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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-16192

4. 082 Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. 106 Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
6. 113 Beginning on the date of approval of Transfer 69120, Rights 36-8549, 36-15647, 36-15645, 36-15649 and 36-16192 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. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

 Year 2003 the rights are limited to 17.6 afa.
 Year 2004 the rights are limited to 51.3 afa.
 Years 2005 through 2007 the rights are limited to 54.1 afa.
 Years 2008 through 2012 the rights are limited to 62.5 afa.
 Years 2013 through 2017 the rights are limited to 68.1 afa.
 Years 2018 through 2022 the rights are limited to 72.0 afa.
 Years 2023 and beyond the rights are limited to 73.7 afa.
7. 114 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 69120. 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.
8. 115 Prior to the diversion and use of water under Transfer approval 69120, 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.
9. R05 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.
10. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T18 Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
13. T19 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.
14. WB4 The total instantaneous diversion of water from all points of diversion under Rights 36-8549, 36-15647, 36-15645, 36-15649 and 36-16192 shall not exceed 0.33 cfs, nor a total combined annual volume of 73.7 afa except as modified below.
15. WD8 The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.

Comments:

1. pskaggs 11/12/2003 1:27:51 PM Transferred Right
 Comment: This is now an approved transfer, transfer number = 69120

2. Renumber 11/12/2003 1:34:52 PM Renumber WR 36-16192
 Comment: This has been renumbered from 37-21143

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Dates and Other Information:

Decreed Date: 12/11/2002

Water District Number: 130

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