

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87515**

This is to certify that: **ALBERT JAY COTTLE AND/OR
JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673**

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>
43-13421	WR/DECREED	10/1/1947	0.060 cfs	9.6 af	2.4	162.3	GROUND WATER
43-2271	WR/DECREED	5/6/1932	1.800 cfs	N/A	90.0	140.0	PARKS CREEK
43-412	WR/DECREED	6/15/1873	2.000 cfs	N/A	N/A	162.3	CASSIA CREEK
43-4191	WR/DECREED	10/19/1928	2.790 cfs	N/A	139.3	140.0	WASTE WATER
43-88	WR/DECREED	3/1/1880	0.060 cfs	N/A	2.4	162.3	CASSIA 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>
43-13421	NO	NO	YES	NO	NO	NO
43-2271	NO	NO	YES	NO	NO	NO
43-412	NO	NO	YES	NO	NO	NO
43-4191	NO	NO	YES	NO	NO	NO
43-88	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>
43-13421	43-13421	0.060 cfs	9.6 af	2.4	164.3	N/A	N/A	N/A	N/A	N/A
43-2271	43-2271	1.800 cfs	N/A	90.0	164.3	N/A	N/A	N/A	N/A	N/A
43-412	43-412	2.000 cfs	N/A	162.3	164.3	N/A	N/A	N/A	N/A	N/A
43-4191	43-4191	2.790 cfs	N/A	139.3	164.3	N/A	N/A	N/A	N/A	N/A
43-88	43-88	0.060 cfs	N/A	2.4	164.3	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		6.710 cfs	0.0 af	N/A	164.3		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 87515

IN FILE # 43-88

SCANNED

JUL 27 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87515

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 25th day of July, 2023.



Southern Region Manager

WATER RIGHT NO. 43-412**As Modified by Transfer No. 87515**

In accordance with the approval of Transfer No. 87515, Water Right No. 43-412 is now described as follows:

Right Holder: JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673

Priority Date: 6/15/1873

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE
IRRIGATION

From 04/01 **to** 10/31

Diversion Rate
2.000 cfs
2.000 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK	SWSWSW	Sec 20 Twp 13S Rge 26E	CASSIA County
CASSIA CREEK	NESE	Sec 21 Twp 13S Rge 26E	CASSIA County
CASSIA CREEK	NESW	Sec 21 Twp 13S Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 162.3

POU Total Acres: 164.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 162.3 acres within the authorized place of use in a single irrigation season.
2. Rights 43-88, 43-412, and 43-13421 when combined shall not exceed the irrigation of 162.3 acres.
3. Rights 43-412, 43-4191, and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
4. Rights 43-412, 43-4191, 43-88, 43-13421 and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
5. 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 43-C.

Transfer No. 87515

SCANNED

JUL 27 2023

WATER RIGHT NO. 43-412
As Modified by Transfer No. 87515

CONDITIONS OF APPROVAL

6. 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 diversions.
7. 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 place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
10. 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. 43-2271**As Modified by Transfer No. 87515**

In accordance with the approval of Transfer No. 87515, Water Right No. 43-2271 is now described as follows:

Right Holder: JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673

Priority Date: 5/6/1932

Source: PARKS CREEK

Tributary: CASSIA CREEK

BENEFICIAL USE

IRRIGATION

From

04/01

to

To

10/31

Diversion Rate

1.800 cfs

1.800 cfs

LOCATION OF POINT(S) OF DIVERSION

PARKS CREEK

SENEE

Sec 32 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 90.0

POU Total Acres: 164.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 90 acres within the authorized place of use in a single irrigation season.
2. Rights 43-412, 43-4191, and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
3. Rights 43-412, 43-4191, 43-88, 43-13421, and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
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.43C.
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).

Transfer No. 87515

SCANNED

JUL 27 2023

WATER RIGHT NO. 43-2271
As Modified by Transfer No. 87515

CONDITIONS OF APPROVAL

6. 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 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.
10. Source is also known as Parke Creek.

WATER RIGHT NO. 43-4191**As Modified by Transfer No. 87515**

In accordance with the approval of Transfer No. 87515, Water Right No. 43-4191 is now described as follows:

Right Holder: JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673

Priority Date: 10/19/1928

Source: WASTE WATER

Tributary: CASSIA CREEK

BENEFICIAL USE

IRRIGATION

From

04/01

to

To

10/31

Diversion Rate

2.790 cfs

2.790 cfs

LOCATION OF POINT(S) OF DIVERSION

WASTE WATER
WASTE WATER

SESWSW
NWSWSW

Sec 20 Twp 13S Rge 26E CASSIA County
Sec 21 Twp 13S Rge 26E CASSIA 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	
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 139.3

POU Total Acres: 164.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 139.3 acres within the authorized place of use in a single irrigation season.
2. Rights 43-412, 43-4191, and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
3. Rights 43-412, 43-4191, 43-88, 43-13421, and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
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. 43C.
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).

Transfer No. 87515

SCANNED

JUL 27 2023

WATER RIGHT NO. 43-4191
As Modified by Transfer No. 87515

CONDITIONS OF APPROVAL

6. 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 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. 43-13421**As Modified by Transfer No. 87515**

In accordance with the approval of Transfer No. 87515, Water Right No. 43-13421 is now described as follows:

Right Holder: JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673

Priority Date: 10/1/1947

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From 03/15 **to** 11/15

Diversion Rate

0.060 cfs
0.060 cfs

Diversion Volume

9.6 af
9.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSESW Sec 21 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 2.4
POU Total Acres: 164.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.
2. Rights 43-88 and 43-13421 when combined shall not exceed a total annual maximum diversion volume of 9.6 af at the field headgate, and the irrigation of 2.4 acres.
3. Rights 43-88, 43-412, and 43-13421 when combined shall not exceed the irrigation of 162.3 acres.
4. Rights 43-412, 43-4191, 43-88, 43-13421, and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
5. 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 place of use.

