

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 84103**

This is to certify that: **BLACK PINE LAND LLC**  
**2368 E 2575 S**  
**MALTA, ID 83342-8618**  
**AND**  
**J7 LLC**  
**C/O JEFFREY C JOHNSON**  
**247 S 950 E**  
**DECLO, ID 83323-5040**

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 Changes**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u>           |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|-------------------------|
| 43-13869           | WR/DECREED          | 1/17/1918            | 0.600 cfs             | N/A                     | 30.2              | 135.0              | RAFT RIVER              |
| 43-13871           | WR/DECREED          | 2/23/1959            | 0.410 cfs             | 140.8 af                | 35.2              | 135.0              | GROUND WATER            |
| 43-13872           | WR/DECREED          | 6/30/1985            | 0.120 cfs             | N/A                     | 15.7              | 135.0              | GROUND WATER            |
| 43-13873           | WR/DECREED          | 2/2/1909             | 1.510 cfs             | N/A                     | N/A               | 135.0              | CLEAR CREEK, RAFT RIVER |
| 43-13874           | WR/DECREED          | 1/21/1955            | 0.220 cfs             | 43.3 af                 | 10.8              | 135.0              | GROUND WATER            |
| 43-13875           | WR/DECREED          | 6/1/1953             | 0.390 cfs             | 78.4 af                 | 19.7              | 135.0              | GROUND WATER            |
| 43-13876           | WR/DECREED          | 8/1/1958             | 0.180 cfs             | 74.8 af                 | 18.7              | 135.0              | GROUND WATER            |
| 43-13877           | WR/DECREED          | 8/1/1954             | 0.270 cfs             | 54.0 af                 | 13.5              | 135.0              | GROUND WATER            |
| 43-13878           | WR/DECREED          | 4/28/1941            | 0.120 cfs             | 24.4 af                 | 6.1               | 135.0              | GROUND WATER            |
| 43-13879           | WR/DECREED          | 6/30/1985            | 0.150 cfs             | N/A                     | 11.9              | 135.0              | GROUND WATER            |
| 43-4111            | WR/DECREED          | 8/1/1958             | 1.170 cfs             | 477.2 af                | 119.3             | 862.0              | GROUND WATER            |

**Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 43-2395            | WR/DECREED          | 6/1/1953             | 2.510 cfs             | 501.6 af                | 125.3             | 862.0              | GROUND WATER  |
| 43-2416            | WR/DECREED          | 1/21/1955            | 1.380 cfs             | 276.7 af                | 69.2              | 862.0              | GROUND WATER  |
| 43-11200           | WR/DECREED          | 6/30/1985            | 0.800 cfs             | N/A                     | 100.3             | 862.0              | GROUND WATER  |
| 43-2282            | WR/DECREED          | 4/28/1941            | 0.780 cfs             | 155.6 af                | 38.9              | 862.0              | GROUND WATER  |
| 43-4109            | WR/DECREED          | 8/1/1954             | 1.730 cfs             | 346.0 af                | 86.5              | 862.0              | GROUND WATER  |
| 43-10500           | WR/DECREED          | 6/30/1985            | 0.940 cfs             | N/A                     | 76.1              | 862.0              | GROUND WATER  |
| 43-2298E           | WR/DECREED          | 2/23/1959            | 2.590 cfs             | 899.2 af                | 224.8             | 862.0              | GROUND WATER  |
| 43-177B            | WR/DECREED          | 5/24/1909            | 2.520 cfs             | N/A                     | 126.0             | 363.0              | RAFT RIVER    |
| 43-191A            | WR/DECREED          | 4/1/1910             | 2.000 cfs             | N/A                     | 100.0             | 363.0              | RAFT RIVER    |

Transfer No. 84103

**SUPPORT DATA**

**IN FILE # 43-4111**

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 84103**

**Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u>           |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|-------------------------|
| 43-191B            | WR/DECREED          | 4/1/1910             | 1.200 cfs             | N/A                     | 60.0              | 363.0              | RAFT RIVER              |
| 43-314             | WR/DECREED          | 4/6/1921             | 1.560 cfs             | N/A                     | 78.0              | 213.0              | CLEAR CREEK             |
| 43-11201           | WR/DECREED          | 2/2/1909             | 2.490 cfs             | N/A                     |                   | 234.0              | RAFT RIVER, CLEAR CREEK |
| 43-2229            | WR/DECREED          | 1/17/1918            | 1.000 cfs             | N/A                     | 49.8              | 234.0              | RAFT 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 43-13869              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13871              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13872              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13873              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13874              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13875              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13876              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13877              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13878              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-13879              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-4111               | YES          | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 43-13869               | 43-13869                         | 0.600 cfs            | N/A                    | 30.2              | 137.6              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13871               | 43-13871                         | 0.410 cfs            | 140.8 af               | 35.2              | 137.6              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13872               | 43-13872                         | 0.120 cfs            | N/A                    | 15.7              | 137.6              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13873               | 43-13873                         | 1.510 cfs            | N/A                    | N/A               | 137.6              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13874               | 43-13874                         | 0.220 cfs            | 43.3 af                | 10.8              | 137.6              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13875               | 43-13875                         | 0.390 cfs            | 78.4 af                | 19.7              | 137.6              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13876               | 43-13876                         | 0.180 cfs            | 74.8 af                | 18.7              | 137.6              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13877               | 43-13877                         | 0.270 cfs            | 54.0 af                | 13.5              | 137.6              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13878               | 43-13878                         | 0.120 cfs            | 24.4 af                | 6.1               | 137.6              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-13879               | 43-13879                         | 0.150 cfs            | N/A                    | 11.9              | 137.6              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-4111                | 43-13882                         | 0.060 cfs            | 24.0 af                | 6.0               | 137.6              | 43-4111                            | 1.110 cfs             | 453.2 af                | 113.3                       | 862.0                        |
| <b>COMBINED TOTALS</b> |                                  | <b>3.760 cfs</b>     | <b>N/A</b>             | <b>137.6</b>      | <b>137.6</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 84103

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 17<sup>th</sup> day of August, 2020.

  
\_\_\_\_\_  
Southern Region Manager



**WATER RIGHT NO. 43-4111****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-4111 is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 8/1/1958

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 1.110 cfs             | 453.2 af                |
|                       |             |           | 1.110 cfs             | 453.2 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 20  |      |      |      |      |      |      |      |      |      |      |      |      | 39.0 | 40.0 | 39.0 | 39.0 | 157.0  |
| 14S | 27E | 28  |      |      |      |      |      |      | 32.0 |      |      |      | 32.0 |      |      |      |      |      | 96.0   |
| 14S | 27E | 29  | 39.0 | 38.0 | 40.0 | 39.0 |      |      |      |      |      |      | 40.0 | 40.0 | 39.0 | 40.0 | 39.0 | 39.0 | 393.0  |
| 14S | 27E | 32  |      |      |      |      | 40.0 | 40.0 | 40.0 | 38.0 | 38.0 | 20.0 |      |      |      |      |      |      | 216.0  |

Right Acre Limit: 113.3

POU Total Acres: 862.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 113.3 acres within the place of use described above in a single irrigation season.
2. Rights 43-2395, 43-2416 and 43-4111 when combined shall not exceed a total diversion rate of 5.0 cfs, and a total annual maximum diversion volume of 1231.2 af at the field headgate.
3. Rights 43-2395, 43-2416, 43-4111, 43-177B, 43-191A and 43-191B when combined shall not exceed the irrigation of 307.8 acres.

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**WATER RIGHT NO. 43-4111**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

4. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.
5. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are diverted through the point(s) of diversion described above.
6. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
7. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
8. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. 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.
10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
11. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-4111**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

15. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.



**WATER RIGHT NO. 43-13878****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-13878 is now described as follows:

**Right Holder:** BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

**Priority Date:** 4/28/1941

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.120 cfs             | 24.4 af                 |
|                       |             |           | 0.120 cfs             | 24.4 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 6.1

POU Total Acres: 137.6

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 6.1 acres within the place of use described above in a single irrigation season.
2. Rights 43-13878, 43-13877 and 43-13879 when combined shall not exceed a total diversion rate of 0.39 cfs, and a total annual maximum diversion volume of 78.4 af at the field headgate and the irrigation of 31.5 acres.
3. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are limited to the irrigation of 137.6 acres in any one season..
4. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are diverted through the point(s) of diversion described above.

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**WATER RIGHT NO. 43-13878**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Use of water under this right may 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 No143.
7. 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(s).
8. 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.
9. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
10. Right 43-13879 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13882****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-13882 is now described as follows:

**Right Holder:** BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

**Priority Date:** 8/1/1958

**Source:** GROUND WATER

| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| IRRIGATION                   | 03/15              | to 11/15         | 0.060 cfs                    | 24.0 af                        |
|                              |                    |                  | 0.060 cfs                    | 24.0 af                        |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 6.0

POU Total Acres: 137.6

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 6.0 acres within the place of use described above in a single irrigation season.
2. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are limited to the irrigation of 137.6 acres in any one season.
3. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
4. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are diverted through the point(s) of diversion described above..

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**WATER RIGHT NO. 43-13882**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

5. Use of water under this right may 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.143.
6. 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(s).
7. 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.
8. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13879****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-13879 is now described as follows:

**Right Holder:** BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

**Priority Date:** 6/30/1985

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

**To**

to 11/15

**Diversion Rate**

0.150 cfs

0.150 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |    |      | SE   |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|----|------|------|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW | SE   | NE   | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    |    |      |      |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |    | 35.0 | 34.0 |    |    |    | 68.6   |

Right Acre Limit: 11.9

POU Total Acres: 137.6

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 11.9 acres within the place of use described above in a single irrigation season.
2. Rights 43-13878, 43-13877 and 43-13879 when combined shall not exceed a total diversion rate of 0.39 cfs and a total annual maximum diversion volume of 78.4 af at the field headgate and the irrigation of 31.5 acres.
3. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are limited to the irrigation of 137.6 acres in any one season.
4. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are diverted through the point(s) of diversion described above.

