

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72367

This is to certify that: BRIAN D BLACKWELL And
BRENDA L BLACKWELL
PO BOX 2348
HAILEY ID 83333

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>
34-13871	WR/Decreed	04/29/1955	0.51 cfs	88.9 af	N/A	25.4	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

34-13873	WR/Decreed	09/30/1882	0.41 cfs	N/A	N/A	14.0	ALDER CREEK
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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>
34-13871	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>
34-13871	34-13871	0.51 cfs	88.9 af	N/A	25.4		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.51 cfs	88.9 af	N/A	25.4		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of January, 20 06


Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 38-13871

WATER RIGHT NO. 34-13871
As Modified by Transfer No. 72367

In accordance with the approval of Transfer No. 72367, Water Right No. 34-13871 is now described as follows.

Right Holder: BRENDA L BLACKWELL And
 BRIAN D BLACKWELL
 PO BOX 2348
 HAILEY ID 83333

Priority Date: April 29, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	0.51 CFS	88.9 AF
		0.51 CFS	88.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESENW Sec. 12 Twp 06N Rge 24E CUSTER 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	
06N	24E	12					6.4				19.0								25.4

Total Acres: 25.4

CONDITIONS OF APPROVAL

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.
5. Rights 34-13871 and 34-13873 when combined shall not exceed a total diversion rate of 0.64 cfs and the irrigation of 25.4 acres.
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.

WATER RIGHT NO. 34-13871
As Modified by Transfer No. 72367

CONDITIONS OF APPROVAL

7. 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.
8. If the surface water right(s) appurtenant to the place of use is 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.
9. 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. 34.
10. Prior to the diversion and use of water under Transfer approval 72367, 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.
11. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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 30th day of January, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13873
As Modified by Transfer No. 72367

In accordance with the approval of Transfer No. 72367, Water Right No. 34-13873 is now described as follows.

Right Holder: BRIAN D BLACKWELL And
 BRENDA L BLACKWELL
 PO BOX 2348
 HAILEY ID 83333

Priority Date: September 30, 1882

Source: ALDER CREEK

Tributary: BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01 to	10/15	0.41 CFS	
			0.41 CFS	

LOCATION OF POINT(S) OF DIVERSION:

ALDER CREEK L18 (NWNESE) Sec. 14 Twp 06N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
06N	24E	12	14.0				14.0
Total Acres:			14				

CONDITIONS OF APPROVAL

1. Rights 34-13871 and 34-13873 when combined shall not exceed a total diversion rate of 0.64 cfs and the irrigation of 25.4 acres.
2. Rights 34-12050B, 34-365A, 34-13858, 34-13872, 34-13873 and 34-12050D are also diverted through the point of diversion described above.
3. This right is a combination of old right nos. 34-149, 34-362, 34-365(part) and 34-669.
4. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
5. 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 30th day of January, 20 06


 Chief, Water Allocation Bureau