

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70989

This is to certify that: L & W STONE CORP
PO BOX 789
CHALLIS ID 83226
(208)-879-5924

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>
72-7247	WR/Decreed	02/03/1983	0.11 cfs	12 af	N/A	4.0	SALMON RIVER

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>
72-7247	NO	NO	YES	NO	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>
72-7247	72-7247	0.11 cfs	10 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.11 cfs	10 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 72-7247
As Modified by Transfer No. 70989

In accordance with the approval of Transfer No. 70989, Water Right No. 72-7247 is now described as follows.

Right Holder: L & W STONE CORP
 PO BOX 789
 CHALLIS ID 83226

Priority Date: February 03, 1983

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MINING	04/01 to	11/01	0.11 CFS	10.0 AF
DIVERSION TO STORAGE	04/01 to	11/01	0.11 CFS	
MINING STORAGE	01/01 to	12/31		1.5 AF
MINING FROM STORAGE	11/02 to	03/31		1.5 AF
	Totals:		0.11 CFS	10.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER L5 (SWNWSE) Sec. 11 Twp 11N Rge 18E CUSTER County

PLACE OF USE: MINING & MINING FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 18E 11														X	X		
11N 18E 22	X		X	X									X	L 5	L 8	X	
11N 18E 23	L 1		L 3	L 4					X	X	X	X					
11N 18E 26					X	X											
11N 18E 27	X																

PLACE OF USE: MINING STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 18E 11														X	X		
														L 5	L 8		

WATER RIGHT NO. 72-7247
As Modified by Transfer No. 70989

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
2. 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.
3. Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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 27th day of February, 2004



Chief, Water Allocation Bureau