

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 72705

This is to certify that: JAMES A FRENCH JR And KARI D FRENCH  
1147 N MERIDIAN  
RUPERT ID 83350  
(208)532-4890

have 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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 36-8621      | WR/License          | 11/14/1991      | 0.05 cfs    | 8.7 af        | N/A               | 2.0                | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 36-8621               | YES          | YES        | YES        | NO             | NO                   | NO                   |

**Summary of Water Rights After the Approved Change**

| <u>Existing Right</u> | <u>New No. (changed portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 36-8621               | <b>36 -16405</b>                 | 0.03 cfs             | 6.1 af                 | N/A               | 1.5                | <b>36-16404</b>                    | 0.02 cfs              | 2.6 af                  | N/A                         | 0.5                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>0.03 cfs</b>      | <b>6.1 af</b>          | <b>N/A</b>        | <b>1.5</b>         |                                    | <b>0.02 cfs</b>       | <b>2.6 af</b>           | <b>N/A</b>                  | <b>0.5</b>                   |

Detailed Water Right Description(s) attached

Dated this 27<sup>th</sup> day of July, 20 06

  
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Chief, Water Allocation Bureau

SUPPORT DATA  
IN FILE # 36-8621

**WATER RIGHT NO. 36-16404**  
**As Modified by Transfer No. 72705**

In accordance with the approval of Transfer No. 72705, Water Right No. 36-16404 is now described as follows.

**Right Holder:** JAMES A FRENCH III And PATRICIA A. FRENCH  
 18 E 362 LN N  
 RUPERT ID 83350

**Priority Date:** November 14, 1991

**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  | 0.02 CFS              | 2.0 AF        |
| DOMESTIC              | 01/01       | to 12/31  | 0.02 CFS              | 0.6 AF        |
|                       |             |           | 0.02 CFS              | 2.6 AF        |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      SWNW                      Sec. 4   Twp 09S   Rge 24E   MINIDOKA County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|--------|
| 09S | 24E | 4   | NE | NW | SW | SE | .5     |

Total Acres: 0.5

**PLACE OF USE:** DOMESTIC

| Twp | Rge | Sec | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|--------|
| 09S | 24E | 4   | NE | NW | SW | SE | X      |

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
2. Domestic use is for 1 home.
3. Approval of this transfer does not confirm the validity of this water right.

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 27<sup>th</sup> day of July, 20 06

  
 Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16405**  
**As Modified by Transfer No. 72705**

In accordance with the approval of Transfer No. 72705, Water Right No. 36-16405 is now described as follows.

**Right Holder:** JAMES A FRENCH JR And KARI D FRENCH  
 1147 N MERIDIAN  
 RUPERT ID 83350

**Priority Date:** November 14, 1991

**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  | 0.03 CFS              | 6.0 AF        |
| STOCKWATER            | 01/01       | to 12/31  | 0.01 CFS              | 0.1 AF        |
|                       |             |           | 0.03 CFS              | 6.1 AF        |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER      NENESE      Sec. 29 Twp 07S   Rge 24E   MINIDOKA County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE  |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|-----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE  | NW | SW | SE |        |
| 07S | 24E | 29  |    |    |    |    |    |    |    |    |    |    |    |    | 1.5 |    |    |    | 1.5    |

Total Acres: 1.5

**PLACE OF USE:** STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 24E | 29  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. 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.
3. Prior to the diversion and use of water under Transfer approval 72705, 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. 36-16405**  
**As Modified by Transfer No. 72705**

**CONDITIONS OF APPROVAL**

4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. 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.
6. Point of diversion and place of use are located within a portion of Farm Unit H, Tract H of the North Side Pumping Division, Minidoka Project, Idaho.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 27<sup>th</sup> day of July, 2006

  
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Chief, Water Allocation Bureau