

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 68887

This is to certify that: CINDY HURST And/Or
SHAWN HURST
435 S 750 E
BURLEY ID 83318
(208)654-2541

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>
45-2755	AJC/License	05/09/1952	4.12 cfs	1140 af	285.0	318.0	GROUND WATER
45-7371	AJC/License	02/06/1979	0.43 cfs	132 af	33.0	318.0	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>
45-2755	YES	NO	NO	YES	YES	YES
45-7371	YES	NO	NO	YES	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>
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45-2755	45-13396	0.52 cfs	94.9 af	N/A	N/A	45-13395	3.60 cfs	996.8 af	249.2	278.0
45-7371	45-13394	0.05 cfs	11.1 af	N/A	N/A	45-13393	0.38 cfs	115.2 af	28.8	278.0

COMBINED

TOTALS		0.52 cfs	106.0 af	N/A	N/A		3.60cfs	1112.0 af	278.0	278.0
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Detailed Water Right Description(s) attached

Dated this 22nd day of January, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13393
As Modified by Transfer No. 68887

In accordance with the approval of Transfer No. 68887, Water Right No. 45-13393 is now described as follows.

Right Holder: MARK T NEWCOMB
 251 E 200 S
 RUPERT ID 83350

Priority Date: February 06, 1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.38 CFS	115.2 AF
			0.38 CFS	115.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 9 Twp 10S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10S	25E	16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			40.0	40.0	40.0	40.0	40.0	39.0	39.0										278.0

Total Acres: 278

CONDITIONS OF APPROVAL

1. Right No. 45-13393 is limited to the irrigation of 28.8 acres in the place of use described above in a single irrigation season.
2. Rights 45-13393 & 45-13395 when combined shall not exceed a total diversion rate of 3.60 cfs, a total annual diversion volume of 1112 af at the field headgate, and the irrigation of 278 acres.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. 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.

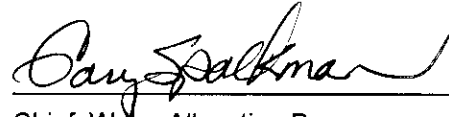
WATER RIGHT NO. 45-13393
As Modified by Transfer No. 68887

CONDITIONS OF APPROVAL

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.

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 22nd day of January, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13394
As Modified by Transfer No. 68887

In accordance with the approval of Transfer No. 68887, Water Right No. 45-13394 is now described as follows.

Right Holder: CINDY HURST And
 SHAWN HURST
 435 S 750 E
 BURLEY ID 83318

Priority Date: February 06, 1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	0.05 CFS	11.1 AF
STOCKWATER	01/01	12/31	0.05 CFS	11.1 AF
			0.05 CFS	11.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSENW	Sec. 16 Twp 10S Rge 25E CASSIA County
GROUND WATER	SWSENW	Sec. 16 Twp 10S Rge 25E CASSIA County
GROUND WATER	SWSENW	Sec. 16 Twp 10S Rge 25E CASSIA County
GROUND WATER	SWSENW	Sec. 16 Twp 10S Rge 25E CASSIA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S 25E 16								X									

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S 25E 16								X									

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 45-13394 and 45-13396 shall not exceed 0.52 cfs, nor a total combined annual volume of 106 af.
2. 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. 130.

WATER RIGHT NO. 45-13394
As Modified by Transfer No. 68887

CONDITIONS OF APPROVAL

3. Prior to the diversion and use of water under Transfer approval 68887, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
4. Prior to diversion of water under this approval, the right holder shall provide lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. 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.
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.

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 22nd day of January, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13395
As Modified by Transfer No. 68887

In accordance with the approval of Transfer No. 68887, Water Right No. 45-13395 is now described as follows.

Right Holder: MARK T NEWCOMB
 251 E 200 S
 RUPERT ID 83350

Priority Date: May 09, 1952

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	3.60 CFS	996.8 AF
			3.60 CFS	996.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 9 Twp 10S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10S	25E	16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			40.0	40.0	40.0	40.0	40.0	39.0	39.0										278.0

Total Acres: 278

CONDITIONS OF APPROVAL

1. Right No. 45-13395 is limited to the irrigation of 249.2 acres in the place of use described above in a single irrigation season.
2. Rights 45-13393 and 45-13395 when combined shall not exceed a total diversion rate of 3.60 cfs, a total annual maximum diversion volume of 1112 af at the field headgate, and the irrigation of 278 acres.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

WATER RIGHT NO. 45-13395
As Modified by Transfer No. 68887

CONDITIONS OF APPROVAL

7. The portion of Right No. 45-02755 described as 0.04 cfs has been abandoned through approval of Transfer No. 4833/66258.
8. 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.
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 22nd day of January, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13396
As Modified by Transfer No. 68887

In accordance with the approval of Transfer No. 68887, Water Right No. 45-13396 is now described as follows.

Right Holder: CINDY HURST And
 SHAWN HURST
 435 S 750 E
 BURLEY ID 83318

Priority Date: May 09, 1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	0.52 CFS	94.9 AF
STOCKWATER	01/01	12/31	0.52 CFS	94.9 AF
			0.52 CFS	94.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSENW	Sec. 16 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	SWSENW	Sec. 16 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	SWSENW	Sec. 16 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	SWSENW	Sec. 16 Twp 10S	Rge 25E	CASSIA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
10S 25E 16								X									

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
10S 25E 16								X									

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 45-13394 and 45-13396 shall not exceed 0.52 cfs, nor a total combined annual volume of 106 af.
2. 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. 130.

WATER RIGHT NO. 45-13396
As Modified by Transfer No. 68887

CONDITIONS OF APPROVAL

3. Prior to the diversion and use of water under Transfer approval 68887, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
4. Prior to diversion of water under this approval, the right holder shall provide lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. 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.
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Dated this 22nd day of January, 2004



Chief, Water Allocation Bureau