

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77347**

This is to certify that: JOE S LOPES
602 W 620 N
SHOSHONE ID 83352
(208)886-7031
And

VERNA F LOPES
602 W 620 N
SHOSHONE ID 83352
(208)886-7031

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>
37-10175	WR/Decreed	10/11/1934	0.15 cfs	N/A	N/A	N/A	GROUND WATER
37-20617	WR/Decreed	06/01/1956	0.14 cfs	20.7 af	N/A	N/A	GROUND WATER
37-21570	WR/Decreed	02/18/1971	0.1 cfs	11.8 af	N/A	N/A	GROUND WATER
37-21571	WR/Decreed	12/03/1966	0.19 cfs	25.3 af	N/A	N/A	GROUND WATER
37-21572	WR/Decreed	10/18/1968	0.24 cfs	44.4 af	N/A	N/A	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>
37-10175	NO	NO	YES	YES	NO	NO
37-20617	NO	NO	YES	YES	NO	NO
37-21570	NO	NO	YES	YES	NO	NO
37-21571	NO	NO	YES	YES	NO	NO
37-21572	NO	NO	YES	YES	NO	NO

SUPPORT DATA

IN FILE # 37-10175

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77347

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-10175	37-10175	0.15 cfs	14.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37-20617	37-20617	0.14 cfs	20.7 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37-21570	37-21570	0.1 cfs	10.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37-21571	37-21571	0.19 cfs	22.8 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37-21572	37-21572	0.24 cfs	40 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.63 cfs	108.7 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of August, 2011


Southern Region Manager

WATER RIGHT NO. 37-10175
As Modified by Transfer No. 77347

In accordance with the approval of Transfer No. 77347, Water Right No. 37-10175 is now described as follows.

Right Holder: JOE S LOPES

602 W 620 N
 SHOSHONE ID 83352

And

VERNA F LOPES
 602 W 620 N
 SHOSHONE ID 83352

Priority Date: October 11, 1934

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.02 CFS	14.6 AF
STOCKWATER	01/01	to 12/31	0.13 CFS	14.6 AF
			0.15 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 35 Twp 04S Rge 16E LINCOLN County

GROUND WATER SESESW Sec. 35 Twp 04S Rge 16E LINCOLN County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04S 16E 35												X					

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04S 16E 35												X			X		

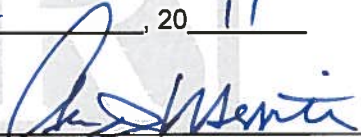
WATER RIGHT NO. 37-10175
As Modified by Transfer No. 77347

CONDITIONS OF APPROVAL

1. Parcel No. 04S16E356600 stockwater, 120 head.
2. Rights 37-10175, 37-20617, 37-21570, 37-21571, and 37-21572 are also diverted through the point of diversion described above.
3. 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.
4. 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. 130.
5. The quantity of water decreed for this water right is not a determination of historical beneficial use.
6. The quantity of water under this right shall not exceed 13,000 gallons per day.
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 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 3rd day of August, 20 11


Southern Region Manager

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
04S	16E	35												X			X		

WATER RIGHT NO. 37-21570
As Modified by Transfer No. 77347

CONDITIONS OF APPROVAL

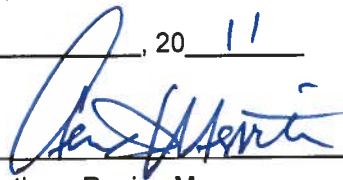
1. Rights 37-21570, 37-21571 and 37-21572 when combined shall not exceed a total diversion rate of 0.34 cfs.
2. Rights 37-10175, 37-20617, 37-21570, 37-21571 and 37-21572 are diverted through the point of diversion described above.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. 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. 130.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
7. Beginning on the date of approval of Transfer 71622, Rights 37-21570, 37-21571 and 37-21572 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements.
2008 through 2013 the rights are limited to 73.4 afa.
2014 through 2016 the rights are limited to 65.2 afa.
2017 and beyond the rights are limited to 57.9 afa.
8. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 71622. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
9. 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.
10. Prior to the diversion and use of water under Transfer approval 77347, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

