

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70394

This is to certify that: NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83835
(208)772-3619

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>
95-7138	WR/License	03/25/1971	0.14 cfs	60.6 af	N/A	N/A	GROUND WATER
95-7713	WR/License	03/30/1977	0.04 cfs	29.0 af	N/A	N/A	GROUND WATER
95-7827	WR/License	03/29/1978	0.20 cfs	55.2 af	N/A	N/A	GROUND WATER
95-8522	WR/License	08/20/1986	0.61 cfs	441.6 af	N/A	119.0	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>
95-7138	NO	NO	YES	YES	NO	YES
95-7713	NO	NO	YES	YES	NO	YES
95-7827	NO	NO	YES	YES	NO	YES
95-8522	NO	NO	YES	YES	NO	YES

Summary of Water Rights After the Approved Change

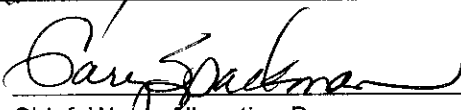
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
95-7138	95-7138	0.14 cfs	60.6 af	N/A			N/A	N/A		N/A
95-7713	95-7713	0.04 cfs	29.0 af	N/A			N/A	N/A		N/A
95-7827	95-7827	0.20 cfs	55.2 af	N/A			N/A	N/A		N/A
95-8522	95-8522	0.61 cfs	441.6 af	N/A			N/A	N/A		N/A

COMBINED

TOTALS	0.99 cfs	586.4 af				N/A	N/A		N/A
---------------	-----------------	-----------------	--	--	--	------------	------------	--	------------

Detailed Water Right Description(s) attached

Dated this 26th day of January, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 95-7827
As Modified by Transfer No. 70394

In accordance with the approval of Transfer No. 70394, Water Right No. 95-7827 is now described as follows.

Right Holder: NORTH KOOTENAI WATER DISTRICT
 PO BOX 2290
 HAYDEN ID 83835

Priority Date: March 29, 1978

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	0.20 CFS	55.2 AF
			0.20 CFS	55.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSW	Sec. 2 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWNE	Sec. 11 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWNWNE	Sec. 11 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWNE	Sec. 14 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	L7 (SWSE)	Sec. 15 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SESW	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SWSE	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWSW	Sec. 24 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SESE	Sec. 23 Twp 51N	Rge 05W KOOTENAI County
GROUND WATER	NESW	Sec. 32 Twp 51N	Rge 05W KOOTENAI County
GROUND WATER	SESW	Sec. 32 Twp 51N	Rge 05W KOOTENAI County
GROUND WATER	SENE	Sec. 7 Twp 52N	Rge 03W KOOTENAI County
GROUND WATER	SWNW	Sec. 8 Twp 52N	Rge 03W KOOTENAI County
GROUND WATER	NWSE	Sec. 18 Twp 52N	Rge 03W KOOTENAI County
GROUND WATER	L1 (SENE)	Sec. 6 Twp 52N	Rge 04W KOOTENAI County
GROUND WATER	SESE	Sec. 17 Twp 52N	Rge 04W KOOTENAI County
GROUND WATER	SESE	Sec. 17 Twp 52N	Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec. 28 Twp 52N	Rge 04W KOOTENAI County

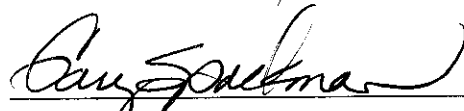
WATER RIGHT NO. 95-7827
As Modified by Transfer No. 70394

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. This right does not grant any right-of-way or easement across the land of another.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. 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.
6. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of any management plan approved by the director for the RPGWMA. If the director determines that the ground water supply in the RPGWMA is insufficient to meet the demands of prior water rights within the RPGWMA, the director may order the diversion and use of water under this right to be reduced or curtailed until the director determines that there is sufficient ground water available for this right.
7. Rights 95-7138, 95-7713, and 95-8522 are also diverted through the points of diversion described above.
8. 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.
9. The total instantaneous diversion of water from all points of diversion under Rights 95-7827, 95-8522, 95-7713 and 95-7138 shall not exceed 0.99 cfs.
10. Place of use is within the service area of North Kootenai Water District as provided for under Idaho law. The place of use is generally described within Township 51N, Range 3W, 4W & 5W, Township 52N, Range 3W & 4W, Township 53N, Range 3W, 4W & 5W.

