

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 81125**

This is to certify that: **ALBION 12 INVESTMENTS LLC AND  
ROSE CREEK RANCH LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250**

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>                          |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|----------------------------------------|
| 45-13589           | WR/DECREED          | 3/18/1910            | 0.560 cfs             | N/A                     | 28.0              | 480.2              | SPRINGS                                |
| 45-14449           | WR/DECREED          | 4/1/1875             | 0.080 cfs             | N/A                     | 5.2               | 480.2              | HOWELL CREEK                           |
| 45-14450           | WR/DECREED          | 9/1/1880             | 0.200 cfs             | N/A                     | 19.4              | 480.2              | HOWELL CREEK                           |
| 45-14451           | WR/DECREED          | 7/26/1961            | 0.160 cfs             | 69.0 af                 | 21.2              | 480.2              | GROUND WATER                           |
| 45-14452           | WR/DECREED          | 4/12/1892            | 0.420 cfs             | N/A                     | 21.2              | 480.2              | ANTONE CREEK, HOWELL CREEK, PINE CREEK |
| 45-236             | WR/DECREED          | 4/12/1892            | 2.100 cfs             | N/A                     | 120.0             | 732.5              | BROAD HOLLOW CREEK                     |
| 45-240             | WR/DECREED          | 4/12/1892            | 4.460 cfs             | N/A                     | 223.0             | 732.5              | ROSE CREEK                             |
| 45-246B            | WR/DECREED          | 4/12/1892            | 2.400 cfs             | N/A                     | 120.0             | 732.5              | HOWELL CREEK                           |
| 45-259             | WR/DECREED          | 3/1/1875             | 0.600 cfs             | N/A                     | 80.0              | 732.5              | ROSE CREEK                             |
| 45-275             | WR/DECREED          | 11/1/1883            | 0.240 cfs             | N/A                     | 55.3              | 480.2              | SPRINGS                                |
| 45-284B            | WR/DECREED          | 4/1/1875             | 1.500 cfs             | N/A                     | 90.0              | 480.2              | HOWELL CREEK                           |
| 45-285             | WR/DECREED          | 4/1/1878             | 0.150 cfs             | N/A                     | 77.0              | 480.2              | HOWELL CREEK                           |
| 45-285A            | WR/DECREED          | 4/1/1878             | 0.150 cfs             | N/A                     | 60.0              | 732.5              | HOWELL CREEK                           |
| 45-287             | WR/DECREED          | 6/5/1875             | 1.400 cfs             | N/A                     | 160.0             | 875.0              | ROSE CREEK                             |
| 45-290             | WR/DECREED          | 5/31/1881            | 0.530 cfs             | N/A                     | 80.0              | 732.5              | HOWELL CREEK                           |
| 45-291             | WR/DECREED          | 5/1/1884             | 0.500 cfs             | N/A                     | 80.0              | 732.5              | HOWELL CREEK                           |
| 45-327D            | WR/DECREED          | 3/1/1881             | 0.700 cfs             | N/A                     | 60.0              | 480.2              | HOWELL CREEK                           |
| 45-517D            | WR/DECREED          | 8/31/1874            | 0.200 cfs             | N/A                     | 120.0             | 480.2              | SPRING CREEK                           |
| 45-518             | WR/DECREED          | 4/1/1876             | 1.900 cfs             | N/A                     | 124.0             | 732.5              | ROSE CREEK                             |
| 45-519             | WR/DECREED          | 4/1/1875             | 0.040 cfs             | N/A                     | 124.0             | 732.5              | SPRINGS                                |
| 45-523A            | WR/DECREED          | 4/30/1885            | 0.120 cfs             | N/A                     | 55.3              | 480.2              | WASTE WATER                            |
| 45-528             | WR/DECREED          | 3/1/1875             | 0.600 cfs             | N/A                     | 40.0              | 732.5              | ROSE CREEK                             |
| 45-706             | WR/DECREED          | 4/15/1883            | 2.400 cfs             | N/A                     | 120.0             | 732.5              | BROAD HOLLOW CREEK                     |
| 45-707             | WR/DECREED          | 4/15/1916            | 4.000 cfs             | N/A                     | 200.0             | 732.5              | BROAD HOLLOW CREEK                     |

**SUPPORT DATA**

IN FILE # 45-236

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 45-13589              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| Transfer No.          | 81125        |            |            |                |                      |                      |

