

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED*****TRANSFER NO. 70974**

This is to certify that: HAYDEN LAKE IRRIGATION DISTRICT
PO BOX 162
HAYDEN ID 83835
(208)772-2612

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>
95-7800	WR/License	11/16/1977	3.80 cfs	2081.3 af	N/A	1,025.0	GROUND WATER
95-8581	WR/License	04/25/1988	12.92 cfs	3407.6 af	N/A	1,025.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

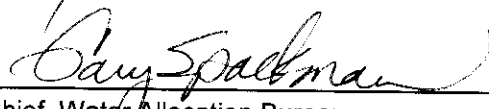
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
95-7800	NO	YES	YES	YES	YES	YES
95-8581	NO	YES	YES	YES	YES	YES

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>
95-7800	95-7800	3.80 cfs	2751.1 af	N/A	N/A		N/A	N/A	N/A	N/A
95-8581	95-8581	12.92 cfs	4537.0 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		16.72 cfs	7288.1 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of July, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 95-7800
As Modified by Transfer No. 70974

In accordance with the approval of Transfer No. 70974, Water Right No. 95-7800 is now described as follows.

Right Holder: HAYDEN LAKE IRRIGATION DISTRICT
PO BOX 162
HAYDEN ID 83835

Priority Date: November 16, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	3.80 CFS	2,751.1 AF
			3.80 CFS	2,751.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENE	Sec. 14 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NENE	Sec. 14 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SWSE	Sec. 15 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SWSE	Sec. 15 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SWSE	Sec. 15 Twp 51N	Rge 04W KOOTENAI County

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 95-7800 and 95-8581 shall not exceed 16.72 cfs, nor a total combined annual volume of 7288.1 af.
2. 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.
3. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. 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.
5. Place of use is within the service area of Hayden Lake Irrigation District as provided for under Idaho law. The place of use is generally located within Sections 11, 14, 15, 16, 21, 22, 23, 26, 27; Township 51N; Range 4W.
6. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 95-7800
As Modified by Transfer No. 70974

CONDITIONS OF APPROVAL

7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The right holder shall accomplish the change authorized by this transfer within five (5) years of the date of this approval.
10. 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 12th day of July, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 95-8581
As Modified by Transfer No. 70974

In accordance with the approval of Transfer No. 70974, Water Right No. 95-8581 is now described as follows.

Right Holder: HAYDEN LAKE IRRIGATION DISTRICT
PO BOX 162
HAYDEN ID 83835

Priority Date: April 25, 1988

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01 to	12/31	10.92 CFS	4,237.0 AF
IRRIGATION	03/15 to	11/15	2.00 CFS	300.0 AF
			12.92 CFS	4,537.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENE	Sec. 14 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NENE	Sec. 14 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	SWSE	Sec. 15 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	SWSE	Sec. 15 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	SWSE	Sec. 15 Twp 51N Rge 04W KOOTENAI County

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 95-7800 and 95-8581 shall not exceed 16.72 cfs, nor a total combined annual volume of 7,288.1af.
2. 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.
3. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. 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.
5. Place of use is within the service area of Hayden Lake Irrigation District as provided for under Idaho law. The place of use is generally located within Sections 11, 14, 15, 16, 21, 22, 23, 26, 27; Township 51N; Range 4W.
6. This right does not grant any right-of-way or easement across the land of another.

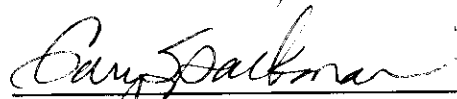
WATER RIGHT NO. 95-8581
As Modified by Transfer No. 70974

CONDITIONS OF APPROVAL

7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. This right when combined with all other rights 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 lands above.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within five (5) years of the date of this approval.
11. 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 12th day of July, 2004



Chief, Water Allocation Bureau