

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71168

This is to certify that: SPRING CREEK HOMES LLC
 4604 BURLEY DR
 CHUBBUCK ID 83202

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>
29-2438A	WR/Decreed	02/03/1961	2.36 cfs	472 af	118.0	118.0	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>
29-2438A	NO	NO	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>
29-2438A	29-2438A	2.36 cfs	472 af	N/A	118.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.36 cfs	472 af	N/A	118.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of June, 20 04


 Chief, Water Allocation Bureau

WATER RIGHT NO. 29-2438A
As Modified by Transfer No. 71168

In accordance with the approval of Transfer No. 71168, Water Right No. 29-2438A is now described as follows.

Right Holder: SPRING CREEK HOMES LLC
 4604 BURLEY DR
 CHUBBUCK ID 83202

Priority Date: February 03, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.36 CFS	472.0 AF
			2.36 CFS	472.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENE Sec. 26 Twp 05S Rge 34E BANNOCK 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	
05S 34E 25					12.0	21.0	21.0	2.0									56.0
05S 34E 26	20.0	14.0		21.0	7.0												62.0

Total Acres: 118

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 71168, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Point of diversion is located within Lot 10, Sage Hollow Subdivision.
4. Place of use is located within Lots 1-40, Sage Hollow Subdivision.
5. 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.

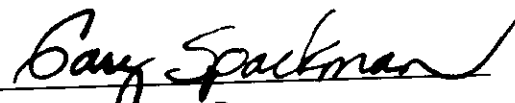
WATER RIGHT NO. 29-2438A
As Modified by Transfer No. 71168

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within four year(s) 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. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

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 4th day of June, 20 04


Chief, Water Allocation Bureau