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 81125**

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 45-14449              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-14450              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-14451              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-14452              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-236                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-240                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-246B               | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 45-259                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-275                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-284B               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-285                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-285A               | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 45-287                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-290                | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 45-291                | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 45-327D               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-517D               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-518                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-519                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-523A               | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 45-528                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-706                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-707                | NO           | NO         | YES        | NO             | NO                   | NO                   |

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

| <u>Existing Right</u> | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 45-13589              | 45-13589                         | 0.560 cfs            | N/A                    | 28.0              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-14449              | 45-14449                         | 0.080 cfs            | N/A                    | 5.2               | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-14450              | 45-14450                         | 0.200 cfs            | N/A                    | 19.4              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-14451              | 45-14451                         | 0.160 cfs            | 69.0 af                | 21.2              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-14452              | 45-14452                         | 0.420 cfs            | N/A                    | 21.2              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-236                | 45-236                           | 2.100 cfs            | N/A                    | 120.0             | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-240                | 45-240                           | 4.460 cfs            | N/A                    | 223.0             | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-246B               | 45-246B                          | 2.400 cfs            | N/A                    | 120.0             | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-259                | 45-259                           | 0.600 cfs            | N/A                    | 80.0              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-275                | 45-275                           | 0.240 cfs            | N/A                    | 55.3              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-284B               | 45-284B                          | 1.500 cfs            | N/A                    | 90.0              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-285                | 45-285                           | 0.150 cfs            | N/A                    | 77.0              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-285A               | 45-285A                          | 0.150 cfs            | N/A                    | 60.0              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-287                | 45-287                           | 1.400 cfs            | N/A                    | 160.0             | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-290                | 45-290                           | 0.530 cfs            | N/A                    | 80.0              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-291                | 45-291                           | 0.500 cfs            | N/A                    | 80.0              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-327D               | 45-327D                          | 0.700 cfs            | N/A                    | 60.0              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-517D               | 45-517D                          | 0.200 cfs            | N/A                    | 120.0             | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-518                | 45-518                           | 1.900 cfs            | N/A                    | 124.0             | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-519                | 45-519                           | 0.040 cfs            | N/A                    | 124.0             | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-523A               | 45-523A                          | 0.120 cfs            | N/A                    | 55.3              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-528                | 45-528                           | 0.600 cfs            | N/A                    | 40.0              | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |

Transfer No. 81125

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 81125**

**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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 45-706                 | 45-706                           | 2.400 cfs            | N/A                    | 120.0             | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-707                 | 45-707                           | 4.000 cfs            | N/A                    | 160.0             | 1537.2             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>25.410 cfs</b>    | <b>N/A</b>             | <b>1131.7</b>     | <b>1537.2</b>      |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

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 5<sup>th</sup> day of December, 2019.

  
Southern Region Manager

**WATER RIGHT NO. 45-290****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-290 is now described as follows:

**Right Holder:** ROSE CREEK RANCH LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 5/31/1881

**Source:** HOWELL CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

IRRIGATION  
STOCKWATER

**From**

04/01  
04/01

**To**

to 10/31  
to 10/31

**Diversion Rate**

0.530 cfs  
0.050 cfs  
0.530 cfs

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

|              |         |                        |               |
|--------------|---------|------------------------|---------------|
| HOWELL CREEK | NWNESW  | Sec 16 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SWSSENW | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SENENE  | Sec 29 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 80.0

POU Total Acres: 1537.2

**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 |        |
| 12S | 25E | 8   |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  |        |
| 12S | 25E | 9   |    |    |    |    |    |    |    |    | X  | X  | X  | X  |    |    |    |    |        |
| 12S | 25E | 16  |    |    |    |    |    | X  | X  | X  |    | X  | X  | X  |    | X  | X  | X  |        |
| 12S | 25E | 17  |    | X  | X  | X  |    | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  |        |
| 12S | 25E | 20  | X  |    |    | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 21  | X  | X  |    |    | X  | X  | X  | X  |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 22  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Transfer No. 81125

**WATER RIGHT NO. 45-290**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 80.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed the irrigation of 732.5 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

**WATER RIGHT NO. 45-290**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



**WATER RIGHT NO. 45-519**  
**As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-519 is now described as follows:

**Right Holder:** ROSE CREEK RANCH LLC  
 7595 E MC DONALD DR STE 130  
 SCOTTSDALE, AZ 85250

**Priority Date:** 4/1/1875

**Source:** SPRINGS

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

IRRIGATION  
 STOCKWATER

**From**

04/01  
 04/01

**To**

to 10/31  
 to 10/31

**Diversion Rate**

0.040 cfs  
 0.040 cfs  
 0.040 cfs

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

SPRINGS SWNWNE Sec 20 Twp 12S Rge 25E 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 124.0

