

T#5278

NORTH FORK ENERGY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

Eastern
RECEIVED
JUN 11 1998

TRANSFER NO. 5278
WATER RIGHT NO(S). 35-07097/35-07098

Department of Water Resources
Eastern Region

This is to certify that: **NORTH FORK ENERGY INC**
PO BOX 5405
BOISE ID 83705

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 35-07097 :			
FISH PROPAGATION	01/01 to 12/31	4.00 CFS	
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Priority: 09/30/1969			
Right No. 35-07098 :			
FISH PROPAGATION	01/01 to 12/31	20.00 CFS	
Priority: 08/02/1969			
TOTAL:		* 24.00 CFS	** 1.2 AF

SOURCE

GROUNDWATER
SPRINGS

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 25, Township 04S, Range 32E
SWNW , Sec. 30, Township 04S, Range 33E
SWSWNW , Sec. 30, Township 04S, Range 33E
NWSW , Sec. 30, Township 04S, Range 33E
NWNWSW , Sec. 30, Township 04S, Range 33E
BINGHAM County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

04S 33E 30

SWNW

NWSW

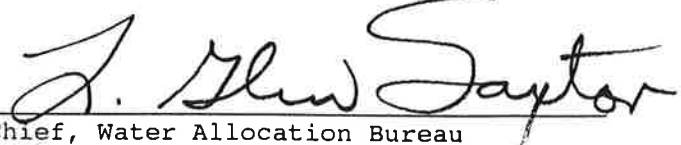
PLACE OF USE: DOMESTIC, same as FISH PROPAGATION use

TRANSFER NO. 5278
WATER RIGHT NO(S). 35-07097/35-07098

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. The right holder shall accomplish the change authorized by this transfer by April 30, 2002.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 6. The total instantaneous diversion of water from all points of diversion under Transfer No. 5278 shall not exceed 24.00 cfs.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of the diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
8. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
- ** 9. Right Nos. 35-07097 and 35-07098 are limited to historic facility and diversion volumes as determined by the Snake River Basin Adjudication.
- * 10. Multiple springs are located within SWSWNW and NWNWSW of S30, T04S, R33E.
- * 11. Four wells are located within the SWNW and two wells are located within NWSW of S30, T04S, R33E.

Dated this 9th day of June, 1998


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 35-07097 & 35-07098

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5278

DATE: June 5, 1998

Transfer 5278 was filed to change a groundwater point of diversion under Rights 35-07097 and 35-07098.

This transfer is a modification of previously approved Transfer 4994. When the applicant was ready to begin drilling the new well proposed in the NWSW, S30, T04S, R33E, it was found that the location of power lines precluded use of that site. By moving beyond the power lines the point of diversion needed to be relocated within SENE, S25, T04S, R32E.

Conditions are recommended the same as the previous transfer with minor changes to the location of the wells. Conditions include watermaster control, drilling permit requirements, multiple points of diversion/measuring devices, water quality, facility volumes and standard transfer conditions.