Transfer No. 84103

**WATER RIGHT NO. 43-13879**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Use of water under this right may 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. 143.
7. 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(s).
8. 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.
9. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
10. This right is an expansion of Rights 43-13878 and 43-13877 pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13869****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-13869 is now described as follows:

**Right Holder:** BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

**Priority Date:** 1/17/1918

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

**To**

to 11/15

**Diversion Rate**

0.600 cfs

0.600 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER

NWNNWNW

Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 30.2

POU Total Acres: 137.6

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 30.2 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13871, 43-13869, 43-13872, and 43-13873 when combined shall not exceed the irrigation of 50.9 acres.
3. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879, and 43-13882 are limited to the irrigation of 137.6 acres in any one season.
4. The point of diversion described above represents an unused facility due to infrequent availability of water. Before this right may be diverted the water user must file a transfer to establish an active point of diversion, or show that an easement and means to convey water from the diversion to the place of use exists.
5. Use of water under this right may 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. 43B.

Transfer No. 84103

**WATER RIGHT NO. 43-13869**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

6. 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(s).
7. 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 place of use.
8. The right holder shall accomplish the change authorized by this transfer within one 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. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13871****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-13871 is now described as follows:

**Right Holder:** BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

**Priority Date:** 2/23/1959

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.410 cfs             | 140.8 af                |
|                       |             |           | 0.410 cfs             | 140.8 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 35.2

POU Total Acres: 137.6

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 35.2 acres within the place of use described above in a single irrigation season.
2. Rights 43-13871 and 43-13872 when combined shall not exceed a total diversion rate of 0.41 cfs, and a total annual maximum diversion volume of 140.8 af at the field headgate.
3. Rights 43-13869, 43-13871, 43-13872 and 43-13873 when combined shall not exceed the irrigation of 50.9 acres.
4. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are limited to the irrigation of 137.6 acres in any one season.

Transfer No. 84103

**WATER RIGHT NO. 43-13871**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are diverted through the point(s) of diversion described above..
7. Use of water under this right may 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.143.
8. 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(s).
9. 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.
10. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
11. Right 43-13872 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13872****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-13872 is now described as follows:

**Right Holder:** BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

**Priority Date:** 6/30/1985

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

**To**

to 11/15

**Diversion Rate**

0.120 cfs

0.120 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW   |      |    |    | SW |    |    |      | SE   |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|----|------|------|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW | SE   | NE   | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    |    | 35.0 | 34.0 |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |    |      |      |    |    |    | 68.6   |

Right Acre Limit: 15.7

POU Total Acres: 137.6

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 15.7 acres within the place of use described above in a single irrigation season.
2. Rights 43-13871 and 43-13872 when combined shall not exceed a total diversion rate of 0.41 cfs, and a total annual maximum diversion volume of 140.8 af at the field headgate.
3. Rights 43-13871, 43-13872, 43-13869 and 43-13873 when combined shall not exceed the irrigation of 50.9 acres.
4. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are limited to the irrigation of 137.6 acres in any one season.

Transfer No. 84103

**WATER RIGHT NO. 43-13872**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

5. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are diverted through the point(s) of diversion described above.
6. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
7. Use of water under this right may 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.143.
8. 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(s).
9. 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.
10. This right is an expansion of Right 43-13871 pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13873****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-13873 is now described as follows:

**Right Holder:** BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

**Priority Date:** 2/2/1909

**Source:** CLEAR CREEK  
**Source:** RAFT RIVER

**Tributary:** SINKS  
**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

to

**To**

11/15

**Diversion Rate**

1,510 cfs

1,510 cfs

**LOCATION OF POINT(S) OF DIVERSION**

CLEAR CREEK  
RAFT RIVER

NENENE  
NWNWNW

Sec 32 Twp 14S Rge 27E CASSIA County  
Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    |      |      |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 68.6   |

POU Total Acres: 137.6

**CONDITIONS OF APPROVAL**

1. Rights 43-13871, 43-13869, 43-13872, and 43-13873 when combined shall not exceed the irrigation of 50.9 acres.
2. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879, and 43-13882 are limited to the irrigation of 137.6 acres in any one season.
3. The point of diversion described above represents an unused facility due to infrequent availability of water. Before this right may be diverted the water user must file a transfer to establish an active point of diversion, or show that an easement and means to convey water from the diversion to the place of use exists.
4. Use of water under this right may 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. 43B.

Transfer No. 84103

**WATER RIGHT NO. 43-13873**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

5. 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(s):
6. 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 place of use.
7. The right holder shall accomplish the change authorized by this transfer within one 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. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13874****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-13874 is now described as follows:

**Right Holder:** BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

**Priority Date:** 1/21/1955

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.220 cfs             | 43.3 af                 |
|                       |             |           | 0.220 cfs             | 43.3 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 10.8

POU Total Acres: 137.6

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 10.8 acres within the place of use described above in a single irrigation season.
2. Rights 43-13875, 43-13874, and 43-13876 when combined shall not exceed a total diversion rate of 0.79 cfs, and a total annual maximum diversion volume of 196.8 af at the field headgate and the irrigation of 49.2 acres.
3. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are limited to the irrigation of 137.6 acres in any one season.
4. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are diverted through the point(s) of diversion described above.

Transfer No. 84103

**WATER RIGHT NO. 43-13874**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Use of water under this right may 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.143.
7. 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(s).
8. 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.
9. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13875****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-13875 is now described as follows:

**Right Holder:** BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

**Priority Date:** 6/1/1953

**Source:** GROUND WATER

| <b>BENEFICIAL USE</b> | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Diversion Volume</b> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.390 cfs             | 78.4 af                 |
| STOCKWATER            | 01/01       | to 12/31  | 0.010 cfs             |                         |
|                       |             |           | 0.390 cfs             | 78.4 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    |      |      |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 68.6   |

Right Acre Limit: 19.7

POU Total Acres: 137.6

**PLACE OF USE: STOCKWATER**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    |    |    |        |
| 14S | 27E | 28  |    |    |    |    | X  | X  |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 19.7 acres within the place of use described above in a single irrigation season.

Transfer No. 84103

**WATER RIGHT NO. 43-13875**  
**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

2. Rights 43-13875, 43-13874, and 13876 when combined shall not exceed a total diversion rate of 0.79 cfs, and a total annual maximum diversion volume of 196.8 af at the field headgate and the irrigation of 49.2 acres.
3. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are limited to the irrigation of 137.6 acres in any one season.
4. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are diverted through the point(s) of diversion described above.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Use of water under this right may 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.143.
7. 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(s).
8. 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.
9. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13876****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-13876 is now described as follows:

**Right Holder:** BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

**Priority Date:** 8/1/1958

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.180 cfs             | 74.8 af                 |
|                       |             |           | 0.180 cfs             | 74.8 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 18.7

POU Total Acres: 137.6

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 18.7 acres within the place of use described above in a single irrigation season.
2. Rights 43-13875, 43-13874 and 43-13876 when combined shall not exceed a total diversion rate of 0.79 cfs, and a total annual maximum diversion volume of 196.8 af at the field headgate and the irrigation of 49.2 acres.
3. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are limited to the irrigation of 137.6 acres in any one season.
4. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are diverted through the point(s) of diversion described above.

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**WATER RIGHT NO. 43-13876**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Use of water under this right may 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. 143.
7. 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(s).
8. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13877****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-13877 is now described as follows:

**Right Holder:** BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

**Priority Date:** 8/1/1954

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.270 cfs             | 54.0 af                 |
|                       |             |           | 0.270 cfs             | 54.0 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENE | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |    |      | SE   |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|----|------|------|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW | SE   | NE   | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    |    | 35.0 | 34.0 |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |    |      |      |    |    |    | 68.6   |

Right Acre Limit: 13.5

POU Total Acres: 137.6

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 13.5 acres within the place of use described above in a single irrigation season.
2. Rights 43-13878, 43-13877 and 43-13879 when combined shall not exceed a total diversion rate of 0.39 cfs, a total annual maximum diversion volume of 78.4 af at the field headgate, and the irrigation of 31.5 acres.
3. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are limited to the irrigation of 137.6 acres in any one season.
4. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are diverted through the point(s) of diversion described above.

Transfer No. 84103

**WATER RIGHT NO. 43-13877**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Use of water under this right may 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. 143.
7. 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(s).
8. 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.
9. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
10. Right 43-13879 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-2395****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-2395 is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 6/1/1953

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION  
STOCKWATER

**From**

03/15  
01/01

to  
to

**To**

11/15  
12/31

**Diversion Rate**

2.510 cfs  
0.060 cfs  
2.510 cfs

**Diversion Volume**

501.6 af  
  
501.6 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 20  |      |      |      |      |      |      |      |      |      |      |      |      | 39.0 | 40.0 | 39.0 | 39.0 | 157.0  |
| 14S | 27E | 28  |      |      |      |      |      |      | 32.0 |      |      |      | 32.0 | 32.0 |      |      |      |      | 96.0   |
| 14S | 27E | 29  | 39.0 | 38.0 | 40.0 | 39.0 |      |      |      |      |      |      | 40.0 | 40.0 | 39.0 | 40.0 | 39.0 | 39.0 | 393.0  |
| 14S | 27E | 32  |      |      |      |      | 40.0 | 40.0 | 40.0 | 38.0 | 38.0 | 20.0 |      |      |      |      |      |      | 216.0  |

Right Acre Limit: 125.3

POU Total Acres: 862.0

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 20  |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  |        |
| 14S | 27E | 28  |    |    |    |    |    |    | X  |    |    | X  | X  |    |    |    |    |    |        |
| 14S | 27E | 29  | X  | X  | X  | X  |    |    |    |    |    |    | X  | X  | X  | X  | X  | X  |        |
| 14S | 27E | 32  |    |    |    |    | X  | X  | X  | X  | X  | X  |    |    |    |    |    |    |        |

Transfer No. 84103

**WATER RIGHT NO. 43-2395**  
**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 125.3 acres within the place of use described above in a single irrigation season.
2. Rights 43-2395, 43-2416 and 43-4111 when combined shall not exceed a total diversion rate of 5.0 cfs, and a total annual maximum diversion volume of 1231.2 af at the field headgate.
3. Rights 43-2395, 43-2416, 43-4111, 43-177B, 43-191A and 43-191B when combined shall not exceed the irrigation of 307.8 acres.
4. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.
5. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879 and 43-13882 are diverted through the point(s) of diversion described above.
6. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
7. 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.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
10. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

**WATER RIGHT NO. 43-2395**  
**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

14. 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.
15. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.



