

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76114

This is to certify that: DENNIS M LAKE And
LUANN L LAKE
830 TABOR RD
BLACKFOOT ID 83221
(208) 684-4967

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>
35-13069	WR/Decreed	04/01/1980	2.2 cfs	N/A	N/A	773.5	GROUND WATER
35-7064B	WR/Decreed	01/24/1969	3.38 cfs	N/A	318.0	773.5	GROUND WATER
35-7065	WR/Decreed	01/24/1969	6.2 cfs	N/A	310.0	773.5	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>
35-13069	NO	NO	YES	NO	NO	NO
35-7064B	NO	NO	YES	NO	NO	NO
35-7065	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>
35-13069	35-13069	2.2 cfs	582 af	145.5	773.5		N/A	N/A	N/A	N/A
35-7064B	35-7064B	3.38 cfs	1272 af	318.0	773.5		N/A	N/A	N/A	N/A
35-7065	35-7065	6.2 cfs	1240 af	310.0	773.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		9.58 cfs	3094 af	773.5	773.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 8 day of December, 2009

Ernest Carlson
for _____
Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 35-7064B

WATER RIGHT NO. 35-7065
As Modified by Transfer No. 76114

In accordance with the approval of Transfer No. 76114, Water Right No. 35-7065 is now described as follows.

Right Holder: DENNIS M LAKE And
 LUANN L LAKE
 830 TABOR RD
 BLACKFOOT ID 83221

Priority Date: January 24, 1969

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	6.20 CFS	1,240.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWSW	Sec. 23 Twp 01N Rge 34E	BINGHAM County
GROUND WATER	NENESE	Sec. 27 Twp 01N Rge 34E	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	34E	22	2.0			12.1												6.9	21.0
01N	34E	23		3.2	36.9	2.0	2.8	8.2	29.7	37.4	35.9	2.6		31.5	1.7	35.8	35.4	2.1	265.2
01N	34E	26	2.6	34.6	10.7		37.5	36.6	33.1	39.7	39.8	35.3	4.2	8.7		12.2			295.0
01N	34E	27	35.4	2.0	39.1	38.7				9.8	8.6				20.2	38.2	.3		192.3

Total Acres: 773.5

CONDITIONS OF APPROVAL

- This right is limited to the irrigation of 310 acres within the place of use described above in a single irrigation season.
- Rights 35-7064B, 35-7065 and 35-13069 when combined shall not exceed a total diversion rate of 9.58 cfs, a total annual maximum diversion volume of 3094 af at the field headgate, and the irrigation of 773.5 acres.
 The use of water within T01N, R34E, S23, SESE shall be limited to the SWSESE.
 The use of water within T01N, R34E, S26, NENE shall be limited to the W1/2NENE.
 The use of water within T01N, R34E, S26, SWNE shall be limited to the SWSWNE.
 The use of water within T01N, R34E, S26, SESW shall be limited to the N1/2SESW.
 The use of water within T01N, R34E, S26, NWSE shall be limited to the W1/2NWSE.
- 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
- 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.

WATER RIGHT NO. 35-7065
As Modified by Transfer No. 76114

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 76114, 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.
6. 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.
7. The following rights are diverted through point(s) of diversion described above: 35-7064B, 35-7065 & 35-13069.
8. Right No. 35-13069 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. 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.
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. This right does not grant any right-of-way or easement across the land of another.
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 8 day of December, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-7064B
As Modified by Transfer No. 76114

In accordance with the approval of Transfer No. 76114, Water Right No. 35-7064B is now described as follows.

