

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70597

This is to certify that: PETER L STURDIVANT
PO BOX 606
HAILEY ID 83333
(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>
36-91A	WR/Decreed	09/10/1884	0.64 cfs	N/A	N/A	12.0	BILLINGSLEY CREEK

Purpose of Transfer (Changes Proposed)

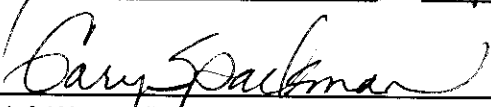
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-91A	YES	YES	YES	NO	NO	NO

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>
36-91A	2-10247	0.26 cfs	N/A	N/A	5.6	36-16171	0.34 cfs	N/A	6.4	12.0
COMBINED										
TOTALS		0.26 cfs	N/A	N/A	5.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of July, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16171
As Modified by Transfer No. 70597

In accordance with the approval of Transfer No. 70597, Water Right No. 36-16171 is now described as follows.

Right Holder: CHRISTINA M ELLSTON
923 EAST 2625 SOUTH
HAGERMAN ID 83332

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	to 11/30	0.34 CFS	
			0.34 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BILLINGSLEY CREEK SESENE Sec. 11 Twp 07S Rge 13E GOODING 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	
07S	13E	14												12.0					12.0

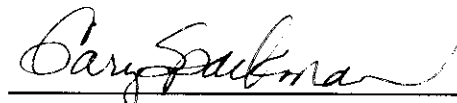
Total Acres: 12

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6.4 acres within the place of use described above in a single irrigation season.
2. Water is delivered through the Buckeye Ditch.
3. 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 12th day of July, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 2-10247
As Modified by Transfer No. 70597

In accordance with the approval of Transfer No. 70597, Water Right No. 2-10247 is now described as follows.

Right Holder: VICTORIA O GARA And
THOMAS O GARA
PO BOX 2930
HAILEY ID 83333

And

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

And

LANE MONROE And
KRISTIN MONROE
PO BOX 1084
SUN VALLEY ID 83353

Priority Date: September 10, 1884

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	to 11/30	0.26 CFS	
			0.26 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER NWSW 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																	5.6

Total Acres: 5.6

WATER RIGHT NO. 2-10247
As Modified by Transfer No. 70597

CONDITIONS OF APPROVAL

1. Diversion from the Snake River under this right is limited to those times water is available for diversion from Billingsley Creek. Water is available for diversion from Billingsley Creek if water could be delivered to this right through the Buckeye Ditch, the original point of diversion.
2. Anytime consumptive rights from Billingsley Creek between the Buckeye Ditch and the mouth of Billingsley Creek are curtailed to supply water to senior priority water rights on Billingsley Creek, the right holder shall cease diverting water under this right unless the right holder can demonstrate (a) water could have been diverted under this water right at the head of the Buckeye Ditch, and (b) the water that could have been diverted under this water right is being passed through diversions from Billingsley Creek downstream of the Buckeye Ditch to the new point of diversion.
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, diversion of water under this water right is subject to administration by State Water District No. 36A, Billingsley Creek.
4. 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.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) 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 12th day of July, 2004


Chief, Water Allocation Bureau