**WATER RIGHT NO. 43-2416****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-2416 is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 1/21/1955

**Source:** GROUND WATER

| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| IRRIGATION                   | 03/15              | to 11/15         | 1.380 cfs                    | 276.7 af                       |
|                              |                    |                  | 1.380 cfs                    | 276.7 af                       |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 20  |      |      |      |      |      |      |      |      |      |      |      |      | 39.0 | 40.0 | 39.0 | 39.0 | 157.0  |
| 14S | 27E | 28  |      |      |      |      |      |      | 32.0 |      |      |      | 32.0 | 32.0 |      |      |      |      | 96.0   |
| 14S | 27E | 29  | 39.0 | 38.0 | 40.0 | 39.0 |      |      |      |      |      |      | 40.0 | 40.0 | 39.0 | 40.0 | 39.0 | 39.0 | 393.0  |
| 14S | 27E | 32  |      |      |      |      | 40.0 | 40.0 | 40.0 | 38.0 | 38.0 | 20.0 |      |      |      |      |      |      | 216.0  |

Right Acre Limit: 69.2

POU Total Acres: 862.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 69.2 acres within the place of use described above in a single irrigation season.
2. Rights 43-2395, 43-2416 and 43-4111 when combined shall not exceed a total diversion rate of 5.0 cfs, and a total annual maximum diversion volume of 1231.2 af at the field headgate.
3. Rights 43-2395, 43-2416, 43-4111, 43-177B, 43-191A and 43-191B when combined shall not exceed the irrigation of 307.8 acres.

Transfer No. 84103

**WATER RIGHT NO. 43-2416**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

4. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879, and 43-13882 are diverted through the point(s) of diversion described above.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 43-2416**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

15. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.



**WATER RIGHT NO. 43-11200****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-11200 is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 6/30/1985

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
0.800 cfs  
0.800 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENV | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 20  |      |      |      |      |      |      |      |      |      |      |      |      | 39.0 | 40.0 | 39.0 | 39.0 | 157.0  |
| 14S | 27E | 28  |      |      |      |      |      |      | 32.0 |      |      |      | 32.0 | 32.0 |      |      |      |      | 96.0   |
| 14S | 27E | 29  | 39.0 | 38.0 | 40.0 | 39.0 |      |      |      |      |      |      | 40.0 | 40.0 | 39.0 | 40.0 | 39.0 | 39.0 | 393.0  |
| 14S | 27E | 32  |      |      |      |      | 40.0 | 40.0 | 40.0 | 38.0 | 38.0 | 20.0 |      |      |      |      |      |      | 216.0  |

Right Acre Limit: 100.3

POU Total Acres: 862.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 100.3 acres within the place of use described above in a single irrigation season.
2. Rights 43-2298E and 43-11200 when combined shall not exceed a total diversion rate of 2.59 cfs, and a total annual maximum diversion volume of 899.2 af at the field headgate.
3. Rights 43-2298E, 43-11200, 43-2229 and 43-11201 when combined shall not exceed the irrigation of 325.1 acres.

Transfer No. 84103

**WATER RIGHT NO. 43-11200**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

4. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. This right is an expansion of Right 43-2298E pursuant to Section 42-1416B, Idaho Code.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. 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.
11. 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.
12. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879, and 43-13882 are diverted through the point(s) of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 43-11200**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

16. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.



**WATER RIGHT NO. 43-2282****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-2282 is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 4/28/1941

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.780 cfs             | 155.6 af                |
|                       |             |           | 0.780 cfs             | 155.6 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENE | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 20  |      |      |      |      |      |      |      |      |      |      |      |      | 39.0 | 40.0 | 39.0 | 39.0 | 157.0  |
| 14S | 27E | 28  |      |      |      |      |      |      | 32.0 |      |      |      | 32.0 | 32.0 |      |      |      |      | 96.0   |
| 14S | 27E | 29  | 39.0 | 38.0 | 40.0 | 39.0 |      |      |      |      |      |      | 40.0 | 40.0 | 39.0 | 40.0 | 39.0 | 39.0 | 393.0  |
| 14S | 27E | 32  |      |      |      |      | 40.0 | 40.0 | 40.0 | 38.0 | 38.0 | 20.0 |      |      |      |      |      |      | 216.0  |

Right Acre Limit: 38.9

POU Total Acres: 862.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 38.9 acres within the place of use described above in a single irrigation season.
2. Rights 43-2282, 43-4109 and 43-10500 when combined shall not exceed a total diversion rate of 2.51 cfs, and a total annual maximum diversion volume of 501.6 af at the field headgate.
3. Rights 43-2282, 43-4109, 43-10500 and 43-314 when combined shall not exceed the irrigation of 201.5 acres.

Transfer No. 84103

**WATER RIGHT NO. 43-2282**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

4. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. Right 43-10500 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
12. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879, and 43-13882 are diverted through the point(s) of diversion described above
13. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 43-2282**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

16. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.



**WATER RIGHT NO. 43-4109****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-4109 is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 8/1/1954

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 1.730 cfs             | 346.0 af                |
|                       |             |           | 1.730 cfs             | 346.0 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 20  |      |      |      |      |      |      |      |      |      |      |      |      | 39.0 | 40.0 | 39.0 | 39.0 | 157.0  |
| 14S | 27E | 28  |      |      |      |      |      |      | 32.0 |      |      |      | 32.0 | 32.0 |      |      |      |      | 96.0   |
| 14S | 27E | 29  | 39.0 | 38.0 | 40.0 | 39.0 |      |      |      |      |      |      | 40.0 | 40.0 | 39.0 | 40.0 | 39.0 | 39.0 | 393.0  |
| 14S | 27E | 32  |      |      |      |      | 40.0 | 40.0 | 40.0 | 38.0 | 38.0 | 20.0 |      |      |      |      |      |      | 216.0  |

Right Acre Limit: 86.5

POU Total Acres: 862.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 86.5 acres within the place of use described above in a single irrigation season.
2. Rights 43-2282, 43-4109 and 43-10500 when combined shall not exceed a total diversion rate of 2.51 cfs, and a total annual maximum diversion volume of 501.6 af at the field headgate.
3. Rights 43-2282, 43-4109, 43-10500 and 43-314 when combined shall not exceed the irrigation of 201.5 acres.

Transfer No. 84103

**WATER RIGHT NO. 43-4109**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

4. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. Right 43-10500 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
12. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879, and 43-13882 are diverted through the point(s) of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 43-4109**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

16. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.



**WATER RIGHT NO. 43-10500****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-10500 is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 6/30/1985

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

**To**

to 11/15

**Diversion Rate**

0.940 cfs

0.940 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENE | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 20  |      |      |      |      |      |      |      |      |      |      |      |      | 39.0 | 40.0 | 39.0 | 39.0 | 157.0  |
| 14S | 27E | 28  |      |      |      |      |      |      | 32.0 |      |      |      | 32.0 | 32.0 |      |      |      |      | 96.0   |
| 14S | 27E | 29  | 39.0 | 38.0 | 40.0 | 39.0 |      |      |      |      |      |      | 40.0 | 40.0 | 39.0 | 40.0 | 39.0 | 39.0 | 393.0  |
| 14S | 27E | 32  |      |      |      |      | 40.0 | 40.0 | 40.0 | 38.0 | 38.0 | 20.0 |      |      |      |      |      |      | 216.0  |

Right Acre Limit: 76.1

POU Total Acres: 862.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 76.1 acres within the place of use described above in a single irrigation season.
2. Rights 43-2282, 43-4109 and 43-10500 when combined shall not exceed a total diversion rate of 2.51 cfs, and a total annual maximum diversion volume of 501.6 af at the field headgate.
3. Rights 43-2282, 43-4109, 43-10500 and 43-314 when combined shall not exceed the irrigation of 201.5 acres.

Transfer No. 84103

**WATER RIGHT NO. 43-10500**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

4. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. This right is an expansion of Rights 43-2282 and 43-4109 pursuant to Section 42-1416B, Idaho Code.
12. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879, and 43-13882 are diverted through the point(s) of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 43-10500**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

16. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.



