

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83566**

This is to certify that: **MARILYN LAMBERT**
2524 N 3300 W
ARCO, ID 83213

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>
34-2386	WR/DECREED	9/9/1960	1.660 cfs	290.5 af	N/A	83.0	GROUND WATER
34-264	WR/DECREED	9/1/1886	2.200 cfs	N/A	110.0	150.0	BIG LOST RIVER
34-265	WR/DECREED	9/1/1886	0.340 cfs	N/A	17.0	150.0	BIG LOST RIVER
34-434	WR/DECREED	9/1/1886	0.160 cfs	N/A	8.0	150.0	BIG LOST RIVER
34-7233	WR/DECREED	3/6/1986	1.340 cfs	234.5 af	N/A	67.0	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>
34-2386	YES	YES	YES	NO	NO	NO
34-264	YES	YES	YES	NO	NO	NO
34-265	YES	YES	YES	NO	NO	NO
34-434	YES	YES	YES	NO	NO	NO
34-7233	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>
34-2386	34-14753	0.560 cfs	98.0 af	28.0	95.0	34-2386	1.100 cfs	192.5 af	N/A	55.0
34-264	34-14751	1.390 cfs	N/A	69.7	95.0	34-264	0.810 cfs	N/A	40.3	55.0
34-265	34-14752	0.220 cfs	N/A	10.8	95.0	34-265	0.120 cfs	N/A	6.2	55.0
34-434	34-14754	0.100 cfs	N/A	5.1	95.0	34-434	0.060 cfs	N/A	2.9	55.0
34-7233	34-7233	1.340 cfs	234.5 af	67.0	95.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.410 cfs	N/A	95.0	95.0		N/A	N/A	N/A	N/A

**Support Data
In File # 34-264**

Transfer No. 83566

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 83566

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 17th day of December, 2019.



Regional Manager



WATER RIGHT NO. 34-264
As Modified by Transfer No. 83566

In accordance with the approval of Transfer No. 83566, Water Right No. 34-264 is now described as follows:

Right Holder: CLIFFORD LAMBERT
 MARILYN LAMBERT
 2524 N 3300 W
 ARCO, ID 83213

Priority Date: 9/1/1886

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

5/01

to 10/15

To

Diversion Rate

0.810 cfs

0.810 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

NWNWNW

Sec 26 Twp 04N Rge 26E BUTTE 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	
04N	26E	26								17.0	24.0	14.0							55.0

Right Acre Limit: 40.3

POU Total Acres: 55.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40.3 acres within the authorized place of use in a single irrigation season.
2. Rights 34-264, 34-265, 34-434, and 34-2386 when combined shall not exceed a total diversion rate of 1.40 cfs and the irrigation of 55 acres.
3. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
4. 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.
5. Water is delivered through the Munsey Canal.

Transfer No. 83566

WATER RIGHT NO. 34-264
As Modified by Transfer No. 83566

CONDITIONS OF APPROVAL

6. 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. 34-14751

As Modified by Transfer No. 83566

In accordance with the approval of Transfer No. 83566, Water Right No. 34-14751 is now described as follows:

Right Holder: CLIFFORD LAMBERT
MARILYN LAMBERT
2524 N 3300 W
ARCO, ID 83213

Priority Date: 9/1/1886

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
5/01

To
to 10/15

Diversion Rate
1.390 cfs
1.390 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SESE Sec 4 Twp 05N Rge 26E BUTTE 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		
05N	26E	10																	11.0	11.0
05N	26E	14						1.0	21.0										22.0	22.0
05N	26E	15	30.0			32.0													62.0	62.0

Right Acre Limit: 69.7

POU Total Acres: 95.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 69.7 acres within the authorized place of use in a single irrigation season.
2. Rights 34-7233, 34-14751, 34-14752, 34-14753, and 34-14754 when combined shall not exceed a total diversion rate of 2.41 cfs and the irrigation of 95.0 acres.
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. 34.
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).

