

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72106

This is to certify that: ALBERT JAY COTTLE And
 JULENE COTTLE
 1750 S 1900 E
 MALTA ID 83342
 (208)645-2567

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>
43-88	WR/Decreed	03/01/1880	0.06 cfs	N/A	2.4	2.4	CASSIA CREEK
43-4192	WR/Decreed	10/01/1947	0.14 cfs	10.8 af	2.4	3.0	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>
43-88	NO	YES	YES	NO	NO	NO
43-4192	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>
43-88	43-88	0.06 cfs	N/A	2.4	162.3		N/A	N/A	N/A	N/A
43-4192	43-13421	0.06 cfs	9.6 af	2.4	162.3	43-13420	0.08 cfs	1.2 af	N/A	N/A
COMBINED TOTALS		0.12 cfs	9.6 af	2.4	162.3		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of April, 20 06


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 43-88

WATER RIGHT NO. 43-88
As Modified by Transfer No. 72106

In accordance with the approval of Transfer No. 72106, Water Right No. 43-88 is now described as follows.

Right Holder: ALBERT JAY COTTLE And
JULENE COTTLE
1750 S 1900 E
MALTA ID 83342

Priority Date: March 01, 1880

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.06 CFS	
			0.06 CFS	

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK SWSWSW Sec. 20 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENESE Sec. 21 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
13S 26E 21				13.0					9.3		23.0	27.0	36.0	24.0	21.0	9.0	162.3

Total Acres: 162.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.
2. Rights 43-88 and 43-13421 when combined shall not exceed a total annual maximum diversion volume of 9.6 af at the field headgate, and the irrigation of 2.4 acres.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands 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. 43-C.
5. 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.

WATER RIGHT NO. 43-88
As Modified by Transfer No. 72106

CONDITIONS OF APPROVAL

6. 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.
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 27th day of April, 2006



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13420
As Modified by Transfer No. 72106

In accordance with the approval of Transfer No. 72106, Water Right No. 43-13420 is now described as follows.

Right Holder: JULENE COTTLE And
 ALBERT JAY COTTLE
 1750 S 1900 E
 MALTA ID 83342

Priority Date: October 01, 1947

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.08 CFS	1.2 AF
			0.08 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 12 Twp 13S Rge 26E CASSIA County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	12								X									

CONDITIONS OF APPROVAL

1. The quantity of water decreed for this right for domestic use is not a determination of historical beneficial use.
2. The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
3. 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 27th day of April, 2006


 Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13421
As Modified by Transfer No. 72106

In accordance with the approval of Transfer No. 72106, Water Right No. 43-13421 is now described as follows.

Right Holder: ALBERT JAY COTTLE And
 JULENE COTTLE
 1750 S 1900 E
 MALTA ID 83342

Priority Date: October 01, 1947

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	0.06 CFS	9.6 AF
		0.06 CFS	9.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 21 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE			NW			SW			SE			Totals			
	NE	NW	SW	NE	NW	SW	SE	NE	NW	SW	SE					
13S 26E 21			13.0					9.3		23.0	27.0	36.0	24.0	21.0	9.0	162.3

Total Acres: 162.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.
2. Rights 43-88 and 43-13421 when combined shall not exceed a total annual maximum diversion volume of 9.6 af at the field headgate, and the irrigation of 2.4 acres.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. If the surface water rights appurtenant to the place of use are sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

WATER RIGHT NO. 43-13421
As Modified by Transfer No. 72106

CONDITIONS OF APPROVAL

6. 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.
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 27th day of April, 2006


Chief, Water Allocation Bureau