**WATER RIGHT NO. 43-2298E****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-2298E is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 2/23/1959

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 2.590 cfs             | 899.2 af                |
|                       |             |           | 2.590 cfs             | 899.2 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SESW | Sec 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec 32 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 20  |      |      |      |      |      |      |      |      |      |      |      |      | 39.0 | 40.0 | 39.0 | 39.0 | 157.0  |
| 14S | 27E | 28  |      |      |      |      |      |      | 32.0 |      |      | 32.0 | 32.0 |      |      |      |      |      | 96.0   |
| 14S | 27E | 29  | 39.0 | 38.0 | 40.0 | 39.0 |      |      |      |      |      |      | 40.0 | 40.0 | 39.0 | 40.0 | 39.0 | 39.0 | 393.0  |
| 14S | 27E | 32  |      |      |      |      | 40.0 | 40.0 | 40.0 | 38.0 | 38.0 | 20.0 |      |      |      |      |      |      | 216.0  |

Right Acre Limit: 224.8

POU Total Acres: 862.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 224.8 acres within the place of use described above in a single irrigation season.
2. Rights 43-2298E and 43-11200 when combined shall not exceed a total diversion rate of 2.59 cfs, and a total annual maximum diversion volume of 899.2 af at the field headgate.
3. Rights 43-2298E, 43-11200, 43-2229 and 43-11201 when combined shall not exceed the irrigation of 325.1 acres.

Transfer No. 84103

**WATER RIGHT NO. 43-2298E**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

4. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. Right 43-11200 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
12. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879, and 43-13882 are diverted through the point(s) of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 43-2298E**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

16. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.



**WATER RIGHT NO. 43-177B****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-177B is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 5/24/1909

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
2.520 cfs  
2.520 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER SWNWSW Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |      |    | NW   |      |      |      | SW |      |      |      | SE |      |      |    | Totals |
|-----|-----|-----|----|----|------|----|------|------|------|------|----|------|------|------|----|------|------|----|--------|
|     |     |     | NE | NW | SW   | SE | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE   | NE | NW   | SW   | SE |        |
| 14S | 27E | 29  |    |    | 40.0 |    |      |      |      |      |    |      | 40.0 | 40.0 |    | 40.0 | 39.0 |    | 199.0  |
| 14S | 27E | 32  |    |    |      |    | 40.0 | 35.0 | 32.0 | 38.0 |    | 19.0 |      |      |    |      |      |    | 164.0  |

Right Acre Limit: 126.0

POU Total Acres: 363.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 126.0 acres within the place of use described above in a single irrigation season.
2. Use of the Rights listed below is limited to the irrigation of a combined total of 307.8 acres in a single irrigation season. Combined Right Nos.: 43-177B, 43-191A, 43-191B, 43-02395, 43-02416 & 43-04111.
3. When combined the following Right Nos. shall provide no more than 0.02 cfs per acre.: 43-177B, 43-191A, 43-191B, 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500 & 43-11200.
4. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.

Transfer No. 84103

**WATER RIGHT NO. 43-177B**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

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.
6. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**WATER RIGHT NO. 43-191A****As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-191A is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 4/1/1910

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **to** 11/15

**Diversion Rate**  
2.000 cfs  
2.000 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER SWNWSW Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |      |    | NW   |      |      |      | SW |      |      |      | SE |      |      |    | Totals |
|-----|-----|-----|----|----|------|----|------|------|------|------|----|------|------|------|----|------|------|----|--------|
|     |     |     | NE | NW | SW   | SE | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE   | NE | NW   | SW   | SE |        |
| 14S | 27E | 29  |    |    | 40.0 |    |      |      |      |      |    |      | 40.0 | 40.0 |    | 40.0 | 39.0 |    | 199.0  |
| 14S | 27E | 32  |    |    |      |    | 40.0 | 35.0 | 32.0 | 38.0 |    | 19.0 |      |      |    |      |      |    | 164.0  |

Right Acre Limit: 100.0

POU Total Acres: 363.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 100.0 acres within the place of use described above in a single irrigation season.
2. Use of the Rights listed below is limited to the irrigation of a combined total of 307.8 acres in a single irrigation season. Combined Right Nos.: 43-177B, 43-191A, 43-191B, 43-02395, 43-02416 & 43-04111.
3. When combined the following Right Nos. shall provide no more than 0.02 cfs per acre.: 43-177B, 43-191A, 43-191B, 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500 & 43-11200.
4. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.

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**WATER RIGHT NO. 43-191A**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

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.
6. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

# **WATER RIGHT NO. 43-191B** **As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-191B is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 4/1/1910

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
1.200 cfs  
1.200 cfs

## **LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER SWNWSW Sec 32 Twp 14S Rge 27E CASSIA County

## **PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |      |    | NW   |      |      |      | SW |      |      |      | SE |      |      |    | Totals |
|-----|-----|-----|----|----|------|----|------|------|------|------|----|------|------|------|----|------|------|----|--------|
|     |     |     | NE | NW | SW   | SE | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE   | NE | NW   | SW   | SE |        |
| 14S | 27E | 29  |    |    | 40.0 |    |      |      |      |      |    |      | 40.0 | 40.0 |    | 40.0 | 39.0 |    | 199.0  |
| 14S | 27E | 32  |    |    |      |    | 40.0 | 35.0 | 32.0 | 38.0 |    | 19.0 |      |      |    |      |      |    | 164.0  |

Right Acre Limit: 60.0  
POU Total Acres: 363.0

## **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 60.0 acres within the place of use described above in a single irrigation season.
2. Use of the Rights listed below is limited to the irrigation of a combined total of 307.8 acres in a single irrigation season. Combined Right Nos.: 43-177B, 43-191A, 43-191B, 43-02395, 43-02416 & 43-04111.
3. When combined the following Right Nos. shall provide no more than 0.02 cfs per acre.: 43-177B, 43-191A, 43-191B, 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500 & 43-11200.
4. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.

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**WATER RIGHT NO. 43-191B**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

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.
6. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

# **WATER RIGHT NO. 43-314**

## **As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-314 is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 4/6/1921

**Source:** CLEAR CREEK

**Tributary:** SINKS

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
1.560 cfs  
1.560 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

CLEAR CREEK NWNWNW Sec 33 Twp 14S Rge 27E CASSIA County

### **PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |      | NW |    |      |    | SW |    |      |      | SE   |    |    |      | Totals |
|-----|-----|-----|----|----|----|------|----|----|------|----|----|----|------|------|------|----|----|------|--------|
|     |     |     | NE | NW | SW | SE   | NE | NW | SW   | SE | NE | NW | SW   | SE   | NE   | NW | SW | SE   |        |
| 14S | 27E | 28  |    |    |    |      |    |    | 32.0 |    |    |    | 32.0 | 32.0 |      |    |    |      | 96.0   |
| 14S | 27E | 29  |    |    |    | 39.0 |    |    |      |    |    |    |      |      | 39.0 |    |    | 39.0 | 117.0  |

Right Acre Limit: 78.0

POU Total Acres: 213.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 78.0 acres within the place of use described above in a single irrigation season.
2. Use of the Rights listed below is limited to the irrigation of a combined total of 201.5 acres in a single irrigation season. Combined Right Nos.: 43-314, 43-2282, 43-4109 & 43-10500.
3. When combined the following Right Nos. shall provide no more than 0.02 cfs per acre.: 43-314, 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500 & 43-11200.
4. The point of diversion described above represents an unused facility due to infrequent availability of water. Before this right may be diverted the water user must file a transfer to establish an active point of diversion, or show that an easement and means to convey water from the diversion to the place of use exists.
5. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.

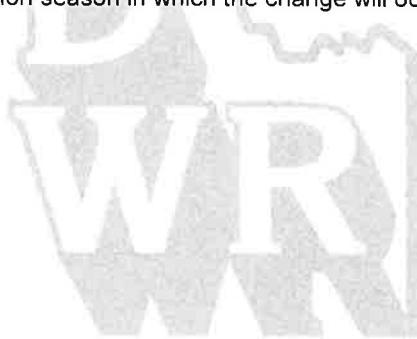
Transfer No. 84103

**WATER RIGHT NO. 43-314**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

6. 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.
7. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.



## WATER RIGHT NO. 43-11201

### As Modified by Transfer No. 84103

In accordance with the approval of Transfer No. 84103, Water Right No. 43-11201 is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 2/2/1909

**Source:** CLEAR CREEK  
**Source:** RAFT RIVER

**Tributary:** SINKS  
**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
2.490 cfs  
2.490 cfs

#### **LOCATION OF POINT(S) OF DIVERSION**

CLEAR CREEK  
RAFT RIVER

NENENE  
NWNWNW

Sec 32 Twp 14S Rge 27E CASSIA County  
Sec 32 Twp 14S Rge 27E CASSIA County

#### **PLACE OF USE: IRRIGATION**

|     |     |     | NE   |      |    |    | NW |    |    |    | SW |    |    |    | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|----|----|----|----|----|----|----|----|----|----|------|------|------|------|--------|
| Twp | Rng | Sec | NE   | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 20  |      |      |    |    |    |    |    |    |    |    |    |    | 39.0 | 40.0 | 39.0 | 39.0 | 157.0  |
| 14S | 27E | 29  | 39.0 | 38.0 |    |    |    |    |    |    |    |    |    |    |      |      |      |      | 77.0   |

POU Total Acres: 234.0

#### **CONDITIONS OF APPROVAL**

1. Use of the Rights listed below is limited to the irrigation of a combined total of 325.1 acres in a single irrigation season. Combined Right Nos.: 43-2298E, 43-2229, 43-11200 & 43-11201.
2. When combined the following Right Nos. shall provide no more than 0.02 cfs per acre.: 43-2229, 43-11201, 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500 & 43-11200.
3. The point of diversion described above represents an unused facility due to infrequent availability of water. Before this right may be diverted the water user must file a transfer to establish an active point of diversion, or show that an easement and means to convey water from the diversion to the place of use exists.
4. This right is a combination of old Right Nos. 43-310 & 43-311.