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 26th day of January, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 95-8522
As Modified by Transfer No. 70394

In accordance with the approval of Transfer No. 70394, Water Right No. 95-8522 is now described as follows.

Right Holder: NORTH KOOTENAI WATER DISTRICT
 PO BOX 2290
 HAYDEN ID 83835

Priority Date: August 20, 1986

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	0.61 CFS	441.6 AF
			0.61 CFS	441.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSW	Sec. 2 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWNE	Sec. 11 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWNWNE	Sec. 11 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWNE	Sec. 14 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	L7 (SWSE)	Sec. 15 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SESW	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SWSE	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWSW	Sec. 24 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SESE	Sec. 23 Twp 51N	Rge 05W KOOTENAI County
GROUND WATER	NESW	Sec. 32 Twp 51N	Rge 05W KOOTENAI County
GROUND WATER	SESW	Sec. 32 Twp 51N	Rge 05W KOOTENAI County
GROUND WATER	SENE	Sec. 7 Twp 52N	Rge 03W KOOTENAI County
GROUND WATER	SWNW	Sec. 8 Twp 52N	Rge 03W KOOTENAI County
GROUND WATER	NWSE	Sec. 18 Twp 52N	Rge 03W KOOTENAI County
GROUND WATER	L1 (SENE)	Sec. 6 Twp 52N	Rge 04W KOOTENAI County
GROUND WATER	SESE	Sec. 17 Twp 52N	Rge 04W KOOTENAI County
GROUND WATER	SESE	Sec. 17 Twp 52N	Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec. 28 Twp 52N	Rge 04W KOOTENAI County

WATER RIGHT NO. 95-8522
As Modified by Transfer No. 70394

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. This right does not grant any right-of-way or easement across the land of another.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. 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.
6. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of any management plan approved by the director for the RPGWMA. If the director determines that the ground water supply in the RPGWMA is insufficient to meet the demands of prior water rights within the RPGWMA, the director may order the diversion and use of water under this right to be reduced or curtailed until the director determines that there is sufficient ground water available for this right.
7. Rights 95-7138, 95-7713, and 95-7827 are also diverted through the points of diversion described above.
8. 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.
9. The total instantaneous diversion of water from all points of diversion under Rights 95-7827, 95-8522, 95-7713 and 95-7138 shall not exceed 0.99 cfs.
10. Place of use is within the service area of North Kootenai Water District as provided for under Idaho law. The place of use is generally described within Township 51N, Range 3W, 4W & 5W, Township 52N, Range 3W & 4W, Township 53N, Range 3W, 4W & 5W.

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 26th day of January, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 95-7713
As Modified by Transfer No. 70394

In accordance with the approval of Transfer No. 70394, Water Right No. 95-7713 is now described as follows.

Right Holder: NORTH KOOTENAI WATER DISTRICT
 PO BOX 2290
 HAYDEN ID 83835

Priority Date: March 30, 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	0.04 CFS	29.0 AF
			0.04 CFS	29.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWW	Sec. 2 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWNE	Sec. 11 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWNWNE	Sec. 11 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWNE	Sec. 14 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	L7 (SWSE)	Sec. 15 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SESW	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SWSE	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWSW	Sec. 24 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SESE	Sec. 23 Twp 51N	Rge 05W KOOTENAI County
GROUND WATER	NESW	Sec. 32 Twp 51N	Rge 05W KOOTENAI County
GROUND WATER	SESW	Sec. 32 Twp 51N	Rge 05W KOOTENAI County
GROUND WATER	SENE	Sec. 7 Twp 52N	Rge 03W KOOTENAI County
GROUND WATER	SWNW	Sec. 8 Twp 52N	Rge 03W KOOTENAI County
GROUND WATER	NWSE	Sec. 18 Twp 52N	Rge 03W KOOTENAI County
GROUND WATER	L1 (SENE)	Sec. 6 Twp 52N	Rge 04W KOOTENAI County
GROUND WATER	SESE	Sec. 17 Twp 52N	Rge 04W KOOTENAI County
GROUND WATER	SESE	Sec. 17 Twp 52N	Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec. 28 Twp 52N	Rge 04W KOOTENAI County