POU Total Acres: 1537.2

**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 |        |
| 12S | 25E | 8   |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  |        |
| 12S | 25E | 9   |    |    |    |    |    |    |    |    | X  | X  | X  | X  |    |    |    |    |        |
| 12S | 25E | 16  |    |    |    |    |    | X  | X  | X  |    | X  | X  | X  |    | X  | X  | X  |        |
| 12S | 25E | 17  |    | X  | X  | X  |    | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  |        |
| 12S | 25E | 20  | X  |    |    | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 21  | X  | X  |    |    | X  | X  | X  | X  |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 22  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Transfer No. 81125

**WATER RIGHT NO. 45-519**

**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 124.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed the irrigation of 732.5 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 81125

**WATER RIGHT NO. 45-528****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-528 is now described as follows:

**Right Holder:** ROSE CREEK RANCH LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 3/1/1875

**Source:** ROSE CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

IRRIGATION  
STOCKWATER

**From**

04/01  
04/01

to 10/31  
to 10/31

**To****Diversion Rate**

0.600 cfs  
0.050 cfs  
0.600 cfs

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

|            |        |                        |               |     |
|------------|--------|------------------------|---------------|-----|
| ROSE CREEK | SENWSE | Sec 17 Twp 12S Rge 25E | CASSIA County | (R) |
| ROSE CREEK | NENWNE | Sec 20 Twp 12S Rge 25E | CASSIA County | (R) |
| ROSE CREEK | SEWNNE | Sec 20 Twp 12S Rge 25E | CASSIA County | (I) |
| ROSE CREEK | NWNENE | Sec 30 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 40.0

POU Total Acres: 1537.2

**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 |        |
| 12S | 25E | 8   |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  |        |
| 12S | 25E | 9   |    |    |    |    |    |    |    |    | X  | X  | X  | X  |    |    |    |    |        |
| 12S | 25E | 16  |    |    |    |    |    | X  | X  | X  |    | X  | X  | X  |    | X  | X  | X  |        |
| 12S | 25E | 17  |    | X  | X  | X  |    | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  |        |
| 12S | 25E | 20  | X  |    |    | X  | X  | X  | X  |    |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 21  | X  | X  |    |    | X  | X  | X  | X  |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 22  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Transfer No. 81125

**WATER RIGHT NO. 45-528**

**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 40.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed the irrigation of 732.5 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

**WATER RIGHT NO. 45-528**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



**WATER RIGHT NO. 45-706****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-706 is now described as follows:

**Right Holder:** ROSE CREEK RANCH LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 4/15/1883

**Source:** BROAD HOLLOW CREEK

**Tributary:** HOWELL CREEK

**BENEFICIAL USE**

IRRIGATION  
STOCKWATER

**From**

04/01  
04/01

**To**

to 10/31  
to 10/31

**Diversion Rate**

2.400 cfs  
0.050 cfs  
2.400 cfs

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

BROAD HOLLOW CREEK NWNESW

Sec 29 Twp 12S Rge 25E 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 120.0

POU Total Acres: 1537.2

**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 |        |
| 12S | 25E | 8   |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  |        |
| 12S | 25E | 9   |    |    |    |    |    |    |    |    | X  | X  | X  | X  |    |    |    |    |        |
| 12S | 25E | 16  |    |    |    |    |    | X  | X  | X  |    | X  | X  | X  |    | X  | X  | X  |        |
| 12S | 25E | 17  |    | X  | X  | X  |    | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  |        |
| 12S | 25E | 20  | X  |    |    | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 21  | X  | X  |    |    | X  | X  | X  | X  |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 22  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Transfer No. 81125

**WATER RIGHT NO. 45-706**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 120.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed the irrigation of 732.5 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

**WATER RIGHT NO. 45-706**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



**WATER RIGHT NO. 45-707**  
**As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-707 is now described as follows:

**Right Holder:** ROSE CREEK RANCH LLC  
 7595 E MC DONALD DR STE 130  
 SCOTTSDALE, AZ 85250

**Priority Date:** 4/15/1916

**Source:** BROAD HOLLOW CREEK      **Tributary:** HOWELL CREEK

|                              |                    |                  |                              |
|------------------------------|--------------------|------------------|------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> |
| IRRIGATION                   | 04/01              | to 10/31         | 4.000 cfs                    |
|                              |                    |                  | 4.000 cfs                    |

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

BROAD HOLLOW CREEK    NWNESW      Sec 29 Twp 12S Rge 25E    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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

