

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74653**

This is to certify that: CAROL A SHULTZ
29950 THIRD FORK RD
OLA ID 83657
(208)584-3494

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>
65-11254	WR/Decreed	04/01/1963	0.1 cfs	1.2 af	N/A	5.0	BEAR GULCH SPRING

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>
65-11254	NO	YES	NO	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>
65-11254	65-11254	0.1 cfs	1.2 af	N/A	5.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.1 cfs	1.2 af	N/A	5.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of April, 2008



John Westra, Western Regional Manager

WATER RIGHT NO. 65-11254
As Modified by Transfer No. 74653

In accordance with the approval of Transfer No. 74653, Water Right No. 65-11254 is now described as follows.

Right Holder: CAROL A SHULTZ
 29950 THIRD FORK RD
 OLA ID 83657

Priority Date: April 01, 1963

Source: BEAR GULCH SPRING

Tributary: SQUAW CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.02 CFS	1.2 AF
IRRIGATION	04/01	to 11/01	0.10 CFS	
STOCKWATER	01/01	to 12/31	0.02 CFS	0.7 AF
			0.10 CFS	1.2 AF

LOCATION OF POINT OF DIVERSION:

BEAR GULCH SPRING SWNENW Sec. 11, Twp 12N, Rge 01E, GEM County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 01E 11			X														

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 01E 11			5.0														5.0

Total Acres: 5

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 01E 11			X														

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

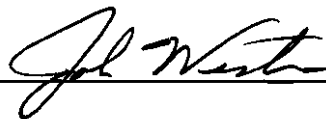
WATER RIGHT NO. 65-11254
As Modified by Transfer No. 74653

CONDITIONS OF APPROVAL

3. 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.
4. This right does not grant any right-of-way or easement across the land of another.
5. The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
6. The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
7. Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.
This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
8. Rights 65-11253 and 65-11254 when combined for domestic and stockwater use shall not exceed a total diversion rate of .02 cfs or a total annual maximum diversion volume of 2.6 af.
9. Source is an unnamed spring locally known as Bear Gulch Spring.
10. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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 23rd day of April, 2008



John Westra, Western Regional Manager