

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71177

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

Or

BLAKE MECHAM
469 S 1300 W
PINGREE ID 83262
(208)684-3870

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>
35-8975	WR/License	01/22/1992	3.20 cfs	N/A	N/A	160.0	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>
35-8975	NO	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>
35-8975	35-8975	3.20 cfs	640 af	N/A	160.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		3.20 cfs	640 af	N/A	160.0		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

WATER RIGHT NO. 35-8975
As Modified by Transfer No. 71177

In accordance with the approval of Transfer No. 71177, Water Right No. 35-8975 is now described as follows.

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

Or

BLAKE MECHAM
 469 S 1300 W
 PINGREE ID 83262

Priority Date: January 22, 1992

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.20 CFS	640.0 AF
			3.20 CFS	640.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 25 Twp 03S	Rge 33E	BINGHAM County
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	25									8.0	13.0	1.0						22.0
03S	33E	26													33.0	32.0	33.0	40.0	138.0

Total Acres: 160

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 35-8975 shall not exceed 3.20 cfs, nor a total combined annual volume of 640 af.
2. Prior to the diversion and use of water under Transfer approval 71177, 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.
3. 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.

WATER RIGHT NO. 35-8975
As Modified by Transfer No. 71177

CONDITIONS OF APPROVAL

4. 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.
5. 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.
6. 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.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. 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.
9. 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.
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> year(s) 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. Right 35-8931B is also diverted through the point of diversion in NWSE, Section 26, described above.

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, 2004


Chief, Water Allocation Bureau