**Right Acre Limit:** 160.0

**POU Total Acres:** 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 160.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed the irrigation of 732.5 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-707**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-275**  
**As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-275 is now described as follows:

**Right Holder:** ALBION 12 INVESTMENTS LLC  
 7595 E MC DONALD DR STE 130  
 SCOTTSDALE, AZ 85250

**Priority Date:** 11/1/1883

**Source:** SPRINGS

**Tributary:** SUMMIT CREEK

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

**To**

to 10/31

**Diversion Rate**

0.240 cfs

0.240 cfs

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

SPRINGS  
 SPRINGS

SWNWNE  
 SWNWNE

Sec 21 Twp 12S Rge 25E CASSIA County  
 Sec 21 Twp 12S Rge 25E 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 55.3

POU Total Acres: 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 55.3 acres within the authorized place of use in a single irrigation season.
2. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, and 45-13589 when combined shall not exceed a total irrigation of 378 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total diversion rate of 4.33 cfs and the irrigation of 399.2 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-275**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
5. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.45F.
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 place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-284B****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-284B is now described as follows:

**Right Holder:** ALBION 12 INVESTMENTS LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 4/1/1875

**Source:** HOWELL CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 10/31

**Diversion Rate**  
1.500 cfs  
1.500 cfs

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

|              |        |                        |               |
|--------------|--------|------------------------|---------------|
| HOWELL CREEK | SWSESW | Sec 16 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | NWSESW | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SWSESW | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SESWSW | Sec 21 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 90.0

POU Total Acres: 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 90.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, and 45-13589 when combined shall not exceed a total irrigation of 378 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total diversion rate of 4.33 cfs and the irrigation of 399.2 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-284B**

**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
5. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.45F.
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 place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-285****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-285 is now described as follows:

**Right Holder:** ALBION 12 INVESTMENTS LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 4/1/1878

**Source:** HOWELL CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

**To**

to 10/31

**Diversion Rate**

0.150 cfs

0.150 cfs

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

|              |        |                        |               |
|--------------|--------|------------------------|---------------|
| HOWELL CREEK | SWSESW | Sec 16 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | NWSESW | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SWSESW | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SESWSW | Sec 21 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 77.0

POU Total Acres: 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 77.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, and 45-13589 when combined shall not exceed a total irrigation of 378 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total diversion rate of 4.33 cfs and the irrigation of 399.2 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-285**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
5. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District 45F.
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 place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-517D****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-517D is now described as follows:

**Right Holder:** ALBION 12 INVESTMENTS LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 8/31/1874

**Source:** SPRING CREEK

**Tributary:** HOWELL CREEK

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 10/31

**Diversion Rate**  
0.200 cfs  
0.200 cfs

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

|              |         |                        |               |
|--------------|---------|------------------------|---------------|
| SPRING CREEK | SESESW  | Sec 16 Twp 12S Rge 25E | CASSIA County |
| SPRING CREEK | NESENW  | Sec 21 Twp 12S Rge 25E | CASSIA County |
| SPRING CREEK | NESENW  | Sec 21 Twp 12S Rge 25E | CASSIA County |
| SPRING CREEK | SWSSENW | Sec 21 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      |      | 41.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 120.0

POU Total Acres: 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 120.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, and 45-13589 when combined shall not exceed a total irrigation of 378 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total diversion rate of 4.33 cfs and the irrigation of 399.2 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-517D**

**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
5. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No 45F.
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 place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-523A****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-523A is now described as follows:

**Right Holder:** ALBION 12 INVESTMENTS LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 4/30/1885

**Source:** WASTE WATER

**Tributary:** SUMMIT CREEK

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

to 10/31

**To****Diversion Rate**

0.120 cfs

0.120 cfs

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

|             |        |                        |               |
|-------------|--------|------------------------|---------------|
| WASTE WATER | NWSWSE | Sec 16 Twp 12S Rge 25E | CASSIA County |
| WASTE WATER | SESWSE | Sec 16 Twp 12S Rge 25E | CASSIA County |
| WASTE WATER | SEWNNE | Sec 21 Twp 12S Rge 25E | CASSIA County |
| WASTE WATER | SEWNNE | Sec 21 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 55.3

POU Total Acres: 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 55.3 acres within the authorized place of use in a single irrigation season.
2. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, and 45-13589 when combined shall not exceed a total irrigation of 378 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total diversion rate of 4.33 cfs and the irrigation of 399.2 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-523A**

**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
5. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.45F.
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 place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-327D****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-327D is now described as follows:

