

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71665

This is to certify that: GARY ROGERS
PO BOX 476
ARCO ID 83213
(208)527-4504

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>
34-7118B	WR/Decreed	11/24/1975	10.61 cfs	1855 af	N/A	530.0	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>
34-7118B	NO	NO	NO	YES	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>
34-7118B	34-7118B	10.61 cfs	1855 af	N/A	530.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		10.61 cfs	1855 af	N/A	530.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of May, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7118B
As Modified by Transfer No. 71665

In accordance with the approval of Transfer No. 71665, Water Right No. 34-7118B is now described as follows.

Right Holder: GARY ROGERS
 PO BOX 476
 ARCO ID 83213

Priority Date: November 24, 1975

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	10.61 CFS	1,855.0 AF
			10.61 CFS	1,855.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L3 (NWNWSW)	Sec. 7	Twp 03N	Rge 26E	BUTTE County
GROUND WATER	L3 (NWNWSW)	Sec. 7	Twp 03N	Rge 26E	BUTTE County
GROUND WATER	NENESE	Sec. 7	Twp 03N	Rge 26E	BUTTE County
GROUND WATER	NWNWSW	Sec. 8	Twp 03N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 32	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 32	Twp 05N	Rge 26E	BUTTE 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					
03N	26E	7									37.0	36.0	36.0	37.0	36.0	36.0	36.0	36.0	290.0
03N	26E	8									33.0	36.0	36.0	36.0	8.0	23.0	34.0	34.0	240.0

Total Acres: 530

CONDITIONS OF APPROVAL

1. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. Prior to the diversion and use of water under Transfer approval 71665, 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.
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. 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.

WATER RIGHT NO. 34-7118B
As Modified by Transfer No. 71665

CONDITIONS OF APPROVAL

5. 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.
6. The total instantaneous diversion of water from all points of diversion under Right 34-7118B shall not exceed 10.61 cfs, nor total combined annual volume of 1855 af.
7. Rights 34-7118B, 34-7186A and 34-7186B when combined shall not exceed a total annual maximum diversion volume of 1855 af at the field headgate, and the irrigation of 530 acres.
8. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 20th day of May, 20 05



Chief, Water Allocation Bureau