

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71073

This is to certify that: RHYTHM RANCH HOMEOWNERS ASSOCIATION
 C/O JAMES P. SPECK
 PO BOX 987
 KETCHUM ID 83340
 (208)726-4421

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>
37-21227	AJC/License	10/25/1978	0.65 cfs	N/A	N/A	35.0	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>
37-21227	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>
37-21227	37-21227	0.65 cfs	122.5 af	35.0	49.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.65 cfs	122.5 af	35.0	49.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 2nd day of March, 2006



 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21227
As Modified by Transfer No. 71073

In accordance with the approval of Transfer No. 71073, Water Right No. 37-21227 is now described as follows.

Right Holder: RHYTHM RANCH HOMEOWNERS ASSOCIATION
 C/O JAMES P. SPECK
 PO BOX 987
 KETCHUM ID 83340

Priority Date: October 25, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.65 CFS	122.5 AF
			0.65 CFS	122.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 35 Twp 02N Rge 18E BLAINE County

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	
02N 18E 35															11.0	38.0	49.0

Total Acres: 49

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 35 acres within the place of use described above in a single irrigation season.
2. Rights 37-21227, 37-21229, 37-21231, 37-21233, 37-21235 and 37-21237 when combined shall not exceed a total annual maximum diversion volume of 122.5 af at the field headgate, and the irrigation of 35.0 acres.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

WATER RIGHT NO. 37-21227
As Modified by Transfer No. 71073

CONDITIONS OF APPROVAL

6. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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, 2006



Chief, Water Allocation Bureau