Right Holder: LUANN L LAKE And
 DENNIS M LAKE
 830 TABER RD
 BLACKFOOT ID 83221

Priority Date: January 24, 1969

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	3.38 CFS	1,272.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWSW	Sec. 23 Twp 01N	Rge 34E	BINGHAM County
GROUND WATER	NENESE	Sec. 27 Twp 01N	Rge 34E	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	34E	22	2.0			12.1												6.9	21.0
01N	34E	23		3.2	36.9	2.0	2.8	8.2	29.7	37.4	35.9	2.6		31.5	1.7	35.8	35.4	2.1	265.2
01N	34E	26	2.6	34.6	10.7		37.5	36.6	33.1	39.7	39.8	35.3	4.2	8.7		12.2			295.0
01N	34E	27	35.4	2.0	39.1	38.7				9.8	8.6				20.2	38.2	.3		192.3

Total Acres: 773.5

CONDITIONS OF APPROVAL

- This right is limited to the irrigation of 318 acres within the place of use described above in a single irrigation season.
- Rights 35-7064B, 35-7065 and 35-13069 when combined shall not exceed a total diversion rate of 9.58 cfs, a total annual maximum diversion volume of 3094 af at the field headgate, and the irrigation of 773.5 acres.
 The use of water within T01N, R34E, S23, SESE shall be limited to the SWSESE.
 The use of water within T01N, R34E, S26, NENE shall be limited to the W1/2NENE.
 The use of water within T01N, R34E, S26, SWNE shall be limited to the SWSWNE.
 The use of water within T01N, R34E, S26, SESW shall be limited to the N1/2SESW.
- 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
- 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.

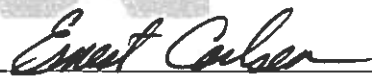
WATER RIGHT NO. 35-7064B
As Modified by Transfer No. 76114

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 76114, 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.
6. 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.
7. The following rights are diverted through point(s) of diversion described above: 35-7064B, 35-7065 & 35-13069.
8. Right No. 35-13069 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. 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.
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. This right does not grant any right-of-way or easement across the land of another.
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 8 day of December, 20 09


for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13069
As Modified by Transfer No. 76114

In accordance with the approval of Transfer No. 76114, Water Right No. 35-13069 is now described as follows.

Right Holder: LUANN L LAKE And
 DENNIS M LAKE
 830 TABER RD
 BLACKFOOT ID 83221

Priority Date: April 01, 1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.20 CFS	582.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWSW	Sec. 23 Twp 01N	Rge 34E	BINGHAM County
GROUND WATER	NENESE	Sec. 27 Twp 01N	Rge 34E	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	34E	22	2.0			12.1												6.9	21.0
01N	34E	23		3.2	36.9	2.0	2.8	8.2	29.7	37.4	35.9	2.6		31.5	1.7	35.8	35.4	2.1	265.2
01N	34E	26	2.6	34.6	10.7		37.5	36.6	33.1	39.7	39.8	35.3	4.2	8.7		12.2			295.0
01N	34E	27	35.4	2.0	39.1	38.7				9.8	8.6				20.2	38.2	.3		192.3

Total Acres: 773.5

CONDITIONS OF APPROVAL

- This right is for an enlargement of 145.5 acres within the place of use described for this right.
- Rights 35-7064B, 35-7065 and 35-13069 when combined shall not exceed a total diversion rate of 9.58 cfs, a total annual maximum diversion volume of 3094 af at the field headgate, and the irrigation of 773.5 acres.
 The use of water within T01N, R34E, S23, SESE shall be limited to the SWSESE.
 The use of water within T01N, R34E, S26, NENE shall be limited to the W1/2NENE.
 The use of water within T01N, R34E, S26, SWNE shall be limited to the SWSWNE.
 The use of water within T01N, R34E, S26, SESW shall be limited to the N1/2SESW.
 The use of water within T01N, R34E, S26, NWSE shall be limited to the W1/2NWSE.
- 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
- 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.

WATER RIGHT NO. 35-13069
As Modified by Transfer No. 76114

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 76114, 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.
6. 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.
7. The following rights are diverted through point(s) of diversion described above: 35-7064B, 35-7065 & 35-13069.
8. This right is based upon an enlargement of Right Nos. 35-7064B & 35-7065 pursuant to Section 42-1426, Idaho Code.
9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. This right does not grant any right-of-way or easement across the land of another.
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 8 day of December, 2009


for Ernest Carlson
Chief, Water Allocation Bureau