

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66119

This is to certify that: SHOULDER 3 RANCHES INC
 PO BOX 218
 OAKLEY ID 83346
 (208)862-3377

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>
45-137	AJC/Decreed	05/31/1877	2.00 cfs	N/A	68.8	79.1	TRAPPER CREEK
45-138	AJC/Decreed	05/31/1883	0.80 cfs	N/A	68.8	79.1	TRAPPER CREEK
45-13488	AJC/Beneficial Use	02/22/1925	0.37 cfs	N/A	10.3	79.1	TRAPPER 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>
45-137	NO	YES	NO	NO	NO	NO
45-138	NO	YES	NO	NO	NO	NO
45-13488	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>
45-137	45-137	2.00 cfs	N/A	68.8	79.1		N/A	N/A	N/A	N/A
45-138	45-138	0.80 cfs	N/A	68.8	79.1		N/A	N/A	N/A	N/A
45-13488	45-13488	0.37 cfs	N/A	10.3	79.1		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.80 cfs	N/A	79.1	79.1		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of May, 2005


 Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 45-137

WATER RIGHT NO. 45-137
As Modified by Transfer No. 66119

In accordance with the approval of Transfer No. 66119, Water Right No. 45-137 is now described as follows.

Right Holder: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID 83346

Priority Date: May 31, 1877

Source: TRAPPER CREEK **Tributary:** GOOSE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	07/01	2.00 CFS	
IRRIGATION	07/02 to	11/01	0.40 CFS	
			2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

TRAPPER CREEK NESENW Sec. 34 Twp 14S Rge 21E CASSIA 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	
14S 21E 26											27.9						27.9
14S 21E 27															7.6		7.6
14S 21E 34	21.2	12.1	9.7					.6									43.6

Total Acres: 79.1

CONDITIONS OF APPROVAL

1. Rights 45-137 and 45-138 when combined shall not exceed the irrigation of 68.8 acres in a single irrigation season.
2. Rights 45-137, 45-138 and 45-13488 when combined shall not exceed a total diversion rate of 2.80 cfs, and the irrigation of 79.1 acres.
3. Fish passage will be provided for upstream migrating fish through the irrigation diversion dam. This will be provided with a vertical slotted orifice on the diversion dam that has a minimum gap width of six inches throughout the water column for the duration that water is being diverted through the irrigation system. This modification should provide fish the means to migrate upstream or downstream through the structure. The Idaho Department of Fish and Game must approve any alteration to this design.

WATER RIGHT NO. 45-137
As Modified by Transfer No. 66119

CONDITIONS OF APPROVAL

4. Use of water under this right may 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. 45C.
5. In the future, the right holder may be required to maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that would provide the watermaster suitable control of the diversion.
6. 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.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 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 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
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 24th day of May, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-138
As Modified by Transfer No. 66119

In accordance with the approval of Transfer No. 66119, Water Right No. 45-138 is now described as follows.

Right Holder: SHOULDER 3 RANCHES INC
 PO BOX 218
 OAKLEY ID 83346

Priority Date: May 31, 1883

Source: TRAPPER CREEK

Tributary: GOOSE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 07/01	0.80 CFS	
			0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

TRAPPER CREEK NESENW Sec. 34 Twp 14S Rge 21E CASSIA 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	
14S 21E 26											27.9						27.9
14S 21E 27																7.6	7.6
14S 21E 34	21.2	12.1	9.7					.6									43.6

Total Acres: 79.1

CONDITIONS OF APPROVAL

1. Rights 45-137 and 45-138 when combined shall not exceed the irrigation of 68.8 acres within a single irrigation season.
2. Rights 45-137, 45-138 and 45-13488 when combined shall not exceed a total diversion rate of 2.80 cfs, and the irrigation of 79.1 acres.
3. Fish passage will be provided for upstream migrating fish through the irrigation diversion dam. This will be provided with a vertical slotted orifice on the diversion dam that has a minimum gap width of six inches throughout the water column for the duration that water is being diverted through the irrigation system. This modification should provide fish the means to migrate upstream or downstream through the structure. The Idaho Department of Fish and Game must approve any alteration to this design.
4. Use of water under this right may 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. 45C.

WATER RIGHT NO. 45-138
As Modified by Transfer No. 66119

CONDITIONS OF APPROVAL

5. In the future, the right holder may be required to maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that would provide the watermaster suitable control of the diversion.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 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 and after 07/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. 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.
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 24th day of May, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13488
As Modified by Transfer No. 66119

In accordance with the approval of Transfer No. 66119, Water Right No. 45-13488 is now described as follows.

Right Holder: SHOULDER 3 RANCHES INC
 PO BOX 218
 OAKLEY ID 83346

Priority Date: February 22, 1925

Source: TRAPPER CREEK

Tributary: GOOSE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.37 CFS	
			0.37 CFS	

LOCATION OF POINT(S) OF DIVERSION:

TRAPPER CREEK NESENW Sec. 34 Twp 14S Rge 21E CASSIA 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	
14S	21E	26											27.9						27.9
14S	21E	27															7.6		7.6
14S	21E	34	21.2	12.1	9.7					.6									43.6

Total Acres: 79.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10.3 acres within the place of use described above in a single irrigation season.
2. Rights 45-137, 45-138 and 45-13488 when combined shall not exceed a total diversion rate of 2.80 cfs, and the irrigation of 79.1 acres.
3. Fish passage will be provided for upstream migrating fish through the irrigation diversion dam. This will be provided with a vertical slotted orifice on the diversion dam that has a minimum gap width of six inches throughout the water column for the duration that water is being diverted through the irrigation system. This modification should provide fish the means to migrate upstream or downstream through the structure. The Idaho Department of Fish and Game must approve any alteration to this design.
4. Use of water under this right may 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. 45C.

WATER RIGHT NO. 45-13488
As Modified by Transfer No. 66119

CONDITIONS OF APPROVAL

5. In the future, the right holder may be required to maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that would provide the watermaster suitable control of the diversion.
6. 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.
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 24th day of May, 20 05


Chief, Water Allocation Bureau