

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71167

This is to certify that: DAYLE MECHAM
1321 W 400 S
PINGREE ID 83262
(208)684-3875

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>
35-8931B	WR/License	01/07/1991	1.08 cfs	N/A	N/A	54.0	GROUND WATER
35-8931A	WR/License	01/07/1991	0.58 cfs	N/A	N/A	29.0	GROUND WATER
35-2900	WR/Decreed	04/13/1954	1.48 cfs	296 af	N/A	74.0	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>
35-8931B	YES	YES	YES	NO	NO	NO
35-8931A	NO	NO	YES	NO	NO	NO
35-2900	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>
35-8931B	35-13510	0.86 cfs	172 af	43.0	146.0	35-13509	0.22 cfs	44 af	N/A	11.0
35-8931A	35-8931A	0.58 cfs	116 af	29.0	146.0		N/A	N/A	N/A	N/A
35-2900	35-2900	1.48 cfs	296 af	74.0	146.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.92 cfs	584 af	146.0	146.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 9th day of September, 20 04



Chief, Water Allocation Bureau

COPIES: 35-2900

WATER RIGHT NO. 35-2900
As Modified by Transfer No. 71167

In accordance with the approval of Transfer No. 71167, Water Right No. 35-2900 is now described as follows.

Right Holder: DAYLE MECHAM
 1321 W 400 S
 PINGREE ID 83262

Priority Date: April 13, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.48 CFS	296.0 AF
			1.48 CFS	296.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNE Sec. 26 Twp 03S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03S	33E	26	37.0	37.0	35.0	33.0	1.0				3.0								146.0

Total Acres: 146

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 71167, 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.
2. Rights 35-2900, 35-8931A and 35-13510 when combined shall not exceed a total diversion rate of 2.92 cfs, a total annual maximum diversion volume of 584 af at the field headgate, and the irrigation of 146 acres.
3. This right is limited to the irrigation of 74 acres within the place of use described above in a single irrigation season.
4. Use of this right is combined with water from Aberdeen Springfield Canal Co.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

WATER RIGHT NO. 35-2900
As Modified by Transfer No. 71167

CONDITIONS OF APPROVAL

6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. 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.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. 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. 120.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 9th day of September, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 35-8931A
As Modified by Transfer No. 71167

In accordance with the approval of Transfer No. 71167, Water Right No. 35-8931A is now described as follows.

Right Holder: DAYLE MECHAM
 1321 W 400 S
 PINGREE ID 83262

Priority Date: January 07, 1991

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.58 CFS	116.0 AF
			0.58 CFS	116.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNE Sec. 26 Twp 03S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	<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>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
03S	33E	26	37.0	37.0	35.0	33.0	1.0			3.0									146.0

Total Acres: 146

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 71167, 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.
2. Rights 35-2900, 35-8931A and 35-13510 when combined shall not exceed a total diversion rate of 2.92 cfs, a total annual maximum diversion volume of 584 af at the field headgate, and the irrigation of 146 acres.
3. This right is limited to the irrigation of 29 acres within the place of use described above in a single irrigation season.
4. Use of this right is combined with water from Aberdeen Springfield Canal Co.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

WATER RIGHT NO. 35-8931A
As Modified by Transfer No. 71167

CONDITIONS OF APPROVAL

6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. 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.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. 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. 120.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 9th day of September, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13509
As Modified by Transfer No. 71167

In accordance with the approval of Transfer No. 71167, Water Right No. 35-13509 is now described as follows.

Right Holder: DAYLE MECHAM
 1321 W 400 S
 PINGREE ID 83262

Priority Date: January 07, 1991

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	0.22 CFS	44.0 AF
		0.22 CFS	44.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 26 Twp 03S Rge 33E BINGHAM 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	
03S	33E	26				5.0									6.0				11.0

Total Acres: 11

CONDITIONS OF APPROVAL

1. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
 This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 44.0 af for the lands above.
 Right 35-08975 is also diverted at the point of diversion described above.
2. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
3. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

WATER RIGHT NO. 35-13509
As Modified by Transfer No. 71167

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 4.0 afa per acre for irrigation of the lands above.
6. Approval of this transfer does not confirm the validity of this water right.

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 9th day of September, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13510
As Modified by Transfer No. 71167

In accordance with the approval of Transfer No. 71167, Water Right No. 35-13510 is now described as follows.

Right Holder: DAYLE MECHAM
 1321 W 400 S
 PINGREE ID 83262

Priority Date: January 07, 1991

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	0.86 CFS	172.0 AF
			0.86 CFS	172.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNE Sec. 26 Twp 03S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
03S 33E 26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	146.0
	37.0	37.0	35.0	33.0	1.0			3.0									

Total Acres: 146

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 71167, 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.
2. Rights 35-2900, 35-8931A and 35-13510 when combined shall not exceed a total diversion rate of 2.92 cfs, a total annual maximum diversion volume of 584 af at the field headgate, and the irrigation of 146 acres.
3. This right is limited to the irrigation of 43 acres within the place of use described above in a single irrigation season.
4. Use of this right is combined with water from Aberdeen Springfield Canal Co.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

WATER RIGHT NO. 35-13510
As Modified by Transfer No. 71167

CONDITIONS OF APPROVAL

6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. 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.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. 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. 120.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 9th day of September, 2004



Chief, Water Allocation Bureau