Transfer No. 84103

**WATER RIGHT NO. 43-11201**

**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

5. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.
6. 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.
7. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

# **WATER RIGHT NO. 43-2229**

## **As Modified by Transfer No. 84103**

In accordance with the approval of Transfer No. 84103, Water Right No. 43-2229 is now described as follows:

**Right Holder:** J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 1/17/1918

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **to** 11/15

**Diversion Rate**  
1.000 cfs  
1.000 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWNWNW Sec 32 Twp 14S Rge 27E CASSIA County

### **PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |    |    | NW |    |    |    | SW |    |    |    | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|----|----|----|----|----|----|----|----|----|----|------|------|------|------|--------|
|     |     |     | NE   | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 20  |      |      |    |    |    |    |    |    |    |    |    |    | 39.0 | 40.0 | 39.0 | 39.0 | 157.0  |
| 14S | 27E | 29  | 39.0 | 38.0 |    |    |    |    |    |    |    |    |    |    |      |      |      |      | 77.0   |

Right Acre Limit: 49.8

POU Total Acres: 234.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 49.8 acres within the place of use described above in a single irrigation season.
2. Use of the Rights listed below is limited to the irrigation of a combined total of 325.1 acres in a single irrigation season. Combined Right Nos.: 43-2298E, 43-2229, 43-11200 & 43-11201.
3. When combined the following Right Nos. shall provide no more than 0.02 cfs per acre.: 43-2229, 43-11201, 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500 & 43-11200.
4. The point of diversion described above represents an unused facility due to infrequent availability of water. Before this right may be diverted the water user must file a transfer to establish an active point of diversion, or show that an easement and means to convey water from the diversion to the place of use exists.

Transfer No. 84103

**WATER RIGHT NO. 43-2229**  
**As Modified by Transfer No. 84103**

**CONDITIONS OF APPROVAL**

5. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 834.4 acres in any one season.
6. 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.
7. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 834.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 834.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 834.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

State of Idaho  
Department of Water Resources

## Attachment to Transfer # 84103

43-13869, 43-13871, 43-13872, 43-13873, 43-13874,  
43-13875, 43-13876, 43-13877, 43-13878, 43-13879, and 43-13882

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.35 0.7 1.4 Miles



State of Idaho  
Department of Water Resources

## Attachment to Transfer # 84103

43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314,  
43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

**RECEIVED****JUN 12 2020**DEPT OF WATER RESOURCES  
SOUTHERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 84103**MINIMUM REQUIREMENTS CHECKLIST**  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) J7 LLC; BLACK PINE LAND LLC**Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.****Yes N/A** \*Means the item is always required and must be included with the application.

- ☒ \* Completed Application for Transfer of Water Right form, Part 1.
- ☒ \* Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ \* Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and **attach** an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer **application**
- ☒ \* Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ \* Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

**Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.**

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ \* #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Other. Please describe: \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 12 2020

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Name of Applicant J7 LLC Phone (208) 431-6810  
Mailing Address C/O JEFFREY C JOHNSON  
247 S 950 E, DECLO ID 83323-5040 Email jcj147@gmail.com  
Name of Applicant BLACK PINE LAND LLC Phone (208) 308-2898  
Mailing Address 2368 E 2575 S, MALTA ID 83342-8618 Email \_\_\_\_\_

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

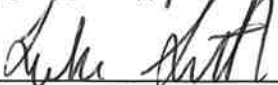
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative \_\_\_\_\_ Phone \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

|                                                                                                                                                   |                                                                |                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------|
| <u></u><br>Signature of Applicant or Authorized Representative | <u>JEFFREY C JOHNSON</u><br>Print Name and Title if applicable | <u>6/10/20</u><br>Date |
| <u></u><br>Signature of Applicant or Authorized Representative | <u>Luke Smith</u><br>Print Name and Title if applicable        | <u>6/10/20</u><br>Date |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Continued**

**A. PURPOSE OF TRANSFER**

| 1. | Right    | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|----|----------|-------|-----|-----|---------|---------------|---------------|
|    | 43-4111  | Yes   | No  | Yes | No      | No            | No            |
|    | 43-13869 | No    | No  | Yes | No      | No            | No            |
|    | 43-13871 | No    | No  | Yes | No      | No            | No            |
|    | 43-13872 | No    | No  | Yes | No      | No            | No            |
|    | 43-13873 | No    | No  | Yes | No      | No            | No            |
|    | 43-13874 | No    | No  | Yes | No      | No            | No            |
|    | 43-13875 | No    | No  | Yes | No      | No            | No            |
|    | 43-13876 | No    | No  | Yes | No      | No            | No            |
|    | 43-13877 | No    | No  | Yes | No      | No            | No            |
|    | 43-13878 | No    | No  | Yes | No      | No            | No            |
|    | 43-13879 | No    | No  | Yes | No      | No            | No            |

Associated Right(s): 43-2395 , 43-2416 , 43-11200 , 43-2282 , 43-4109 , 43-10500 , 43-2298E , 43-177B , 43-191A , 43-191B , 43-314 , 43-11201 , 43-2229

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Application proposes to transfer a 6 acre portion, 0.06 cfs of a ground water irrigation right to a neighboring farm to create a 137.6 acre permissible place of use for irrigation. The application will update the place of use for the additional 6 acres and change the ownership of the 6 acre portion being transfer. In addition the application proposes to change the existing water rights at the proposed places of use to allow for the additional 6 acres.

**B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1. Detailed Water Right Description(s) Attached labeled Part 1.

**Summary of Water Rights After the Approved Change**

| Transferred Right (All or Part) | Transfer Rate | Transfer Volume | Acre Limit | Total Acres | Original Right (Remaining Portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|---------------------------------|---------------|-----------------|------------|-------------|------------------------------------|----------------|------------------|----------------------|-----------------------|
| 43-13882                        | 0.060 cfs     | 24.0 af         | 6.0        | 137.6       | 43-4111                            | 1.110 cfs      | 453.2 af         | 113.3                | 862.0                 |
| 43-13869                        | 0.600 cfs     | N/A             | 30.2       | 137.6       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13871                        | 0.410 cfs     | 140.8 af        | 35.2       | 137.6       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13872                        | 0.120 cfs     | N/A             | 15.7       | 137.6       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13873                        | 1.510 cfs     | N/A             | N/A        | 137.6       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13874                        | 0.220 cfs     | 43.3 af         | 10.8       | 137.6       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13875                        | 0.390 cfs     | 78.4 af         | 19.7       | 137.6       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13876                        | 0.180 cfs     | 74.8 af         | 18.7       | 137.6       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13877                        | 0.270 cfs     | 54.0 af         | 13.5       | 137.6       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13878                        | 0.120 cfs     | 24.4 af         | 6.1        | 137.6       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13879                        | 0.150 cfs     | N/A             | 11.9       | 137.6       |                                    | N/A            | N/A              | N/A                  | N/A                   |

**COMBINED  
TOTALS**

|           |          |       |       |     |     |     |     |
|-----------|----------|-------|-------|-----|-----|-----|-----|
| 3.760 cfs | 440.0 af | 137.6 | 137.6 | N/A | N/A | N/A | N/A |
|-----------|----------|-------|-------|-----|-----|-----|-----|

2. Total amount of water proposed to be transferred or changed 3.76 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Continued**

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Unchanged Portion After Requested Changes**

**Original Water Right No. 43-4111**

Current Water Right Owner

J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

Priority Date: 8/1/1958

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 1.110 CFS             | 453.2 AFA     |                    |
| Total Diversion       |             |           | 1.110 CFS             | 453.2 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 20  |      |      |      |      |      |      |      |      |      |      |      |      | 39.0 | 40.0 | 39.0 | 39.0 | 157.0  |
| 14S | 27E | 28  |      |      |      |      |      |      | 32.0 |      |      | 32.0 | 32.0 |      |      |      |      |      | 96.0   |
| 14S | 27E | 29  | 39.0 | 38.0 | 40.0 | 39.0 |      |      |      |      |      |      | 40.0 | 40.0 | 39.0 | 40.0 | 39.0 | 39.0 | 393.0  |
| 14S | 27E | 32  |      |      |      |      | 40.0 | 40.0 | 40.0 | 38.0 | 38.0 | 20.0 |      |      |      |      |      |      | 216.0  |

Right Acre Limit: 113.3

POU Total Acres: 862.0

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Split Portion After Requested Changes**

**Proposed Water Right No. 43-13882**

**(Original Water Right No. 43-4111)**

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 8/1/1958

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.060 CFS             | 24.0 AFA      |                    |
| Total Diversion       |             |           | 0.060 CFS             | 24.0 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |      |      |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|------|------|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW   | SW   | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |    |      |      |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    |    | 35.0 | 33.6 |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 6.0

POU Total Acres: 137.6

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13869

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 1/17/1918

Origin: Water Right

Basis: Decreed

Status Active

**Source:** RAFT RIVER      **Tributary:** SNAKE RIVER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.600 CFS             |                    |
| Total Diversion       |             |           | 0.600 CFS             |                    |

**Source and Point(s) of Diversion:**

RAFT RIVER      NWNWNW      Sec. 32 Twp 14S Rge 27E CASSIA County

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 30.2

POU Total Acres: 137.6

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13871

Current Water Right Owner  
 BLACK PINE LAND LLC  
 2368 E 2575 S  
 MALTA, ID 83342-8618

Priority Date: 2/23/1959

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.410 CFS             | 140.8 AFA     |                    |
| Total Diversion       |             |           | 0.410 CFS             | 140.8 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use:** IRRIGATION

|     |     |     | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 35.2

POU Total Acres: 137.6

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13872

Current Water Right Owner  
 BLACK PINE LAND LLC  
 2368 E 2575 S  
 MALTA, ID 83342-8618

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.120 CFS             |                    |
| Total Diversion       |             |           | 0.120 CFS             |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 15.7