Transfer No. 83566

WATER RIGHT NO. 34-14751
As Modified by Transfer No. 83566

CONDITIONS OF APPROVAL

5. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
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. Water is delivered through the East Side Ditch.
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. 34-265

As Modified by Transfer No. 83566

In accordance with the approval of Transfer No. 83566, Water Right No. 34-265 is now described as follows:

Right Holder: CLIFFORD LAMBERT AND
MARILYN LAMBERT
2524 N 3300 W
ARCO, ID 83213

Priority Date: 9/1/1886

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
5/01

To
to 10/15

Diversion Rate
0.120 cfs
0.120 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWNWNW Sec 26 Twp 04N Rge 26E BUTTE 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	
04N	26E	26								17.0	24.0	14.0							55.0

Right Acre Limit: 6.2
POU Total Acres: 55.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6.2 acres within the authorized place of use in a single irrigation season.
2. Rights 34-264, 34-265, 34-434, and 34-2386 when combined shall not exceed a total diversion rate of 1.40 cfs and the irrigation of 55 acres.
3. 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.
4. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
5. Water is delivered through the Munsey Ditch.

Transfer No. 83566

WATER RIGHT NO. 34-265
As Modified by Transfer No. 83566

CONDITIONS OF APPROVAL

6. 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. 34-14752
As Modified by Transfer No. 83566

In accordance with the approval of Transfer No. 83566, Water Right No. 34-14752 is now described as follows:

Right Holder: CLIFFORD LAMBERT AND
 MARILYN LAMBERT
 2524 N 3300 W
 ARCO, ID 83213

Priority Date: 9/1/1886

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

From 5/01 to **To** 10/15

Diversion Rate
 0.220 cfs
 0.220 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SESE Sec 4 Twp 05N Rge 26E BUTTE 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	
05N	26E	10																11.0	11.0
05N	26E	14						1.0	21.0										22.0
05N	26E	15	30.0			32.0													62.0

Right Acre Limit: 10.8

POU Total Acres: 95.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10.8 acres within the authorized place of use in a single irrigation season.
2. Rights 34-7233, 34-14751, 34-14752, 34-14753, and 34-14754 when combined shall not exceed a total diversion rate of 2.41 cfs and the irrigation of 95.0 acres.
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. 34.
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).

Transfer No. 83566

WATER RIGHT NO. 34-14752
As Modified by Transfer No. 83566

CONDITIONS OF APPROVAL

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 period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
7. Water is delivered through the East Side Ditch.
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. 34-7233**As Modified by Transfer No. 83566**

In accordance with the approval of Transfer No. 83566, Water Right No. 34-7233 is now described as follows:

Right Holder: CLIFFORD LAMBERT
MARILYN LAMBERT
2524 N 3300 W
ARCO, ID 83213

Priority Date: 3/6/1986

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	1.340 cfs	234.5 af
			1.340 cfs	234.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 14 Twp 05N Rge 26E BUTTE 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	
05N	26E	10																11.0	11.0
05N	26E	14						1.0	21.0										22.0
05N	26E	15	30.0			32.0													62.0

Right Acre Limit: 67.0

POU Total Acres: 95.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 67.0 acres within the authorized place of use in a single irrigation season.
2. Rights 34-7233, 34-14751, 34-14752, 34-14753, and 34-14754 when combined shall not exceed a total diversion rate of 2.41 cfs and the irrigation of 95.0 acres.
3. Prior to diversion and use of water under Transfer approval 83566, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Transfer No. 83566

WATER RIGHT NO. 34-7233
As Modified by Transfer No. 83566

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 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 34.
7. 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.
8. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
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.

WATER RIGHT NO. 34-2386
As Modified by Transfer No. 83566

In accordance with the approval of Transfer No. 83566, Water Right No. 34-2386 is now described as follows:

Right Holder: CLIFFORD LAMBERT AND
MARILYN LAMBERT
2524 N 3300 W
ARCO, ID 83213

Priority Date: 9/9/1960

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

to 10/31

To

Diversion Rate

1.100 cfs

1.100 cfs

Diversion Volume

192.5 af

192.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNW Sec 26 Twp 04N Rge 26E BUTTE 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	
04N	26E	26								17.0	24.0	14.0							55.0

POU Total Acres: 55.0

CONDITIONS OF APPROVAL

1. Rights 34-264, 34-265, 34-434, and 34-2386 when combined shall not exceed a total diversion rate of 1.40 cfs and the irrigation of 55 acres.
2. 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.
3. 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. 34-14753

