

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70843

This is to certify that: ROBERT C BAKER Or
MARIANNE A BAKER
1230 N 18TH E
MOUNTAIN HOME ID 83647

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>
61-12043	WR/Decreed	04/23/1964	0.02 cfs	6.3 af	1.4	1.7	GROUND WATER
61-12047	WR/Decreed	03/15/1977	0.01 cfs	N/A	0.3	1.7	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>
61-12043	NO	YES	YES	NO	NO	NO
61-12047	NO	YES	YES	NO	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>
61-12043	61-12043	0.02 cfs	6.3 af	1.4	1.7		N/A	N/A	N/A	N/A
61-12047	61-12047	0.01 cfs	N/A	0.3	1.7		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.02 cfs	6.3 af	1.7	1.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of May, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-12043
As Modified by Transfer No. 70843

In accordance with the approval of Transfer No. 70843, Water Right No. 61-12043 is now described as follows.

Right Holder: ROBERT C BAKER Or
 MARIANNE A BAKER
 1230 N 18TH E
 MOUNTAIN HOME ID 83647

Priority Date: April 23, 1964

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	0.02 CFS	6.3 AF
			0.02 CFS	6.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSW Sec. 19 Twp 03S Rge 07E ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03S 07E 19										1.7							1.7

Total Acres: 1.7

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

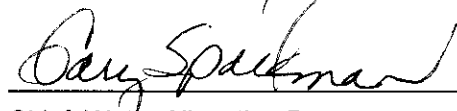
WATER RIGHT NO. 61-12043
As Modified by Transfer No. 70843

CONDITIONS OF APPROVAL

5. Right 61-12043 retains its priority date of April 23, 1964 and right 61-12047 retains its priority date of March 15, 1977 relative to actions to distribute water that relates to management of the Mountain Home Ground Water Management Area overall. Diversion and use of water is subordinate to all rights to use ground water existing within the immediate area of the point of diversion on the date of this approval. Any water management dispute relative to increased draw downs of the water table or depletion of ground water resulting from this approval is presumed to be within the immediate area, resulting in a subordination of the water right.
6. Prior to diversion and use of water under this transfer approval, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications and shall report the amount of water diverted to the Department at the end of each calendar year.
7. This right is limited to the irrigation of 1.4 acres within the place of use described above in a single irrigation season.
8. Rights 61-12043 and 61-12047 when combined shall not exceed a total diversion rate of 0.02 cfs, a total annual maximum diversion volume of 6.3 af at the field headgate, and the irrigation of 1.7 acres.
9. 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.
10. 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 10-26-2000.
11. Right 61-12047 is an enlargement of Right 61-12043 pursuant to Section 42-1426, Idaho Code.
12. Right 61-12047 is also diverted through the point(s) of diversion described above.

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 3rd day of May, 2004



Chief, Water Allocation Bureau

**WATER RIGHT NO. 61-12047
As Modified by Transfer No. 70843**

In accordance with the approval of Transfer No. 70843, Water Right No. 61-12047 is now described as follows.

Right Holder: ROBERT C BAKER Or
MARIANNE A BAKER
1230 N 18TH E
MOUNTAIN HOME ID 83647

Priority Date: March 15, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.01 CFS	
			0.01 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSW Sec. 19 Twp 03S Rge 07E ELMORE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03S	07E	19																	1.7

Total Acres: 1.7

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 61-12047
As Modified by Transfer No. 70843

CONDITIONS OF APPROVAL

5. Right 61-12043 retains its priority date of April 23, 1964 and right 61-12047 retains its priority date of March 15, 1977 relative to actions to distribute water that relates to management of the Mountain Home Ground Water Management Area overall. Diversion and use of water is subordinate to all rights to use ground water existing within the immediate area of the point of diversion on the date of this approval. Any water management dispute relative to increased draw downs of the water table or depletion of ground water resulting from this approval is presumed to be within the immediate area, resulting in a subordination of the water right.
6. Prior to diversion and use of water under this transfer approval, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications and shall report the amount of water diverted to the Department at the end of each calendar year.
7. This right is limited to the irrigation of 0.3 acres within the place of use described above in a single irrigation season.
8. Rights 61-12043 and 61-12047 when combined shall not exceed a total diversion rate of 0.02 cfs, a total annual maximum diversion volume of 6.3 af at the field headgate, and the irrigation of 1.7 acre.
9. 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.
10. Right 61-12047 is an enlargement of Right 61-12043 pursuant to Section 42-1426, Idaho Code.
11. Right 61-12043 is also diverted through the point(s) of diversion described above.

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 30th day of May, 2004



Chief, Water Allocation Bureau