STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 71016

This is to certify that: BHA INC
2983 E 2000 N
SUGAR CITY ID 83448
(208)356-3533

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
22-4052	AJC/Statutory Claim	09/01/1961	1.46 cfs	N/A	N/A	80.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
22-4052	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
22-4052	**22-4052**	0.97 cfs	280 af	N/A	80.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.97 cfs**	**280 af**	**N/A**	**80.0**		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of May, 2004

Gary Spackman

Chief, Water Allocation Bureau

WATER RIGHT NO. 22-4052
As Modified by Transfer No. 71016

In accordance with the approval of Transfer No. 71016, Water Right No. 22-4052 is now described as follows.

Right Holder: BHA INC
2983 E 2000 N
SUGAR CITY ID 83448

Priority Date: September 01, 1961

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.97 CFS	280.0 AF
			0.97 CFS	280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSW	Sec. 16 Twp 06N	Rge 41E	MADISON County
GROUND WATER	SENENE	Sec. 21 Twp 06N	Rge 41E	MADISON 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	
06N 41E 16													40.0	40.0			80.0

Total Acres: 80

CONDITIONS OF APPROVAL

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.

3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

4. 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.

5. 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.

6. The total instantaneous diversion of water from all points of diversion under Right 22-4052 shall not exceed 0.97 cfs and 280.0 af.

7. Rights 22-2168, 22-13279, and 22-13279 are also diverted through the point(s) of diversion described above.

WATER RIGHT NO. 22-4052
As Modified by Transfer No. 71016

CONDITIONS OF APPROVAL

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right 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 1st day of May, 2004

Gary Spackman

Chief, Water Allocation Bureau