

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED **TRANSFER OF WATER RIGHT** ***AMENDED***
TRANSFER NO. 68302

Right Holder: CITY OF PRESTON
70 W ONEIDA
PRESTON ID 83263

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>
13-34	WR/Decreed	01/01/1880	12.00 cfs	N/A	N/A	N/A	N/A

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>
13-34	YES	YES	YES	YES	NO	YES

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>
13-34	13-34B	2.50 cfs	N/A	N/A	N/A	13-34A	9.50 cfs	N/A	N/A	N/A
COMBINED TOTALS		2.50 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of August, 2012

Chief, Water Allocation Bureau

Void per Order
 dated 01-25-2013
 See 11-9-2001 Approval.
 08 6-4-13

VOID

SUPPORT DATA

IN FILE # 13-34

SCANNED

AUG 15 2012

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED***

TRANSFER NO. 68302

Right Holder: CITY OF PRESTON
70 W ONEIDA
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13-34	WR/Decreed	01/01/1880	12.00 cfs	N/A	N/A	N/A	N/A

Purpose of Transfer (Changes Proposed)

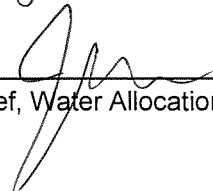
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
13-34	YES	YES	YES	YES	NO	YES

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>
13-34	13-34B	2.50 cfs	N/A	N/A	N/A	13-34A	9.50 cfs	N/A	N/A	N/A
COMBINED										
TOTALS		2.50 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of August, 2012



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 13-34

WATER RIGHT NO. 13-34A
As Modified by Transfer No. 68302

In accordance with the approval of Transfer No. 68302, Water Right No. 13-34A is now described as follows.

Right Holder: CUB RIVER IRRIGATION CO
C/O MERVIN J BODILY
PO BOX 215
LEWISTON UT 84320

Priority Date: January 01, 1880

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
DOMESTIC	11/01	to 03/31	9.50 CFS
STOCKWATER	11/01	to 03/31	<u>9.50 CFS</u>
			9.50 CFS

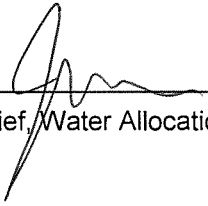
LOCATION OF POINT(S) OF DIVERSION:
CUB RIVER

CONDITIONS OF APPROVAL

1. The point of diversion, and month and day of priority date were not specified in decree.
2. Approval of Transfer 68302 is not a confirmation of the validity of this water right.

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 13th day of August, 20 12



Chief, Water Allocation Bureau

WATER RIGHT NO. 13-34B
As Modified by Transfer No. 68302

In accordance with the approval of Transfer No. 68302, Water Right No. 13-34B is now described as follows.

Right Holder: CITY OF PRESTON
70 W ONEIDA
PRESTON ID 83263

Priority Date: January 01, 1880

Source: BERGQUIST SPRING

Tributary: CUB RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	11/01 to	3/31	2.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

BERGQUIST SPRING SENENE Sec. 10 Twp 15S Rge 41E FRANKLIN County

CONDITIONS OF APPROVAL

1. The diversion and use of water described in Transfer 68302 may be subject to additional conditions and limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
2. 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. 13-A, Cub River.
3. 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.
4. Diversion of water from Berquist Spring is limited to those times water is available for diversion under this right and priority from Cub River.
5. Approval of Transfer 68302 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. Place of use is within the service area of the City of Preston municipal water supply system as provided for under Idaho Law.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

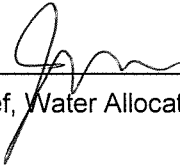
WATER RIGHT NO. 13-34B
As Modified by Transfer No. 68302

CONDITIONS OF 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.

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 13th day of August, 20 12



Chief, Water Allocation Bureau