

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70715

This is to certify that: THE BAKER FAMILY TRUST

533 E 240 N

RUPERT ID 83350-9447

(208) 436-9131

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>
36-2128	WR/Decreed	06/07/1951	2.62 cfs	N/A	N/A	240.0	GROUND WATER
36-7405	WR/Decreed	11/08/1973	1.16 cfs	N/A	N/A	240.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

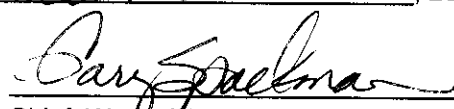
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-2128	NO	NO	YES	NO	NO	NO
36-7405	NO	NO	YES	NO	NO	NO

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>
36-2128	36-2128	2.62 cfs	960 af	N/A	240.0		N/A	N/A	N/A	N/A
36-7405	36-7405	1.16 cfs	566 af	N/A	240.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		3.78 cfs	960 af	240	240		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 22nd day of December, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2128
As Modified by Transfer No. 70715

In accordance with the approval of Transfer No. 70715, Water Right No. 36-2128 is now described as follows.

Right Holder: THE BAKER FAMILY TRUST
533 E 240 N
RUPERT ID 83350-9447

Priority Date: June 07, 1951

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	2.62 CFS	960.0 AF
			2.62 CFS	960.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWSW Sec. 3 Twp 07S Rge 24E MINIDOKA 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
07S	24E	3	13.7	13.7	38.0	38.0	35.8	35.8	32.5	32.5									240.0
			L 3	L 4															

Total Acres: 240

WATER RIGHT NO. 36-2128
As Modified by Transfer No. 70715

CONDITIONS OF APPROVAL

1. Rights 36-2128 and 36-7405 when combined shall not exceed a total annual maximum diversion volume of 960 af at the field headgate, and the irrigation of 240 acres.
2. 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.
3. Right 36-7405 is also diverted through the point(s) of diversion described above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
5. Prior to the diversion and use of water under Transfer approval 70715, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
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 22nd day of December, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-7405
As Modified by Transfer No. 70715

In accordance with the approval of Transfer No. 70715, Water Right No. 36-7405 is now described as follows.

Right Holder: THE BAKER FAMILY TRUST
 533 E 240 N
 RUPERT ID 83350-9447

Priority Date: November 08, 1973

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	1.16 CFS	566.0 AF
			1.16 CFS	566.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWSW Sec. 3 Twp 07S Rge 24E MINIDOKA 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	
07S	24E	3					13.7	13.7	38.0	38.0	35.8	35.8	32.5	32.5					240.0
				L 3				L 4											

Total Acres: 240

WATER RIGHT NO. 36-7405
As Modified by Transfer No. 70715

CONDITIONS OF APPROVAL

1. Rights 36-2128 and 36-7405 when combined shall not exceed a total annual maximum diversion volume of 960 af at the field headgate, and the irrigation of 240 acres.
2. 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.
3. Right 36-2128 is also diverted through the point(s) of diversion described above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
5. Prior to the diversion and use of water under Transfer approval 70715, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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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 22nd day of December, 2003


Chief, Water Allocation Bureau