

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73890

This is to certify that: STERLING LANDSCAPE CO
JOHN H STERLING
4663 W USTICK RD
NAMPA ID 83687-8153
(208)322-4505

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>
63-10029	WR/Decreed	05/04/1983	0.67 cfs	177.4 af	N/A	N/A	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>
63-10029	NO	NO	YES	YES	YES	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>
63-10029	63-10029	0.67 cfs	76.4 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.67 cfs	76.4 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 2nd day of March, 2011

for *Camille S. Skaggs*
Chief, Water Allocation Bureau

WATER RIGHT NO. 63-10029
As Modified by Transfer No. 73890

In accordance with the approval of Transfer No. 73890, Water Right No. 63-10029 is now described as follows.

Right Holder: STERLING LANDSCAPE CO
 JOHN H STERLING
 4663 W USTICK RD
 NAMPA ID 83687-8153

Priority Date: May 04, 1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
AESTHETIC	01/01	to 12/31	0.67 CFS	69.7 AF
AESTHETIC STORAGE	01/01	to 12/31		6.7 AF
DIVERSION TO STORAGE	01/01	to 12/31	0.67 CFS	
			0.67 CFS	76.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSWSW Sec. 32 Twp 04N Rge 01W	ADA County
GROUND WATER	SESWSW Sec. 32 Twp 04N Rge 01W	ADA County
GROUND WATER	SESWSW Sec. 32 Twp 04N Rge 01W	ADA County

PLACE OF USE: AESTHETIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 01W 32											X	X					

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 01W 32											X	X					

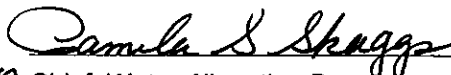
WATER RIGHT NO. 63-10029
As Modified by Transfer No. 73890

CONDITIONS OF APPROVAL

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. Right 63-10029 authorizes the diversion of an annual total of 76.4 acre-feet to be used for the initial filling of the pond, for the replacement of losses caused by seepage and evaporation from the pond and for the flow of water through the pond.
3. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. The pond established by the storage of water under this right shall not exceed a total capacity of 3.0 acre-feet or a total surface area of 1.5 acre(s).
5. The following rights are diverted through point(s) of diversion described above: 63-5015, 63-10029 and 63-31306.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 2nd day of March, 2011


for Chief, Water Allocation Bureau