POU Total Acres: 137.6

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13873

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 2/2/1909

Origin: Water Right

Basis: Decreed

Status Active

**Source:** CLEAR CREEK

**Tributary:** SINKS

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**Beneficial Use**

IRRIGATION

**From**

03/15

**To**

11/15

**Diversion Rate**

1.510 CFS

**Subuse Code**

Total Diversion

1.510 CFS

**Source and Point(s) of Diversion:**

CLEAR CREEK

NENENE

Sec. 32 Twp 14S Rge 27E CASSIA County

RAFT RIVER

NWNWNW

Sec. 32 Twp 14S Rge 27E CASSIA County

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

POU Total Acres: 137.6

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13874

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 1/21/1955

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.220 CFS             | 43.3 AFA      |                    |
| Total Diversion       |             |           | 0.220 CFS             | 43.3 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 10.8

POU Total Acres: 137.6

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13875

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 6/1/1953

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.390 CFS             | 78.4 AFA      |                    |
| STOCKWATER            | 01/01       | 12/31     | 0.010 CFS             |               |                    |
| Total Diversion       |             |           | 0.390 CFS             | 78.4 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENE | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 19.7

POU Total Acres: 137.6

**Place of Use:** STOCKWATER

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    |    |    |        |
| 14S | 27E | 28  |    |    |    |    | X  | X  |    |    |    |    |    |    |    |    |    |    |        |

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13876

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 8/1/1958

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.180 CFS             | 74.8 AFA      |                    |
| Total Diversion       |             |           | 0.180 CFS             | 74.8 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use:** IRRIGATION

|     |     |     | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 18.7

POU Total Acres: 137.6

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13877

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 8/1/1954

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.270 CFS             | 54.0 AFA      |                    |
| Total Diversion       |             |           | 0.270 CFS             | 54.0 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use:** IRRIGATION

|     |     |     | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 13.5

POU Total Acres: 137.6

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13878

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 4/28/1941

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.120 CFS             | 24.4 AFA      |                    |
| Total Diversion       |             |           | 0.120 CFS             | 24.4 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 6.1

POU Total Acres: 137.6

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13879

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.150 CFS             |                    |
| Total Diversion       |             |           | 0.150 CFS             |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 35.0 | 33.6 |    |    |    |    |      |      |    |    |    |    | 68.6   |

Right Acre Limit: 11.9

POU Total Acres: 137.6

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future

A measuring device is already installed

- b. Who owns the property at the point(s) of diversion

Applicants

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

No, ☒ If Yes, ☐

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

6 acres are to be dried up

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Current existing ground water rights

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

☐ Yes  
☐  
☐  
☐

No

☒  
☒  
☒  
☒

undergone a period of five or more consecutive years of non-use,  
currently leased to the Water Supply Bank,  
currently used in a mitigation plan limiting the use of water under the right, or  
currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.** 43-4111

**Current Water Right Owner**

J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO, ID 83323-5040

**Priority Date:** 8/1/1958

**Origin:** Water Right

**Basis:** Decreed

**Status:** Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 1.170 CFS             | 477.2 AFA     |                    |
| Total Diversion       |             |           | 1.170 CFS             | 477.2 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 14S | 27E | 20  |      |      |      |      |      |      |      |      |      |      |      |      | 39.0 | 40.0 | 39.0 | 39.0 | 157.0  |
| 14S | 27E | 28  |      |      |      |      |      |      | 32.0 |      |      | 32.0 | 32.0 |      |      |      |      |      | 96.0   |
| 14S | 27E | 29  | 39.0 | 38.0 | 40.0 | 39.0 |      |      |      |      |      |      | 40.0 | 40.0 | 39.0 | 40.0 | 39.0 | 39.0 | 393.0  |
| 14S | 27E | 32  |      |      |      |      | 40.0 | 40.0 | 40.0 | 38.0 | 38.0 | 20.0 |      |      |      |      |      |      | 216.0  |

Right Acre Limit: 119.3

POU Total Acres: 862.0

**Conditions/Remarks:**

1. This right is limited to the irrigation of 119.3 acres within the place of use described above in a single irrigation season.
2. Rights 43-2395, 43-2416 and 43-4111 when combined shall not exceed a total diversion rate of 5.06 cfs, and a total annual maximum diversion volume of 1255.2 af at the field headgate.
3. Rights 43-2395, 43-2416, 43-4111, 43-177B, 43-191A and 43-191B when combined shall not exceed the irrigation of 313.8 acres.
4. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of 840.4 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878 and 43-13879 are diverted through the point(s) of diversion described above.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.
15. Rights 43-177B, 43-191A, 43-191B, 43-2395, 43-2416, 43-4111, 43-314, 43-2282, 43-4109, 43-10500, 43-2298E, 43-11200, 43-2229, and 43-11201 are limited to the irrigation of a specific 840.4 acres within the 862 acre place of use authorized by these rights in a single irrigation season. The specific 840.4 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 840.4 acres to be irrigated within the 862 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No. 43-13869**

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 1/17/1918

Origin: Water Right

Basis: Decreed

Status: Active

**Source: RAFT RIVER      Tributary: SNAKE RIVER**

|                       |             |           |                       |                    |
|-----------------------|-------------|-----------|-----------------------|--------------------|
| <b>Beneficial Use</b> | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Subuse Code</b> |
| IRRIGATION            | 03/15       | 11/15     | 0.600 CFS             |                    |
| Total Diversion       |             |           | 0.600 CFS             |                    |

**Source and Point(s) of Diversion:**

RAFT RIVER      NWNWNW      Sec. 32 Twp 14S Rge 27E CASSIA County

**Place of Use: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 34.0 | 32.0 |    |    |    |    |      |      |    |    |    |    | 66.0   |

Right Acre Limit: 30.2

POU Total Acres: 135.0

**Conditions/Remarks:**

1. This right is limited to the irrigation of 30.2 acres within the place of use described above in a single irrigation season.
2. Use of the Rights listed below is limited to the irrigation of a combined total of 50.9 acres in a single irrigation season. Combined Right Nos.: 43-13871, 43-13869, 43-13872 & 43-13873.
3. When combined the following Right Nos. shall provide no more than 0.02 cfs per acre.: 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878 & 43-13879.
4. The point of diversion described above represents an unused facility due to infrequent availability of water. Before this right may be diverted the water user must file a transfer to establish an active point of diversion, or show that an easement and means to convey water from the diversion to the place of use exists.
5. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of 131.6 acres in any one season.
6. 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.

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APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

7. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of a specific 131.6 acres within the 135 acre place of use authorized by these rights in a single irrigation season. The specific 131.6 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 131.6 acres to be irrigated within the 135 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.** 43-13871

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 2/23/1959

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.410 CFS             | 140.8 AFA     |                    |
| Total Diversion       |             |           | 0.410 CFS             | 140.8 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SESW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use:** IRRIGATION

| Twp               | Rng | Sec | NE    |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-------------------|-----|-----|-------|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|                   |     |     | NE    | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S               | 27E | 21  |       |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S               | 27E | 28  |       |    |    |    | 34.0 | 32.0 |    |    |    |    |      |      |    |    |    |    | 66.0   |
| Right Acre Limit: |     |     | 35.2  |    |    |    |      |      |    |    |    |    |      |      |    |    |    |    |        |
| POU Total Acres:  |     |     | 135.0 |    |    |    |      |      |    |    |    |    |      |      |    |    |    |    |        |

**Conditions/Remarks:**

1. This right is limited to the irrigation of 35.2 acres within the place of use described above in a single irrigation season.
2. Rights 43-13871 and 43-13872 when combined shall not exceed a total diversion rate of 0.41 cfs, and a total annual maximum diversion volume of 140.8 af at the field headgate.
3. Rights 43-13869, 43-13871, 43-13872 and 43-13873 when combined shall not exceed the irrigation of 50.9 acres.
4. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of 131.6 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT**

**Conditions/Remarks:**

8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. Right 43-13872 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
12. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878 and 43-13879 are diverted through the point(s) of diversion described above..
13. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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.
16. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of a specific 131.6 acres within the 135 acre place of use authorized by these rights in a single irrigation season. The specific 131.6 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 131.6 acres to be irrigated within the 135 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.** 43-13872

Current Water Right Owner

BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.120 CFS             |                    |
| Total Diversion       |             |           | 0.120 CFS             |                    |

**Source and Point(s) of Diversion:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E CASSIA County |

**Place of Use:** IRRIGATION

|     |     |     | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 34.0 | 32.0 |    |    |    |    |      |      |    |    |    |    | 66.0   |

Right Acre Limit: 15.7

POU Total Acres: 135.0

**Conditions/Remarks:**

1. This right is limited to the irrigation of 15.7 acres within the place of use described above in a single irrigation season.
2. Rights 43-13871 and 43-13872 when combined shall not exceed a total diversion rate of 0.41 cfs, and a total annual maximum diversion volume of 140.8 af at the field headgate.
3. Rights 43-13871, 43-13872, 43-13869 and 43-13873 when combined shall not exceed the irrigation of 50.9 acres.
4. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of 131.6 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. This right is an expansion of Right 43-13871 pursuant to Section 42-1416B, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. 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.
11. 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.
12. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878 and 43-13879 are diverted through the point(s) of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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.
16. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of a specific 131.6 acres within the 135 acre place of use authorized by these rights in a single irrigation season. The specific 131.6 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 131.6 acres to be irrigated within the 135 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No. 43-13873**

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 2/2/1909

Origin: Water Right

Basis: Decreed

Status: Active

**Source: CLEAR CREEK**

**Tributary: SINKS**

**Source: RAFT RIVER**

**Tributary: SNAKE RIVER**

**Beneficial Use**

IRRIGATION

**From**

03/15

**To**

11/15

**Diversion Rate**

1.510 CFS

**Subuse Code**

Total Diversion

1.510 CFS

**Source and Point(s) of Diversion:**

CLEAR CREEK

NENENE

Sec. 32 Twp 14S Rge 27E CASSIA County

RAFT RIVER

NWNWNW

Sec. 32 Twp 14S Rge 27E CASSIA County

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 34.0 | 32.0 |    |    |    |    |      |      |    |    |    |    | 66.0   |

POU Total Acres: 135.0

**Conditions/Remarks:**

1. Use of the Rights listed below is limited to the irrigation of a combined total of 50.9 acres in a single irrigation season. Combined Right Nos.: 43-13869, 43-13871, 43-13872 & 43-13873.
2. When combined the following Right Nos. shall provide no more than 0.02 cfs per acre.: 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 .
3. The point of diversion described above represents an unused facility due to infrequent availability of water. Before this right may be diverted the water user must file a transfer to establish an active point of diversion, or show that an easement and means to convey water from the diversion to the place of use exists.
4. This right is a combination of old Right Nos. 43-310 & 43-311.
5. Rights Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of 131.6 acres in any one season..
6. 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.

