

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87811

This is to certify that: RALPH WHEATLEY
PO BOX 116
MCCAMMON, ID 83250-0116

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-11458	WR/DECREED	4/1/1896	4.220 cfs	N/A	N/A	211.0	MARSH CREEK, UNNAMED STREAM
29-2365B	WR/DECREED	6/28/1955	1.660 cfs	N/A	N/A	86.0	MARSH CREEK

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>
29-11458	NO	NO	YES	NO	NO	NO
29-2365B	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>
29-11458	29-11458	4.220 cfs	N/A	211.0	296.5	N/A	N/A	N/A	N/A	N/A
29-2365B	29-2365B	1.660 cfs	N/A	85.5	296.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		5.880 cfs	N/A	296.5	296.5		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 20th day of June, 2023.



Regional Manager

SUPPORT DATA

Transfer No. 87811

IN FILE # 29-2365 B

SCANNED
JUN 21 2023

WATER RIGHT NO. 29-2365B**As Modified by Transfer No. 87811**

In accordance with the approval of Transfer No. 87811, Water Right No. 29-2365B is now described as follows:

Right Holder: RALPH WHEATLEY
PO BOX 116
MCCAMMON, ID 83250-0116

Priority Date: 6/28/1955

Source: MARSH CREEK

Tributary: PORTNEUF RIVER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

1.660 cfs

1.660 cfs

LOCATION OF POINT(S) OF DIVERSION

MARSH CREEK	L8 (SESE)	Sec 10 Twp 09S Rge 36E	BANNOCK County
MARSH CREEK	L1 (NWSW)	Sec 14 Twp 09S Rge 36E	BANNOCK County
MARSH CREEK	L1 (NWSW)	Sec 14 Twp 09S Rge 36E	BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	36E	10													29.5	19.5	33.0	16.0	98.0
															L 3	L 7		L 8	
09S	36E	10																18.5	18.5
																		L 4	
09S	36E	11									6.0	38.0	3.0						47.0
09S	36E	14					6.0	40.0	33.0		11.0								90.0
											L 1								
09S	36E	15	18.0	7.2		13.0								1.0					39.2
			L 1			L 2								L 2					
09S	36E	15	3.8																3.8
			L 4																

Right Acre Limit: 85.5

POU Total Acres: 296.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 85.5 acres within the authorized place of use in a single irrigation season.
2. Rights 29-2365B and 29-11458 when combined shall not exceed the irrigation of 296.5 acres.
3. Rights 29-2365A, 29-2365B, 29-11177, and 29-11178 when combined shall not exceed the irrigation of 280 acres.

Transfer No. 87811

SCANNED

JUN 21 2023

WATER RIGHT NO. 29-2365B
As Modified by Transfer No. 87811

CONDITIONS OF APPROVAL

4. Use of water under this right may 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. 29H.
5. 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(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 29-11458**As Modified by Transfer No. 87811**

In accordance with the approval of Transfer No. 87811, Water Right No. 29-11458 is now described as follows:

Right Holder: MEADOWBROOK RANCH
C/O RALPH WHEATLEY
10053 S MARSH CREEK RD
MCCAMMON, ID 83250

Priority Date: 4/1/1896

Source: UNNAMED STREAM
Source: MARSH CREEK

Tributary: MARSH CREEK
Tributary: PORTNEUF RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

04/01
01/01

To

to 10/31
to 12/31

Diversion Rate

4.220 cfs
0.070 cfs
4.220 cfs

LOCATION OF POINT(S) OF DIVERSION

UNNAMED STREAM	L4 (SESE)	Sec 10 Twp 09S Rge 36E	BANNOCK County
MARSH CREEK	L8 (SESE)	Sec 10 Twp 09S Rge 36E	BANNOCK County
UNNAMED STREAM	SWNW	Sec 14 Twp 09S Rge 36E	BANNOCK County
MARSH CREEK	L1 (NWSW)	Sec 14 Twp 09S Rge 36E	BANNOCK County
MARSH CREEK	L1 (NWSW)	Sec 14 Twp 09S Rge 36E	BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	36E	10													29.5	19.5	33.0	16.0	98.0
															L 3	L 7		L 8	
09S	36E	10																18.5	18.5
																		L 4	
09S	36E	11									6.0	38.0	3.0						47.0
09S	36E	14					6.0	40.0	33.0		11.0								90.0
											L 1								
09S	36E	15	18.0	7.2		13.0									1.0				39.2
			L 1			L 2									L 2				
09S	36E	15	3.8																3.8
			L 4																