**Right Holder:** ALBION 12 INVESTMENTS LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 3/1/1881

**Source:** HOWELL CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

**To**

to 10/31

**Diversion Rate**

0.700 cfs

0.700 cfs

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

|              |        |                        |               |
|--------------|--------|------------------------|---------------|
| HOWELL CREEK | SWSESW | Sec 16 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | NWSENW | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SWSESW | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SENWSW | Sec 21 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      |      |      |      |      |      |      |      | 67.0   |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 16.0 |      | 253.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 60.0

POU Total Acres: 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 60.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, and 45-13589 when combined shall not exceed a total irrigation of 378 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total diversion rate of 4.33 cfs and the irrigation of 399.2 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-327D**

**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
5. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District 45F.
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 place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



**WATER RIGHT NO. 45-236**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-13589****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-13589 is now described as follows:

**Right Holder:** ALBION 12 INVESTMENTS LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 3/18/1910

**Source:** SPRINGS

**Tributary:** HOWELL CREEK

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

**To**

to 10/31

**Diversion Rate**

0.560 cfs

0.560 cfs

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

SPRINGS  
SPRINGS

NESENW  
NESWNW

Sec 21 Twp 12S Rge 25E CASSIA County  
Sec 21 Twp 12S Rge 25E 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 28.0

POU Total Acres: 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 28.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, and 45-13589 when combined shall not exceed a total irrigation of 378 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total diversion rate of 4.33 cfs and the irrigation of 399.2 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-13589**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
5. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.45F.
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 place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-14449****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-14449 is now described as follows:

**Right Holder:** ALBION 12 INVESTMENTS LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 4/1/1875

**Source:** HOWELL CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 10/31

**Diversion Rate**  
0.080 cfs  
0.080 cfs

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

|              |        |                        |               |
|--------------|--------|------------------------|---------------|
| HOWELL CREEK | SWSESW | Sec 16 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | NWSENW | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SWSESW | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SENWSW | Sec 21 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

**Right Acre Limit:** 5.2

**POU Total Acres:** 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 5.2 acres within the authorized place of use in a single irrigation season.
2. Rights 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total irrigation of 21.2 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total diversion rate of 4.33 cfs and the irrigation of 399.2 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-14449**

**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
5. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.45F.
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 place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-14450****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-14450 is now described as follows:

**Right Holder:** ALBION 12 INVESTMENTS LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 9/1/1880

**Source:** HOWELL CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

IRRIGATION

**From**

04/04

**To**

to 10/31

**Diversion Rate**

0.200 cfs

0.200 cfs

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

|              |        |                        |               |
|--------------|--------|------------------------|---------------|
| HOWELL CREEK | SWSSEW | Sec 16 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | NWSENW | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SWSSEW | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SENWSW | Sec 21 Twp 12S Rge 25E | CASSIA County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      |        |       |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|-------|
| Twp | Rng | Sec | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | Totals |       |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |       |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |       |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      |      | 10.0 | 40.0 | 16.0   | 253.0 |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |       |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |       |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |       |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |       |

Right Acre Limit: 19.4

POU Total Acres: 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 19.4 acres within the authorized place of use in a single irrigation season.
2. Rights 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total irrigation of 21.2 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total diversion rate of 4.33 cfs and the irrigation of 399.2 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-14450**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
5. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.45F.
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 place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-14451**  
**As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-14451 is now described as follows:

**Right Holder:** ALBION 12 INVESTMENTS LLC  
 7595 E MC DONALD DR STE 130  
 SCOTTSDALE, AZ 85250

**Priority Date:** 7/26/1961

**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                   | 04/01              | to 10/31         | 0.160 cfs                    | 69.0 af                        |
|                              |                    |                  | 0.160 cfs                    | 69.0 af                        |

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

GROUND WATER                      SWSESE                      Sec 16 Twp 12S Rge 25E 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 21.2

POU Total Acres: 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 21.2 acres within the authorized place of use in a single irrigation season.
2. Rights 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total irrigation of 21.2 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total diversion rate of 4.33 cfs and the irrigation of 399.2 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-14451**

**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
5. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.140.
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 place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-14452****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-14452 is now described as follows:

