

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70701

This is to certify that: JOE MATHENEY And/Or
MELISSA MATHENEY
PO BOX 54
RICHFIELD ID 83349
(208)487-3191

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>
37-471	AJC/Decreed	04/30/1884	2.00 cfs	N/A	N/A	121.0	LITTLE WOOD RIVER
37-1125	AJC/Decreed	05/20/1908	3.20 cfs	N/A	N/A	121.0	LITTLE WOOD RIVER

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>
37-471	NO	NO	YES	NO	NO	NO
37-1125	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>
37-471	37-471	2.00 cfs	N/A	N/A	121.0		N/A	N/A		N/A
37-1125	37-1125	3.20 cfs	N/A	N/A	121.0		N/A	N/A		N/A
COMBINED										
TOTALS		5.20 cfs	N/A	121.0	121.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of August, 2004



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 37-471

WATER RIGHT NO. 37-1125
As Modified by Transfer No. 70701

In accordance with the approval of Transfer No. 70701, Water Right No. 37-1125 is now described as follows.

Right Holder: JOE MATHENEY And
 MELISSA MATHENEY
 PO BOX 54
 RICHFIELD ID 83349

Priority Date: May 20, 1908

Source: LITTLE WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	3.20 CFS	
			3.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE WOOD RIVER SWSWNE Sec. 4 Twp 05S Rge 19E LINCOLN 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	
05S	19E	4							35.0	10.0	14.0	38.0							97.0
05S	19E	5				13.0									11.0				24.0

Total Acres: 121

CONDITIONS OF APPROVAL

1. 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 37M.
2. 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.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 37-1125
As Modified by Transfer No. 70701

CONDITIONS OF APPROVAL

6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
7. Rights 37-1125 and 37-471 when combined shall not exceed a total diversion rate of 5.20 cfs, and the irrigation of 121 acres.

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 23rd day of August, 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-471
As Modified by Transfer No. 70701

In accordance with the approval of Transfer No. 70701, Water Right No. 37-471 is now described as follows.

Right Holder: JOE MATHENEY And
 MELISSA MATHENEY
 PO BOX 54
 RICHFIELD ID 83349

Priority Date: April 30, 1884

Source: LITTLE WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	2.00 CFS	
			2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE WOOD RIVER SWSWNE Sec. 4 Twp 05S Rge 19E LINCOLN 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	
05S 19E 4							35.0	10.0	14.0	38.0							97.0
05S 19E 5				13.0									11.0				24.0

Total Acres: 121

CONDITIONS OF APPROVAL

1. 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 37M.
2. 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.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 37-471
As Modified by Transfer No. 70701

CONDITIONS OF APPROVAL

6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
7. Rights 37-1125 and 37-471 when combined shall not exceed a total diversion rate of 5.20 cfs, and the irrigation of 121 acres.

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 23rd day of August, 20 04


Chief, Water Allocation Bureau