As Modified by Transfer No. 83566

In accordance with the approval of Transfer No. 83566, Water Right No. 34-14753 is now described as follows:

Right Holder: CLIFFORD LAMBERT
MARILYN LAMBERT
2524 N 3300 W
ARCO, ID 83213

Priority Date: 9/9/1960

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

to 10/31

To

Diversion Rate

0.560 cfs

0.560 cfs

Diversion Volume

98.0 af

98.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 14 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE					
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
05N	26E	10																		
05N	26E	14						1.0	21.0									11.0	11.0	
05N	26E	15	30.0			32.0													22.0	
																			62.0	

Right Acre Limit: 28.0

POU Total Acres: 95.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 28.0 acres within the authorized place of use in a single irrigation season.
2. Rights 34-7233, 34-14751, 34-14752, 34-14753, and 34-14754 when combined shall not exceed a total diversion rate of 2.41 cfs and the irrigation of 95.0 acres.
3. Prior to diversion and use of water under Transfer approval 83566, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Transfer No. 83566

WATER RIGHT NO. 34-14753
As Modified by Transfer No. 83566

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 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. 34.
7. 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.
8. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
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.

WATER RIGHT NO. 34-434
As Modified by Transfer No. 83566

In accordance with the approval of Transfer No. 83566, Water Right No. 34-434 is now described as follows:

Right Holder: CLIFFORD LAMBERT
 MARILYN LAMBERT
 2524 N 3300 W
 ARCO, ID 83213

Priority Date: 9/1/1886

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

From
 5/01

To
 to 10/15

Diversion Rate
 0.060 cfs
 0.060 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWNWNW Sec 26 Twp 04N Rge 26E BUTTE 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	
04N	26E	26								17.0	24.0	14.0							55.0

Right Acre Limit: 2.9
 POU Total Acres: 55.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.9 acres within the authorized place of use in a single irrigation season.
2. Rights 34-264, 34-265, 34-434, and 34-2386 when combined shall not exceed a total diversion rate of 1.40 cfs and the irrigation of 55 acres.
3. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
4. 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.
5. Water is delivered through the Munsey Canal.

Transfer No. 83566

WATER RIGHT NO. 34-434
As Modified by Transfer No. 83566

CONDITIONS OF APPROVAL

6. 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. 34-14754

As Modified by Transfer No. 83566

In accordance with the approval of Transfer No. 83566, Water Right No. 34-14754 is now described as follows:

Right Holder: CLIFFORD LAMBERT AND
MARILYN LAMBERT
2524 N 3300 W
ARCO, ID 83213

Priority Date: 9/1/1886

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
5/01

To
to 10/15

Diversion Rate
0.100 cfs
0.100 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SESE Sec 4 Twp 05N Rge 26E BUTTE 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	
05N	26E	10																11.0	11.0
05N	26E	14						1.0	21.0										22.0
05N	26E	15	30.0			32.0													62.0

Right Acre Limit: 5.1
POU Total Acres: 95.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.1 acres within the authorized place of use in a single irrigation season.
2. Rights 34-7233, 34-14751, 34-14752, 34-14753, and 34-14754 when combined shall not exceed a total diversion rate of 2.41 cfs and the irrigation of 95.0 acres.
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. 34.
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).