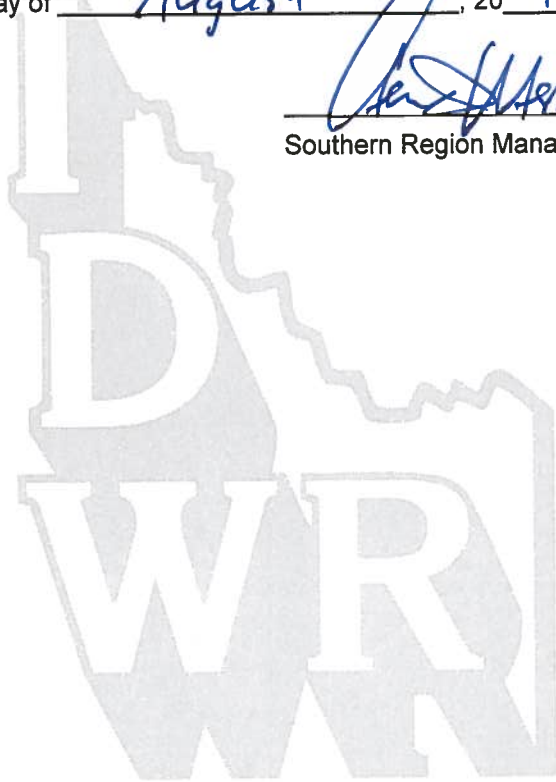
WATER RIGHT NO. 37-21570
As Modified by Transfer No. 77347

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 3rd day of August, 2011


Southern Region Manager



WATER RIGHT NO. 37-21571
As Modified by Transfer No. 77347

In accordance with the approval of Transfer No. 77347, Water Right No. 37-21571 is now described as follows.

Right Holder: JOE S LOPES

602 W 620 N
 SHOSHONE ID 83352

And

VERNA F LOPES
 602 W 620 N
 SHOSHONE ID 83352

Priority Date: December 03, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.19 CFS	22.8 AF
STOCKWATER	01/01	to 12/31	0.19 CFS	22.8 AF
			0.19 CFS	22.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 35 Twp 04S Rge 16E LINCOLN County

GROUND WATER SESESW Sec. 35 Twp 04S Rge 16E LINCOLN County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04S 16E 35												X			X		

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04S 16E 35												X			X		

WATER RIGHT NO. 37-21571
As Modified by Transfer No. 77347

CONDITIONS OF APPROVAL

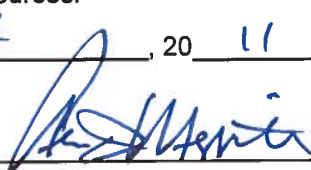
1. Rights 37-21571 and 37-21572 when combined shall not exceed a total diversion rate of 0.24 cfs.
2. Rights 37-21570, 37-21571 and 37-21572 when combined shall not exceed a total diversion rate of 0.34 cfs.
3. Rights 37-10175, 37-20617, 37-21570, 37-21571 and 37-21572 are diverted through the point of diversion described above.
4. 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.
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. 130.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Beginning on the date of approval of Transfer 71622, Rights 37-21570, 37-21571 and 37-21572 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements.
2008 through 2013 the rights are limited to 73.4 afa.
2014 through 2016 the rights are limited to 65.2 afa.
2017 and beyond the rights are limited to 57.9 afa.
9. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 71622. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
10. 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.
11. Prior to the diversion and use of water under Transfer approval 77347, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

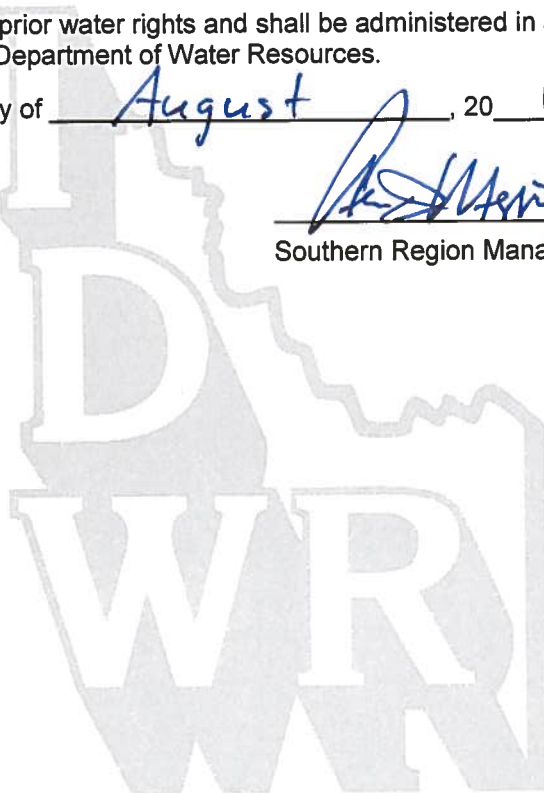
WATER RIGHT NO. 37-21571
As Modified by Transfer No. 77347

