

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72208

This is to certify that: RICK And SHARON HAWKER
1876 S 50 E
OAKLEY ID 83346
(208)862-3489

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>
45-2444B	WR/Decreed	04/30/1953	0.60 cfs	292.8 af	94.7	147.7	GROUND WATER
45-11164	WR/Decreed	06/30/1985	0.22 cfs	N/A	53.0	147.7	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>
45-2444B	NO	NO	YES	NO	YES	YES
45-11164	NO	NO	YES	NO	YES	YES

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>
45-2444B	45-2444B	0.60 cfs	14.6 af	N/A	N/A		N/A	N/A	N/A	N/A
45-11164	45-11164	N/A	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.60 cfs	14.6 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of August, 2006



Chief, Water Allocation Bureau

SUPPORT DATA:

IN FILE # 45-2444B

WATER RIGHT NO. 45-2444B
As Modified by Transfer No. 72208

In accordance with the approval of Transfer No. 72208, Water Right No. 45-2444B is now described as follows.

Right Holder: DENNIS K SMITH
 PO BOX 233
 OAKLEY ID 83346

Priority Date: April 30, 1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.60 CFS	14.6 AF
			0.60 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 20 Twp 13S Rge 22E CASSIA 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	
13S	22E	20										X	X						

CONDITIONS OF APPROVAL

1. Right 45-11164, an expansion of this right pursuant to Section 42-1416B, Idaho Code, shall be considered abandoned through the approval of Transfer 72208.
2. Use of water under Transfer 72208 is subject to the Water Use Agreement, dated June 28, 2006, limiting the use of 10 shares of water from Oakley Canal Company.
3. Prior to the diversion and use of water under Transfer approval 72208, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
4. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

WATER RIGHT NO. 45-2444B
As Modified by Transfer No. 72208

CONDITIONS OF APPROVAL

7. Right 45-2444A is also diverted through the point of diversion described above.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 10th day of August, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-11164
As Modified by Transfer No. 72208

In accordance with the approval of Transfer No. 72208, Water Right No. 45-11164 is now described as follows.

Right Holder: DENNIS K SMITH
 PO BOX 233
 OAKLEY ID 83346

Priority Date: June 30, 1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01 to 12/31	0.22 CFS
		0.22 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 20 Twp 13S Rge 22E CASSIA 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	
13S	22E	20															X	X	

CONDITIONS OF APPROVAL

- Right 45-11164, an expansion of Right 45-2444B pursuant to Section 42-1416B, Idaho Code, shall be considered abandoned through the approval of Transfer 72208.

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 10th day of August, 20 06


 Chief, Water Allocation Bureau