

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71186

This is to certify that: JOHN E SMITH
 428 MOUNTAIN VIEW LN
 BURLEY ID 83318
 (208)678-4297

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>
45-7353B	AJC/License	08/09/1978	0.04 cfs	11.2 af	N/A	2.8	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>
45-7353B	NO	YES	NO	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>
45-7353B	45-7353B	0.04 cfs	11.2 af	2.8	2.8		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.04 cfs	11.2 af	2.8	2.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of January, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7353B
As Modified by Transfer No. 71186

In accordance with the approval of Transfer No. 71186, Water Right No. 45-7353B is now described as follows.

Right Holder: JOHN E SMITH
428 MOUNTAIN VIEW LN
BURLEY ID 83318

Priority Date: August 09, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.02 CFS	0.3 AF
IRRIGATION	03/15	to 11/15	0.04 CFS	11.2 AF
STOCKWATER	01/01	to 12/31	0.02 CFS	
			0.04 CFS	11.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSENE Sec. 13 Twp 11S Rge 23E CASSIA County

PLACE OF USE: DOMESTIC

[illegible]

PLACE OF USE: IRRIGATION

[illegible]

Total Acres: 2.8

PLACE OF USE: STOCKWATER

[illegible]

WATER RIGHT NO. 45-7353B
As Modified by Transfer No. 71186

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 71186, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
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. Place of use and point of diversion are located within RP11S23E131977A.
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 18th day of January, 20 05



Chief, Water Allocation Bureau