Right Acre Limit: 211.0

POU Total Acres: 296.5

CONDITIONS OF APPROVAL

1. Rights 29-11458 and 29-2365B when combined shall not exceed the irrigation of 296.5 acres.

Transfer No. 87811

SCANNED

JUN 21 2023

WATER RIGHT NO. 29-11458
As Modified by Transfer No. 87811

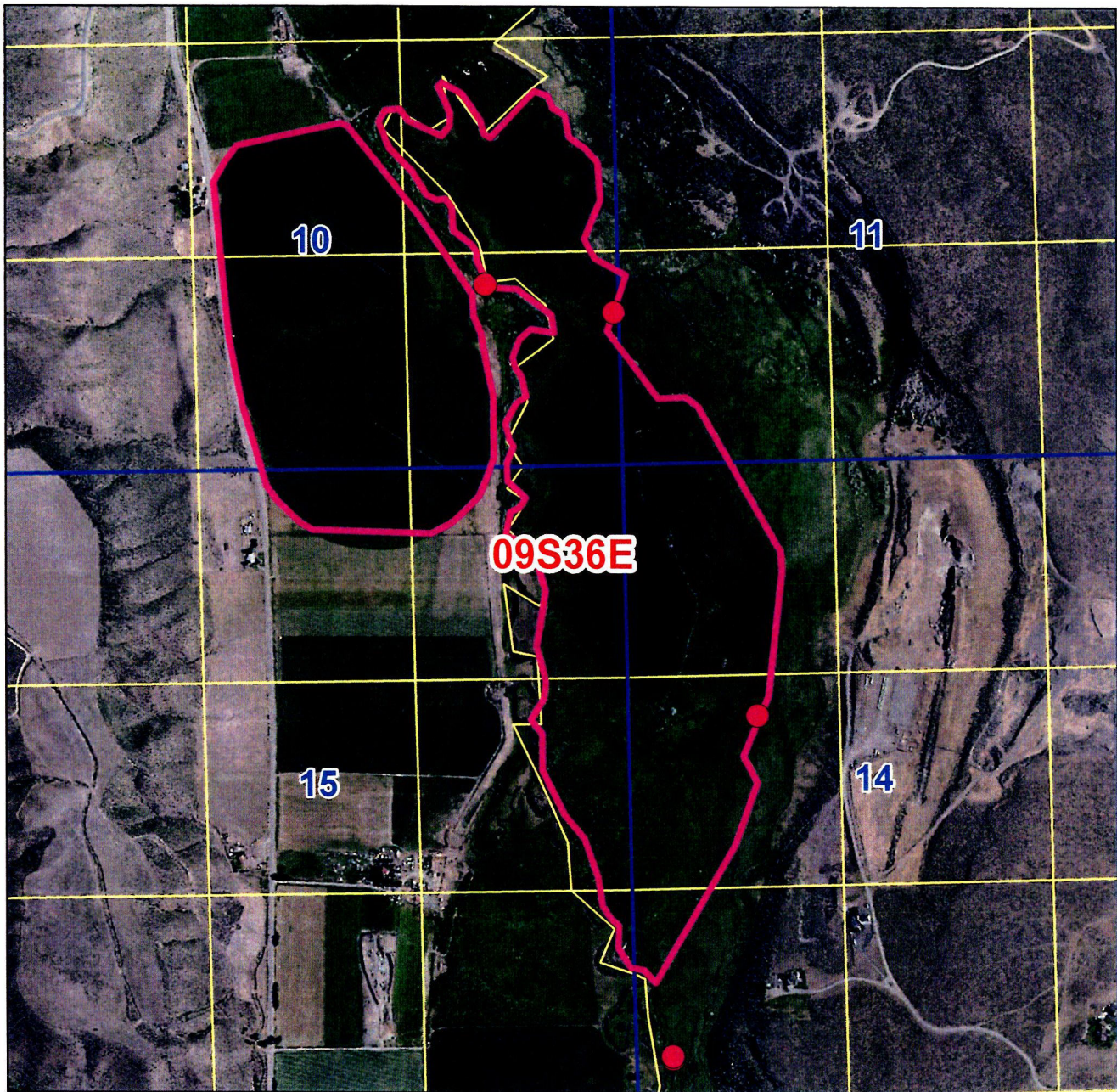
CONDITIONS OF APPROVAL

2. This right is limited to the irrigation of a specific 211 acres within the 296.5-acre place of use authorized by this right in a single irrigation season. The specific 211 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 211 acres to be irrigated within the 296.5-acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
3. Use of water under this right may 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. 29H.
4. 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(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
8. Stockwater use is for 300 cattle.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Attachment to Transfer Approval 87811

