

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-7261
Date Received: 11/15/1989
Receipt No: S010468
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BARBER FAMILY ASSOCIATES LP Phone: (208)523-0620
C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405

2. Date of Priority: 08/14/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01N	14E	36	SW	SW	SW	CAMAS	
01S	14E	1	NE	NE	SE	CAMAS	

5. Description of diverting works:

exisitng well
existing well

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	4.67	1470

7. Total Quantity Appropriated is:
4.67 C.F.S. and/or 1470 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	14E	36	NE	SW	IRRIGATION	33.4
			NW	SW	IRRIGATION	33.4
			SW	SW	IRRIGATION	30.6
			SE	SW	IRRIGATION	28.6
			NE	SE	IRRIGATION	31.5
			NW	SE	IRRIGATION	31.5
			SW	SE	IRRIGATION	33.5
			SE	SE	IRRIGATION	31.5
			NE	NE	IRRIGATION	31.5
			NW	NE	IRRIGATION	31.5
			SW	NE	IRRIGATION	31.5
			SE	NE	IRRIGATION	31.5
			NE	NW	IRRIGATION	28
			NW	NW	IRRIGATION	28
			SW	NW	IRRIGATION	27
			SE	NW	IRRIGATION	27
					Section Acres	490
					Total Acres	490

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

The total instantaneous diversion of water from all points of diversion under Rights 37-7261 shall not exceed 4.67 cfs, nor total combined annual volume of 1470.0 af.

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.

After specific notification by the Department, the right holder shall measure the diversion 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.

The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

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.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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.

15. Basis of Claim: License

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-07261

Date Received: 11/15/1989

Receipt No: S010468

Received By: *H. address change*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: GEORGE BARBER 206-775-6000
Address: PO BOX 1449
EDMONDS WA 98020
OR
Name: JULEE BARBER 206-775-6000
Address: PO BOX 1449
EDMONDS WA 98020

2. Date of Priority: AUG 14, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	14E	36	SW	SW	SW		CAMAS
01S	14E	1	NE	NE	SE		CAMAS

5. Description of diverting works:

2 WELLS EA. 280' DEEP BOWLS AT 120' AND 180' W/ 1200 GPM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.670		

7. Total Quantity Appropriated is:

4.670 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1225.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NA

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	14E	36	NE		NE		IRR	39.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			SW		NW		IRR	12.0
			SE		NW		IRR	12.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	35.0
			SE		SW		IRR	38.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0

Section Acres 490.0

Total Acres 490.0

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
11/29/99, CHANGED ADDRESS AS PER REQUEST REC'D 1/8/99. C.T.
1/5/00, CORRECTED TYPO ON ZIP CODE. C.T.

15. Basis of Claim: LICENSE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

January 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GEORGE AND JULEE BARBER
PO BOX 1449
EDMONDS WA 98020

RE: Snake River Basin Adjudication (SRBA) Change of Address
Water Right No A37-07261

Dear Claimant(s):

Thank you for notifying us of your change in address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

Enc: Claim to a water right referenced above



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

RECEIVED

OCT 08 1999

Department of Water Resources
Southern Region

☐ Water Right Number(s):

(A) 37-07261

☐ Old Mailing Address:

☐ New Mailing Address:

PO Box 1449

Edmonds Wa. 98020

☐ New Telephone Number: (425) 775 - 6000

☐ Signature of Claimant(s):

[Signature]

Barber Family Assoc Inc.

Date:

10/5/99

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: 11/29/99

By:

cf

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data Entry

Date:

By:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: A37-07261

Date Received: 10/25/1989

Receipt No: 5010468

Received By: AD

NOV 14 1989

Department of Water Resources

Southern Region Office

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Department of Water Resources
Western Regional Office

1. Name: GEORGE BARBER 206-775-6000
Address: P.O. BOX 6363
LYNNWOOD, WA 98036

OR

Name: JULEE BARBER 206-775-6000
Address: P.O. BOX 6363
LYNNWOOD, WA 98036

2. Date of Priority: AUG 14, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	14E	36	SW	SW	SW		CAMAS
01S	14E	1	NE	NE	SE		CAMAS

