

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69217

This is to certify that: DALTON GARDENS IRRIGATION DIST
6360 N 4TH ST
DALTON GARDENS ID 83815

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>
95-467	WR/Decreed	06/27/1906	14 cfs	3765 af		1,144.0	HAYDEN LAKE
95-467A	WR/Decreed	05/01/1958	6 cfs	1288 af		1,144.0	HAYDEN LAKE

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>
95-467	NO	NO	NO	NO	NO	NO
95-467A	NO	YES	YES	YES	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>
95-467	95-467	14.00 cfs	3765 af	N/A	1,401.8		N/A	N/A	N/A	N/A
95-467A	95-467A	6.00 cfs	1288 af	N/A	1,401.8		N/A	N/A	N/A	N/A
COMBINED TOTALS		20.00 cfs	5053 af	N/A	1401.8		N/A	N/A	N/A	N/A

Rights 95-467 and 95-467A are subject to the conditions of the Preliminary Order dated 02-21-2003 which has become final in the matter of Application for Transfer 69217.

Detailed Water Right Description(s) attached

Dated this 18 day of March, 2003

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 95-467A
As Modified by Transfer No. 69217

In accordance with the approval of Transfer No. 69217, Water Right No. 95-467A is now described as follows.

Right Holder: DALTON GARDENS IRRIGATION DIST
6360 N 4TH ST
DALTON GARDENS ID 83815

Priority Date: May 01, 1958

Source: HAYDEN LAKE

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	6.00 CFS	1,288.0 AF
			6.00 CFS	1,288.0 AF

LOCATION OF POINT(S) OF DIVERSION:

HAYDEN LAKE L2 (SENW) Sec. 19 Twp 51N Rge 03W KOOTENAI County

HAYDEN LAKE L5 (NESW) Sec. 19 Twp 51N Rge 03W KOOTENAI County

CONDITIONS OF APPROVAL

1. Rights 95-467 and 95-467A are limited to irrigation of 1401.8 within the boundary of Dalton Gardens Irrigation District pursuant to Section 43-323, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 95-467 and 95-467A shall not exceed 20.00 cfs, nor total combined annual volume of 5053.0 af.
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. 95A.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. Rights 95-467 and 95-467A when combined with all other water rights serving the lands of the Dalton Gardens Irrigation District shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the District lands.
6. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 95-467A
As Modified by Transfer No. 69217

CONDITIONS OF APPROVAL

7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 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.

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 18 day of March, 20 03

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 95-467
As Modified by Transfer No. 69217

In accordance with the approval of Transfer No. 69217, Water Right No. 95-467 is now described as follows.

Right Holder: DALTON GARDENS IRRIGATION DIST
6360 N 4TH ST
DALTON GARDENS ID 83815

Priority Date: June 27, 1906

Source: HAYDEN LAKE

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	14.00 CFS	3,765.0 AF
			14.00 CFS	3,765.0 AF

LOCATION OF POINT(S) OF DIVERSION:

HAYDEN LAKE L2 (SENW) Sec. 19 Twp 51N Rge 03W KOOTENAI County

HAYDEN LAKE L5 (NESW) Sec. 19 Twp 51N Rge 03W KOOTENAI County

CONDITIONS OF APPROVAL

1. Rights 95-467 and 95-467A are limited to irrigation of 1401.8 within the boundary of Dalton Gardens Irrigation District pursuant to Section 43-323, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 95-467 and 95-467A shall not exceed 20.00 cfs, nor total combined annual volume of 5053.0 af.
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. 95A.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. Rights 95-467 and 95-467A when combined with all other water rights serving the lands of the Dalton Gardens Irrigation District shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the District lands.
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CONDITIONS OF APPROVAL

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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.

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Dated this 18 day of March, 20 03

For 
Chief, Water Allocation Bureau