

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72491

This is to certify that: GUARDIAN LTD PARTNERSHIP NO 2
 PO BOX 1491
 IDAHO FALLS ID 83403
 (208)227-9008

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>
74-1072	AJC/Decreed	04/01/1965	0.88 cfs	N/A	N/A	018.6	HAYDEN CREEK
74-1073	AJC/Decreed	07/30/1902	10.80 cfs	N/A	N/A	232.2	HAYDEN CREEK

Purpose of Transfer (Changes Proposed)

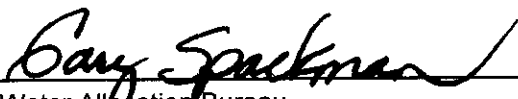
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
74-1072	NO	NO	YES	NO	NO	NO
74-1073	NO	NO	YES	NO	NO	NO

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>
74-1072	74-1072	0.88 cfs	N/A	18.6	1,036.7		N/A	N/A	N/A	N/A
74-1073	74-1073	10.80 cfs	N/A	232.2	1,036.7		N/A	N/A	N/A	N/A
COMBINED TOTALS		11.68 cfs	N/A	250.8	1036.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of April, 2006


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 74-1072

WATER RIGHT NO. 74-1072
As Modified by Transfer No. 72491

In accordance with the approval of Transfer No. 72491, Water Right No. 74-1072 is now described as follows.

Right Holder: GUARDIAN LTD PARTNERSHIP NO 2
 PO BOX 1491
 IDAHO FALLS ID 83403

Priority Date: April 01, 1965

Source: EAST FORK HAYDEN CREEK **Tributary:** HAYDEN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	0.88 CFS	
			0.88 CFS	

LOCATION OF POINT(S) OF DIVERSION:

EAST FORK HAYDEN CREEK NWNWSE Sec. 34 Twp 17N Rge 23E LEMHI 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	
17N 23E 1				19.1									30.1		9.3	38.0	96.5
17N 23E 12	19.4	20.7		26.4									16.2				82.7
17N 24E 5									14.3	13.8							28.1
17N 24E 6	.1	10.4	40.0	16.3	17.5		12.8	40.0	40.0	22.2	18.4	33.4	38.2	40.0	27.7	39.4	396.4
	L 1	L 2			L 3		L 5			L 6	L 7						
17N 24E 7	32.4	18.2	13.6	4.9	39.8	32.7	30.3	26.7	6.0	24.8							229.4
					L 1	L 2				L 3							
17N 24E 8						2.2											2.2
18N 24E 31				.4								22.0	27.9	2.5	33.8	34.7	121.3
												L 18					
18N 24E 32					4.0	.1	22.9	20.4	.3	26.2	6.2						80.1
					L 10	L 4											

Total Acres: 1036.7

WATER RIGHT NO. 74-1072
As Modified by Transfer No. 72491

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
5. 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. 74.
6. 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).
7. Right 74-1073 is also diverted through the point of diversion described above.
8. This right is limited to the irrigation of 18.6 acres within the place of use described above in a single irrigation season.
9. Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
10. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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 April, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 74-1073
As Modified by Transfer No. 72491

In accordance with the approval of Transfer No. 72491, Water Right No. 74-1073 is now described as follows.

Right Holder: GUARDIAN LTD PARTNERSHIP NO 2
 PO BOX 1491
 IDAHO FALLS ID 83403

Priority Date: July 30, 1902

Source: EAST FORK HAYDEN CREEK **Tributary:** HAYDEN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	10.80 CFS	
			10.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

EAST FORK HAYDEN CREEK NWNWSE Sec. 34 Twp 17N Rge 23E LEMHI 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	
17N 23E 1				19.1									30.1		9.3	38.0	96.5
17N 23E 12	19.4	20.7		26.4									16.2				82.7
17N 24E 5									14.3	13.8							28.1
17N 24E 6	.1	10.4	40.0	16.3	17.5		12.8	40.0	40.0	22.2	18.4	33.4	38.2	40.0	27.7	39.4	396.4
	L 1	L 2			L 3		L 5			L 6	L 7						
17N 24E 7	32.4	18.2	13.6	4.9	39.8	32.7	30.3	26.7	6.0	24.8							229.4
						L 1	L 2			L 3							
17N 24E 8						2.2											2.2
18N 24E 31				.4								22.0	27.9	2.5	33.8	34.7	121.3
												L 18					
18N 24E 32					4.0	.1	22.9	20.4	.3	26.2	6.2						80.1
					L 10	L 4											

Total Acres: 1036.7

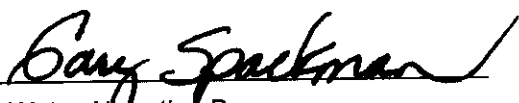
WATER RIGHT NO. 74-1073
As Modified by Transfer No. 72491

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.
5. 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. 74.
6. 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).
7. Right 74-1072 is also diverted through the point of diversion described above.
8. This right is limited to the irrigation of 232.2 acres within the place of use described above in a single irrigation season.
9. Rights 74-1073 and 74-1074 when combined shall not exceed the irrigation of 232.2 acres.
10. Rights 74-373, 74-374, 74-1068, 74-1073, and 74-1074 when combined shall not exceed the irrigation of 283.9 acres.
11. Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.
12. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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 April, 20 06


Chief, Water Allocation Bureau