

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72498

This is to certify that: CUTLER DITCH
C/O GEORGE WHITWORTH
9083 S CRYSTAL SPRINGS RD
MCCAMMON ID 83250
(208)254-3626

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>
29-13398	WR/Decreed	05/01/1896	1.00 cfs	N/A	50.0	74.0	PORTNEUF RIVER
29-13400	WR/Decreed	07/06/1868	1.26 cfs	N/A	63.0	74.0	PORTNEUF RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-13398	NO	YES	NO	NO	NO	NO
29-13400	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
29-13398	29-13398	1.00 cfs	N/A	50.0	74.0		N/A	N/A	N/A	N/A
29-13400	29-13400	1.26 cfs	N/A	63.0	74.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.26 cfs	N/A	74.0	74.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 26th day of December, 20 06



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 29-13398

WATER RIGHT NO. 29-13398
As Modified by Transfer No. 72498

In accordance with the approval of Transfer No. 72498, Water Right No. 29-13398 is now described as follows.

Right Holder: CUTLER DITCH
 C/O GEORGE WHITWORTH
 9083 S CRYSTAL SPRINGS RD
 MCCAMMON ID 83250

Priority Date: May 01, 1896

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	09/15	1.00 CFS	
			1.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

PORTNEUF RIVER L3 (SWSENW) Sec. 22 Twp 09S Rge 37E BANNOCK 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	
09S 37E 17															3.1		3.1
09S 37E 20	14.0	11.0	9.0		22.0	11.0		3.9									70.9
	L 1		L 2					L 3									

Total Acres: 74

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50 acres within the place of use described above in a single irrigation season.
2. Rights 29-13398 and 29-13400 when combined shall not exceed the irrigation of 74 acres in a single irrigation season.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of a SRBA partial decree date.
6. Water is delivered through Portneuf Marsh Valley Canal.

WATER RIGHT NO. 29-13398
As Modified by Transfer No. 72498

CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 26th day of December, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13400
As Modified by Transfer No. 72498

In accordance with the approval of Transfer No. 72498, Water Right No. 29-13400 is now described as follows.

Right Holder: CUTLER DITCH
 C/O GEORGE WHITWORTH
 9083 S CRYSTAL SPRINGS RD
 MCCAMMON ID 83250

Priority Date: July 06, 1868

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 09/15	1.26 CFS	
		1.26 CFS	

LOCATION OF POINT(S) OF DIVERSION:

PORTNEUF RIVER L3 (SWSENW) Sec. 22 Twp 09S Rge 37E BANNOCK 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	
09S 37E 17															3.1		3.1
09S 37E 20	14.0	11.0	9.0		22.0	11.0		3.9									70.9
	L 1		L 2					L 3									

Total Acres: 74

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 63 acres within the place of use described above in a single irrigation season.
2. Rights 29-13398 and 29-13400 when combined shall not exceed the irrigation of 74 acres in a single irrigation season.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of a SRBA partial decree date.
6. Water is delivered through Portneuf Marsh Valley Canal.

WATER RIGHT NO. 29-13400
As Modified by Transfer No. 72498

CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 26th day of December, 20 06


Chief, Water Allocation Bureau