**Right Holder:** ALBION 12 INVESTMENTS LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 4/12/1892

**Source:** HOWELL CREEK  
**Source:** ANTONE CREEK  
**Source:** PINE CREEK

**Tributary:** MARSH CREEK  
**Tributary:** UNNAMED STREAM  
**Tributary:** ANTONE CREEK

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

**To**

to 10/31

**Diversion Rate**

0.420 cfs

0.420 cfs

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

|              |        |                        |               |     |
|--------------|--------|------------------------|---------------|-----|
| HOWELL CREEK | SWSESW | Sec 16 Twp 12S Rge 25E | CASSIA County |     |
| HOWELL CREEK | NWSENW | Sec 21 Twp 12S Rge 25E | CASSIA County |     |
| HOWELL CREEK | SWSENW | Sec 21 Twp 12S Rge 25E | CASSIA County |     |
| HOWELL CREEK | SENWSW | Sec 21 Twp 12S Rge 25E | CASSIA County |     |
| ANTONE CREEK | SWNWSW | Sec 22 Twp 12S Rge 25E | CASSIA County |     |
| PINE CREEK   | SWNWSW | Sec 22 Twp 12S Rge 25E | CASSIA County | (R) |
| PINE CREEK   | SWSWNW | Sec 27 Twp 12S Rge 25E | CASSIA County | (R) |
| ANTONE CREEK | SWSWNW | Sec 27 Twp 12S Rge 25E | CASSIA County |     |
| ANTONE CREEK | SENENE | Sec 28 Twp 12S Rge 25E | CASSIA County |     |
| PINE CREEK   | SENENE | Sec 28 Twp 12S Rge 25E | CASSIA County | (R) |
| PINE CREEK   | SENENE | Sec 28 Twp 12S Rge 25E | CASSIA County | (R) |
| ANTONE CREEK | SENENE | Sec 28 Twp 12S Rge 25E | CASSIA County |     |
| PINE CREEK   | SESWSE | Sec 28 Twp 12S Rge 25E | CASSIA County | (I) |
| PINE CREEK   | SWNWNW | Sec 33 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 21.2

POU Total Acres: 1537.2

Transfer No. 81125

**WATER RIGHT NO. 45-14452**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 21.2 acres within the authorized place of use in a single irrigation season.
2. Rights 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total irrigation of 21.2 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, and 45-14452 when combined shall not exceed a total diversion rate of 4.33 cfs and the irrigation of 399.2 acres.
4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
5. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.45F.
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 place of use.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year 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.

**WATER RIGHT NO. 45-14452**

**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

13. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



**WATER RIGHT NO. 45-240****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-240 is now described as follows:

**Right Holder:** ROSE CREEK RANCH LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 4/12/1892

**Source:** ROSE CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

**To**

to 10/31

**Diversion Rate**

4.460 cfs

4.460 cfs

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

|            |        |                        |               |     |
|------------|--------|------------------------|---------------|-----|
| ROSE CREEK | SESWSE | Sec 17 Twp 12S Rge 25E | CASSIA County | (R) |
| ROSE CREEK | NENWNE | Sec 20 Twp 12S Rge 25E | CASSIA County | (R) |
| ROSE CREEK | SESWNE | Sec 20 Twp 12S Rge 25E | CASSIA County | (I) |
| ROSE CREEK | NWNENE | Sec 30 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 223.0

POU Total Acres: 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 223.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed the irrigation of 732.5 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-240**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-246B****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-246B is now described as follows:

**Right Holder:** ROSE CREEK RANCH LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 4/12/1892

**Source:** HOWELL CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

**To**

to 10/31

**Diversion Rate**

2.400 cfs

2.400 cfs

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

|              |        |                        |               |
|--------------|--------|------------------------|---------------|
| HOWELL CREEK | NWNESW | Sec 16 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SWSENW | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SENENE | Sec 29 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      |      | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 120.0

POU Total Acres: 1537.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 120.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed the irrigation of 732.5 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.

Transfer No. 81125

**WATER RIGHT NO. 45-246B**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 45-259****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-259 is now described as follows:

**Right Holder:** ROSE CREEK RANCH LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 3/1/1875

**Source:** ROSE CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

IRRIGATION  
STOCKWATER

**From**

04/01  
04/01

to 10/31  
to 10/31

**To****Diversion Rate**

0.600 cfs  
0.050 cfs  
0.600 cfs

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

|            |        |                        |               |     |
|------------|--------|------------------------|---------------|-----|
| ROSE CREEK | SESWSE | Sec 17 Twp 12S Rge 25E | CASSIA County | (R) |
| ROSE CREEK | NENWNE | Sec 20 Twp 12S Rge 25E | CASSIA County | (R) |
| ROSE CREEK | SESWNE | Sec 20 Twp 12S Rge 25E | CASSIA County | (I) |
| ROSE CREEK | NWNENE | Sec 30 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 80.0