WR 29-11458

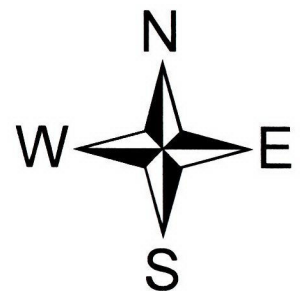
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 500 1,000 2,000 Feet

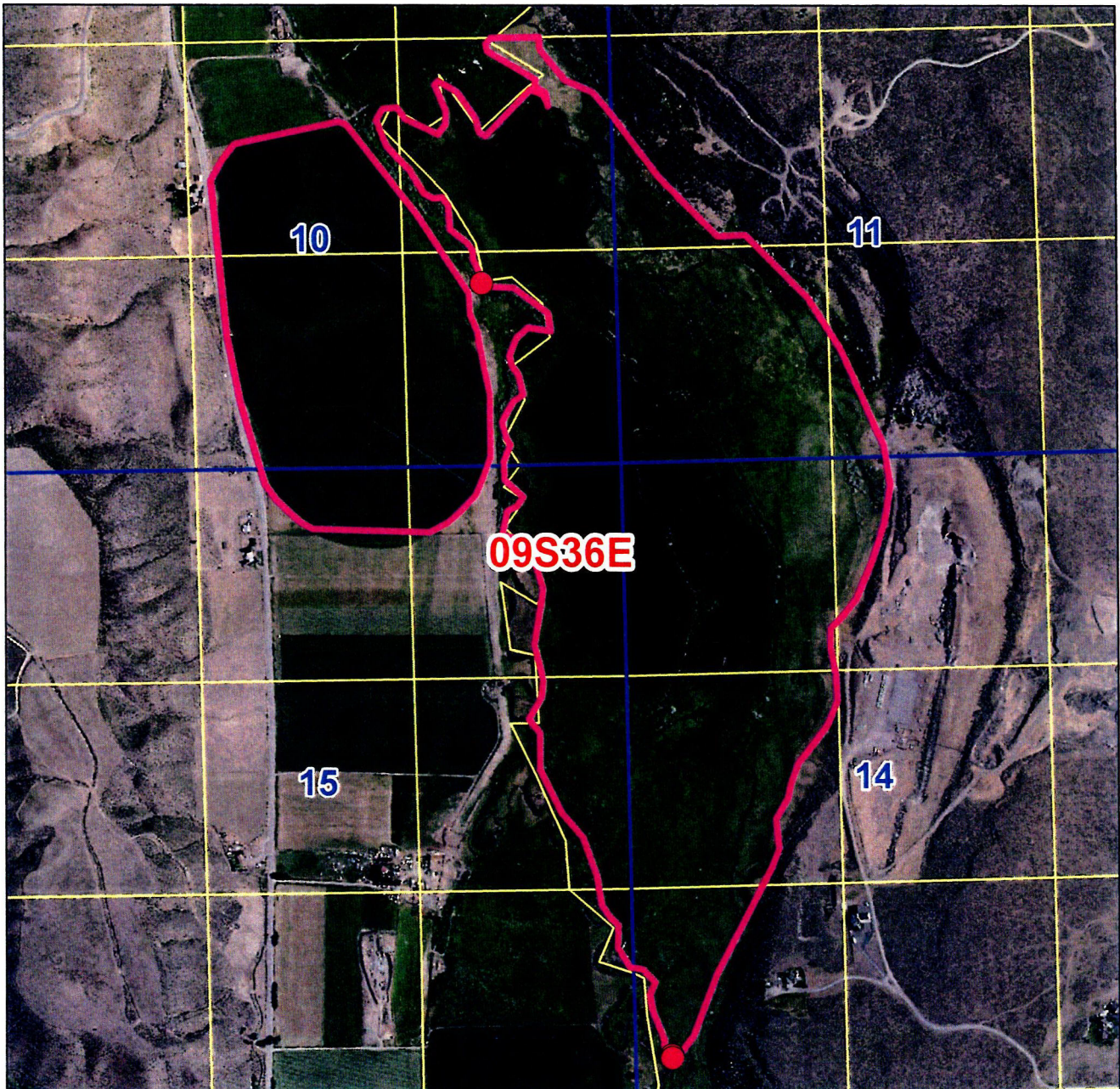


Date: 6/20/2023

Attachment to Transfer Approval 87811

WR 29-2365B

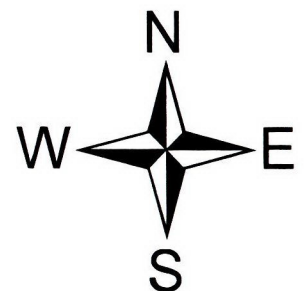
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 500 1,000 2,000 Feet



SCANNED
Date: 6/20/2023
JUN 21 2023