

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5400
WATER RIGHT NO. 34-04035C

This is to certify that: L & S PARTNERS
C/O STEVE ASLETT
PO BOX B
TWIN FALLS ID 833030015

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	* 1.31 CFS	* 229.3 AF

SOURCE

GROUNDWATER

Priority: 08/01/1960

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 1, Township 07N, Range 22E
SENE , Sec. 1, Township 07N, Range 22E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N 22E 1	SWNE 40.0	SENE 25.5		65.5
Total number of acres irrigated:				65.5

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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- * 5. The total instantaneous diversion of water from all points of diversion under Transfer 5400 shall not exceed 1.31 cfs, nor a total combined annual volume of 229.3 af.
- 6. The right holder shall accomplish the change authorized by this transfer within one (1) 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. Surface water Rights 34-00227K and 34-00830 have been relinquished through approval of Transfer 5400 to mitigate the use of groundwater as a primary source under Right 34-04035C.
- 9. This approval is specifically conditioned upon the terms and limitations contained in the Stipulation, Settlement, and Joint Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit 34-07591, In the Name of L & S Partners, numerous other captioned matters, and the Preliminary Order of the Department issued on November 18, 1999. this approval is subject to any future modifications resulting from or required by the terms of that Stipulation, the Preliminary Order of the Department, and the actions taken pursuant thereto.

Dated this 23rd day of March, 2000.


Chief, Water Allocation Bureau

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