

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

AMENDED**TRANSFER OF WATER RIGHT****AMENDED****TRANSFER NO. 74679**

This is to certify that: RICHARDSON FAMILY PROPERTIES LLC
PO BOX 469
VICTOR ID 83455
(208)354-8570

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>
22-13586	AJC/Decreed	06/01/1904	0.34 cfs	N/A	N/A	31.0	PARADISE SPRINGS

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>
22-13586	NO	NO	NO	NO	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>
22-13586	22-13586	0.34 cfs	N/A	N/A	24.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.34 cfs	N/A	N/A	24.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of June, 2010



Water Resources Program Manager

SUPPORT DATA

IN FILE # 22-13586

WATER RIGHT NO. 22-13586
As Modified by Transfer No. 74679

In accordance with the approval of Transfer No. 74679, Water Right No. 22-13586 is now described as follows.

Right Holder: RICHARDSON FAMILY PROPERTIES LLC
 PO BOX 469
 VICTOR ID 83455

Priority Date: June 01, 1904

Source: PARADISE SPRINGS

Tributary: TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	04/15	to 10/31	0.08 CFS	15.3 AF
FIRE PROTECTION STORAGE	01/01	to 12/31		11.5 AF
RECREATION STORAGE	01/01	to 12/31		11.5 AF
STOCKWATER	04/15	to 10/31	0.02 CFS	
IRRIGATION	04/15	to 10/31	0.26 CFS	

LOCATION OF POINT(S) OF DIVERSION:

PARADISE SPRINGS NENENW Sec. 30 Twp 04N Rge 45E TETON County

PLACE OF USE: FIRE PROTECTION STORAGE, RECREATION STORAGE, STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	45E	19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	45E	19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														24.0					24.0

Total Acres: 24

CONDITIONS OF APPROVAL

1. 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. 01.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. The 2 ponds established by the storage of water under this right shall not exceed a total capacity of 11.5 acre-feet or a total surface area of 1.7 acre(s).
4. Right 22-13586 authorizes the diversion of an annual total of 15.3 acre-feet to be used for the initial filling of the pond(s) and for the replacement of losses caused by evaporation.

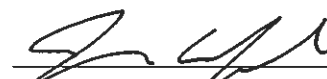
WATER RIGHT NO. 22-13586
As Modified by Transfer No. 74679

CONDITIONS OF APPROVAL

5. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
6. 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.
7. The right holder shall install and maintain an impermeable liner in the ponds to eliminate seepage losses.
8. 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 lands above.
9. This right does not grant any right-of-way or easement across the land of another.
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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. Place of use is located within Paradise Springs Subdivision.
13. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
14. 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.
15. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
16. Diversion of water under transfer 74679 is subject to the terms stated in the Settlement Agreement for Application for Transfer No 74679, recorded in Teton County on May 13, 2010 as instrument # 211182.
17. At the time of this approval, water right 22-13586 is a pending claim before the Snake River Basin Adjudication court. Any partial decree issued by the court should account for the fact that, as part of this transfer approval, the water right holder has decreased the acres irrigated under this right by 7 acres to provide water for the storage components of the right.

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 29th day of June, 2010



Water Resources Program Manager