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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69569

This is to certify that: RICHARD F POTEET And/Or
SHERMA F POTEET
788 E 800 N
RUPERT ID 83350
(208)531-4090

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
36-2089	WR/Decreed	03/28/1950	4.84 cfs	1700.0 af		425.0	GROUND WATER
36-10852	WR/Decreed	01/01/1968	0.14 cfs			425.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

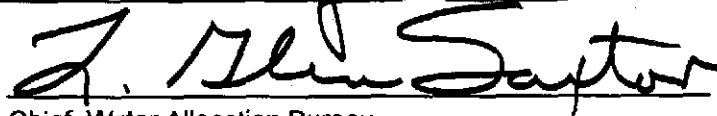
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-2089	NO	NO	YES	YES	NO	NO
36-10852	NO	NO	YES	YES	NO	NO

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>
36-2089	36-2089	4.84 cfs	1700.0 af	425.0	499.0		N/A	N/A	N/A	N/A
36-10852	36-10852	0.14 cfs		425.0	499.0		N/A	N/A	N/A	N/A
TOTALS		4.98 cfs	1700.0 af	425.0	499.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of February, 2002


Chief, Water Allocation Bureau

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FEB 25 2002

WATER RIGHT NO. 36-2089
As Modified by Transfer No. 69569

In accordance with the approval of Transfer No. 69569, Water Right No. 36-2089 is now described as follows.

Right Holder: RICHARD F POTEET And
 SHERMA F POTEET
 788 E 800 N
 RUPERT ID 83350

Priority Date: 03/28/1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	4.84 CFS	1,700.0 AF
			4.84 CFS	1,700.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESW Sec. 16 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	NESWNE Sec. 17 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	SEWNSE Sec. 17 Twp 08S	Rge 26E	BLAINE 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	
08S	26E	16	12.0	13.0	40.0	39.0	33.0	39.0	39.0	40.0	39.0	39.0	38.0	4.0	37.0	36.0	17.0	34.0	499.0

Total Acres: 499

CONDITIONS OF APPROVAL

1. Rights 36-2089 and 36-10852 when combined shall not exceed the total instantaneous diversion of water from all points of diversion of 4.98 cfs, nor a total annual maximum diversion volume of 1700.0 af at the field headgate, and the irrigation of 425.0 acres.
2. 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.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Approval of Transfer 69569 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A and 36-7823A are diverted through the point(s) of diversion described above.

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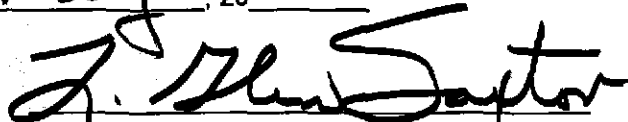
WATER RIGHT NO. 36-2089
As Modified by Transfer No. 69569

CONDITIONS OF APPROVAL

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.
8. 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 19th day of February, 2002


Chief, Water Allocation Bureau

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FEB 25 2002

WATER RIGHT NO. 36-10852
As Modified by Transfer No. 69569

In accordance with the approval of Transfer No. 69569, Water Right No. 36-10852 is now described as follows.

Right Holder: RICHARD F POTEET And
 SHERMA F POTEET
 788 E 800 N
 RUPERT ID 83350

Priority Date: 01/01/1968

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	0.14 CFS	
			0.14 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESW Sec. 16 Twp 08S Rge 26E BLAINE County
GROUND WATER	NESWNE Sec. 17 Twp 08S Rge 26E BLAINE County
GROUND WATER	SENWSE Sec. 17 Twp 08S Rge 26E BLAINE 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	
08S 26E 16	12.0	13.0	40.0	39.0	33.0	39.0	39.0	40.0	39.0	39.0	38.0	4.0	37.0	36.0	17.0	34.0	499.0

Total Acres: 499

CONDITIONS OF APPROVAL

1. Rights 36-2089 and 36-10852 when combined shall not exceed the total instantaneous diversion of water from all points of diversion of 4.98 cfs, nor a total annual maximum diversion volume of 1700.0 af at the field headgate, and the irrigation of 425.0 acres.
2. The quantity of water decreed for this water right is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
3. 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.
4. 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.

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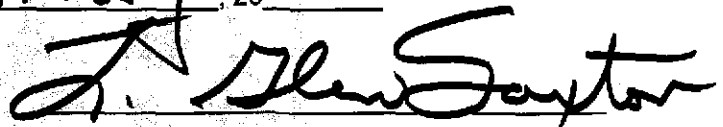
WATER RIGHT NO. 36-10852
As Modified by Transfer No. 69569

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Approval of Transfer 69569 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A and 36-7823A are diverted through the point(s) of diversion described above.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 19th day of February, 2002


Chief, Water Allocation Bureau

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FEB 25 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO -4 AM 10:24
I.R.C.P. 54(b) FOR
Water Right 36-10852

DISTRICT COURT - 5th
TWIN FALLS, IDAHO
FEB 25 1997

NAME & ADDRESS: RICHARD F POTEET
SHERMA F POTEET
788 EAST 800 NORTH
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.14 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1968

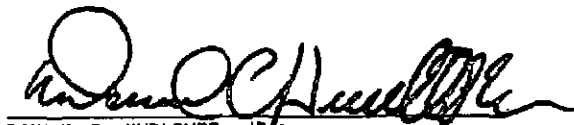
POINT OF DIVERSION: T08S R26E S16 NENE Within BLAINE County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.14 CFS

PLACE OF USE: STOCKWATER Within BLAINE County
T08S R26E S16 NENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

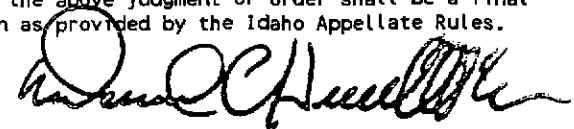
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MEMORANDUM

TO: FILE 36-10852

FROM: VAULT

RE: TRANSFER # 69569

DATE: 12-26-01

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

FILE # 36-2089

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FEB 25 2002