UTAH DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

7. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of a specific 131.6 acres within the 135 acre place of use authorized by these rights in a single irrigation season. The specific 131.6 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 131.6 acres to be irrigated within the 135 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 2A**

**Current Water Right No.** 43-13874

Current Water Right Owner  
 BLACK PINE LAND LLC  
 2368 E 2575 S  
 MALTA, ID 83342-8618

Priority Date: 1/21/1955

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.220 CFS             | 43.3 AFA      |                    |
| Total Diversion       |             |           | 0.220 CFS             | 43.3 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |

**Place of Use:** IRRIGATION

|     |     |     | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 34.0 | 32.0 |    |    |    |    |      |      |    |    |    |    | 66.0   |

Right Acre Limit: 10.8

POU Total Acres: 135.0

**Conditions/Remarks:**

1. This right is limited to the irrigation of 10.8 acres within the place of use described above in a single irrigation season.
2. Rights 43-13875, 43-13874, and 43-13876 when combined shall not exceed a total diversion rate of 0.79 cfs, and a total annual maximum diversion volume of 196.8 af at the field headgate.
3. Rights 43-13875, 43-13874, and 43-13876 when combined shall not exceed the irrigation of 49.2 acres.
4. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of 131.6 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878 and 43-13879 are diverted through the point(s) of diversion described above.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.
15. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of a specific 131.6 acres within the 135 acre place of use authorized by these rights in a single irrigation season. The specific 131.6 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 131.6 acres to be irrigated within the 135 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 2A**

**Current Water Right No. 43-13875**

Current Water Right Owner  
 BLACK PINE LAND LLC  
 2368 E 2575 S  
 MALTA, ID 83342-8618

Priority Date: 6/1/1953

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.390 CFS             | 78.4 AFA      |                    |
| STOCKWATER            | 01/01       | 12/31     | 0.010 CFS             |               |                    |
| Total Diversion       |             |           | 0.390 CFS             | 78.4 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENE | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 34.0 | 32.0 |    |    |    |    |      |      |    |    |    |    | 66.0   |

Right Acre Limit: 19.7

POU Total Acres: 135.0

**Place of Use: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    |    |    | 0.0    |
| 14S | 27E | 28  |    |    |    |    | X  | X  |    |    |    |    |    |    |    |    |    |    | 0.0    |

**Conditions/Remarks:**

1. This right is limited to the irrigation of 19.7 acres within the place of use described above in a single irrigation season.
2. Rights 43-13875, 43-13874, and 13876 when combined shall not exceed a total diversion rate of 0.79 cfs, and a total annual maximum diversion volume of 196.8 af at the field headgate.
3. Rights 43-13875, 43-13874, and 43-13876 when combined shall not exceed the irrigation of 49.2 acres.
4. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of 131.6 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.

IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878 and 43-13879 are diverted through the point(s) of diversion described above.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.
15. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of a specific 131.6 acres within the 135 acre place of use authorized by these rights in a single irrigation season. The specific 131.6 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 131.6 acres to be irrigated within the 135 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No. 43-13876**

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 8/1/1958

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.180 CFS             | 74.8 AFA      |                    |
| Total Diversion       |             |           | 0.180 CFS             | 74.8 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | SENE | Sec. 32 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E CASSIA County |

**Place of Use: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 34.0 | 32.0 |    |    |    |    |      |      |    |    |    |    | 66.0   |

Right Acre Limit: 18.7

POU Total Acres: 135.0

**Conditions/Remarks:**

1. This right is limited to the irrigation of 18.7 acres within the place of use described above in a single irrigation season.
2. Rights 43-13875, 43-13874 and 43-13876 when combined shall not exceed a total diversion rate of 0.79 cfs, and a total annual maximum diversion volume of 196.8 af at the field headgate.
3. Rights 43-13875, 43-13874, and 43-13876 when combined shall not exceed the irrigation of 49.2 acres.
4. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of 131.6 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT**

**Conditions/Remarks:**

8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878 and 43-13879 are diverted through the point(s) of diversion described above.
12. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.
15. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of a specific 131.6 acres within the 135 acre place of use authorized by these rights in a single irrigation season. The specific 131.6 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 131.6 acres to be irrigated within the 135 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No. 43-13877**

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 8/1/1954

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.270 CFS             | 54.0 AFA      |                    |
| Total Diversion       |             |           | 0.270 CFS             | 54.0 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E | CASSIA County |

**Place of Use: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 34.0 | 32.0 |    |    |    |    |      |      |    |    |    |    | 66.0   |

Right Acre Limit: 13.5

POU Total Acres: 135.0

**Conditions/Remarks:**

1. This right is limited to the irrigation of 13.5 acres within the place of use described above in a single irrigation season.
2. Rights 43-13878, 43-13877 and 43-13879 when combined shall not exceed a total diversion rate of 0.39 cfs, and a total annual maximum diversion volume of 78.4 af at the field headgate.
3. Rights 43-13878, 43-13877, and 43-13879 when combined shall not exceed the irrigation of 31.5 acres.
4. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of 131.6 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT**

**Conditions/Remarks:**

8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. Right 43-13879 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
12. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878 and 43-13879 are diverted through the point(s) of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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.
16. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of a specific 131.6 acres within the 135 acre place of use authorized by these rights in a single irrigation season. The specific 131.6 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 131.6 acres to be irrigated within the 135 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No. 43-13878**

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 4/28/1941

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.120 CFS             | 24.4 AFA      |                    |
| Total Diversion       |             |           | 0.120 CFS             | 24.4 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | SENE | Sec. 32 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E CASSIA County |

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 34.0 | 32.0 |    |    |    |    |      |      |    |    |    |    | 66.0   |

Right Acre Limit: 6.1  
POU Total Acres: 135.0

**Conditions/Remarks:**

1. This right is limited to the irrigation of 6.1 acres within the place of use described above in a single irrigation season.
2. Rights 43-13878, 43-13877 and 43-13879 when combined shall not exceed a total diversion rate of 0.39 cfs, and a total annual maximum diversion volume of 78.4 af at the field headgate.
3. Rights 43-13878, 43-13877, and 43-13879 when combined shall not exceed the irrigation of 31.5 acres.
4. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of 131.6 acres in any one season..
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. Right 43-13879 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
12. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878 and 43-13879 are diverted through the point(s) of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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.
16. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of a specific 131.6 acres within the 135 acre place of use authorized by these rights in a single irrigation season. The specific 131.6 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 131.6 acres to be irrigated within the 135 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No. 43-13879**

Current Water Right Owner  
BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA, ID 83342-8618

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.150 CFS             |                    |
| Total Diversion       |             |           | 0.150 CFS             |                    |

**Source and Point(s) of Diversion:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SESW | Sec. 21 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | SWSW | Sec. 28 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | NWNE | Sec. 29 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | SENW | Sec. 32 Twp 14S Rge 27E CASSIA County |
| GROUND WATER | NWSW | Sec. 32 Twp 14S Rge 27E CASSIA County |

**Place of Use: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW   |      |    |    | SW |    |      |      | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|----|----|----|----|------|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW | SE | NE | NW | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 21  |    |    |    |    |      |      |    |    |    |    | 35.0 | 34.0 |    |    |    |    | 69.0   |
| 14S | 27E | 28  |    |    |    |    | 34.0 | 32.0 |    |    |    |    |      |      |    |    |    |    | 66.0   |

Right Acre Limit: 11.9

POU Total Acres: 135.0

**Conditions/Remarks:**

1. This right is limited to the irrigation of 11.9 acres within the place of use described above in a single irrigation season.
2. Rights 43-13878, 43-13877 and 43-13879 when combined shall not exceed a total diversion rate of 0.39 cfs and a total annual maximum diversion volume of 78.4 af at the field headgate.
3. Rights 43-13878, 43-13877, and 43-13879 when combined shall not exceed the irrigation of 31.5 acres.
4. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of 131.6 acres in any one season.
5. The point of diversion located in the SESW, S21, T14S, R27E is limited to a maximum diversion rate of 3.00 cfs.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT**

**Conditions/Remarks:**

8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. 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.
11. This right is an expansion of Rights 43-13878 and 43-13877 pursuant to Section 42-1416B, Idaho Code.
12. Rights 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-13871, 43-13872, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878 and 43-13879 are diverted through the point(s) of diversion described above.
13. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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.
16. Rights 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, and 43-13879 are limited to the irrigation of a specific 131.6 acres within the 135 acre place of use authorized by these rights in a single irrigation season. The specific 131.6 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 131.6 acres to be irrigated within the 135 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 2B

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

[illegible][illegible]

Transfer No. 84103

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.  
If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.
- ☐

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.: \_\_\_\_\_

N/A

FOR DEPARTMENT USE ONLY

Transfer Contains 41 pages and \_\_\_\_\_ attachments.  
Received By DM Date 6.12.2020 Prelim. Check By \_\_\_\_\_ Date \_\_\_\_\_  
Fee Paid \$300- Date 6.12.2020 Received By DM Receipt # 5037980  
Add'l Fee Paid \_\_\_\_\_ Date \_\_\_\_\_ Received By \_\_\_\_\_ Receipt # \_\_\_\_\_



0003724482

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003724482

Date Filed: 1/1/2020 10:50:31 AM

## Entity Name and Mailing Address:

J7, LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0000022170

Address 247 S 950 E  
DECLO, ID 83323-5040

## Entity Details:

Entity Status Active-Existing

This entity is organized under the laws of: IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W3587

## The registered agent on record is:

Registered Agent

JEFFREY C. JOHNSON

Registered Agent

Physical Address

247 S 950 E  
DECLO, ID 83323

Mailing Address

## Limited Liability Company Managers and Members

| Name            | Title   | Business Address               |
|-----------------|---------|--------------------------------|
| JEFF C. JOHNSON | Manager | 247 S 950 E<br>DECLO, ID 83342 |

The annual report must be signed by an authorized signer of the entity.

