

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72578

This is to certify that: BRANCH ESTATES INC
 1 HUNT RD
 HORSESHOE BEND ID 83629
 (208)793-3846

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>
65-11392	WR/Decreed	06/01/1912	0.45 cfs	N/A	N/A	17.0	SHAHER CREEK

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>
65-11392	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>
65-11392	65-11392	0.45 cfs	N/A	17.0	21.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.45 cfs	N/A	17.0	21.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 2nd day of May, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 65-11392
As Modified by Transfer No. 72578

In accordance with the approval of Transfer No. 72578, Water Right No. 65-11392 is now described as follows.

Right Holder: BRANCH ESTATES INC
 1 HUNT RD
 HORSESHOE BEND ID 83629

Priority Date: June 01, 1912

Source: SHAFER CREEK **Tributary:** PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	11/01	0.45 CFS
			0.45 CFS

LOCATION OF POINT(S) OF DIVERSION:

SHAFER CREEK SENWSE Sec. 2 Twp 06N Rge 02E BOISE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06N	02E	3	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	21.0
			21.0																
			L 1																

Total Acres: 21

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.
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. 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. 65.

WATER RIGHT NO. 65-11392
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CONDITIONS OF APPROVAL

6. 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).
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/18/2002.
8. This right is limited to the irrigation of 17 acres within the place of use described above in a single irrigation season.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
10. Place of use is located within Lots 1-12, Branch Estates Subdivision.

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 May, 2006


Chief, Water Allocation Bureau