Transfer No. 83566

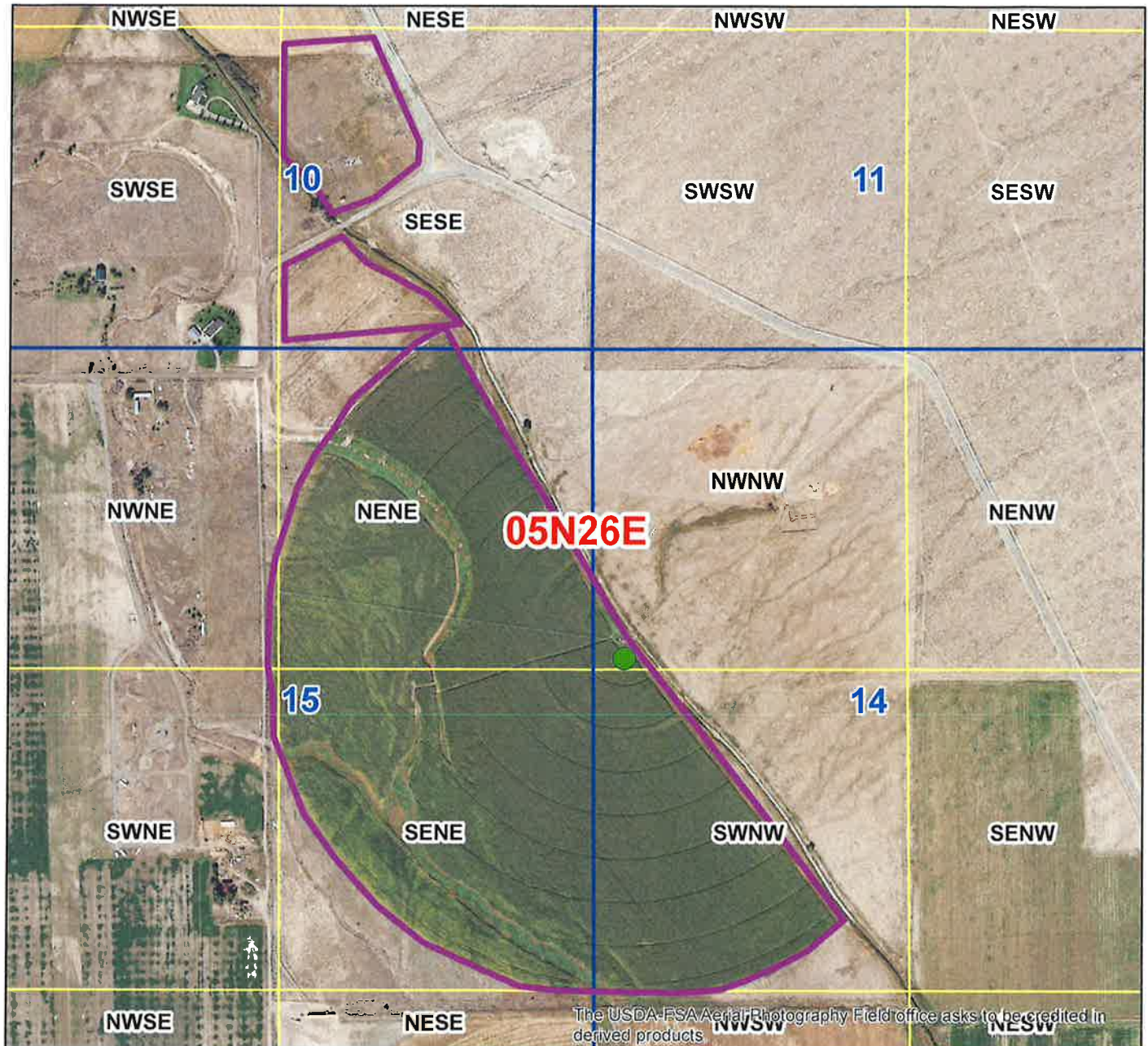
WATER RIGHT NO. 34-14754
As Modified by Transfer No. 83566

CONDITIONS OF APPROVAL

5. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
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. Water is delivered through the East Side Ditch.
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.

Attachment to Transfer Approval 83566

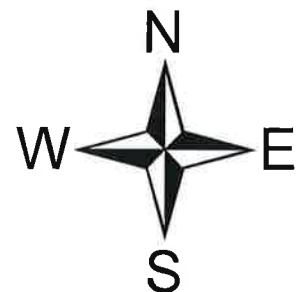
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections

0 375 750 1,500 Feet



Date: 12/17/2019



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 17, 2019

MARILYN LAMBERT
CLIFFORD LAMBERT
2524 N 3300 W
ARCO ID 83213

Re: Transfer No: 83566
Water Right No(s): 34-264, 34-265, 34-434, 34-2386, 34-7233

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,

A handwritten signature in blue ink, appearing to read 'CH' followed by a stylized flourish.

Christina Henman
Administrative Assistant

Enclosure

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was held)

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, request for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2019 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 83566

Water Right No(s): 34-264, 34-265, 34-434, 34-2386, 34-7233

**MARILYN LAMBERT
CLIFFORD LAMBERT
2524 N 3300 W
ARCO ID 83213**



**Christina Henman
Administrative Assistant**