

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71622

This is to certify that: JOE S LOPES And
VERNA F LOPES
602 W 620 N
SHOSHONE ID 83352
(208)886-7031

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>
36-16255	WR/Decreed	02/18/1971	0.10 cfs	N/A	N/A	30.3	GROUND WATER
36-16287	WR/Decreed	12/03/1966	0.19 cfs	N/A	9.4	30.3	GROUND WATER
36-16289	WR/Decreed	10/18/1968	0.24 cfs	N/A	16.5	30.3	GROUND WATER

Purpose of Transfer (Changes Proposed)

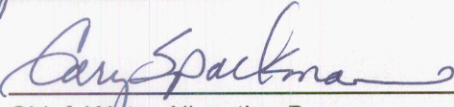
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-16255	NO	YES	YES	NO	YES	YES
36-16287	NO	YES	YES	NO	YES	YES
36-16289	NO	YES	YES	NO	YES	YES

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>
36-16255	37-21570	0.10 cfs	11.8 af	N/A	N/A		N/A	N/A	N/A	N/A
36-16287	37-21571	0.19 cfs	25.3 af	N/A	N/A		N/A	N/A	N/A	N/A
36-16289	37-21572	0.24 cfs	44.4 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.34 cfs	81.5 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 8th day of September, 2005


Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 36-16255

WATER RIGHT NO. 37-21571
As Modified by Transfer No. 71622

In accordance with the approval of Transfer No. 71622, Water Right No. 37-21571 is now described as follows.

Right Holder: VERNA F LOPES And
 JOE S LOPES
 602 W 620 N
 SHOSHONE ID 83352

Priority Date: December 03, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to	12/31	0.19 CFS	25.3 AF
STOCKWATER	01/01 to	12/31	0.19 CFS	25.3 AF
			0.19 CFS	25.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 35 Twp 04S Rge 16E LINCOLN County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	16E	35												X				X	
05S	16E	2			X				X										
					L 2				L 3										

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	
04S	16E	35												X					

CONDITIONS OF APPROVAL

1. Rights 37-21571 and 37-21572 when combined shall not exceed a total diversion rate of 0.24 cfs.
2. Rights 37-21570, 37-21571 and 37-21572 when combined shall not exceed a total diversion rate of 0.34 cfs.
3. Rights 37-10175, 37-20617, 37-21570, 37-21571, and 37-21572 are diverted through the point of diversion described above.
4. Prior to the diversion and use of water under Transfer approval 71622, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point of diversion, in accordance with Department specifications.
5. Beginning on the date of approval of Transfer 71622, Rights 37-21570, 37-21571 and 37-21572 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements.

2005 through 2007 the rights are limited to 81.5 afa.
 2008 through 2013 the rights are limited to 73.4 afa.
 2014 through 2016 the rights are limited to 65.2 afa.
 2017 and beyond the rights are limited to 57.9 afa.

WATER RIGHT NO. 37-21571
As Modified by Transfer No. 71622

CONDITIONS OF APPROVAL

6. 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. 130.
7. Commercial use is for a dairy with barn located in the SESW, S35, T04S, R16E.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 71622. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 8th day of September, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21572
As Modified by Transfer No. 71622

In accordance with the approval of Transfer No. 71622, Water Right No. 37-21572 is now described as follows.

Right Holder: VERNA F LOPES And
 JOE S LOPES
 602 W 620 N
 SHOSHONE ID 83352

Priority Date: October 18, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.24 CFS	44.4 AF
COMMERCIAL	01/01 to	12/31	0.24 CFS	44.4 AF
			0.24 CFS	44.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 35 Twp 04S Rge 16E LINCOLN 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	
04S 16E 35												X					

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 35												X				X	
05S 16E 2		X			X												
		L 2				L 3											

CONDITIONS OF APPROVAL

1. Rights 37-21571 and 37-21572 when combined shall not exceed a total diversion rate of 0.24 cfs.
2. Rights 37-21570, 37-21571 and 37-21572 when combined shall not exceed a total diversion rate of 0.34 cfs.
3. Rights 37-10175, 37-20617, 37-21570, 37-21571 and 37-21572 are diverted through the point of diversion described above.
4. Beginning on the date of approval of Transfer 71622, Rights 37-21570, 37-21571 and 37-21572 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements.

2005 through 2007 the rights are limited to 81.5 afa.
 2008 through 2013 the rights are limited to 73.4 afa.
 2014 through 2016 the rights are limited to 65.2 afa.
 2017 and beyond the rights are limited to 57.9 afa.

5. Prior to the diversion and use of water under Transfer approval 71622, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point of diversion, in accordance with Department specifications.

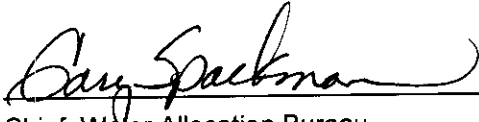
WATER RIGHT NO. 37-21572
As Modified by Transfer No. 71622

CONDITIONS OF APPROVAL

6. 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. 130.
7. Commercial use is for a dairy with barn located in the SESW, S35, T04S, R16E.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 71622. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 8th day of September, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21570
As Modified by Transfer No. 71622

In accordance with the approval of Transfer No. 71622, Water Right No. 37-21570 is now described as follows.

Right Holder: JOE S LOPES And
 VERNA F LOPES
 602 W 620 N
 SHOSHONE ID 83352

Priority Date: February 18, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to	12/31	0.10 CFS	11.8 AF
STOCKWATER	01/01 to	12/31	0.10 CFS	11.8 AF
			0.10 CFS	11.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 35 Twp 04S Rge 16E LINCOLN County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 16E 35												X				X	
05S 16E 2			X				X										
		L 2					L 3										

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	
04S 16E 35												X					

CONDITIONS OF APPROVAL

1. Rights 37-21570, 37-21571 and 37-21572 when combined shall not exceed a total diversion rate of 0.34 cfs.
2. Rights 37-10175, 37-20617, 37-21570, 37-21571 and 37-21572 are diverted through the point of diversion described above.
3. Beginning on the date of approval of Transfer 71622, Rights 37-21570, 37-21571 and 37-21572 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements.

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2017 and beyond the rights are limited to 57.9 afa.

4. Prior to the diversion and use of water under Transfer approval 71622, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point of diversion, in accordance with Department specifications.

WATER RIGHT NO. 37-21570
As Modified by Transfer No. 71622

CONDITIONS OF APPROVAL

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. 130.
6. Commercial use is for a dairy with barn located in the SESW, S35, T04S, R16E.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
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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 8th day of September, 2005



Chief, Water Allocation Bureau