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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70363

This is to certify that: DONNA S BYBEE Or
ROBERT B BYBEE
2014 E 1800 N
TERRETON ID 83450
(208)662-5526

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>
31-11459	WR/Decreed	09/02/1961	0.72 cfs	97 af	29.0	30.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

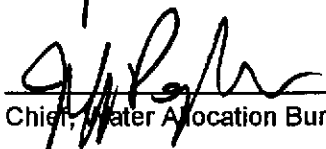
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
31-11459	YES	NO	NO	YES	NO	YES

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>
31-11459	31-11806	0.40 cfs	40.3 af	N/A	N/A	31-11805	0.32 cfs	45.0 af	N/A	13.9
COMBINED										
TOTALS		0.40 cfs	40.3 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 22 day of July, 2003

For 
Chief, Water Allocation Bureau

MICROFILMED
AUG 20 2003

WATER RIGHT NO. 31-11805
As Modified by Transfer No. 70363

In accordance with the approval of Transfer No. 70363, Water Right No. 31-11805 is now described as follows.

Right Holder: DONNA S BYBEE And
 ROBERT B BYBEE
 2014 E 1800 N
 TERRETON ID 83450

Priority Date: September 02, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.32 CFS	45.0 AF
			0.32 CFS	45.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 36 Twp 07N Rge 35e JEFFERSON
 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	
07N	35E	36																	13.9
Total Acres:																			13.9

CONDITIONS OF APPROVAL

- 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 22 day of July, 2003

For 
 Chief, Water Allocation Bureau

MICROFILMED

AUG 20 2003

WATER RIGHT NO. 31-11806
As Modified by Transfer No. 70363

In accordance with the approval of Transfer No. 70363, Water Right No. 31-11806 is now described as follows.

Right Holder: ROBERT B BYBEE And
 DONNA S BYBEE
 2014 E 1800 N
 TERRETON ID 83450

Priority Date: September 02, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.40 CFS	40.3 AF
			0.40 CFS	40.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 36 Twp 07N Rge 35E	JEFFERSON County
GROUND WATER	SESW	Sec. 36 Twp 07N Rge 35E	JEFFERSON County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE	NW	SW	SE	Totals
07N 35E 36	NE	NW	SW	SE	X

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. Prior to the diversion and use of water under Transfer approval 70363, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. The total instantaneous diversion of water from all points of diversion under Right 31-11806 shall not exceed 0.40 cfs, nor total combined annual volume of 40.3 af.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. 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.
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.

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 22 day of July, 20 03

MICROFILM FOR Chief Water Allocation Bureau

AUG 2 1 2003

MEMORANDUM

TO: FILE 31-11 806

FROM: VAULT

RE: TRANSFER # 70363

DATE: 7.22.03

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 31-11459

MICROFILMED
AUG 28 2003