

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81567**

This is to certify that: **STEVEN BURTENSHAW LEGACY LLC**
1202 N 1900 E
TERRETON, ID 83450-5209

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
31-11345	WR/DECREED	4/1/1981	0.330 cfs	99.4 af	28.4	308.0	GROUND WATER
31-7003	WR/DECREED	11/1/1967	3.550 cfs	978.6 af	279.6	308.0	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>
31-11345	NO	NO	YES	NO	NO	NO
31-7003	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>
31-11345	31-11345	0.330 cfs	99.4 af	28.4	308.0	N/A	N/A	N/A	N/A	N/A
31-7003	31-7003	3.550 cfs	978.6 af	279.6	308.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.550 cfs	1078.0 af	308.0	308.0		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 17th day of July, 2017.



Water Resources Program Manager

Transfer No. 81567

SUPPORT DATA
IN FILE # 31-7003

WATER RIGHT NO. 31-7003**As Modified by Transfer No. 81567**

In accordance with the approval of Transfer No. 81567, Water Right No. 31-7003 is now described as follows:

Right Holder: STEVEN BURTENSHAW LEGACY LLC
1202 N 1900 E
TERRETON, ID 83450-5209

Priority Date: 11/1/1967

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 10/15

Diversion Rate

3.550 cfs

3.550 cfs

Diversion Volume

978.6 af

978.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWNESW

Sec 3 Twp 05N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	35E	3							39.0	34.0	33.9	40.0	40.0	39.0					225.9
									L 4	L 3									
05N	35E	4				5.1													5.1
						L 1													
05N	35E	10					37.0	40.0											77.0

Right Acre Limit: 279.6

POU Total Acres: 308.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 279.6 acres within the authorized place of use in a single irrigation season.
2. Rights 31-7003 and 31-11345 when combined shall not exceed a total diversion rate of 3.55 cfs, a total annual maximum diversion volume of 1078 af at the field headgate, and the irrigation of 308 acres.
3. Use of water under this right may 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. 110.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 81567

WATER RIGHT NO. 31-7003

As Modified by Transfer No. 81567

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 81567, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. Right No. 31-11345 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. This right does not grant any right-of-way or easement across the land of another.
10. The period of use for the irrigation described under this right may continue to the date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/22/2002.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 31-11345**As Modified by Transfer No. 81567**

In accordance with the approval of Transfer No. 81567, Water Right No. 31-11345 is now described as follows:

Right Holder: STEVEN BURTENSHAW LEGACY LLC
1202 N 1900 E
TERRETON, ID 83450-5209

Priority Date: 4/1/1981

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 10/31

Diversion Rate

0.330 cfs

0.330 cfs

Diversion Volume

99.4 af

99.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWNESW

Sec 3 Twp 05N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	35E	3							39.0	34.0	33.9	40.0	40.0	39.0					225.9
									L 4	L 3									
05N	35E	4				5.1													5.1
						L 1													
05N	35E	10					37.0	40.0											77.0

Right Acre Limit: 28.4

POU Total Acres: 308.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 28.4 acres within the place of use described for this right.
2. Rights 31-7003 and 31-11345 when combined shall not exceed a total diversion rate of 3.55 cfs, a total annual maximum diversion volume of 1078 af at the field headgate, and the irrigation of 308 acres.
3. Use of water under this right may 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. 110.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 81567

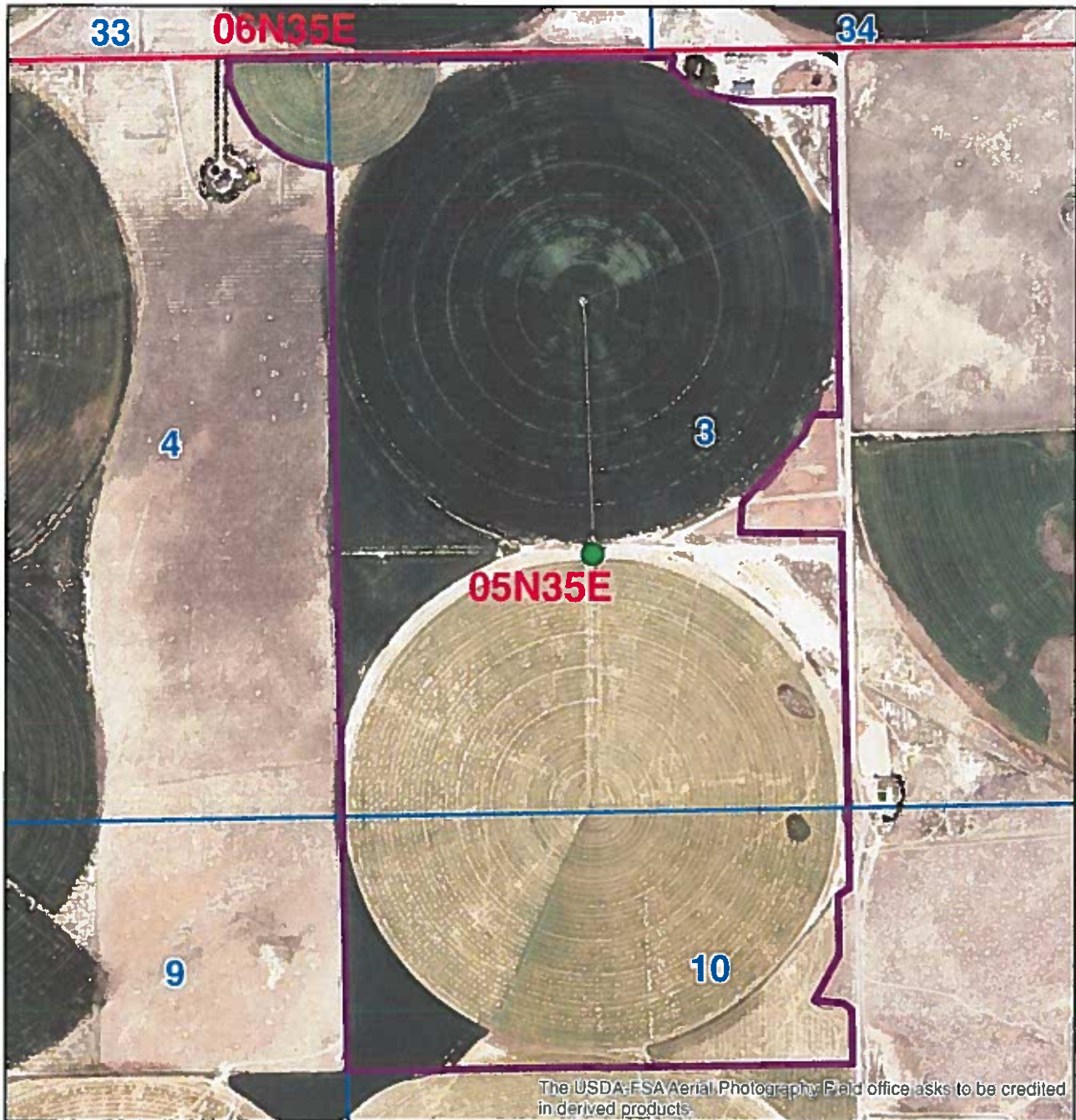
WATER RIGHT NO. 31-11345
As Modified by Transfer No. 81567

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 81567, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one 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. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer Approval 81567

This map depicts the IRRIGATION place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections

0 375 750 1,500 Feet

1 inch = 834 feet

