

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73570**

This is to certify that: LOWREY HASCALL KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

And

TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

have 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>
37-33	AJC/Decreed	07/01/1887	0.72 cfs	N/A	N/A	12.0	BIG WOOD RIVER

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

<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>
37-21128	AJC/Beneficial Use	12/31/1962	0.12 cfs	36 af	N/A	12.0	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>
37-33	NO	YES	NO	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>
37-33	37-33	0.24 cfs	N/A	N/A	12.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.24 cfs	N/A	N/A	12.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of September, 20 07

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 37-33

WATER RIGHT NO. 37-33
As Modified by Transfer No. 73570

In accordance with the approval of Transfer No. 73570, Water Right No. 37-33 is now described as follows.

Right Holder: LOWREY HASCALL KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

And

TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

Priority Date: July 01, 1887

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	0.24 CFS
			0.24 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NWNE Sec. 35 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	18E	35	1.0	11.0															12.0

Total Acres: 12

WATER RIGHT NO. 37-33
As Modified by Transfer No. 73570

CONDITIONS OF APPROVAL

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. Rights 37-33 and 37-21128 when combined shall not exceed a total diversion rate of 0.24 cfs and the irrigation of 12 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
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. 37.
5. The right holder shall maintain a 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(s).
6. The source at the point of diversion for this right is known locally as the Clearwater Slough.
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 20th day of September, 20 07

Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21128
As Modified by Transfer No. 73570

In accordance with the approval of Transfer No. 73570, Water Right No. 37-21128 is now described as follows.

Right Holder: LOWREY HASCALL KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

And

TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

Priority Date: December 31, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.12 CFS	36.0 AF
			0.12 CFS	36.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNE Sec. 35 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	18E	35	1.0	11.0															12.0

Total Acres: 12

WATER RIGHT NO. 37-21128
As Modified by Transfer No. 73570

CONDITIONS OF APPROVAL

1. Right Nos. 37-33 and 37-21128 are limited to the irrigation of a combined total of 12 acres in a single irrigation season.
2. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. Right 37-12539 is also diverted through the point of diversion described above.
4. Right Nos. 37-33 and 37-21128 are limited to a total combined diversion rate of 0.24 cfs.
5. 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 20th day of September, 2007



Chief, Water Allocation Bureau