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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5218
WATER RIGHT NO(S). 51-10099/51-12743

This is to certify that: **WILLIAM HEGERHORST FAMILY TRUST**
HC 85 BOX 152
BRUNEAU ID 83604

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 51-10099 :			
STOCKWATER	01/01 to 12/31	0.20 CFS	11.8 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Priority: 05/17/1976			
		<u>0.20 CFS</u>	<u>13.0 AF</u>
Right No. 51-12743 :			
STOCKWATER	01/01 to 12/31	0.02 CFS	14.5 AF
Priority: 06/03/1970			
	TOTAL:	* 0.22 CFS	* 27.5 AF
<u>SOURCE</u>			
GROUNDWATER			

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 10, Township 07S, Range 04E
NESE , Sec. 10, Township 07S, Range 04E
NWSE , Sec. 10, Township 07S, Range 04E
OWYHEE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07S 04E 10 SENW NESE

PLACE OF USE: DOMESTIC

TWN RGE SEC

07S 04E 10 NESE

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

MICROFILMED

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CONDITIONS OF APPROVAL AND REMARKS

3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 4. The total instantaneous diversion of water from all points of diversion under Transfer 5218 shall not exceed 0.22 cfs, nor a total combined annual volume of 27.5 af.
5. After specific notification by the department, the right holder shall measure the diversion 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.
- * 6. The quantity of water decreed for Rights 51-10099 and 51-12743 is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day under each right.

Dated this 16th day of August, 1999.


Chief, Water Allocation Bureau

MICROFILMED

115 2 3 1999

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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 51-12743

DEC 20 1997 PM 1:47
DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO

NAME & ADDRESS: WILLIAM HEGERHORST FAMILY TRUST
HC 85 BOX 152
BRUNEAU ID 83604

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/03/1970

POINT OF DIVERSION: T07S R04E S10 SENENW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS

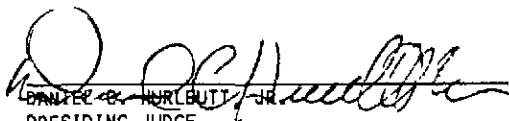
PLACE OF USE: STOCKWATER Within Owyhee County
T07S R04E S10 NENW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.


DANIEL B. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MEMORANDUM

TO: Files 51-10099 & 51-12743

FROM: Pam Skaggs/^{PS}State Office

SUBJECT: Transfer 5218

DATE: August 12, 1999

Transfer 5218 adds two (2) existing irrigation wells to act as back-up wells to the dairy and stockwater system, and changes the place of use for stockwater under Rights 51-10099 and 51-12743. These rights were evaluated by the SRBA and a partial decree issued for each right.

Recommended conditions include decree conditions (non-confirmation of historical use and 13,000 gpd limit), multiple points of diversion/measuring devices, future annual reporting, and standard transfer conditions

MICROFILMED

12/1/99

MEMORANDUM

TO: FILE A51-12743

FROM: PAM SKAGGS

RE: TRANSFER # 5218

DATE: 4/1/98

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # A51-10099.

UNRECORDED

APR 23 1998