12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 3rd day of August, 2011


Southern Region Manager



Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
04S	16E	35												X			X		

WATER RIGHT NO. 37-21572
As Modified by Transfer No. 77347

CONDITIONS OF APPROVAL

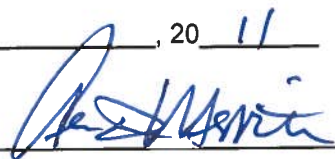
1. Rights 37-21571 and 37-21572 when combined shall not exceed a total diversion rate of 0.24 cfs.
2. Rights 37-21570, 37-21571 and 37-21572 when combined shall not exceed a total diversion rate of 0.34 cfs.
3. Rights 37-10175, 37-20617, 37-21570, 37-21571 and 37-21572 are diverted through the point of diversion described above.
4. 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.
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. 130.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Beginning on the date of approval of Transfer 71622, Rights 37-21570, 37-21571 and 37-21572 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements.
2008 through 2013 the rights are limited to 73.4 afa.
2014 through 2016 the rights are limited to 65.2 afa.
2017 and beyond the rights are limited to 57.9 afa.
9. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 71622. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
10. 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.
11. Prior to the diversion and use of water under Transfer approval 77347, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

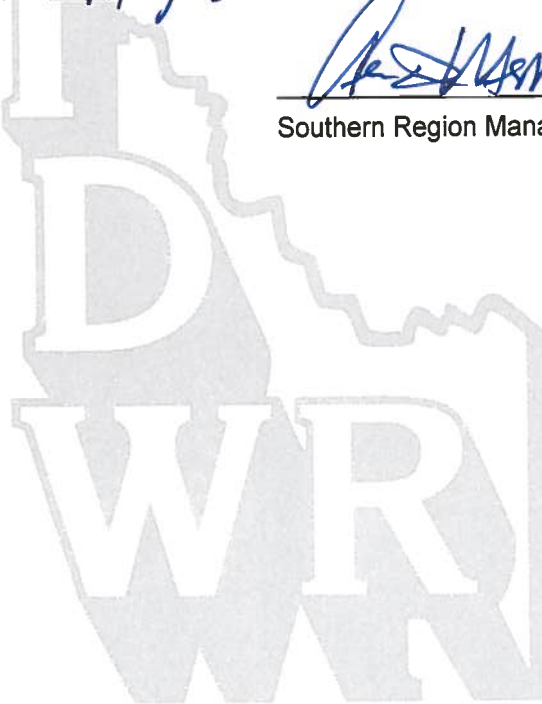
WATER RIGHT NO. 37-21572
As Modified by Transfer No. 77347

12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 3rd day of August, 20 11


Southern Region Manager



WATER RIGHT NO. 37-20617
As Modified by Transfer No. 77347

In accordance with the approval of Transfer No. 77347, Water Right No. 37-20617 is now described as follows.

Right Holder: JOE S LOPES
 602 W 620 N
 SHOSHONE ID 83352
 And

VERNA F LOPES
 602 W 620 N
 SHOSHONE ID 83352

Priority Date: June 01, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.14 CFS	20.7 AF
COMMERCIAL	01/01	to 12/31	0.14 CFS	20.7 AF
			0.14 CFS	20.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 35 Twp 04S Rge 16E LINCOLN County

GROUND WATER SESESW Sec. 35 Twp 04S Rge 16E LINCOLN County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 35												X				X	

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 35												X				X	

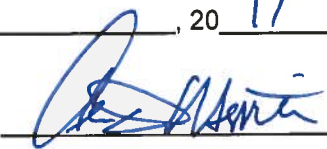
WATER RIGHT NO. 37-20617
As Modified by Transfer No. 77347

CONDITIONS OF APPROVAL

1. Rights 37-10175, 37-20617, 37-21570, 37-21571 and 37-21572 are diverted through the point of diversion described above.
2. Use of water under this right may be affected by an agreement between the protestant and the right holder.
3. 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.
4. 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. 130.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
6. Prior to the diversion and use of water under Transfer approval 77347, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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 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 3rd day of August, 20 11


Southern Region Manager