POU Total Acres: 1537.2

**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 |        |
| 12S | 25E | 8   |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  |        |
| 12S | 25E | 9   |    |    |    |    |    |    |    |    | X  | X  | X  | X  |    |    |    |    |        |
| 12S | 25E | 16  |    |    |    |    |    | X  | X  | X  |    | X  | X  | X  |    | X  | X  | X  |        |
| 12S | 25E | 17  |    | X  | X  | X  |    | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  |        |
| 12S | 25E | 20  | X  |    |    | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 21  | X  | X  |    |    | X  | X  | X  | X  |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 22  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Transfer No. 81125

**WATER RIGHT NO. 45-259**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 80.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed the irrigation of 732.5 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

**WATER RIGHT NO. 45-259**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



**WATER RIGHT NO. 45-285A****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-285A is now described as follows:

**Right Holder:** ROSE CREEK RANCH LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 4/1/1878

**Source:** HOWELL CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

IRRIGATION  
STOCKWATER

**From**

04/01 to 10/31  
04/01 to 10/31

**To****Diversion Rate**

0.150 cfs  
0.050 cfs  
0.150 cfs

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

HOWELL CREEK NWNESW Sec 16 Twp 12S Rge 25E CASSIA County  
HOWELL CREEK SWSNW Sec 21 Twp 12S Rge 25E CASSIA County  
HOWELL CREEK SENENE Sec 29 Twp 12S Rge 25E 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 60.0

POU Total Acres: 1537.2

**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 |        |
| 12S | 25E | 8   |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  |        |
| 12S | 25E | 9   |    |    |    |    |    |    |    |    | X  | X  | X  | X  |    |    |    |    |        |
| 12S | 25E | 16  |    |    |    |    |    | X  | X  | X  |    | X  | X  | X  |    | X  | X  | X  |        |
| 12S | 25E | 17  |    | X  | X  | X  |    | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  |        |
| 12S | 25E | 20  | X  |    |    | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 21  | X  | X  |    |    | X  | X  | X  | X  |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 22  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Transfer No. 81125

**WATER RIGHT NO. 45-285A**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 60.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed the irrigation of 732.5 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

**WATER RIGHT NO. 45-285A**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



**WATER RIGHT NO. 45-287**  
**As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-287 is now described as follows:

**Right Holder:** ROSE CREEK RANCH LLC  
 7595 E MC DONALD DR STE 130  
 SCOTTSDALE, AZ 85250

**Priority Date:** 6/5/1875

**Source:** ROSE CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

IRRIGATION  
 STOCKWATER

**From**

04/01  
 04/01

**To**

to 10/31  
 to 10/31

**Diversion Rate**

1.400 cfs  
 0.050 cfs  
 1.400 cfs

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

|            |        |                        |               |     |
|------------|--------|------------------------|---------------|-----|
| ROSE CREEK | SENWSE | Sec 17 Twp 12S Rge 25E | CASSIA County | (R) |
| ROSE CREEK | NENWNE | Sec 20 Twp 12S Rge 25E | CASSIA County | (R) |
| ROSE CREEK | SEWNNE | Sec 20 Twp 12S Rge 25E | CASSIA County | (I) |
| ROSE CREEK | NWNENE | Sec 30 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 160.0

POU Total Acres: 1537.2

**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 |        |
| 12S | 25E | 8   |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  |        |
| 12S | 25E | 9   |    |    |    |    |    |    |    |    | X  | X  | X  | X  |    |    |    |    |        |
| 12S | 25E | 16  |    |    |    |    |    | X  | X  | X  |    | X  | X  | X  |    | X  | X  | X  |        |
| 12S | 25E | 17  |    | X  | X  | X  |    | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  |        |
| 12S | 25E | 20  | X  |    |    | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 21  | X  | X  |    |    | X  | X  | X  | X  |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 22  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Transfer No. 81125

**WATER RIGHT NO. 45-287**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 160.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed the irrigation of 732.5 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

**WATER RIGHT NO. 45-287**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



**WATER RIGHT NO. 45-291**  
**As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-291 is now described as follows:

**Right Holder:** ROSE CREEK RANCH LLC  
 7595 E MC DONALD DR STE 130  
 SCOTTSDALE, AZ 85250

**Priority Date:** 5/1/1884

**Source:** HOWELL CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

|            | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> |
|------------|--------------------|------------------|------------------------------|
| IRRIGATION | 04/01              | to 10/31         | 0.500 cfs                    |
| STOCKWATER | 04/01              | to 10/31         | 0.050 cfs                    |
|            |                    |                  | 0.500 cfs                    |

