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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69862

This is to certify that: PAUL D HILL AND
ANN P HILL
PO BOX 281
STANLEY ID 83278
(208)774-3645

PAUL D HILL AND
ANN P HILL
975 WALKER AVE
ASHLAND OR 97520
(541)552-0211

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
71-39E	WR/Decreed	06/01/1904	0.36 cfs			32.0	MCGOWAN CREEK
71-40E	WR/Decreed	05/01/1912	1.08 cfs			32.0	VALLEY CREEK

Purpose of Transfer (Changes Proposed)

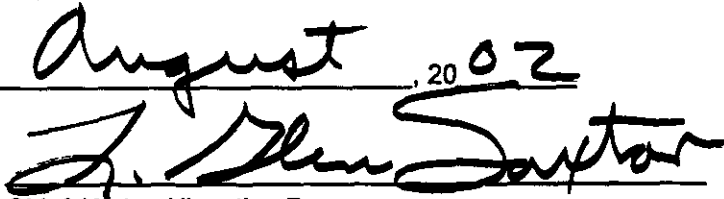
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
71-39E	NO	YES	YES	NO	YES	YES
71-40E	NO	NO	YES	NO	NO	NO

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
71-39E	71-39E	0.36 cfs	2.8 af	N/A	N/A		N/A	N/A	N/A	N/A
71-40E	71-40E	1.08 cfs	N/A	N/A	31.4		N/A	N/A	N/A	N/A
TOTALS		0.36 cfs	2.8 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of August, 2002


Chief, Water Allocation Bureau

MICROFILMED

MIG 7 5 2002

WATER RIGHT NO. 71-39E
As Modified by Transfer No. 69862

In accordance with the approval of Transfer No. 69862, Water Right No. 71-39E is now described as follows.

Right Holder: PAUL D HILL AND
 ANN P HILL
 PO BOX 281
 STANLEY ID 83278

PAUL D HILL AND
 ANN P HILL
 975 WALKER AVE
 ASHLAND OR 97520

Priority Date: 06/01/1904

Source: MCGOWAN CREEK

Tributary: VALLEY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
RECREATION	05/01 to	10/31	0.36 CFS	
AESTHETIC	05/01 to	10/31	0.36 CFS	
DIVERSION TO STORAGE	05/01 to	10/31	0.36 CFS	
RECREATION STORAGE	01/01 to	12/31		2.8 AF
AESTHETIC STORAGE	01/01 to	12/31		2.8 AF
			0.36 CFS	2.8 AF

LOCATION OF POINT(S) OF DIVERSION:

MCGOWAN CREEK SWSENE Sec. 11 Twp 11N Rge 12E CUSTER County

PLACE OF USE: RECREATION

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

PLACE OF USE: AESTHETIC

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

PLACE OF USE: RECREATION STORAGE

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

4/9 2 5 2002

WATER RIGHT NO. 71-39E
As Modified by Transfer No. 69862

PLACE OF USE: AESTHETIC STORAGE

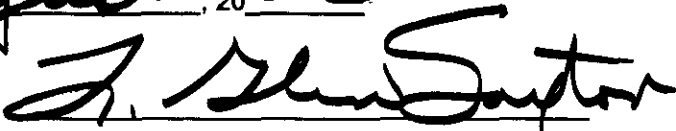
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11N	12E	11				X									X				

CONDITIONS OF APPROVAL

1. The first full irrigation season following diversion of water to recreation and aesthetic storage uses under Right 71-39E, the irrigation use under Right 71-40E shall be limited to 31.0 total acres. The reduction of irrigation during the first full irrigation season will provide compensation for the additional storage volume required to fill the pond when combined with the 1.8 af associated with the 0.6 acres no longer irrigated.
2. 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.
3. All water rights within Basin 71 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
4. Place of use is located within a portion of Homestead Entry Survey No. 109, also described as Lots 1, 2, and 3, Thompson Creek Subdivision.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 1st day of August, 2002


Chief, Water Allocation Bureau

MICROFILMED
3/29/2002

WATER RIGHT NO. 71-40E
As Modified by Transfer No. 69862

In accordance with the approval of Transfer No. 69862, Water Right No. 71-40E is now described as follows.

Right Holder: PAUL D HILL AND
 ANN P HILL
 PO BOX 281
 STANLEY ID 83278

PAUL D HILL AND
 ANN P HILL
 975 WALKER AVE
 ASHLAND OR 97520

Priority Date: 05/01/1912

Source: VALLEY CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/31	1.08 CFS	
			1 08 CFS	

LOCATION OF POINT(S) OF DIVERSION:

VALLEY CREEK NESWNE Sec. 4 Twp 11N Rge 12E 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	
11N	12E	11			4.8	18.8									5.1	2.7			31.4

Total Acres: 31.4

CONDITIONS OF APPROVAL

1. Rights 71-40E and 71-10136A when combined shall not exceed the irrigation of 31.4 acres.
2. The first full irrigation season following diversion of water to recreation and aesthetic storage uses under Right 71-39E, the irrigation use under Right 71-40E shall be limited to 31.0 total acres. The reduction of irrigation during the first full irrigation season will provide compensation for the additional storage volume required to fill the pond when combined with the 1.8 af associated with the 0.6 acres no longer irrigated.
3. 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.
4. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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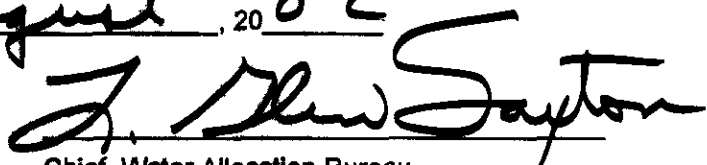
WATER RIGHT NO. 71-40E
As Modified by Transfer No. 69862

CONDITIONS OF APPROVAL

- 5 All water rights within Basin 71 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
6. Rights 71-40A, 71-40D, 71-40E, 71-40G, 71-40H, 71-41, 71-42A, 71-42B, 71-43A, 71-43B, 71-45, 71-47, 71-49B, 71-50 and 71-52 are also diverted through the point(s) of diversion described above.
- 7 Place of use is located within a portion of Homestead Entry Survey No. 109, also described as Lots 1, 2, and 3, Thompson Creek Subdivision.
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 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 1st day of August, 2002


Chief, Water Allocation Bureau

MICROFILMED

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 71-00040E

NAME AND ADDRESS: ANN HILL
PAUL HILL
2635 HABERSHAM RD NW
ATLANTA, GA 30305

SOURCE: VALLEY CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 1.08 CFS
PRIORITY DATE: 05/01/1912
POINT OF DIVERSION: T11N R12E S04 NESWNE Within Custer County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 05-01 TO 10-31 1.08 CFS

PLACE OF USE: Irrigation Within Custer County
T11N R12E S11 SWNE 4.8 NWSE 2.7
SENE 18.8 NESE 5.7
32.0 Acres Total

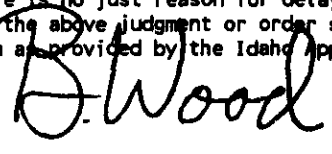
THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 32 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 71-00039E & 71-00040E
THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 18.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 71-00039E, 71-00040E, AND 71-10136A

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

PROPERTY IS ALSO KNOWN AS A PORTION OF HOMESTEAD ENTRY SURVEY
NO. 109.

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.


Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

MEMORANDUM

TO: FILE 71-00040E

FROM: VAULT

RE: TRANSFER # 69862

DATE: 5-21-02

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

FILE # 71-00039E

MICROFILMED

AUG 25 2002