JEFF JOHNSON

Sign Here

01/01/2020

Date

Signer's Title: Owner/Manager

B0449-6775 01/01/2020 10:50 AM Received by ID Secretary of State Lawrence Denney



0003651830

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$100.00 - Make Checks Payable to Secretary of State

*For Office Use Only***-FILED-**

File #: 0003651830

Date Filed: 10/21/2019 12:09:17 PM

| Certificate of Organization Limited Liability Company                                                                                                                                        |                                                                                                                                                    |      |         |              |                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|------|---------|--------------|-------------------------------------------------------|
| Select one: Standard, Expedited or Same Day Service (see descriptions below)                                                                                                                 |                                                                                                                                                    |      |         |              |                                                       |
| Same Day Service (+\$100; filing fee \$200)                                                                                                                                                  |                                                                                                                                                    |      |         |              |                                                       |
| 1. Limited Liability Company Name                                                                                                                                                            |                                                                                                                                                    |      |         |              |                                                       |
| Type of Limited Liability Company                                                                                                                                                            | Limited Liability Company                                                                                                                          |      |         |              |                                                       |
| Entity name                                                                                                                                                                                  | Black Pine Land, LLC                                                                                                                               |      |         |              |                                                       |
| 2. The complete street address of the principal office is:                                                                                                                                   |                                                                                                                                                    |      |         |              |                                                       |
| Principal Office Address                                                                                                                                                                     | LUKE SMITH<br>2368 EAST 2575 SOUTH<br>MALTA, ID 83342                                                                                              |      |         |              |                                                       |
| 3. The mailing address of the principal office is:                                                                                                                                           |                                                                                                                                                    |      |         |              |                                                       |
| Mailing Address                                                                                                                                                                              | LUKE SMITH<br>2368 E 2575 S<br>MALTA, ID 83342-8618                                                                                                |      |         |              |                                                       |
| 4. Registered Agent Name and Address                                                                                                                                                         |                                                                                                                                                    |      |         |              |                                                       |
| Registered Agent                                                                                                                                                                             | LUKE SMITH<br>Registered Agent<br>Physical Address<br>2368 E 2575 S<br>MALTA, ID 83342<br>Mailing Address<br>2368 E 2575 S<br>MALTA, ID 83342-8618 |      |         |              |                                                       |
| 5. Governors                                                                                                                                                                                 |                                                                                                                                                    |      |         |              |                                                       |
| <table border="1"><thead><tr><th>Name</th><th>Address</th></tr></thead><tbody><tr><td>LUKE R SMITH</td><td>LUKE SMITH<br/>2368 EAST 2575 SOUTH<br/>MALTA, ID 83342</td></tr></tbody></table> |                                                                                                                                                    | Name | Address | LUKE R SMITH | LUKE SMITH<br>2368 EAST 2575 SOUTH<br>MALTA, ID 83342 |
| Name                                                                                                                                                                                         | Address                                                                                                                                            |      |         |              |                                                       |
| LUKE R SMITH                                                                                                                                                                                 | LUKE SMITH<br>2368 EAST 2575 SOUTH<br>MALTA, ID 83342                                                                                              |      |         |              |                                                       |
| Signature of Organizer:                                                                                                                                                                      |                                                                                                                                                    |      |         |              |                                                       |
| LUKE R SMITH                                                                                                                                                                                 | 10/21/2019                                                                                                                                         |      |         |              |                                                       |
| Sign Here                                                                                                                                                                                    | Date                                                                                                                                               |      |         |              |                                                       |

B0384-1068 10/21/2019 12:09 PM Received by ID Secretary of State Lawrence Denney





## State of Idaho

# DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov) • Email: [southerninfo@idwr.idaho.gov](mailto:southerninfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

August 18, 2020

J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO ID 83323-5040

BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA ID 83342-8618

Re: Transfer No: 84103

Water Right No(s): 43-177B, 43-191A, 43-191B, 43-314, 43-2229, 43-2282, 43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-11201, 43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877, 43-13878, 43-13879

### Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,



Corey Skinner  
Southern Regional Manager

Enclosure

c:

WATER DISTRICT 43B  
RICK NEFF  
PO BOX 55  
MALTA ID 83342-0055

WATER DISTRICT 143  
NATHAN ERICKSON  
650 ADDISON AVE W STE 500  
TWIN FALLS ID 83301-5858

## CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No: 84103

Water Right No(s): 43-177B, 43-191A, 43-191B, 43-314, 43-2229, 43-2282,  
43-2298E, 43-2395, 43-2416, 43-4109, 43-4111, 43-10500, 43-11200, 43-11201,  
43-13869, 43-13871, 43-13872, 43-13873, 43-13874, 43-13875, 43-13876, 43-13877,  
43-13878, 43-13879

J7 LLC  
C/O JEFFREY C JOHNSON  
247 S 950 E  
DECLO ID 83323-5040

BLACK PINE LAND LLC  
2368 E 2575 S  
MALTA ID 83342-8618

WATER DISTRICT 43B  
RICK NEFF  
PO BOX 55  
MALTA ID 83342-0055

WATER DISTRICT 143  
NATHAN ERICKSON  
650 ADDISON AVE W STE 500  
TWIN FALLS ID 83301-5858



Denise Maline  
Administrative Assistant

## **EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

### **PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

### **EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

### **REQUEST FOR HEARING**

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

### **ORAL ARGUMENT**

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

## **CERTIFICATE OF SERVICE**

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

## **FINAL ORDER**

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

## **APPEAL OF FINAL ORDER TO DISTRICT COURT**

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

## Sufficiency Memorandum

**Date:** July 21, 2020  
**To:** Transfer 84103, J7 LLC, Black Pine Land LLC.  
**From:** Benny Walker  
**Re:** Evaluation of Sufficiency of Information Submitted

---

Application proposes to transfer a portion of a ground water irrigation right for 6.0 acres, 0.06 cfs, and 24 af to a neighboring farm to create a 137.6 acre permissible place of use for irrigation. The application will update the proposed place of use for the additional 6.0 acres and change the ownership of the portion 6.0 acre being transferred. In addition the application proposes to change the existing water rights at the proposed place of use to allow for the additional 6.0 acres. The proposed changes are within water districts 143 and 43B, so water master comments will be sought. Review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

- **Authority to File:**  
The applicants are listed as the current owner of the water rights involved in the transfer according to department records.
- **Water Right Validity:**  
The water rights involved in the transfer were decreed in 2002. Current aerial photography indicates that the land have been irrigated in recent years.
- **Injury to Other Water Rights:**  
None anticipated. The water right changes proposed through this transfer do not appear to change the effect on the original or hydraulically connected water source or affect other water rights.
- **Enlargement of Use:**  
None anticipated. 6.0 acres are being dried up at the original place of use to allow for the transfer. The proposed place of use will be limited to the total irrigated acres allowed.
- **Local Public Interest:**  
No negative impacts anticipated. Review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration. Watermaster comments were solicited and the watermaster did not oppose the approval of this application.
- **Beneficial Use/Conservation of Water Resources:**  
Proposed uses are recognized as beneficial uses of water
- **Effect on Economy of the Local Area:**  
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**  
None anticipated.

**Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.**

State of Idaho  
Department of Water Resources

**RECOMMENDATION OF WATERMASTER**

Transfer No: 84103  
Water Right No: 43-4111, etc.  
Applicant Name: J7 LLC & Black Pine Land LLC

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: July 9, 2020

Water District 143

  
\_\_\_\_\_  
Nathan Erickson, Watermaster



State of Idaho

## DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

June 29, 2020

WATER DISTRICT #143  
NATHAN ERICKSON  
650 ADDISON AVE W STE 500  
TWIN FALLS ID 83301-5858

RE: Transfer No. 84103  
Water Right No(s). 43-4111, etc.

Dear Nathan:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. *You can find a copy of the application at:*

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)



State of Idaho

## DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

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BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

June 29, 2020

WATER DISTRICT #43B  
RICK NEFF  
PO BOX 55  
MALTA ID 83342-0055

RE: Transfer No. 84103  
Water Right No(s). 43-4111, etc.

Dear Rick:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)

## MEMORANDUM

**TO:** Transfer 84103 File

**FROM:** Benny Walker

**DATE:** June 18, 2020

**SUBJECT:** Filing Fee

The filing fee of, \$300.00, for this transfer is based on the amount of water proposed to be transferred or changed, 0.06 cfs. The transfer fee schedule for a transfer involving 0.00-0.20 cfs indicates that the filing fee is \$200.00. The 0.06 cfs portion being transferred required to split the water right and change the ownership. An additional fee of \$100.00 was required. The applicant submitted a fee of \$300.00 for this transfer. (Receipt S037980).

## MEMORANDUM

**Date:** June 18, 2020  
**To:** Transfer 84103  
**From:** Benny Walker  
**Re:** Legal Notice Not Required

Legal Notice Not Required  
6/18/2020

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.