

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76290

This is to certify that: KAYE C NICKELL And
KENNETH G NICKELL
650 N 150 W
BLACKFOOT ID 83221
(208)681-8029

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>
35-11654	WR/Decreed	01/06/1953	10.8 cfs	3212 af	N/A	803.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

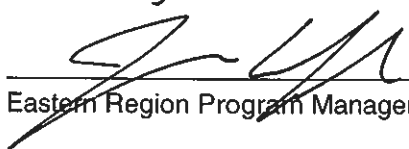
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-11654	NO	NO	YES	NO	NO	NO

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>
35-11654	35-11654	10.8 cfs	3212 af	N/A	803.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		10.8 cfs	3212 af	N/A	803.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of February, 2010



Eastern Region Program Manager

SUPPORT DATA

IN FILE # 35-11654

WATER RIGHT NO. 35-11654
As Modified by Transfer No. 76290

In accordance with the approval of Transfer No. 76290, Water Right No. 35-11654 is now described as follows.

Right Holder: KAYE C NICKELL And
 KENNETH G NICKELL
 650 N 150 W
 BLACKFOOT ID 83221

Priority Date: January 06, 1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	10.80 CFS	3,212.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNENW	Sec. 29 Twp 01N Rge 35E BINGHAM County
GROUND WATER	SWNESW	Sec. 29 Twp 01N Rge 35E BINGHAM 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	
01N	35E	29	34.4	38.3	39.5	35.5	38.4	38.0	38.9	38.6	38.0	38.0	39.0	39.7	33.7	38.0	40.0	33.0	601.0
01N	35E	30	38.7	21.7	8.0	39.1									38.9	10.7	6.5	38.4	202.0

Total Acres: 803

WATER RIGHT NO. 35-11654

As Modified by Transfer No. 76290

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 76290, 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.
2. 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.
3. 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. 120.
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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 24th day of February, 20 10



Eastern Region Program Manager