

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72429

This is to certify that: BIG SKY WATER USERS ASSN
PO BOX 4962
POCATELLO ID 83205
(208) 233-5439

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
29-7722	WR/License	06/07/1983	2.36 cfs	466.0 af	N/A	116.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

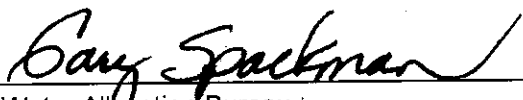
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
29-7722	YES	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
29-7722	29-13730	0.01 cfs	2.0 af	N/A	0.5	29-13729	2.35 cfs	464.0 af	N/A	115.5
COMBINED TOTALS		0.01 cfs	2.0 af	N/A	0.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of May, 2006



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 29-7722

WATER RIGHT NO. 29-13729
As Modified by Transfer No. 72429

In accordance with the approval of Transfer No. 72429, Water Right No. 29-13729 is now described as follows.

Right Holder: BIG SKY WATER USERS ASSN
 PO BOX 4962
 POCATELLO ID 83205

Priority Date: June 07, 1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	04/01	11/01	0.04 CFS	2.4 AF
IRRIGATION	04/01	11/01	2.31 CFS	462.0 AF
			2.35 CFS	464.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 6 Twp 06S Rge 33E POWER 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	
06S 33E 6													X	X	X	X	

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	
06S 33E 6													26.0	27.0	34.0	28.5	115.5

Total Acres: 115.5

CONDITIONS OF APPROVAL

1. 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).
2. 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.
3. 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.

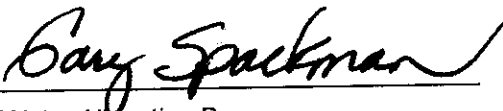
WATER RIGHT NO. 29-13729
As Modified by Transfer No. 72429

CONDITIONS OF APPROVAL

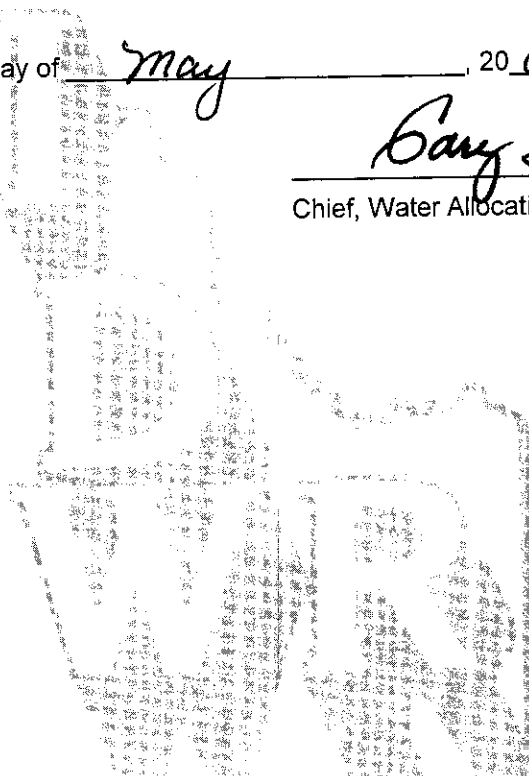
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. Approval of this transfer does not confirm the validity of this water right.

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 4th day of May, 2006



Chief, Water Allocation Bureau



WATER RIGHT NO. 29-13730
As Modified by Transfer No. 72429

In accordance with the approval of Transfer No. 72429, Water Right No. 29-13730 is now described as follows.

Right Holder: STEPHEN TOMLIN
 1886 FALCON CIRCLE EAST
 POCATELLO ID 83204

Priority Date: June 07, 1983

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	0.01 CFS	2.0 AF
		0.01 CFS	2.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 6 Twp 06S Rge 33E POWER 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	
06S 33E 6																	.5

Total Acres: 0.5

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. 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.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Prior to the diversion and use of water under Transfer 72429, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.

WATER RIGHT NO. 29-13730
As Modified by Transfer No. 72429

CONDITIONS OF APPROVAL

7. Place of use is located within Lots 5 and 6, Block 5, Big Sky North Subdivision.
8. 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.

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 4th day of May, 2006


Chief, Water Allocation Bureau