

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71229

This is to certify that: FRANK A And/Or
PHYLLIS BEDKE
PO BOX 83
OAKLEY ID 83346
(208)862-3613

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>
45-425A	AJC/Decreed	04/12/1892	1.58 cfs	N/A	160.0	370.0	BIG COTTONWOOD CREEK
45-443B	AJC/Decreed	08/31/1882	0.583 cfs	N/A	160.0	370.0	BIG COTTONWOOD CREEK
45-10594	AJC/Decreed	04/12/1892	0.80 cfs	N/A	160.0	370.0	BIG COTTONWOOD 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>
45-425A	NO	NO	YES	NO	NO	NO
45-443B	NO	NO	YES	NO	NO	NO
45-10594	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>
45-425A	45-425A	1.58 cfs	N/A	160.0	370.0		N/A	N/A	N/A	N/A
45-443B	45-443B	0.58 cfs	N/A	160.0	370.0		N/A	N/A	N/A	N/A
45-10594	45-10594	0.80 cfs	N/A	160.0	370.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.96 cfs	N/A	320.0	370.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21ST day of January, 20 05

SUPPORT DATA

IN FILE # 45-425A

Bary Spackman
Chief, Water Allocation Bureau

WATER RIGHT NO. 45-425A
As Modified by Transfer No. 71229

In accordance with the approval of Transfer No. 71229, Water Right No. 45-425A is now described as follows.

Right Holder: FRANK A And/Or
 PHYLLIS BEDKE
 PO BOX 83
 OAKLEY ID 83346
 (208)862-3613

Priority Date: April 12, 1892

Source: BIG COTTONWOOD CREEK **Tributary:** DRY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	1.58 CFS
			1.58 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG COTTONWOOD CREEK SENESE Sec. 8 Twp 13S 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	
12S 22E 31									40.0			40.0	30.0	40.0	40.0	30.0	220.0
13S 22E 6					41.0	39.0	32.0	38.0									150.0
					L 3	L 4	L 5										

Total Acres: 370

CONDITIONS OF APPROVAL

1. Rights 45-425A and 45-443B when combined shall not exceed the irrigation of 160 acres within the place of use described above in a single irrigation season.
2. Rights 45-425A, 45-443B, and 45-10594 when combined shall not exceed the irrigation of 320 acres.
3. Rights 45-425A, 45-443B, 45-2448A, 45-4217, and 45-10594 when combined shall not exceed the irrigation of 370 acres within the place of use described above in a single irrigation season.
4. 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.
5. 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. 45K.

WATER RIGHT NO. 45-425A
As Modified by Transfer No. 71229

CONDITIONS OF APPROVAL

6. 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.
7. Use of this right is combined with water from Oakley Canal Co.
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 21ST day of January, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-443B
As Modified by Transfer No. 71229

In accordance with the approval of Transfer No. 71229, Water Right No. 45-443B is now described as follows.

Right Holder: FRANK A And/Or
 PHYLLIS BEDKE
 PO BOX 83
 OAKLEY ID 83346
 (208)862-3613

Priority Date: August 31, 1882

Source: BIG COTTONWOOD CREEK **Tributary:** DRY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	11/15	0.58 CFS
			0.58 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG COTTONWOOD CREEK SENESE Sec. 8 Twp 13S 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		
12S	22E	31									40.0				40.0	30.0	40.0	40.0	30.0	220.0
13S	22E	6					41.0	39.0	32.0	38.0										150.0
							L 3	L 4	L 5											

Total Acres: 370

CONDITIONS OF APPROVAL

1. Rights 45-425A and 45-443B when combined shall not exceed the irrigation of 160 acres within the place of use described above in a single irrigation season.
2. Rights 45-425A, 45-443B, and 45-10594 when combined shall not exceed the irrigation of 320 acres.
3. Rights 45-425A, 45-443B, 45-2448A, 45-4217, and 45-10594 when combined shall not exceed the irrigation of 370 acres within the place of use described above in a single irrigation season.
4. 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.
5. 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. 45K.

WATER RIGHT NO. 45-443B
As Modified by Transfer No. 71229

CONDITIONS OF APPROVAL

6. 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.
7. Use of this right is combined with water from Oakley Canal Co.
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 21ST day of January, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-10594
As Modified by Transfer No. 71229

In accordance with the approval of Transfer No. 71229, Water Right No. 45-10594 is now described as follows.

Right Holder: FRANK A And/Or
 PHYLLIS BEDKE
 PO BOX 83
 OAKLEY ID 83346
 (208)862-3613

Priority Date: April 12, 1892

Source: BIG COTTONWOOD CREEK **Tributary:** DRY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	11/15	0.80 CFS
			0.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG COTTONWOOD CREEK SENESE Sec. 8 Twp 13S 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		
12S 22E 31									40.0				40.0	30.0	40.0	40.0	30.0	220.0
13S 22E 6					41.0	39.0	32.0	38.0										150.0
					L 3	L 4	L 5											

Total Acres: 370

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
2. Rights 45-425A, 45-443B, and 45-10594 when combined shall not exceed the irrigation of 320 acres.
3. Rights 45-425A, 45-443B, 45-2448A, 45-4217, and 45-10594 when combined shall not exceed the irrigation of 370 acres within the place of use described above in a single irrigation season.
4. 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.
5. 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. 45K.

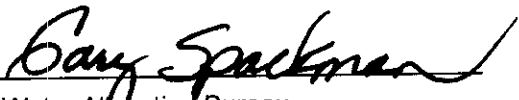
WATER RIGHT NO. 45-10594
As Modified by Transfer No. 71229

CONDITIONS OF APPROVAL

6. 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.
7. Use of this right is combined with water from Oakley Canal Co.
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 21st day of January, 2005


Chief, Water Allocation Bureau