5. Description of diverting works:
2 WELLS EA. 280' DEEP BOWLS AT 120' AND 180' W/ 1200 GPM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.670		

7. Total Quantity Appropriated is:
4.670 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1225.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

A37-07261

Page 1

Date: 10/25/89

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	14E	36	NE		NE		IRR	39.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			SW		NW		IRR	12.0
			SE		NW		IRR	12.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	35.0
			SE		SW		IRR	38.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	38.0

Section Acres 490.0

Total Acres 490.0

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

MICROFILMED
FEB 24 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Nov. 15, 1989-

GEORGE BARBER
P O BOX 6363
LYNNWOOD WA 98036

Re: A37-00312
A37-13220
A37-13219
A37-00453
A37-00452A
A37-07261
A37-00851
A37-00850
A37-00849

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
FEB 24 1993



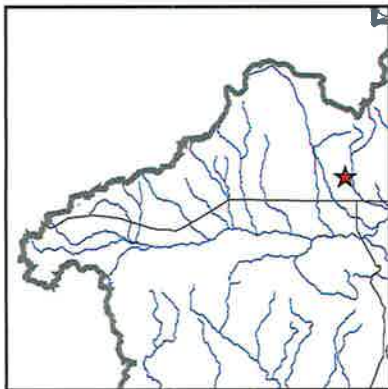
Idaho Department of Water Resources

Adjudication Claim:

