

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED* TRANSFER OF WATER RIGHT *AMENDED
TRANSFER NO. 71141

This is to certify that: DEL E WILKINS And
 LINDA R WILKINS
 PO BOX 96
 SWAN VALLEY ID 83449
 (208)483-4655

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>
23-48B	AJC/Decreed	06/01/1893	0.24 cfs	N/A	N/A	16.0	RAINEY CREEK
23-98B	AJC/Decreed	01/22/1916	0.21 cfs	N/A	10.5	16.0	RAINEY 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>
23-48B	NO	NO	YES	YES	NO	YES
23-98B	NO	NO	YES	YES	NO	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>
23-48B	23-48B	0.24 cfs	N/A	11.2	15.0		N/A	N/A	N/A	N/A
23-98B	23-98B	0.21 cfs	N/A	N/A	15.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.45 cfs	N/A	15.0	15.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of November, 20 04


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 23-48B

Right Holder: LINDA R WILKINS And
DEL E WILKINS
PO BOX 96
SWAN VALLEY ID 83449

Tributary: SOUTH FORK SNAKE RIVER

RAINEY CREEK NENESW Sec. 6 Twp 01N Rge 44E BONNEVILLE
County

PLACE OF USE: IRRIGATION

Total Acres: 15

PLACE OF USE: RECREATION STORAGE

CONDITIONS OF APPROVAL

1. Right 23-98B is also diverted through the point(s) of diversion described above.
2. Rights 23-48B and 23-98B when combined shall not exceed a total of 15 irrigated acres in a single irrigation season.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 23-48B
As Modified by Transfer No. 71141

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. 01.
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. This right is limited to the irrigation of 11.2 acres within the place of use described above in a single irrigation season.
7. The total instantaneous diversion of water from all points of diversion under Rights 23-48B and 23-98B shall not exceed 0.45 cfs.
8. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the pond and the amount of water released from the pond.
9. Irrigation use from the pond is limited to those times water is available from Rainey Creek under this right and priority and by the quantity of water actually diverted to the pond for irrigation use.
10. Rights 23-48B & 23-98B authorize the diversion of an annual total of 2.5 acre-feet identified as Recreation Storage to be used for supplemental filling of the natural pond and for the replacement of losses caused by evaporation from the pond.
11. Diversion of water for storage purposes under Rights 23-48B & 23-98B to supplement the natural pond is limited to times when the total surface area of the pond does not exceed 0.3 acres.
12. The prior irrigation use of the portions of Rights 23-48B and 23-98B changed to storage uses shall be abandoned and the right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 30th day of November, 20 04



Chief, Water Allocation Bureau

Right Holder: DEL E WILKINS And
LINDA R WILKINS
PO BOX 96
SWAN VALLEY ID 83449

Source: RAINEY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.20 CFS	
DIVERSION TO STORAGE	04/15	to 10/31	0.01 CFS	
RECREATION STORAGE	01/01	to 12/31		2.5 AF
			0.21 CFS	

RAINEY CREEK NENESW Sec. 6 Twp 01N Rge 44E BONNEVILLE
County

RAINEY CREEK SWNENE Sec. 7 Twp 01N Rge 44E BONNEVILLE
County

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01N	44E	6							.3	1.7			13.0						15.0

PLACE OF USE: RECREATION STORAGE

[illegible]

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Dated this 30th day of November, 2004



Chief, Water Allocation Bureau