

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXCHANGE OF WATER RIGHT
EXCHANGE NO. 77812

This is to certify that: ROBERT T BERASI And
 AMY BERASI
 26 SEVENTEEN MILE RD
 SALMON ID 83467
 (208)756-2902

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 42-240, 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>
74-852	WR/Decreed	11/01/1877	0.04 cfs	N/A	N/A	2.0	KENNEY CREEK

Purpose of Exchange (Changes Proposed)

Change the point of diversion from Kenney Creek to a point of diversion on the Lemhi River upstream of the confluence of Kenney Creek and the Lemhi River.

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Exchange Rate</u>	<u>Exchange 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>
74-852	74-852	0.04 cfs	N/A	N/A	2.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.04 cfs	N/A	N/A	2.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of May, 2012

for *Samuel S. Skager*
 Chief, Water Allocation Bureau

WATER RIGHT NO. 74-852
As Modified by Exchange No. 77812

In accordance with the approval of Exchange No. 77812, Water Right No. 74-852 is now described as follows.

Right Holder: AMY BERASI Or
 ROBERT T BERASI
 26 SEVENTEEN MILE RD
 SALMON ID 83467

Priority Date: November 01, 1877

Source: LEMHI RIVER
 KENNEY CREEK

Tributary: SALMON RIVER
 LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	3/15 to	11/15	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

KENNEY CREEK	SWSW	Sec. 29 Twp 20N	Rge 24E	LEMHI County
LEMHI RIVER	NWNE	Sec. 31 Twp 20N	Rge 24E	LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	24E	31			2.0														2.0

Total Acres: 2.0

CONDITIONS OF APPROVAL

1. 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. 74.
2. 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.
3. Exchange 77812 authorizes diversion of this right from the Lemhi River at the point of diversion described above, which is upstream of the confluence of the original source, Kenney Creek, and the Lemhi River.
4. Diversion of water from the Lemhi River is limited to those times water is available under this right and priority from Kenney Creek at the original point of diversion described above.

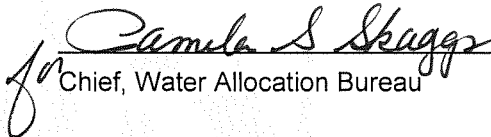
WATER RIGHT NO. 74-852
As Modified by Exchange No. 77812

CONDITIONS OF APPROVAL

5. Changes to Right 74-852 authorized under Exchange 77812 will remain in effect unless the right holder notifies the director that the exchange has been discontinued.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
7. Place of use does not include federal public lands.
8. The right holder shall accomplish the change authorized by this exchange within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this exchange is cause for the Director to rescind approval of the exchange.
10. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 1ST day of May, 2012


for _____
Chief, Water Allocation Bureau