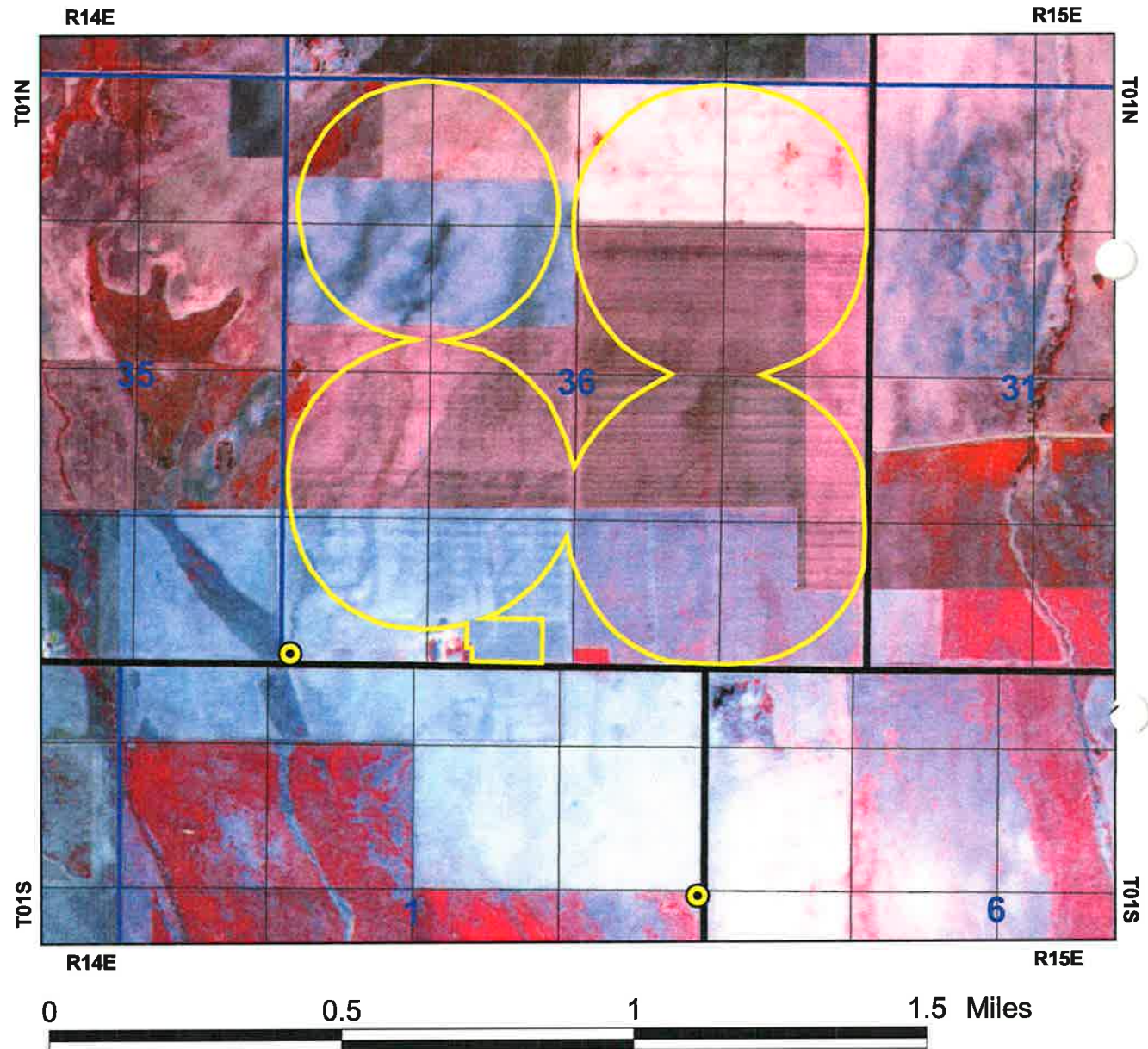
37-7261

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Camas County
IDWR Basin 37



Prepared by M. Anders
On Thursday, March 2, 2006
1987/88 Aerial Photography

03/02/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7261

NAME AND ADDRESS: BARBER FAMILY ASSOCIATES LP
C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130

IDAHO FALLS ID 83405

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.670 CFS
1,470.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 37-7261 shall not exceed 4.67 cfs, nor total combined annual volume of 1470.0 af.

PRIORITY DATE: 08/14/1973

POINT OF DIVERSION:

T01N R14E S36 SWSWSW Within CAMAS County

T01S R14E S1 NENESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	4.670 CFS 1,470.00 AFY

The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

PLACE OF USE: IRRIGATION Within CAMAS County

T01N R14E S36	NENE	31.50	T01N R14E S36	NWNE	31.50
T01N R14E S36	SWNE	31.50	T01N R14E S36	SENE	31.50
T01N R14E S36	NENW	28.00	T01N R14E S36	NWNW	28.00
T01N R14E S36	SWNW	27.00	T01N R14E S36	SENW	27.00
T01N R14E S36	NESW	33.40	T01N R14E S36	NWSW	33.40
T01N R14E S36	SWSW	30.60	T01N R14E S36	SESW	28.60
T01N R14E S36	NESE	31.50	T01N R14E S36	NWSE	31.50
T01N R14E S36	SWSE	33.50	T01N R14E S36	SESE	31.50

490 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

03/02/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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.

After specific notification by the Department, the right holder shall measure the diversion 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.

Failure of the right holder to comply with the conditions of Transfer No. 70126 is cause for the Director to rescind approval of the transfer.

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.

Adjudication Claim Notes

Claim(s): 37-7261

Background Data

- Source is Groundwater
- Licensed for 4.67 cfs on 490 acres
- Claimed for 4.67 cfs on 490 acres

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

2004 Aerial Photo



Notes

T1N R14E Section 36

- Found 490 acres
 - POU created by modifying the claimed POU to match the 2004 aerial photo (last transfer in 2002). The licensed POU appears to represent the land prior to the transfer.
 - PODs digitized based on claim map
-
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70126

RECEIVED
JAN 03 2003
Department of Water Resources
Southern Region

This is to certify that: BARBER FAMILY ASSOCIATES LP
C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405
(208)523-0620

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
37-7261	AJC/License	08/14/1973	4.67 cfs	N/A		490.0	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>
37-7261	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>
37-7261	37-7261	4.67 cfs	1470.0 af	N/A	490.0		N/A	N/A	N/A	N/A
TOTALS		4.67 cfs	1470.0 af	N/A	490.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of December, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7261
As Modified by Transfer No. 70126

In accordance with the approval of Transfer No. 70126, Water Right No. 37-7261 is now described as follows.

