

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76277**

This is to certify that: DUANE H ISAAK
3235 S ISAAK LN
AMERICAN FALLS ID 83211
(208)226-2130

And

LA MAR R ISAAK
3298 S ISAAK LOOP
AMERICAN FALLS ID 83211
(208)226-2618

And

VIOLET R ISAAK
3298 S ISAAK LOOP
AMERICAN FALLS ID 83211
(208)226-2618

And

JENNIE LOIS OSBORN TRUST
C/O ESTHER ISAAK
3235 S ISAAK LANE
AMERICAN FALLS ID 83211
(208)226-2130

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>
41-4013B/01-10570	WR/Decreed	05/31/1890	1.6 cfs	N/A		80.0	SNAKE RIVER
41-51B/01-10569	WR/Decreed	04/02/1910	0.85 cfs	N/A		80.0	SNAKE RIVER

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>
41-4013B/01-10570	NO	NO	YES	NO	NO	NO
41-51B/01-10569	NO	NO	YES	NO	NO	NO

SUPPORT DATA

IN FILE # 41-51B

TRANSFER OF WATER RIGHT

TRANSFER NO. 76277

Summary of Water Rights After the Approved Change

Transferred Right	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
41-4013B/01-10570	1.6 cfs	N/A	80.0	86.4	N/A		N/A	N/A	N/A
41-51B/01-10569	0.85 cfs	N/A	80.0	86.4	N/A		N/A	N/A	N/A
COMBINED									
TOTALS	1.6 cfs	N/A	80.0	86.4	N/A		N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of March, 20 10



Southern Region Manager

WATER RIGHT NO. 41-51B / 01-10569
As Modified by Transfer No. 76277

In accordance with the approval of Transfer No. 76277, Water Right No. 41-51B is now described as follows.

Right Holder: JENNIE LOIS OSBORN TRUST

C/O ESTHER ISAAK
 3235 S ISAAK LANE
 AMERICAN FALLS ID 83211

And

DUANE H ISAAK
 3235 S ISAAK LN
 AMERICAN FALLS ID 83211

And

LA MAR R ISAAK
 3298 S ISAAK LOOP
 AMERICAN FALLS ID 83211

And

VIOLET R ISAAK
 3298 S ISAAK LOOP
 AMERICAN FALLS ID 83211

Priority Date: April 02, 1910

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01 to	12/31	0.05 CFS
IRRIGATION	04/01 to	10/31	0.85 CFS
			0.85 CFS

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L2 (SEWNNE) Sec. 15 Twp 09S Rge 29E POWER 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	
09S 29E 14						X	X										
09S 29E 15	X		X	X				X	X					X			
	L 1		L 9														

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	
09S 29E 14						18.8	3.5										22.3
09S 29E 15	7.1		22.8	19.8				.2	12.7					1.5			64.1
	L 1		L 9														

Total Acres: 86.4

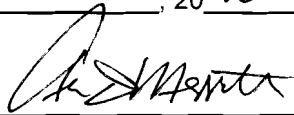
WATER RIGHT NO. 41-51B / 01-10569
As Modified by Transfer No. 76277

CONDITIONS OF APPROVAL

1. Right 41-51B is also recorded as Right 01-10569 to identify the diversion of Little Warm Creek water from the Snake River as a result of Transfer approval 3700 and 76277. These duplicate rights represent a single use of water as described on either right.
2. The use of water under this right is limited to those times when sufficient water is available at the mouth of Little Warm Creek to satisfy this right.
3. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
4. Rights 41-51B/01-10569 and 41-4013B/01-10570 when combined shall not exceed a total diversion rate of 1.60 cfs, and the irrigation of 80 acres.
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. 01.
6. The right holder shall maintain a totalizing 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.
7. This right does not grant any right-of-way or easement across the land of another.
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed under this right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 19th day of March, 20 10



Southern Region Manager

WATER RIGHT NO. 41-4013B / 01-10570
As Modified by Transfer No. 76277

In accordance with the approval of Transfer No. 76277, Water Right No. 41-4013B is now described as follows.

Right Holder: JENNIE LOIS OSBORN TRUST

C/O ESTHER ISAAK
 3235 S ISAAK LANE
 AMERICAN FALLS ID 83211
 And
 DUANE H ISAAK
 3235 S ISAAK LN
 AMERICAN FALLS ID 83211
 And
 LA MAR R ISAAK
 3298 S ISAAK LOOP
 AMERICAN FALLS ID 83211
 And
 VIOLET R ISAAK
 3298 S ISAAK LOOP
 AMERICAN FALLS ID 83211

Priority Date: May 31, 1890**Source:** SNAKE RIVER**Tributary:** COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01 to	12/31	0.05 CFS
IRRIGATION	04/01 to	10/31	1.60 CFS
			1.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L2 (SEWNWE) Sec. 15 Twp 09S Rge 29E POWER 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	
09S 29E 14						X	X										
09S 29E 15	X		X	X				X	X					X			
	L 1		L 9														

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	
09S 29E 14						18.8	3.5										22.3
09S 29E 15	7.1		22.8	19.8				.2	12.7					1.5			64.1
	L 1		L 9														

Total Acres: 86.4

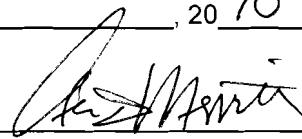
WATER RIGHT NO. 41-4013B / 01-10570
As Modified by Transfer No. 76277

CONDITIONS OF APPROVAL

1. Right 41-4013B is also recorded as Right 01-10570 to identify the diversion of Fall Creek water from the Snake River as a result of Transfer approval 3700 and 76277. These duplicate rights represent a single use of water as described on either right.
2. The use of water under this right is limited to those times when sufficient water is available at the mouth of Fall Creek to satisfy this right.
3. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
4. Rights 41-51B/01-10569 and 41-4013B/01-10570 when combined shall not exceed a total diversion rate of 1.60 cfs, and the irrigation of 80 acres.
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. 01.
6. The right holder shall maintain a totalizing 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.
7. This right does not grant any right-of-way or easement across the land of another.
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed under this right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 19th day of March, 20 10



Southern Region Manager