

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71587

This is to certify that: PETER L STURDIVANT And
JANE STURDIVANT
PO BOX 968
HAILEY ID 83333-0968
(208)788-9845

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>
36-16171	WR/Decreed	09/10/1884	0.34 cfs	N/A	6.4	12.0	BILLINGSLEY CREEK

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>
36-16171	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>
36-16171	36-16171	0.34 cfs	N/A	N/A	6.4		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.34 cfs	N/A	N/A	6.4		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of January, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16171
As Modified by Transfer No. 71587

In accordance with the approval of Transfer No. 71587, Water Right No. 36-16171 is now described as follows.

Right Holder: JANE STURDIVANT And
 PETER L STURDIVANT
 PO BOX 968
 HAILEY ID 83333-0968

Priority Date: September 10, 1884

Source: BILLINGSLEY CREEK **Tributary:** SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	11/30	0.34 CFS	
			0.34 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BILLINGSLEY CREEK SENW Sec. 11 Twp 07S Rge 13E GOODING County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 13E 11							6.4										6.4
							L 3										

Total Acres: 6.4

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, diversion of water under this water right is subject to administration by State Water District No. 36A, Billingsley Creek.
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. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above. This right when applied to lands via sprinklers shall be limited to 0.02 cfs per acre at the field headgate for irrigation of the lands above.
4. This right when diverted along with other rights for fish propagation, wildlife, or aesthetic purposes at the authorized diversion listed above shall not provide additional diversion rate above the total rate of the rights for fish propagation, wildlife, or aesthetic purposed being called for at the diversion.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 36-16171
As Modified by Transfer No. 71587

CONDITIONS OF 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 21st day of January, 20 05


Chief, Water Allocation Bureau