

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71291

This is to certify that: ELIZABETH T HALTER
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405-0130
(208)523-0620

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>
23-11220	WR/Decreed	04/01/1917	0.04 cfs	4.66 af	N/A	2.0	BURTON 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>
23-11220	NO	NO	NO	NO	YES	YES

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>
23-11220	23-11220	0.04 cfs	4.1 af	N/A	1.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.04 cfs	4.1 af	N/A	1.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7th day of March, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 23-11220
As Modified by Transfer No. 71291

In accordance with the approval of Transfer No. 71291, Water Right No. 23-11220 is now described as follows.

Right Holder: ELIZABETH T HALTER
 HOLDEN KIDWELL HAHN & CRAPO PLLC
 PO BOX 50130
 IDAHO FALLS ID 83405-0130

Priority Date: April 01, 1917

Source: BURTON SPRING

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	04/01	to 11/01	0.02 CFS	
IRRIGATION	04/01	to 11/01	0.02 CFS	2.3 AF
AESTHETIC STORAGE	01/01	to 12/31		1.8 AF
RECREATION STORAGE	01/01	to 12/31		1.8 AF
FIRE PROTECTION STORAGE	01/01	to 12/31		1.8 AF
			0.04 CFS	4.1 AF

LOCATION OF POINT(S) OF DIVERSION:

BURTON SPRING NENENW Sec. 35 Twp 01N Rge 44E BONNEVILLE County

PLACE OF USE: AESTHETIC STORAGE, FIRE PROTECTION STORAGE, RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
01N 44E 35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
						X											

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
01N 44E 35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
						1.0											1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. 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. 01.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. The pond established by the storage of water under water right 23-11220 shall not exceed a total capacity of 1.8 acre-feet or a total surface area of 0.5 acres.

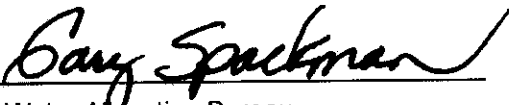
WATER RIGHT NO. 23-11220
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CONDITIONS OF APPROVAL

4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. Place of use is located within Lot 1, Block 3, Eagle-View Subdivision, Division No.1.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 7th day of March, 20 05



Chief, Water Allocation Bureau