

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71412

This is to certify that: STEVEN D HOLZMAN TRUST
 C/O JAMES P SPECK
 PO BOX 987
 KETCHUM ID 83340
 (208) 726-4421

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>
37-154D	AJC/Decreed	12/13/1887	0.22 cfs	19.6 af	N/A	N/A	BIG WOOD RIVER
37-14260B	AJC/Decreed	03/24/1883	0.1 cfs	19.6 af	N/A	N/A	BIG WOOD RIVER

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>
37-154D	YES	NO	NO	NO	YES	YES
37-14260B	YES	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>
37-154D	37-21330	0.16 cfs	14.3 af	N/A	4.1	37-21329	0.06 cfs	3.2 af	N/A	N/A
37-14260B	37-21332	0.07 cfs	14.3 af	N/A	4.1	37-21331	0.03 cfs	3.2 af	N/A	N/A
COMBINED TOTALS		0.23 cfs	14.3 af	N/A	4.1		0.09 cfs	3.2 af	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of November, 2004


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21329
As Modified by Transfer No. 71412

In accordance with the approval of Transfer No. 71412, Water Right No. 37-21329 is now described as follows.

Right Holder: STEVEN D HOLZMAN TRUST
 C/O JAMES P SPECK
 PO BOX 987
 KETCHUM ID 83340

Priority Date: December 13, 1887

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
WILDLIFE	01/01	to 12/31	0.06 CFS	3.2 AF
AESTHETIC	01/01	to 12/31	0.06 CFS	3.2 AF
			0.06 CFS	3.2 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NESE Sec. 6 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER NESE Sec. 6 Twp 03N Rge 18E BLAINE County

PLACE OF USE: WILDLIFE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	7				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	
03N	18E	7				X													

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Transfer No. 71412 for wildlife and aesthetic uses shall not exceed 0.09 cfs, nor a total combined annual volume of 3.2 af.
2. The annual volume of consumptive wildlife and aesthetics uses under right 37-21329 and 37-21331 is 3.2 af per year.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

WATER RIGHT NO. 37-21329
As Modified by Transfer No. 71412

CONDITIONS OF APPROVAL

4. Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of discharge.
5. 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.
6. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. Right Nos. 37-8838, 37-21329 and 37-21331 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.
8. Place of use is located within Lots 9, 10 and 29, Gimlet Subdivision No. 11.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 23rd day of November, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21330
As Modified by Transfer No. 71412

In accordance with the approval of Transfer No. 71412, Water Right No. 37-21330 is now described as follows.

Right Holder: STEVEN D HOLZMAN TRUST
 C/O JAMES P SPECK
 PO BOX 987
 KETCHUM ID 83340

Priority Date: December 13, 1887

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.16 CFS	14.3 AF
			0.16 CFS	14.3 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NESE Sec. 6 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER NESE Sec. 6 Twp 03N Rge 18E BLAINE 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	
03N	18E	7				4.1													4.1

Total Acres: 4.1

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 37-21330 and 37-21332 shall not exceed 0.23 cfs, nor a total combined annual volume of 14.3 af for the irrigation of 4.1 acres.
2. 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.
3. 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. 37.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

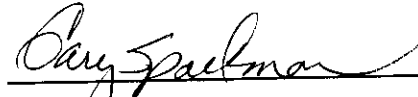
WATER RIGHT NO. 37-21330
As Modified by Transfer No. 71412

CONDITIONS OF APPROVAL

5. This right does not grant any right-of-way or easement across the land of another.
6. Right Nos. 37-21330 and 37-21332 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.
7. Place of use is located within Lots 9, 10 and 29, Gimlet Subdivision No. 11.
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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 23rd day of November, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21331
As Modified by Transfer No. 71412

In accordance with the approval of Transfer No. 71412, Water Right No. 37-21331 is now described as follows.

Right Holder: STEVEN D HOLZMAN TRUST
 C/O JAMES P SPECK
 PO BOX 987
 KETCHUM ID 83340

Priority Date: March 24, 1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
AESTHETIC	01/01 to	12/31	0.03 CFS	3.2 AF
WILDLIFE	01/01 to	12/31	0.03 CFS	3.2 AF
			0.03 CFS	3.2 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NESE Sec. 6 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER NESE Sec. 6 Twp 03N Rge 18E BLAINE County

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	
03N	18E	7				X													

PLACE OF USE: WILDLIFE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	7				X													

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Transfer No. 71412 for wildlife and aesthetic uses shall not exceed 0.09 cfs, nor a total combined annual volume of 3.2 af.
2. The annual volume of consumptive wildlife and aesthetics uses under right 37-21329 and 37-21331 is 3.2 af per year.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

WATER RIGHT NO. 37-21331
As Modified by Transfer No. 71412

CONDITIONS OF APPROVAL

4. Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of discharge.
5. 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.
6. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. Right Nos. 37-8838, 37-21329 and 37-21331 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.
8. Place of use is located within Lots 9, 10 and 29, Gimlet Subdivision No. 11.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 23rd day of November, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21332
As Modified by Transfer No. 71412

In accordance with the approval of Transfer No. 71412, Water Right No. 37-21332 is now described as follows.

Right Holder: STEVEN D HOLZMAN TRUST
 C/O JAMES P SPECK
 PO BOX 987
 KETCHUM ID 83340

Priority Date: March 24, 1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.07 CFS	14.3 AF
			0.07 CFS	14.3 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NESE Sec. 6 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER NESE Sec. 6 Twp 03N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
03N 18E 7	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	4.1

Total Acres: 4.1

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 37-21330 and 37-21332 shall not exceed 0.23 cfs, nor a total combined annual volume of 14.3 af for the irrigation of 4.1 acres.
2. 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.
3. 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. 37.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 37-21332
As Modified by Transfer No. 71412

CONDITIONS OF APPROVAL

5. This right does not grant any right-of-way or easement across the land of another.
6. Right Nos. 37-21330 and 37-21332 are used in combination and are diverted at what is locally known as the R-11 and R-11A diversions from the Big Wood River.
7. Place of use is located within Lots 9, 10 and 29, Gimlet Subdivision No. 11.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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