

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71358

This is to certify that: DAN R PRUETT And
 BRENDA PRUETT
 1031 E 200 N
 DECLO ID 83323
 (208)654-2668

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>
45-2389A	AJC/License	02/26/1952	1.49 cfs	N/A	160.0	667.0	GROUND WATER
45-7103	AJC/License	10/13/1972	9.29 cfs	N/A		667.0	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>
45-2389A	YES	NO	YES	YES	NO	NO
45-7103	YES	NO	YES	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>
45-2389A	45-13819	0.01 cfs	3.6 af	0.9	6.1	45-13818	1.48 cfs	636.4 af	159.1	663.2
45-7103	45-13821	0.05 cfs	15.2 af	3.8	6.1	45-13820	9.24 cfs	2652.8 af	N/A	663.2
COMBINED TOTALS		0.06 cfs	15.2 af	3.8	6.1		10.72 cfs	2652.8 af	663.2	663.2

Detailed Water Right Description(s) attached

Dated this 3rd day of May, 20 05


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 45-2389A

WATER RIGHT NO. 45-13818
As Modified by Transfer No. 71358

In accordance with the approval of Transfer No. 71358, Water Right No. 45-13818 is now described as follows.

Right Holder: DANIEL C WALTON
 26 N 500 E
 RUPERT ID 83350

Priority Date: February 26, 1952

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	1.48 CFS	636.4 AF
			1.48 CFS	636.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSE Sec. 7 Twp 10S Rge 25E 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	
10S	25E	7									37.0	27.0	33.0	40.0	37.0	37.0	40.0	40.0	291.0
												L 3	L 4						
10S	25E	8										37.0	40.0						77.0
10S	25E	18	39.0	38.0	40.0	40.0	40.0	29.2	29.0	40.0									295.2
								L 1	L 2										

Total Acres: 663.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 159.1 acres within the place of use described above in a single irrigation season.
2. Rights 45-13818 and 45-13820 when combined shall not exceed the irrigation of 663.2 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Right includes an accomplished change in the point of diversion pursuant to Section 42-1425, Idaho Code.

WATER RIGHT NO. 45-13818
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CONDITIONS OF APPROVAL

5. Right includes an accomplished change in the place of use pursuant to Section 42-1425, Idaho Code.
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.

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 3rd day of May, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13819
As Modified by Transfer No. 71358

In accordance with the approval of Transfer No. 71358, Water Right No. 45-13819 is now described as follows.

Right Holder: DAN R PRUETT And
 BRENDA PRUETT
 1031 E 200 N
 DECLO ID 83323

Priority Date: February 26, 1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.01 CFS	3.6 AF
			0.01 CFS	3.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENE Sec. 13 Twp 10S Rge 24E 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	
10S	24E	13	2.0															2.0	
10S	25E	18					4.1											4.1	

Total Acres: 6.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.9 acre within the place of use described above in a single irrigation season.
2. Rights 45-13819 and 45-13821 when combined shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 15.2 af at the field headgate, and the irrigation of 3.8 acres.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

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As Modified by Transfer No. 71358

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 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 3rd day of May, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13820
As Modified by Transfer No. 71358

In accordance with the approval of Transfer No. 71358, Water Right No. 45-13820 is now described as follows.

Right Holder: DANIEL C WALTON
 26 N 500 E
 RUPERT ID 83350

Priority Date: October 13, 1972

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	9.24 CFS	2,652.8 AF
			9.24 CFS	2,652.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESESE	Sec. 10 Twp 09S	Rge 25E	CASSIA County
GROUND WATER	SWNESE	Sec. 20 Twp 09S	Rge 25E	CASSIA County
GROUND WATER	SWSW	Sec. 1 Twp 10S	Rge 24E	CASSIA County
GROUND WATER	SWSWSW	Sec. 12 Twp 10S	Rge 24E	CASSIA County
(Rediversion)				
GROUND WATER	L5 (SWNW)	Sec. 6 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	SWNWSE	Sec. 7 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	SWNWSE	Sec. 7 Twp 10S	Rge 25E	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	
10S	25E	7									37.0	27.0	33.0	40.0	37.0	37.0	40.0	40.0	291.0
10S	25E	8										L3	L4						77.0
												37.0	40.0						
10S	25E	18	39.0	38.0	40.0	40.0	40.0	29.2	29.0	40.0									295.2
								L1	L2										

Total Acres: 663.2

CONDITIONS OF APPROVAL

1. Rights 45-13818 and 45-13820 when combined shall not exceed the irrigation of 663.2 acres.
2. This right is limited to a combined rate from all wells not to exceed 9.24 cfs.
3. Rights 45-02637 and 45-07102 are also diverted through the point of diversion located in Lot 5 (SWNW), S6, T10S, R25E.
4. Rights 45-02637, 45-07102 and 45-13820 when combined shall not exceed a total diversion rate of 1.95 cfs from the well located in Lot 5 (SWNW), S6, T10S, R25E.

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CONDITIONS OF APPROVAL

5. Rights 45-02479 and 45-07108B are also diverted through the point of diversion located in NESE, S20, T9S, R25E.
6. Rights 45-02479, 45-07108B and 45-13820 when combined shall not exceed a total diversion rate of 2.63 cfs from the well located in NESE, S20, T9S, R25E.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall annually submit to the Department, prior to November 30 of each year, a written report documenting the total volume of groundwater pumped during the year from each well for injection into the canal and the total volume diverted from the canal under this right. The director retains jurisdiction to require more frequent and detailed reports of water diversion and use under this right.
9. The right holder shall utilize the points of diversion closest to his place of use to the extent water is available from these points of diversion before using water from points of diversion located further from the place of use.
10. This right does not grant any right-of-way or easement across the land of another.
11. Water diverted from the wells under this right is injected into the Minidoka Southside Canal and then rediverted from the Minidoka Southside Canal. Measuring devices shall be maintained to determine and record the rate and volume of water diverted under this right, the rate of volume of water injected into the canal under this right, and the rate and volume of water rediverted from the canal under this right.
12. Water shall not be diverted under this right unless a current agreement with the entity or entities controlling the use of the Minidoka Southside Canal is on file with the Department authorizing the use of the canal to transport the water diverted under this right.
13. The amount of ground water diverted under this right and injected into the canal shall not exceed the amount rediverted plus appropriate conveyance losses. The rate of diversion from the Minidoka Southside Canal under this right shall not exceed the combined rate that ground water is being injected into the canal from wells operating under this right.
14. 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 3rd day of May, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13821
As Modified by Transfer No. 71358

In accordance with the approval of Transfer No. 71358, Water Right No. 45-13821 is now described as follows.

Right Holder: BRENDA PRUETT And
 DAN R PRUETT
 1031 E 200 N
 DECLO ID 83323

Priority Date: October 13, 1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.05 CFS	15.2 AF
			0.05 CFS	15.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENE Sec. 13 Twp 10S Rge 24E 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	
10S	24E	13	2.0															2.0	
10S	25E	18					4.1											4.1	
							L 1												

Total Acres: 6.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.8 acres within the place of use described above in a single irrigation season.
2. Rights 45-13819 and 45-13821 when combined shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 15.2 af at the field headgate, and the irrigation of 3.8 acres.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

WATER RIGHT NO. 45-13821
As Modified by Transfer No. 71358

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 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 3rd day of May, 2005



Chief, Water Allocation Bureau