

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70433

This is to certify that: RICHARD B DALLEY And
SHAUNA H DALLEY
131 E 100 N
RUPERT ID 83350
(208)436-5730

And

RICHARD B DALLEY JR And
STACEY D DALLEY
526 E 240 LANE N
RUPERT ID 83350
(208)436-6541

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>
36-2197A	WR/Decreed	02/25/1953	3.08 cfs	1126.4 af	N/A	281.6	GROUND WATER
36-16127	WR/Decreed	02/25/1953	8.09 cfs	2128.0 af	N/A	532.0	GROUND WATER
36-16129	WR/Decreed	11/08/1973	1.24 cfs	N/A	N/A	532.0	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>
36-2197A	NO	YES	YES	YES	NO	NO
36-16127	NO	YES	YES	YES	NO	NO
36-16129	NO	YES	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>
36-2197A	36-2197A	3.08 cfs	1126.4 af	281.6	813.6		N/A	N/A	N/A	N/A
36-16127	36-16127	8.09 cfs	2128.0 af	532.0	813.6		N/A	N/A	N/A	N/A
36-16129	36-16129	1.24 cfs	N/A	532.0	813.6		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		12.41 cfs	3274.4 af	813.6	813.6		N/A	N/A	N/A	N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70433

Detailed Water Right Description(s) attached

Dated this 6th day of April, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16127
As Modified by Transfer No. 70433

In accordance with the approval of Transfer No. 70433, Water Right No. 36-16127 is now described as follows.

Right Holder: RICHARD B DALLEY And
 SHAUNA H DALLEY
 131 E 100 N
 RUPERT ID 83350

Priority Date: February 25, 1953

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	8.09 CFS	2,128.0 AF
			8.09 CFS	2,128.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 7 Twp 07S Rge 24E MINIDOKA County
GROUND WATER	NESWNE	Sec. 18 Twp 07S Rge 24E MINIDOKA County
GROUND WATER	NWSENW	Sec. 18 Twp 07S Rge 24E MINIDOKA County
GROUND WATER	NWSESW	Sec. 18 Twp 07S Rge 24E MINIDOKA County
GROUND WATER	NESWSE	Sec. 18 Twp 07S Rge 24E MINIDOKA 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	
07S	24E	7									40.0	20.8	20.8	40.0	40.0	40.0	40.0	40.0	281.6
												L 3	L 4						
07S	24E	18	40.0	36.0	37.0	40.0	40.0	20.0	20.0	40.0	40.0	20.0	15.0	39.0	40.0	36.0	36.0	33.0	532.0
								L 1	L 2			L 3	L 4						

Total Acres: 813.6

CONDITIONS OF APPROVAL

1. Rights 36-16127 and 36-16129 when combined shall not exceed a total annual maximum diversion volume of 2128.0 af at the field headgate, and the irrigation of 532.0 acres within the place of use described above in a single irrigation season..
2. Rights 36-2197A, 36-16127 and 36-16129 when combined shall not exceed a total annual maximum diversion volume of 3274.4 af at the field headgate, and the irrigation of 813.6 acres.

WATER RIGHT NO. 36-16127
As Modified by Transfer No. 70433

CONDITIONS OF APPROVAL

3. 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.
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. 130.
5. Prior to the diversion and use of water under Transfer approval 70433, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. 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.
8. The right holder shall accomplish the change authorized by this approval within 2 years.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 6th day of April, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16129
As Modified by Transfer No. 70433

In accordance with the approval of Transfer No. 70433, Water Right No. 36-16129 is now described as follows.

Right Holder: RICHARD B DALLEY And
 SHAUNA H DALLEY
 131 E 100 N
 RUPERT ID 83350

Priority Date: November 08, 1973

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	1.24 CFS	
			1.24 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 7	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	NESWNE	Sec. 18	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	NWSENW	Sec. 18	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	NWSESW	Sec. 18	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	NESWSE	Sec. 18	Twp 07S	Rge 24E	MINIDOKA 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	
07S	24E	7									40.0	20.8	20.8	40.0	40.0	40.0	40.0	40.0	281.6
07S	24E	18	40.0	36.0	37.0	40.0	40.0	20.0	20.0	40.0	40.0	20.0	15.0	39.0	40.0	36.0	36.0	33.0	532.0
								L1	L2			L3	L4						

Total Acres: 813.6

CONDITIONS OF APPROVAL

1. Rights 36-16127 and 36-16129 when combined shall not exceed a total annual maximum diversion volume of 2128.0 af at the field headgate, and the irrigation of 532.0 acres within the place of use described above in a single irrigation season.
2. Rights 36-2197A, 36-16127 and 36-16129 when combined shall not exceed a total annual maximum diversion volume of 3274.4 af at the field headgate, and the irrigation of 813.6 acres.

WATER RIGHT NO. 36-16129
As Modified by Transfer No. 70433

CONDITIONS OF APPROVAL

3. 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.
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. 130.
5. Prior to the diversion and use of water under Transfer approval 70433, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. 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.
8. The right holder shall accomplish the change authorized by this approval within 2 years.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 6th day of April, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2197A
As Modified by Transfer No. 70433

In accordance with the approval of Transfer No. 70433, Water Right No. 36-2197A is now described as follows.

Right Holder: RICHARD B DALLEY And
 SHAUNA H DALLEY
 131 E 100 N
 RUPERT ID 83350

Priority Date: February 25, 1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	3.08 CFS	1,126.4 AF
			3.08 CFS	1,126.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 7	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	NESWNE	Sec. 18	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	NWSENW	Sec. 18	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	NWSESW	Sec. 18	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	NESWSE	Sec. 18	Twp 07S	Rge 24E	MINIDOKA 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	
07S	24E	7																	281.6
07S	24E	18	40.0	36.0	37.0	40.0	40.0	20.0	20.0	40.0	40.0	20.0	15.0	39.0	40.0	36.0	36.0	33.0	532.0
								L 1	L 2			L 3	L 4						

Total Acres: 813.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 281.6 acres within the place of use described above in a single irrigation season.
2. Rights 36-2197A, 36-16127 and 36-16129 when combined shall not exceed a total annual maximum diversion volume of 3274.4 af at the field headgate, and the irrigation of 813.6 acres.
3. 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.

WATER RIGHT NO. 36-2197A
As Modified by Transfer No. 70433

CONDITIONS OF APPROVAL

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. 130.
5. Prior to the diversion and use of water under Transfer approval 70433, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. 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.
8. The right holder shall accomplish the change authorized by this approval within 2 years.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 6th day of April, 2004


Chief, Water Allocation Bureau