

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 71551**

This is to certify that: KING CREEK GRAZING ASSN

TIM MUNNS  
 PO BOX 670  
 SNOWVILLE UT 84336  
 (435)872-8292

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 29-10122     | WR/Decreed          | 07/06/1868      | 2.00 cfs    | 350 af        | N/A               | 321.0              | TOPONCE CREEK |
| 29-10123     | WR/Decreed          | 06/17/1902      | 1.80 cfs    | N/A           | N/A               | 321.0              | TOPONCE CREEK |
| 29-10124     | WR/Decreed          | 04/15/1885      | 0.90 cfs    | N/A           | N/A               | 321.0              | TOPONCE CREEK |
| 29-10125     | WR/Decreed          | 06/17/1902      | 2.28 cfs    | N/A           | N/A               | 321.0              | TOPONCE CREEK |
| 29-13483     | WR/Decreed          | 04/15/1886      | 0.22 cfs    | N/A           | N/A               | 321.0              | TOPONCE CREEK |
| 29-10121     | WR/Decreed          | 07/06/1868      | 3.536 cfs   | 619.5 af      | 177.0             | 324.0              | TOPONCE CREEK |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 29-10122              | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 29-10123              | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 29-10124              | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 29-10125              | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 29-13483              | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 29-10121              | NO           | NO         | NO         | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 29-10122              | <b>29-10122</b>                  | 2.00 cfs             | 350.0 af               | 100.0             | 321.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 29-10123              | <b>29-10123</b>                  | 1.80 cfs             | N/A                    | 90.0              | 321.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 29-10124              | <b>29-10124</b>                  | 0.90 cfs             | N/A                    | 45.0              | 321.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 29-10125              | <b>29-10125</b>                  | 2.28 cfs             | N/A                    | 114.0             | 321.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 29-13483              | <b>29-13483</b>                  | 0.22 cfs             | N/A                    | 11.0              | 321.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 29-10121              | <b>29-10121</b>                  | 3.54 cfs             | 619.5 af               | 177.0             | 324.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>10.74 cfs</b>     | <b>N/A</b>             | <b>498.0</b>      | <b>645.0</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

**SUPPORT DATA**

IN FILE # **29-10121**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER OF WATER RIGHT  
TRANSFER NO. 71551

Rights 29-10121, 29-10122, 29-10123, 29-10124, 29-10125 and 29-13483 are subject to the conditions of the Preliminary Order dated 05-22-2006 which has become final in the matter of Application for Transfer 71551.

Detailed Water Right Description(s) attached

Dated this 19<sup>th</sup> day of July, 20 06

Gary Spackman  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 29-10121**  
**As Modified by Transfer No. 71551**

In accordance with the approval of Transfer No. 71551, Water Right No. 29-10121 is now described as follows.

**Right Holder:** KING CREEK GRAZING ASSN  
 TIM MUNNS  
 PO BOX 670  
 SNOWVILLE UT 84336

**Priority Date:** July 06, 1868

**Source:** TOPONCE CREEK

**Tributary:** PORTNEUF RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 10/31  | 3.54 CFS              | 619.5 AF      |
|                       |             |           | 3.54 CFS              | 619.5 AF      |

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

|               |        |                 |         |                |
|---------------|--------|-----------------|---------|----------------|
| TOPONCE CREEK | SWSESE | Sec. 33 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | NWNESE | Sec. 34 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | SWSENW | Sec. 35 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | NWNESW | Sec. 35 Twp 06S | Rge 38E | CARIBOU 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 | 38E | 1   | 21.0 | 26.0 | 40.0 | 32.0 | 26.0 | 27.0 | 40.0 | 40.0 | 32.0 | 40.0 | 40.0 | 32.0 | 40.0 | 40.0 | 40.0 | 324.0 |        |
|     |     |     | L 1  | L 2  |      | L 5  | L 3  | L 4  |      |      |      |      |      | L 6  |      |      |      |       |        |

Total Acres: 324

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 177 acres within the place of use described above in a single irrigation season.
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. 29.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

**WATER RIGHT NO. 29-10121**  
**As Modified by Transfer No. 71551**

**CONDITIONS OF APPROVAL**

5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 19<sup>th</sup> day of July, 20 06

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 29-10122**  
**As Modified by Transfer No. 71551**

In accordance with the approval of Transfer No. 71551, Water Right No. 29-10122 is now described as follows.

