

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72203

This is to certify that: DONALD K WEILMUNSTER
 PO BOX 1543
 BOISE ID 83705
 (208)462-3777

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>
65-2887	WR/Decreed	03/02/1967	3.50 cfs	N/A	N/A	180.0	ANDERSON CREEK
65-7346	WR/Decreed	03/14/1973	1.04 cfs	N/A	N/A	102.0	PAYETTE RIVER

Purpose of Transfer (Changes Proposed)

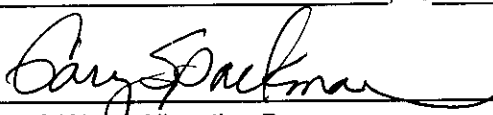
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
65-2887	NO	NO	YES	NO	NO	NO
65-7346	NO	NO	YES	NO	NO	NO

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>
65-2887	65-2887	3.50 cfs	N/A	N/A	180.0		N/A	N/A	N/A	N/A
65-7346	65-7346	1.04 cfs	N/A	102.0	180.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		3.60 cfs	N/A	180.0	180.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of October, 2005


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 65-2887

WATER RIGHT NO. 65-2887
As Modified by Transfer No. 72203

In accordance with the approval of Transfer No. 72203, Water Right No. 65-2887 is now described as follows.

Right Holder: DONALD K WEILMUNSTER
 PO BOX 1543
 BOISE ID 83705

Priority Date: March 02, 1967

Source: ANDERSON CREEK

Tributary: MIDDLE FORK PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	3.50 CFS
			3.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

ANDERSON CREEK SENE Sec. 23 Twp 09N Rge 04E BOISE 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	
09N	04E	21	9.5	4.0	34.5	39.0	5.0			29.5	7.0				9.5	7.0			145.0
										L 3	L 3					L 2			
09N	04E	22						13.5	20.0	1.0		.5							35.0

Total Acres: 180

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.
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. 65.
5. 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.

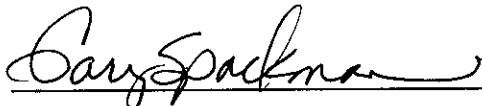
WATER RIGHT NO. 65-2887
As Modified by Transfer No. 72203

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
7. Rights 65-2887 and 65-7346 when combined shall not exceed a total diversion rate of 3.60 cfs and the irrigation of 180 acres.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 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 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 11/3/2000.
9. 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.
10. This transfer can be cancelled or revoked upon contest of ownership of the property.

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 October, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 65-7346
As Modified by Transfer No. 72203

In accordance with the approval of Transfer No. 72203, Water Right No. 65-7346 is now described as follows.

Right Holder: DONALD K WEILMUNSTER
 PO BOX 1543
 BOISE ID 83705

Priority Date: March 14, 1973

Source: MIDDLE FORK PAYETTE RIVER

Tributary: PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	1.04 CFS
			1.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

MIDDLE FORK PAYETTE RIVER NWNE Sec. 21 Twp 09N Rge 04E BOISE 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	
09N	04E	21	9.5	4.0	34.5	39.0	5.0			29.5	7.0				9.5	7.0			145.0
										L 3	L 3					L 2			
09N	04E	22						13.5	20.0	1.0		.5							35.0

Total Acres: 180

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.
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. 65.
5. 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.

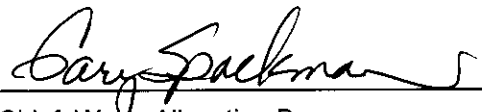
WATER RIGHT NO. 65-7346
As Modified by Transfer No. 72203

CONDITIONS OF APPROVAL

6. This right is limited to the irrigation of 102 acres within the place of use described above in a single irrigation season.
7. This right does not grant any right-of-way or easement across the land of another.
8. Rights 65-2887 and 65-7346 when combined shall not exceed a total diversion rate of 3.60 cfs and the irrigation of 180 acres.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 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 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 11/3/2000.
10. 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.
11. This transfer can be cancelled or revoked upon contest of ownership of the property.

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 October, 2005



Chief, Water Allocation Bureau