Right Holder: BARBER FAMILY ASSOCIATES LP
 C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: August 14, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 10/15	4.67 CFS	1,470.0 AF
		4.67 CFS	1,470.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWSW Sec. 36 Twp 01N Rge 14E CAMAS County

GROUND WATER NENESE Sec. 1 Twp 01S Rge 14E CAMAS County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
01N 14E 36	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	490.0
	31.5	31.5	31.5	31.5	28.0	28.0	27.0	27.0	33.4	33.4	30.6	28.6	31.5	31.5	33.5	31.5	

Total Acres: 490

CONDITIONS OF APPROVAL

- Q 1. The total instantaneous diversion of water from all points of diversion under Rights 37-7261 shall not exceed 4.67 cfs, nor total combined annual volume of 1470.0 af.
- Ex 2. 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.
- Ex 3. After specific notification by the Department, the right holder shall measure the diversion 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.
- Per 4. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

WATER RIGHT NO. 37-7261
As Modified by Transfer No. 70126

CONDITIONS OF APPROVAL

5. 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.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 30th day of December, 2002


Chief, Water Allocation Bureau

BARBER FAMILY ASSOCIATES L.P.

P. O. Box 1449
Edmonds, WA 98020

RECEIVED
NOV 06 2000
Department of Water Resources
Southern Region

November 1, 2000

Mr. Glen Saxton
IDAHO DEPARTMENT OF WATER RESOURCES
P. O. Box 83720
Boise, Idaho 83720-0098

Re: Water Right #(A)37-07261

Dear Mr. Sexton,

We recently transferred the location of the above water right to allow drilling of a new well in a more efficient (closer) location. (A copy of the transfer paperwork is enclosed for ease of reference.) However, after several attempts we have been unable to make the new well location productive.

Accordingly, we respectfully request that our water right be transferred back to its prior location so that we are allowed to re-drill a well at that location.

If there are any questions or if you need further information to process this request, please contact Lou Anderson at (208) 539-2245. If Lou is unavailable, you may also contact either George Barber or me at (425) 775-6000.

Thank you for your assistance with this matter.

Sincerely,

Barber Family Associates L.P., by Its Managing General Partner,
Pacific Funding Corporation


Mark Zenger
Secretary/Treasurer

Enc: as noted above

cc: Mr. Alan Merritt
IDAHO DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301

Lou Anderson (via fax: 208-764-3305)

A37-07261-T#5570

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5570
WATER RIGHT NO. 37-07261

RECEIVED
MAR 24 2000
Department of Water Resources
Southern Region

This is to certify that: BARBER FAMILY ASSOC LP
PO BOX 1449
EDMONDS WA 98020

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/31	* 4.67 CFS	* 1470.0 AF

SOURCE

GROUNDWATER

Priority: 08/14/1973

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 36, Township 01N, Range 14E
SESE , Sec. 36, Township 01N, Range 14E
CAMAS County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 14E 36	NENE 39	NWNE 40	SWNE 40	
	SENE 39	SWNW 12	SENE 12	
	NESW 40	NWSW 39	SWSW 35	
	SESW 38	NESE 39	NWSE 40	
	SWSE 39	SESE 38		
		Total number of acres irrigated:		490
				490

CONDITIONS OF APPROVAL AND REMARKS

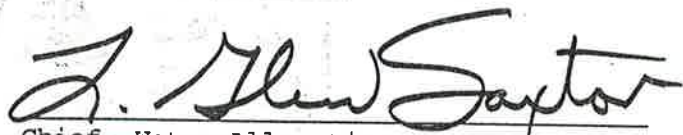
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

TRANSFER NO. 5570
WATER RIGHT NO. 37-07261

CONDITIONS OF APPROVAL AND REMARKS

3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.
7. The well previously used under Right 37-07261 in the NESE, S1, T01S, R14E shall be abandoned in a manner which complies with Department well abandonment rules.
8. 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.
- * 9. The total instantaneous diversion of water from all points of diversion under Transfer 5570 shall not exceed 4.67 cfs, nor total combined annual volume of 1470.0 af.

Dated this 21st day of March, 2000.


Chief, Water Allocation Bureau