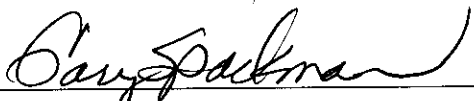
WATER RIGHT NO. 95-7713
As Modified by Transfer No. 70394

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. This right does not grant any right-of-way or easement across the land of another.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. 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.
6. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of any management plan approved by the director for the RPGWMA. If the director determines that the ground water supply in the RPGWMA is insufficient to meet the demands of prior water rights within the RPGWMA, the director may order the diversion and use of water under this right to be reduced or curtailed until the director determines that there is sufficient ground water available for this right.
7. Rights 95-7138, 95-7827, and 95-8522 are also diverted through the points of diversion described above.
8. 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.
9. The total instantaneous diversion of water from all points of diversion under Rights 95-7827, 95-8522, 95-7713 and 95-7138 shall not exceed 0.99 cfs.
10. Place of use is within the service area of North Kootenai Water District as provided for under Idaho law. The place of use is generally described within Township 51N, Range 3W, 4W & 5W, Township 52N, Range 3W & 4W, Township 53N, Range 3W, 4W & 5W.

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 26th day of January, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 95-7138
As Modified by Transfer No. 70394

In accordance with the approval of Transfer No. 70394, Water Right No. 95-7138 is now described as follows.

Right Holder: NORTH KOOTENAI WATER DISTRICT
 PO BOX 2290
 HAYDEN ID 83835

Priority Date: March 25, 1971

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	0.14 CFS	60.6 AF
			0.14 CFS	60.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWW	Sec. 2 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWNE	Sec. 11 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWNWNE	Sec. 11 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWNE	Sec. 14 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	L7 (SWSE)	Sec. 15 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SESW	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SWSE	Sec. 23 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	NWSW	Sec. 24 Twp 51N	Rge 04W KOOTENAI County
GROUND WATER	SESE	Sec. 23 Twp 51N	Rge 05W KOOTENAI County
GROUND WATER	NESW	Sec. 32 Twp 51N	Rge 05W KOOTENAI County
GROUND WATER	SESW	Sec. 32 Twp 51N	Rge 05W KOOTENAI County
GROUND WATER	SENE	Sec. 7 Twp 52N	Rge 03W KOOTENAI County
GROUND WATER	SWNW	Sec. 8 Twp 52N	Rge 03W KOOTENAI County
GROUND WATER	NWSE	Sec. 18 Twp 52N	Rge 03W KOOTENAI County
GROUND WATER	L1 (SENE)	Sec. 6 Twp 52N	Rge 04W KOOTENAI County
GROUND WATER	SESE	Sec. 17 Twp 52N	Rge 04W KOOTENAI County
GROUND WATER	SESE	Sec. 17 Twp 52N	Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec. 28 Twp 52N	Rge 04W KOOTENAI County

WATER RIGHT NO. 95-7138
As Modified by Transfer No. 70394

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. This right does not grant any right-of-way or easement across the land of another.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. 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.
6. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of any management plan approved by the director for the RPGWMA. If the director determines that the ground water supply in the RPGWMA is insufficient to meet the demands of prior water rights within the RPGWMA, the director may order the diversion and use of water under this right to be reduced or curtailed until the director determines that there is sufficient ground water available for this right.
7. Rights 95-7827, 95-7713, and 95-8522 are also diverted through the points of diversion described above.
8. 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.
9. The total instantaneous diversion of water from all points of diversion under Rights 95-7827, 95-8522, 95-7713 and 95-7138 shall not exceed 0.99 cfs.
10. Place of use is within the service area of North Kootenai Water District as provided for under Idaho law. The place of use is generally described within Township 51N, Range 3W, 4W & 5W, Township 52N, Range 3W & 4W, Township 53N, Range 3W, 4W & 5W.

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 26th day of January, 2004



Chief, Water Allocation Bureau