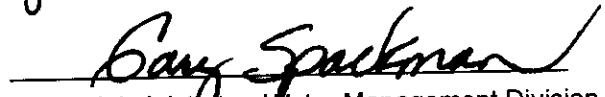
WATER RIGHT NO. 36-4200
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

11. 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.
12. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 are also diverted through the points of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 36-16419
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-16419 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	to 10/31	0.59 CFS	223.6 AF
			0.59 CFS	223.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0				160.0
08S 21E 9			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12					40.0	40.0											80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-16419
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 55.9 acres within the place of use described above in a single irrigation season.
2. Rights 36-16419, 36-16423, and 36-16425 when combined shall not exceed a total diversion rate of 0.70 cfs, a total annual maximum diversion volume of 276 af at the field headgate, and the irrigation of 69 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. Right no. 36-16425 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. 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.

WATER RIGHT NO. 36-16419
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

12. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16423, 36-16425, 36-16417, and 36-16421 are also diverted through the points of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 36-16423
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-16423 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	to 11/15	0.11 CFS	23.2 AF
			0.11 CFS	23.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0			40.0	160.0
08S 21E 9			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12						40.0	40.0										80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-16423
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.8 acres within the place of use described above in a single irrigation season.
2. Rights 36-16419, 36-16423, and 36-16425 when combined shall not exceed a total diversion rate of 0.70 cfs, a total annual maximum diversion volume of 276 af at the field headgate, and the irrigation of 69 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. Right no. 36-16425 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16425, 36-16417, and 36-16421 are also diverted through the points of diversion described above.

WATER RIGHT NO. 36-16423
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 36-16425
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-16425 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	to 11/15	0.15 CFS	29.2 AF
			0.15 CFS	29.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0			40.0	160.0
08S 21E 9			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12						40.0	40.0										80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-16425
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 7.3 acres within the place of use described above in a single irrigation season.
2. Rights 36-16419, 36-16423, and 36-16425 when combined shall not exceed a total diversion rate of 0.70 cfs, a total annual maximum diversion volume of 276 af at the field headgate, and the irrigation of 69 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. This right is based upon an enlargement of right nos. 36-16419 and 36-16423 pursuant to Section 42-1426, Idaho Code.
11. 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.

WATER RIGHT NO. 36-16425
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

12. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16417, and 36-16421 are also diverted through the points of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 36-16417
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-16417 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	to 10/31	0.28 CFS	56.0 AF
			0.28 CFS	56.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0			40.0	160.0
08S 21E 9			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12						40.0	40.0										80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-16417
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 14 acres within the place of use described above in a single irrigation season.
2. Rights 36-16417 and 36-16421 when combined shall not exceed a total diversion rate of 0.35 cfs, a total annual maximum diversion volume of 88 af at the field headgate, and the irrigation of 22 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. 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.

WATER RIGHT NO. 36-16417
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

11. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, and 36-16421 are also diverted through the points of diversion described above.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 36-16421
As Modified by Transfer No. 72809

In accordance with the approval of Transfer No. 72809, Water Right No. 36-16421 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	to 10/31	0.13 CFS	32.0 AF
			0.13 CFS	32.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 9 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENE	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SESWSW	Sec. 10 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWSENW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SENWSW	Sec. 11 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENENE	Sec. 16 Twp 08S	Rge 21E	JEROME County
GROUND WATER	SWNWSE	Sec. 16 Twp 08S	Rge 21E	JEROME 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	
08S 21E 8	40.0			40.0									40.0			40.0	160.0
08S 21E 9			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	520.0
08S 21E 10	40.0	40.0	40.0	40.0					40.0	40.0	40.0	40.0	36.0	40.0	40.0	40.0	476.0
08S 21E 11	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0			559.0
08S 21E 12						40.0	40.0										80.0
08S 21E 15	40.0	40.0	40.0		40.0	38.0	40.0	40.0	40.0	40.0							358.0
08S 21E 16	35.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	38.0	40.0	40.0	632.0

Total Acres: 2785

WATER RIGHT NO. 36-16421
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 8 acres within the place of use described above in a single irrigation season.
2. Rights 36-16417 and 36-16421 when combined shall not exceed a total diversion rate of 0.35 cfs, a total annual maximum diversion volume of 88 af at the field headgate, and the irrigation of 22 acres.
3. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, 36-16417, and 36-16421 when combined shall not exceed a total diversion rate of 34.89 cfs, a total annual maximum diversion volume of 8952.0 af at the field headgate, and the irrigation of 2238 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. To mitigate for the depletion of water resulting from Transfer Approval 72809, and to prevent injury to senior water right holders, the right holder shall rent water from the water supply bank operated by the Idaho Water Resource Board in the amounts specified below:

Right No.	Rate (cfs)	Volume (AF)	Acres
45-2505	2.44	560.0	140.0
45-7008	0.54	170.0	42.5

The rental agreement shall be executed prior to diversion of water under Transfer Approval 72809 and shall remain in effect for one irrigation season.

6. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72809. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
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. 130.
8. 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).
9. Prior to the diversion and use of water under Transfer approval 72809, 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.
10. 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.
11. 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.

WATER RIGHT NO. 36-16421
As Modified by Transfer No. 72809

CONDITIONS OF APPROVAL

12. Rights 36-2339, 36-8403, 36-2340, 36-2360, 36-2431, 36-15165, 36-2346, 36-2389, 36-2451, 36-2363, 36-4200, 36-16419, 36-16423, 36-16425, and 36-16417 are also diverted through the points of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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