**Right Holder:** KING CREEK GRAZING ASSN  
TIM MUNNS  
PO BOX 670  
SNOWVILLE UT 84336

**Priority Date:** July 06, 1868

**Source:** TOPONCE CREEK

**Tributary:** PORTNEUF RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 10/31  | 2.00 CFS              | 350.0 AF      |
|                       |             |           | 2.00 CFS              | 350.0 AF      |

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

| LOCATION OF POINT(S) OF DIVERSION |        | SEC. TWP. RGE. COUNTY |         |                |
|-----------------------------------|--------|-----------------------|---------|----------------|
| TOPONCE CREEK                     | SWSESE | Sec. 33 Twp 06S       | Rge 38E | CARIBOU County |
| TOPONCE CREEK                     | NWNESE | Sec. 34 Twp 06S       | Rge 38E | CARIBOU County |
| TOPONCE CREEK                     | SWSENW | Sec. 35 Twp 06S       | Rge 38E | CARIBOU County |
| TOPONCE CREEK                     | NWNESW | Sec. 35 Twp 06S       | Rge 38E | CARIBOU 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 | 39E | 6   |      |      |      |    |      |    |    |      |      |    |      |    |    |    |    |    | 103.0  |
| 07S | 39E | 7   | 40.0 | 40.0 | 40.0 |    | 24.0 |    |    | 25.0 | 25.0 |    | 24.0 |    |    |    |    |    | 218.0  |

Total Acres: 321

### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 100 acres within the place of use described above in a single irrigation season.
2. Rights 29-10122, 29-10123, 29-10124, 29-10125 and 29-13483 when combined shall not exceed the irrigation of 321 acres at any one time within the place of use described above.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.

**WATER RIGHT NO. 29-10122**  
**As Modified by Transfer No. 71551**

**CONDITIONS OF APPROVAL**

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 29-10124**  
**As Modified by Transfer No. 71551**

In accordance with the approval of Transfer No. 71551, Water Right No. 29-10124 is now described as follows.

**Right Holder:** KING CREEK GRAZING ASSN  
 TIM MUNNS  
 PO BOX 670  
 SNOWVILLE UT 84336

**Priority Date:** April 15, 1885

**Source:** TOPONCE CREEK

**Tributary:** PORTNEUF RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15       | to 07/01  | 0.90 CFS              |               |
|                       |             |           | 0.90 CFS              |               |

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

|               |        |                 |         |                |
|---------------|--------|-----------------|---------|----------------|
| TOPONCE CREEK | SWSESE | Sec. 33 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | NWNESE | Sec. 34 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | SWSENW | Sec. 35 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | NWNESW | Sec. 35 Twp 06S | Rge 38E | CARIBOU 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 | 39E | 6   |      |      |      |    |      |    |    |      | 28.0 |    |    |      |    |    | 40.0 | 35.0  | 103.0  |
| 07S | 39E | 7   | 40.0 | 40.0 | 40.0 |    | 24.0 |    |    | 25.0 | 25.0 |    |    | 24.0 |    |    |      | 218.0 |        |
|     |     |     |      |      |      |    | L 1  |    |    | L 2  | L 3  |    |    | L 4  |    |    |      |       |        |

Total Acres: 321

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 45 acres within the place of use described above in a single irrigation season
2. Rights 29-10122, 29-10123, 29-10124, 29-10125 and 29-13483 when combined shall not exceed the irrigation of 321 acres at any one time within the place of use described above.
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 period of use for the irrigation described in this approval may be extended to a beginning date of April 1 and an ending date of October 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 7/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 07/30/2004.

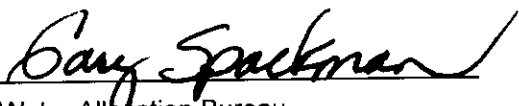
**WATER RIGHT NO. 29-10124**  
**As Modified by Transfer No. 71551**

**CONDITIONS OF APPROVAL**

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
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.
9. 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 19<sup>th</sup> day of July, 20 06

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 29-10125**  
**As Modified by Transfer No. 71551**

In accordance with the approval of Transfer No. 71551, Water Right No. 29-10125 is now described as follows.

**Right Holder:** KING CREEK GRAZING ASSN  
 TIM MUNNS  
 PO BOX 670  
 SNOWVILLE UT 84336

**Priority Date:** June 17, 1902

**Source:** TOPONCE CREEK

**Tributary:** PORTNEUF RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15       | to 09/15  | 2.28 CFS              |               |
|                       |             |           | 2.28 CFS              |               |

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

|               |        |                 |         |                |
|---------------|--------|-----------------|---------|----------------|
| TOPONCE CREEK | SWSESE | Sec. 33 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | NWNESE | Sec. 34 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | SWSENW | Sec. 35 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | NWNESW | Sec. 35 Twp 06S | Rge 38E | CARIBOU 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 | 39E | 6   |      |      |      |    |      |    |    |      |      |    | 28.0 |      |    |    |    | 40.0 | 35.0   | 103.0 |
|     |     |     |      |      |      |    |      |    |    |      |      |    | L 5  |      |    |    |    |      |        |       |
| 07S | 39E | 7   | 40.0 | 40.0 | 40.0 |    | 24.0 |    |    | 25.0 | 25.0 |    |      | 24.0 |    |    |    |      |        | 218.0 |
|     |     |     |      |      |      |    | L 1  |    |    | L 2  | L 3  |    |      | L 4  |    |    |    |      |        |       |

Total Acres: 321

**CONDITIONS OF APPROVAL**

1. This priority date is more accurately described as 6/17/1902 noon.
2. This right is limited to the irrigation of 114 acres within the place of use described above in a single irrigation season
3. Rights 29-10122, 29-10123, 29-10124, 29-10125 and 29-13483 when combined shall not exceed the irrigation of 321 acres at any one time within the place of use described above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

**WATER RIGHT NO. 29-10125**  
**As Modified by Transfer No. 71551**

**CONDITIONS OF APPROVAL**

6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of April 1 and an ending date of October 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 07/30/2004.
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 19<sup>th</sup> day of July, 20 06

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 29-13483**  
**As Modified by Transfer No. 71551**

In accordance with the approval of Transfer No. 71551, Water Right No. 29-13483 is now described as follows.

