

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79583

This is to certify that: KAYLENE BURTENSHAW AND
LYNN BURTENSHAW
1758 N 1000 E
TERRETON, ID 83450

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>
35-13708	WR/DECREED	4/3/1984	1.400 cfs	320.0 af	N/A	80.0	GROUND WATER
35-7537	WR/DECREED	10/14/1975	6.990 cfs	1572.0 af	N/A	393.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

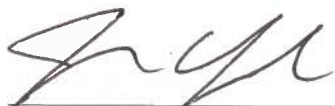
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-13708	NO	NO	YES	NO	NO	NO
35-7537	NO	YES	YES	NO	NO	NO

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>
35-13708	35-13708	1.400 cfs	320.0 af	80.0	473.0	N/A	N/A	N/A	N/A	N/A
35-7537	35-7537	6.990 cfs	1572.0 af	393.0	473.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		6.990 cfs	1892.0 af	473.0	473.0		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 26th day of January, 2015.


for Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 79583

IN FILE # 35-7537

WATER RIGHT NO. 35-7537
As Modified by Transfer No. 79583

In accordance with the approval of Transfer No. 79583, Water Right No. 35-7537 is now described as follows:

Right Holder: KAYLENE BURTENSHAW AND
 LYNN BURTENSHAW
 1758 N 1000 E
 TERRETON, ID 83450

Priority Date: 10/14/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	6.990 cfs 6.990 cfs	1572.0 af 1572.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSNW Sec 4 Twp 04N Rge 36E 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	
04N	36E	4		33.7	19.0		39.0	31.5	27.0	30.0	25.5	24.8	27.6	29.0					287.1
				L 2			L 3	L 4											
04N	36E	9			3.0		31.0	29.6	23.5	36.0	36.3	23.5				3.0			185.9

Right Acre Limit: 393.0

POU Total Acres: 473.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 393 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7537 and 35-13708 when combined shall not exceed a total diversion rate of 6.99 cfs, a total annual maximum diversion volume of 1892 af at the field headgate, and the irrigation of 473 acres.
3. 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. 120.
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.

WATER RIGHT NO. 35-7537

As Modified by Transfer No. 79583

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79583, 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 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. Right No. 35-13708 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

WATER RIGHT NO. 35-13708**As Modified by Transfer No. 79583**

In accordance with the approval of Transfer No. 79583, Water Right No. 35-13708 is now described as follows:

Right Holder: KAYLENE BURTENSHAW AND
LYNN BURTENSHAW
1758 N 1000 E
TERRETON, ID 83450

Priority Date: 4/3/1984

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

1.400 cfs

1.400 cfs

Diversion Volume

320.0 af

320.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSNW Sec 4 Twp 04N Rge 36E 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	
04N	36E	4		33.7	19.0		39.0	31.5	27.0	30.0	25.5	24.8	27.6	29.0					287.1
				L 2			L 3	L 4											
04N	36E	9			3.0		31.0	29.6	23.5	36.0	36.3	23.5				3.0			185.9

Right Acre Limit: 80.0

POU Total Acres: 473.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 80 acres within the place of use described for this right.
2. Rights 35-7537 and 35-13708 when combined shall not exceed a total diversion rate of 6.99 cfs, a total annual maximum diversion volume of 1892 af at the field headgate, and the irrigation of 473 acres.
3. 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. 120.
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.

WATER RIGHT NO. 35-13708

As Modified by Transfer No. 79583

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79583, 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 4.0 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 is based upon an enlargement of Right No. 35-7537 pursuant to Section 42-1426, Idaho Code.
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 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.