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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 67114

This is to certify that: R RICHARD BURCHILL &/OR
RUTH E BURCHILL
PO BOX 291
CHALLIS ID 83226
(208)879-2731

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. 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

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
72-7431	WR/License	11/30/1989	0.03 cfs	11.3 af		3.0	SPRINGS
72-10044B	AJC/Beneficial Use	10/10/1911	0.20 cfs			10.5	PATS CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
72-7431	NO	NO	YES	YES	NO	NO
72-10044B	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
72-7431	72-7431	0.03 cfs	11.3 af	3.0	13.5		N/A	N/A	N/A	N/A
72-10044B	72-10044B	0.20 cfs	36.8 af	10.5	13.5		N/A	N/A	N/A	N/A
TOTALS		0.23 cfs	48.1 af	N/A	13.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of June, 2002


Chief, Water Allocation Bureau

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AUG 26 2002

WATER RIGHT NO. 72-7431
As Modified by Transfer No. 67114

In accordance with the approval of Transfer No. 67114, Water Right No. 72-7431 is now described as follows.

Right Holder: R RICHARD BURCHILL AND
 RUTH E BURCHILL
 PO BOX 291
 CHALLIS ID 83226

Priority Date: 11/30/1989

Source: SPRINGS
 PATS CREEK
 WHITE VALLEY CREEK

Tributary: PATS CREEK
 BEAR CREEK
 BEAR CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.03 CFS	10.5 AF
STOCKWATER	01/01	to 12/31	0.02 CFS	0.2 AF
DOMESTIC	01/01	to 12/31	0.03 CFS	0.6 AF
			0.03 CFS	11.3 AF

LOCATION OF POINT(S) OF DIVERSION:

WHITE VALLEY CREEK NWNENE Sec. 5 Twp 14N Rge 18E CUSTER County

PATS CREEK SWSESW Sec. 33 Twp 15N Rge 18E CUSTER County

SPRINGS SESESW Sec. 33 Twp 15N Rge 18E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
14N 18E 4	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	13.5
					.4	.3		12.8									
					L7	L8											

Total Acres: 13.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.0 acres within the place of use described above in a single irrigation season.
2. Rights 72-7431, 72-10044B and 72-29C when combined shall not exceed a total annual maximum diversion volume of 150.2 af at the field headgate for the irrigation of 42.9 total acres.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 72-C, Challis Creek.

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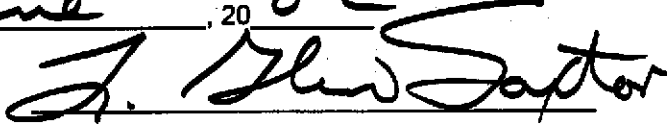
WATER RIGHT NO. 72-7431
As Modified by Transfer No. 67114

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 72-7431 and 72-10044B shall not exceed 0.23 cfs, nor total combined annual volume of 48.1 af.
6. Diversion of water is limited to those times water is available for diversion under this right and priority from the original source, springs.
7. 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.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
9. Approval of Transfer 67114 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
11. Place of use is primarily located within Homestead Entry Survey No. 148.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 11th day of June, 2002


Chief, Water Allocation Bureau

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AUG 26 2002

WATER RIGHT NO. 72-10044B
As Modified by Transfer No. 67114

In accordance with the approval of Transfer No. 67114, Water Right No. 72-10044B is now described as follows.

Right Holder: R RICHARD BURCHILL AND
 RUTH E BURCHILL
 PO BOX 291
 CHALLIS ID 83226

Priority Date: 10/10/1911

Source: SPRINGS
 PATS CREEK
 WHITE VALLEY CREEK

Tributary: PATS CREEK
 BEAR CREEK
 BEAR CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.20 CFS	36.8 AF
			0.20 CFS	36.8 AF

LOCATION OF POINT(S) OF DIVERSION:

WHITE VALLEY CREEK NWNENE Sec. 5 Twp 14N Rge 18E CUSTER County

PATS CREEK SWSESW Sec. 33 Twp 15N Rge 18E CUSTER County

SPRINGS SESESW Sec. 33 Twp 15N Rge 18E CUSTER 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	
14N 18E 4					.4	.3		12.8									13.5
					L7	L8											

Total Acres: 13.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10.5 acres within the place of use described above in a single irrigation season.
2. Rights 72-7431, 72-10044B and 72-29C when combined shall not exceed a total annual maximum diversion volume of 150.2 af at the field headgate for the irrigation of 42.9 total acres.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 72-C, Challis Creek.

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WATER RIGHT NO. 72-10044B
As Modified by Transfer No. 67114

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 72-7431 and 72-10044B shall not exceed 0.23 cfs, nor total combined annual volume of 48.1 af.
6. Diversion of water is limited to those times water is available for diversion under this right and priority from the original source, Pats Creek.
7. 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.
8. Approval of Transfer 67114 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
9. Place of use is primarily located within Homestead Entry Survey No. 148.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 11th day of June, 2002


Chief, Water Allocation Bureau

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AUG 26 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2002 OCT 23 PM 4 48

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 72-10044B

NAME AND ADDRESS: R RICHARD BURCHILL
RUTH E BURCHILL
PO BOX 291
CHALLIS, ID 83226

SOURCE: PATS CREEK TRIBUTARY: BEAR CREEK
SPRINGS PATS CREEK
WHITE VALLEY CREEK BEAR CREEK

QUANTITY: 0.20 CFS
36.80 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 150.2 AF. COMBINED RIGHT NOS.:
72-29C, 72-7431 AND 72-10044B.
USE OF THIS RIGHT WITH RIGHT NO. 72-7431 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .23 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 48.1 AF.

PRIORITY DATE: 10/10/1911

POINT OF DIVERSION: T14N R18E S05 NWNENE Within Custer County
T15N R18E S33 SWSSEW
SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.20 CFS 36.80 AFY

PLACE OF USE: Irrigation Within Custer County
T14N R18E S04 LOT 7 (NENW) 0.4 LOT 8 (NWNW) 0.3
SENW 12.8
13.5 Acres Total

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 42.9 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-29C, 72-7431 AND 72-10044B.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10.5 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 72-C, CHALLIS CREEK.
DIVERSION OF WATER IS LIMITED TO THOSE TIMES WATER IS AVAILABLE
FOR DIVERSION UNDER THIS RIGHT AND PRIORITY FROM THE ORIGINAL
SOURCE, PATS CREEK.
APPROVAL OF TRANSFER 67114 DOES NOT GRANT ANY RIGHT-OF-WAY OR
EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSON(S) OTHER
THAN THE RIGHT OWNER.
PLACE OF USE IS PRIMARILY LOCATED WITHIN HOMESTEAD ENTRY SURVEY
NO. 148.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MEMORANDUM

TO: FILE 72-10044B
FROM: VAULT
RE: TRANSFER # 67114
DATE: 6.11.02

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 72 - 07431

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AUG 26 2002