

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 69589

This is to certify that: HENRY BURDICK And
JANNE BURDICK
C/O JAMES SPECK, ATTORNEY
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>
37-20439	AJC/	03/24/1883	0.28 cfs	N/A	N/A	3.0	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>
37-20439	YES	YES	NO	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>
37-20439	37-20616	0.05 cfs	N/A	N/A	1.0	37-20615	0.19 cfs	N/A	N/A	2.0
COMBINED										
TOTALS		0.05 cfs	N/A	N/A	1.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of September, 20 03



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20615
As Modified by Transfer No. 69589

In accordance with the approval of Transfer No. 69589, Water Right No. 37-20615 is now described as follows.

Right Holder: RIGMOR GRABHER And
ELMAR GRABHER
PO BOX 507
SUN VALLEY ID 83353

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	10/31	0.19 CFS	
			0.19 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SWNW Sec. 20 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	
02N	18E	4															2.0		2.0

Total Acres: 2

CONDITIONS OF APPROVAL

1. 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.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. 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 20th day of September, 2003


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20616
As Modified by Transfer No. 69589

In accordance with the approval of Transfer No. 69589, Water Right No. 37-20616 is now described as follows.

Right Holder: JANNE BURDICK And
 HENRY BURDICK
 C/O JAMES SPECK, ATTORNEY
 PO BOX 987
 KETCHUM ID 83340

Priority Date: March 24, 1883

Source: BIG WOOD RIVER **Tributary:** MALAD RIVER
 GROUND WATER BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	0.05 CFS	
			0.05 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SWNW	Sec. 20 Twp 03N Rge 18E	BLAINE County
GROUND WATER	NESESE	Sec. 7 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													1.0				1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of ground water under right 37-20616 shall not exceed 0.03 cfs, nor a total of 3.5 afa.
2. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and 0.02 cfs of surface water is actually diverted into the Hiawatha Canal for mitigation purposes.
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, Big Wood River.
4. Prior to diversion of water under this approval, the right holder shall provide a 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.

WATER RIGHT NO. 37-20616
As Modified by Transfer No. 69589

CONDITIONS OF APPROVAL

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. 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.
7. The place of use is within Tax Lot 3369 (7173) and shall not exceed 1.0 acre.
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 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 20th day of September, 2003



Chief, Water Allocation Bureau