

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70841

This is to certify that: STEPHEN A TUCKER And
KAREN F TUCKER
4701 NE RANCO WAY
MOUNTAIN HOME ID 83647

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>
61-12042	WR/Decreed	04/23/1964	0.10 cfs	32 af	7.1	8.4	GROUND WATER
61-12046	WR/Decreed	03/15/1977	0.02 cfs	N/A	1.3	8.4	GROUND WATER

Purpose of Transfer (Changes Proposed)

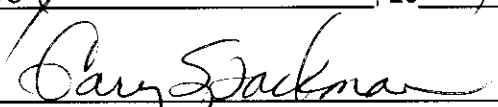
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
61-12042	NO	YES	YES	NO	NO	NO
61-12046	NO	YES	YES	NO	NO	NO

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>
61-12042	61-12042	0.10 cfs	32 af	7.1	8.4		N/A	N/A	N/A	N/A
61-12046	61-12046	0.02 cfs	N/A	1.3	8.4		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.10 cfs	32 af	8.4	8.4		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of May, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 61-12042
As Modified by Transfer No. 70841

In accordance with the approval of Transfer No. 70841, Water Right No. 61-12042 is now described as follows.

Right Holder: STEPHEN A TUCKER And
 KAREN F TUCKER
 4701 NE RANCO WAY
 MOUNTAIN HOME ID 83647

Priority Date: April 23, 1964

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	0.10 CFS	32.0 AF
			0.10 CFS	32.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESW Sec. 7 Twp 03S Rge 07E ELMORE 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	07E	7									8.4								8.4

Total Acres: 8.4

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

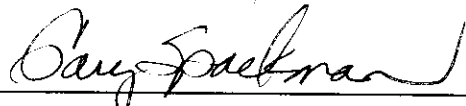
WATER RIGHT NO. 61-12042
As Modified by Transfer No. 70841

CONDITIONS OF APPROVAL

5. Right 61-12042 retains its priority date of April 23, 1964 and right 61-12046 retains its priority date of March 15, 1977 relative to actions to distribute water that relates to management of the Mountain Home Ground Water Management Area overall. Diversion and use of water is subordinate to all rights to use ground water existing within the immediate area of the point of diversion on the date of this approval. Any water management dispute relative to increased draw downs of the water table or depletion of ground water resulting from this approval is presumed to be within the immediate area, resulting in a subordination of the water right.
6. Prior to diversion and use of water under this transfer approval, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications and shall report the amount of water diverted to the Department at the end of each calendar year.
7. This right is limited to the irrigation of 7.1 acres within the place of use described above in a single irrigation season.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10-26-2000.
9. Rights 61-12042 and 61-12046 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 32.0 af at the field headgate, and the irrigation of 8.4 acres.
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. Right 61-12046 is also diverted through the point(s) of diversion described above.
12. Right 61-12046 is an enlargement of Right 61-12042 pursuant to Section 42-1426, Idaho Code.
13. Place of use is located within Lot 4, Blk. 1, El Rancho Subdivision.

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 3rd day of May, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-12046
As Modified by Transfer No. 70841

In accordance with the approval of Transfer No. 70841, Water Right No. 61-12046 is now described as follows.

Right Holder: STEPHEN A TUCKER And
KAREN F TUCKER
4701 NE RANCO WAY
MOUNTAIN HOME ID 83647

Priority Date: March 15, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.02 CFS	
			0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESW Sec. 7 Twp 03S Rge 07E ELMORE 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	07E	7									8.4								8.4

Total Acres: 8.4

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

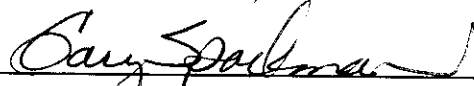
WATER RIGHT NO. 61-12046
As Modified by Transfer No. 70841

CONDITIONS OF APPROVAL

5. Right 61-12042 retains its priority date of April 23, 1964 and right 61-12046 retains its priority date of March 15, 1977 relative to actions to distribute water that relates to management of the Mountain Home Ground Water Management Area overall. Diversion and use of water is subordinate to all rights to use ground water existing within the immediate area of the point of diversion on the date of this approval. Any water management dispute relative to increased draw downs of the water table or depletion of ground water resulting from this approval is presumed to be within the immediate area, resulting in a subordination of the water right.
6. Prior to diversion and use of water under this transfer approval, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications and shall report the amount of water diverted to the Department at the end of each calendar year.
7. This right is limited to the irrigation of 1.3 acres within the place of use described above in a single irrigation season.
8. Right 61-12046 is an enlargement of Right 61-12042 pursuant to Section 42-1426, Idaho Code.
9. Rights 61-12042 and 61-12046 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 32.0 af at the field headgate, and the irrigation of 8.4 acres.
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. Right 61-12042 is also diverted through the point(s) of diversion described above.
12. Place of use is located within Lot 4, Blk. 1, El Rancho Subdivision.

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 3rd day of May, 2004


Chief, Water Allocation Bureau