

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4439
WATER RIGHT NO. 63-10572

This is to certify that: **SPURWING LIMITED PARTNERSHIP**
C/O JOCK HEWITT
3278 N SHAMROCK LANE
BOISE ID 83704

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	2.56 CFS	576.0 AF
COMMERCIAL	01/01 to 12/31	0.34 CFS	20.8 AF
Totals		* 2.90 CFS	* 596.8 AF

SOURCE
GROUNDWATER

Priority: 02/22/1988

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 23, Township 04N, Range 01W
NWSW , Sec. 23, Township 04N, Range 01W
SESW , Sec. 23, Township 04N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 01W 23	SWNW 2	SENW 5	NESW 25	
	NWSW 29	SWSW 34	SESW 33	128
Total number of acres irrigated:				128

PLACE OF USE: COMMERCIAL

TWN RGE SEC
04N 01W 23 SESW

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
5. The right holder shall maintain control of surface water associated with the 16.8 acres removed from irrigation use and apply the water when available to the remaining irrigated acres under this right.
6. After specific notification by the department, the right holder shall install a suitable measuring device 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.
7. 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.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 4439 shall not exceed 2.90 cfs, nor a total combined annual volume of 596.8 af.
9. The right holder must maintain records of diversions and uses conducted under this water right, and must provide copies of these records to the department upon request. Improper delivery of water under this right is cause for voiding the transfer.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year 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.
12. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
13. Commercial use is for a clubhouse.

Dated this 28th day of June, 1999.



Chief, Water Allocation Bureau

SCANNED
DEC 29 2002

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