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WATER RIGHT NO. 43-13421
As Modified by Transfer No. 87515

CONDITIONS OF APPROVAL

6. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
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. 43-88**As Modified by Transfer No. 87515**

In accordance with the approval of Transfer No. 87515, Water Right No. 43-88 is now described as follows:

Right Holder: JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673

Priority Date: 3/1/1880

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE

IRRIGATION

From

03/15

to

To

11/15

Diversion Rate

0.060 cfs

0.060 cfs

Diversion Volume

9.6 af

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK SWSWSW
CASSIA CREEK NESE
CASSIA CREEK NESW

Sec 20 Twp 13S Rge 26E CASSIA County
Sec 21 Twp 13S Rge 26E CASSIA County
Sec 21 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 2.4

POU Total Acres: 164.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.
2. Rights 43-88 and 43-13421 when combined shall not exceed a total annual maximum diversion volume of 9.6 af at the field headgate, and the irrigation of 2.4 acres.
3. Rights 43-88, 43-412, and 43-13421 when combined shall not exceed the irrigation of 162.3 acres.
4. Rights 43-412, 43-4191, 43-88, 43-13421 and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
5. 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. 43-C.

Transfer No. 87515

SCANNED

JUL 27 2023

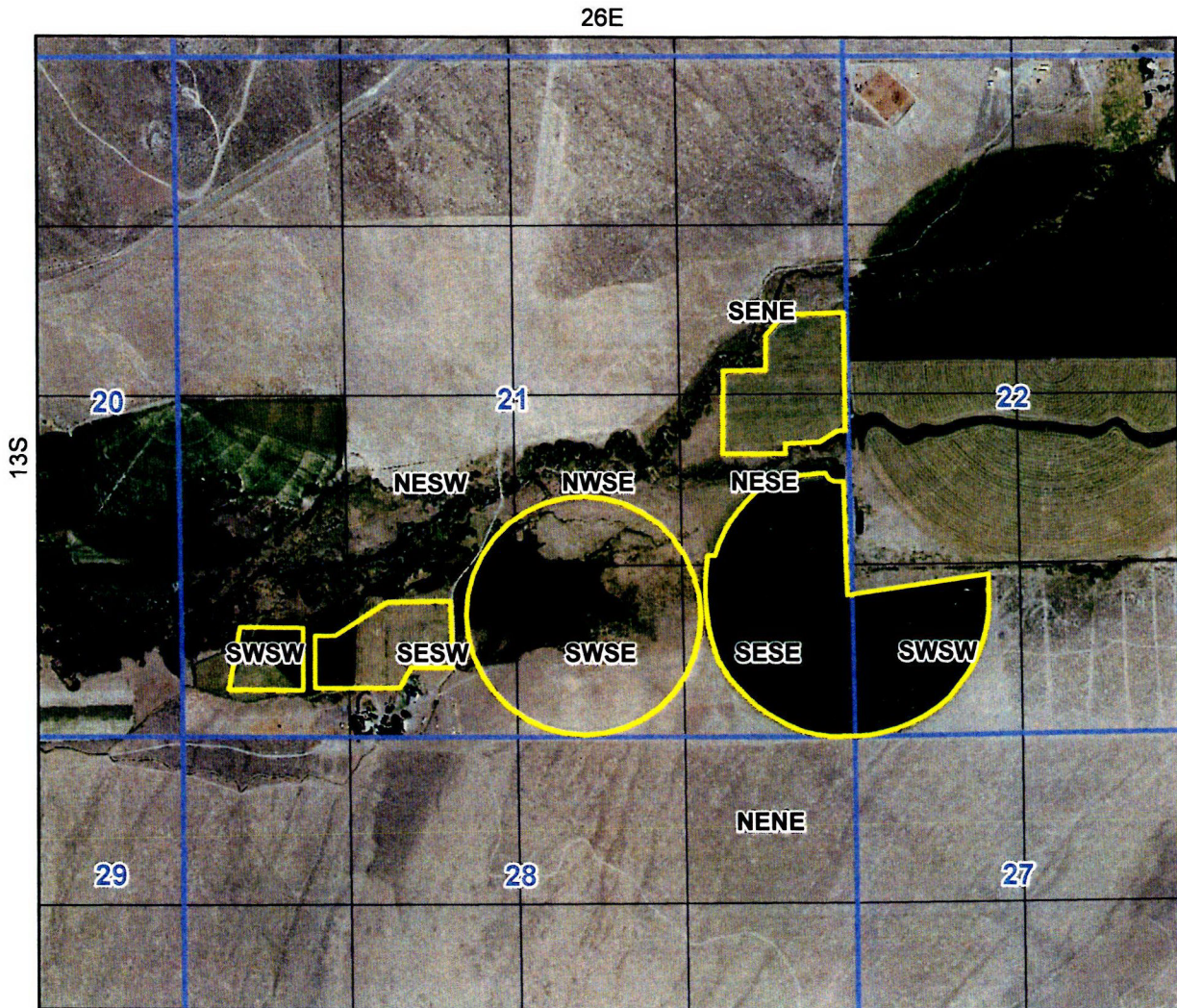
WATER RIGHT NO. 43-88
As Modified by Transfer No. 87515

CONDITIONS OF APPROVAL

6. 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 diversions.
7. 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 place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
10. 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.

State of Idaho
Department of Water Resources
Attachment to Transfer # 87515
43-412, 43-4191, 43-88, 43-13421, and 43-2271

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



0 0.175 0.35 0.7 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters



SCANNED
JUL 27 2023