

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74353

This is to certify that: W. MICHAEL BAKER
 521 N 200 W
 TETONIA ID 83452
 208-456-6751

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>
22-13823	WR/License	01/08/1991	0.02 cfs	N/A	N/A	1.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

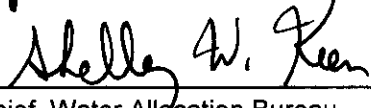
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-13823	NO	YES	YES	NO	NO	NO

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>
22-13823	22-13823	0.02 cfs	3.5 af	1.0	1.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.02 cfs	3.5 af	1.0	1.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of April, 2008



 Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13823
As Modified by Transfer No. 74353

In accordance with the approval of Transfer No. 74353, Water Right No. 22-13823 is now described as follows.

Right Holder: W. MICHAEL BAKER
 521 N 200 W
 TETONIA ID 83452

Priority Date: January 08, 1991

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 10/15	0.02 CFS	3.5 AF
		0.02 CFS	3.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 33 Twp 06N Rge 45E TETON 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	
06N 45E 33																	1.0
																	1.0

Total Acres: 1

CONDITIONS OF APPROVAL

- Point of diversion and place of use is located within Lot 01, Blk. 01, D Diamond Ranch Subdivision.
- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 April, 2008

Shelly W. Keen
 for _____
 Chief, Water Allocation Bureau