

No Color  
Documents  
In File

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 69725

This is to certify that: TERRY L KETTERLING  
475 E 16TH N  
MOUNTAIN HOME ID 83647  
(208)587-9855

And/Or

LINDA K KETTERLING  
475 E 16TH N  
MOUNTAIN HOME ID 83647  
(208)587-9855

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. 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>Acres</u> | <u>Total</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|--------------|--------------|---------------|
| 61-10381     | WR/Decreed          | 06/17/1966      | 6.21 cfs    | 1567 af       |              | 373.0        | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

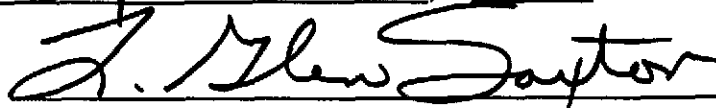
| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 61-10381              | YES          | YES        | YES        | NO             | YES                  | YES                  |

**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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 61-10381              | 61-11975                         | 1.97 cfs             | 470 af                 | N/A               |                    | 61-11974                           | 4.24 cfs              | 890 af                  | 212.0                       | 373.0                        |
| <b>TOTALS</b>         |                                  | <b>1.97 cfs</b>      | <b>470 af</b>          | <b>N/A</b>        |                    |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 5<sup>th</sup> day of September, 2002

  
Chief, Water Allocation Bureau

MICROFILMED

SEP 23 2002

**WATER RIGHT NO. 61-11974**  
**As Modified by Transfer No. 69725**

In accordance with the approval of Transfer No. 69725, Water Right No. 61-11974 is now described as follows.

**Right Holder:** TERRY L KETTERLING  
 475 E 16TH N  
 MOUNTAIN HOME ID 83647

And/Or

LINDA K KETTERLING  
 475 E 16TH N  
 MOUNTAIN HOME ID 83647

**Priority Date:** 06/17/1966

**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  | 4.24 CFS              | 890.0 AF      |
|                       |             |           | 4.24 CFS              | 890.0 AF      |

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

GROUND WATER                      NWSWSW Sec. 11 Twp 04S Rge 05E ELMORE 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   |        |
| 04S 05E 10  | 20 0 |    |    | 40.0 |      |      |    |    |      |      |    |    | 39.0 |    |    | 39 0 | 138 0  |
| 04S 05E 11  |      |    |    |      | 25 0 | 39.0 |    |    | 38 0 | 39.0 |    |    |      |    |    |      | 141.0  |
| 04S 05E 14  |      |    |    |      | 39 0 | 39.0 |    |    | 16.0 |      |    |    |      |    |    |      | 94.0   |

Total Acres: 373

MICROFILMED

SEP 23 2002

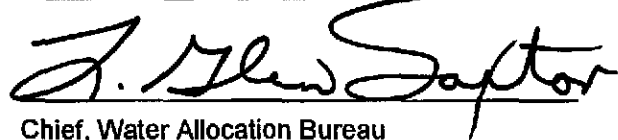
**WATER RIGHT NO. 61-11974**  
**As Modified by Transfer No. 69725**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 212 acres within the place of use described above in a single irrigation season.
2. 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.
3. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

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 5<sup>th</sup> day of September, 2002

  
Chief, Water Allocation Bureau

MICROFILMED

SEP 23 2002

**WATER RIGHT NO. 61-11975**  
**As Modified by Transfer No. 69725**

In accordance with the approval of Transfer No. 69725, Water Right No. 61-11975 is now described as follows.

**Right Holder:** TERRY L KETTERLING  
 475 E 16TH N  
 MOUNTAIN HOME ID 83647

And/Or

LINDA K KETTERLING  
 475 E 16TH N  
 MOUNTAIN HOME ID 83647

**Priority Date:** 06/17/1966

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| COMMERCIAL            | 01/01       | to 12/31  | 0.56 CFS              | 133.0 AF      |
| STOCKWATER            | 01/01       | to 12/31  | 1.41 CFS              | 337.0 AF      |
|                       |             |           | 1.97 CFS              | 470.0 AF      |

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

GROUND WATER                      NWNENE Sec. 3 Twp 05S Rge 06E ELMORE County

GROUND WATER                      NWNE      Sec. 3 Twp 05S Rge 06E ELMORE County

**PLACE OF USE:    COMMERCIAL**

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 05S 06E 3   | X  | X  | X  | X  |    |    |    |    | X  | X  | X  | X  | X  | X  | X  | X  |        |
| 05S 06E 10  | X  | X  | X  | X  | X  | X  | X  | X  |    |    |    |    |    |    |    |    |        |

**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 |        |
| 05S 06E 2   |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |
| 05S 06E 3   | X  | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |    |    | X      |
| 05S 06E 10  | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 05S 06E 11  |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |        |

MICROFILMED

SEP 23 2002

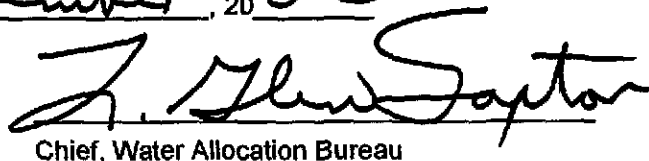
**WATER RIGHT NO. 61-11975**  
**As Modified by Transfer No. 69725**

**CONDITIONS OF APPROVAL**

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 61-11975 and 61-10663 shall not exceed 1.97 cfs, nor total combined annual volume of 352 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion 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.
5. Commercial use is for a dairy located within the NE, Sec 3, T5S, R6E.
6. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
8. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
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.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. 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 5<sup>th</sup> day of September, 2002

  
Chief, Water Allocation Bureau

MICROFILMED  
SEP 23 2002

**MEMORANDUM**

**TO:** FILE 61-11974  
**FROM:** VAULT  
**RE:** TRANSFER # L9725  
**DATE:** 9.6.02

=====

**Original Transfer Application, Form and correspondence regarding the above  
referenced Transfer is located within:**

**FILE #** 61-10381

MICROFILMED  
SEP 23 2002