**Right Holder:** KING CREEK GRAZING ASSN  
 TIM MUNNS  
 PO BOX 670  
 SNOWVILLE UT 84336

**Priority Date:** April 15, 1886

**Source:** TOPONCE CREEK

**Tributary:** PORTNEUF RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-----------------------|-----------------------|---------------|
| IRRIGATION            | 04/15 to 07/01        | 0.22 CFS              |               |
|                       |                       | 0.22 CFS              |               |

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

|               |        |                 |         |                |
|---------------|--------|-----------------|---------|----------------|
| TOPONCE CREEK | SWSESE | Sec. 33 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | NWNESE | Sec. 34 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | SWSENW | Sec. 35 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | NWNESW | Sec. 35 Twp 06S | Rge 38E | CARIBOU 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 | 39E | 6   |      |      |      |    |      |    |    |      |      |    | 28.0 |    |      |    |    | 40.0 | 35.0   | 103.0 |
|     |     |     |      |      |      |    |      |    |    |      |      |    | L 5  |    |      |    |    |      |        |       |
| 07S | 39E | 7   | 40.0 | 40.0 | 40.0 |    | 24.0 |    |    | 25.0 | 25.0 |    |      |    | 24.0 |    |    |      |        | 218.0 |
|     |     |     |      |      |      |    | L 1  |    |    | L 2  | L 3  |    |      |    | L 4  |    |    |      |        |       |

Total Acres: 321

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 11 acres within the place of use described above in a single irrigation season.
2. Rights 29-10122, 29-10123, 29-10124, 29-10125 and 29-13483 when combined shall not exceed the irrigation of 321 acres at any one time within the place of use described above.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of April 1 and an ending date of October 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 7/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 07/30/2004.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

**WATER RIGHT NO. 29-13483**  
**As Modified by Transfer No. 71551**

**CONDITIONS OF APPROVAL**

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
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.
9. 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 19<sup>th</sup> day of July, 2006

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 29-10123**  
**As Modified by Transfer No. 71551**

In accordance with the approval of Transfer No. 71551, Water Right No. 29-10123 is now described as follows.

**Right Holder:** KING CREEK GRAZING ASSN  
 TIM MUNNS  
 PO BOX 670  
 SNOWVILLE UT 84336

**Priority Date:** June 17, 1902

**Source:** TOPONCE CREEK

**Tributary:** PORTNEUF RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15       | to 07/01  | 1.80 CFS              |               |
|                       |             |           | 1.80 CFS              |               |

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

|               |        |                 |         |                |
|---------------|--------|-----------------|---------|----------------|
| TOPONCE CREEK | SWSESE | Sec. 33 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | NWNESE | Sec. 34 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | SWSENW | Sec. 35 Twp 06S | Rge 38E | CARIBOU County |
| TOPONCE CREEK | NWNESW | Sec. 35 Twp 06S | Rge 38E | CARIBOU 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 | 39E | 6   |      |      |      |    |      |    |    |      |      |    |      |    |      |    |    |      | 103.0  |
|     |     |     |      |      |      |    |      |    |    |      |      |    | 28.0 |    |      |    |    | 40.0 | 35.0   |
|     |     |     |      |      |      |    |      |    |    |      |      |    | L 5  |    |      |    |    |      |        |
| 07S | 39E | 7   | 40.0 | 40.0 | 40.0 |    | 24.0 |    |    | 25.0 | 25.0 |    |      |    | 24.0 |    |    |      | 218.0  |
|     |     |     |      |      |      |    | L 1  |    |    | L 2  | L 3  |    |      |    | L 4  |    |    |      |        |

Total Acres: 321

**CONDITIONS OF APPROVAL**

1. This priority date is more accurately described as 6/17/1902 noon.
2. This right is limited to the irrigation of 90 acres within the place of use described above in a single irrigation season
3. Rights 29-10122, 29-10123, 29-10124, 29-10125 and 29-13483 when combined shall not exceed the irrigation of 321 acres at any one time within the place of use described above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.

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**CONDITIONS OF APPROVAL**

5. The period of use for the irrigation described in this approval may be extended to a beginning date of April 1 and an ending date of October 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 7/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 07/30/2004.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
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 19<sup>th</sup> day of July, 20 06

  
Chief, Water Allocation Bureau