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

|              |        |                        |               |
|--------------|--------|------------------------|---------------|
| HOWELL CREEK | NWNESW | Sec 16 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SWSNW  | Sec 21 Twp 12S Rge 25E | CASSIA County |
| HOWELL CREEK | SENENE | Sec 29 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 80.0

POU Total Acres: 1537.2

**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 |        |
| 12S | 25E | 8   |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  |        |
| 12S | 25E | 9   |    |    |    |    |    |    |    |    | X  | X  | X  | X  |    |    |    |    |        |
| 12S | 25E | 16  |    |    |    |    |    | X  | X  | X  |    | X  | X  | X  |    | X  | X  | X  |        |
| 12S | 25E | 17  |    | X  | X  | X  |    | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  |        |
| 12S | 25E | 20  | X  |    |    | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 21  | X  | X  |    |    | X  | X  | X  | X  |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 22  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Transfer No. 81125

**WATER RIGHT NO. 45-291**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 80.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed the irrigation of 732.5 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

**WATER RIGHT NO. 45-291**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



**WATER RIGHT NO. 45-518****As Modified by Transfer No. 81125**

In accordance with the approval of Transfer No. 81125, Water Right No. 45-518 is now described as follows:

**Right Holder:** ROSE CREEK RANCH LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE, AZ 85250

**Priority Date:** 4/1/1876

**Source:** ROSE CREEK

**Tributary:** MARSH CREEK

**BENEFICIAL USE**

IRRIGATION  
STOCKWATER

**From**

04/01  
04/01

**To**

to 10/31  
to 10/31

**Diversion Rate**

1.900 cfs  
0.050 cfs  
1.900 cfs

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

|            |        |                        |               |     |
|------------|--------|------------------------|---------------|-----|
| ROSE CREEK | SENWSE | Sec 17 Twp 12S Rge 25E | CASSIA County | (R) |
| ROSE CREEK | NENWNE | Sec 20 Twp 12S Rge 25E | CASSIA County | (R) |
| ROSE CREEK | SEWNNE | Sec 20 Twp 12S Rge 25E | CASSIA County | (I) |
| ROSE CREEK | NWNENE | Sec 30 Twp 12S Rge 25E | 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   |        |
| 12S | 25E | 8   |      |      |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |
| 12S | 25E | 9   |      |      |      |      |      |      |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      | 164.0  |
| 12S | 25E | 16  |      |      |      |      |      | 12.0 | 40.0 | 15.0 |      | 40.0 | 40.0 | 40.0 |      | 10.0 | 40.0 | 16.0 | 253.0  |
| 12S | 25E | 17  |      | 41.0 | 41.0 | 40.0 |      | 41.0 | 41.0 | 41.0 | 40.0 | 41.0 | 41.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 568.0  |
| 12S | 25E | 20  | 41.0 |      |      | 41.0 | 42.0 | 41.0 |      |      |      |      |      |      |      |      |      |      | 165.0  |
| 12S | 25E | 21  | 21.0 | 41.0 |      |      | 41.0 | 41.0 | 41.0 | 41.0 |      |      |      |      |      |      |      |      | 226.0  |
| 12S | 25E | 22  |      |      |      |      | 1.2  |      |      |      |      |      |      |      |      |      |      |      | 1.2    |

Right Acre Limit: 124.0

POU Total Acres: 1537.2

**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 |        |
| 12S | 25E | 8   |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  |        |
| 12S | 25E | 9   |    |    |    |    |    |    |    |    | X  | X  | X  | X  |    |    |    |    |        |
| 12S | 25E | 16  |    |    |    |    |    | X  | X  | X  |    | X  | X  | X  |    | X  | X  | X  |        |
| 12S | 25E | 17  |    | X  | X  | X  |    | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  | X  |        |
| 12S | 25E | 20  | X  |    |    | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 21  | X  | X  |    |    | X  | X  | X  | X  |    |    |    |    |    |    |    |    |        |
| 12S | 25E | 22  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Transfer No. 81125

**WATER RIGHT NO. 45-518**  
**As Modified by Transfer No. 81125**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 124.0 acres within the authorized place of use in a single irrigation season.
2. Rights 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed the irrigation of 732.5 acres.
3. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 when combined shall not exceed a total diversion rate of 25.41 cfs and the irrigation of 1131.7 acres.
4. Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707 are limited to the irrigation of a specific 1131.7 acres within the 1537.2 acre place of use authorized by this right in a single irrigation season. The specific 1131.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1131.7 acres to be irrigated within the 1537.2 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.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45F.
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 period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

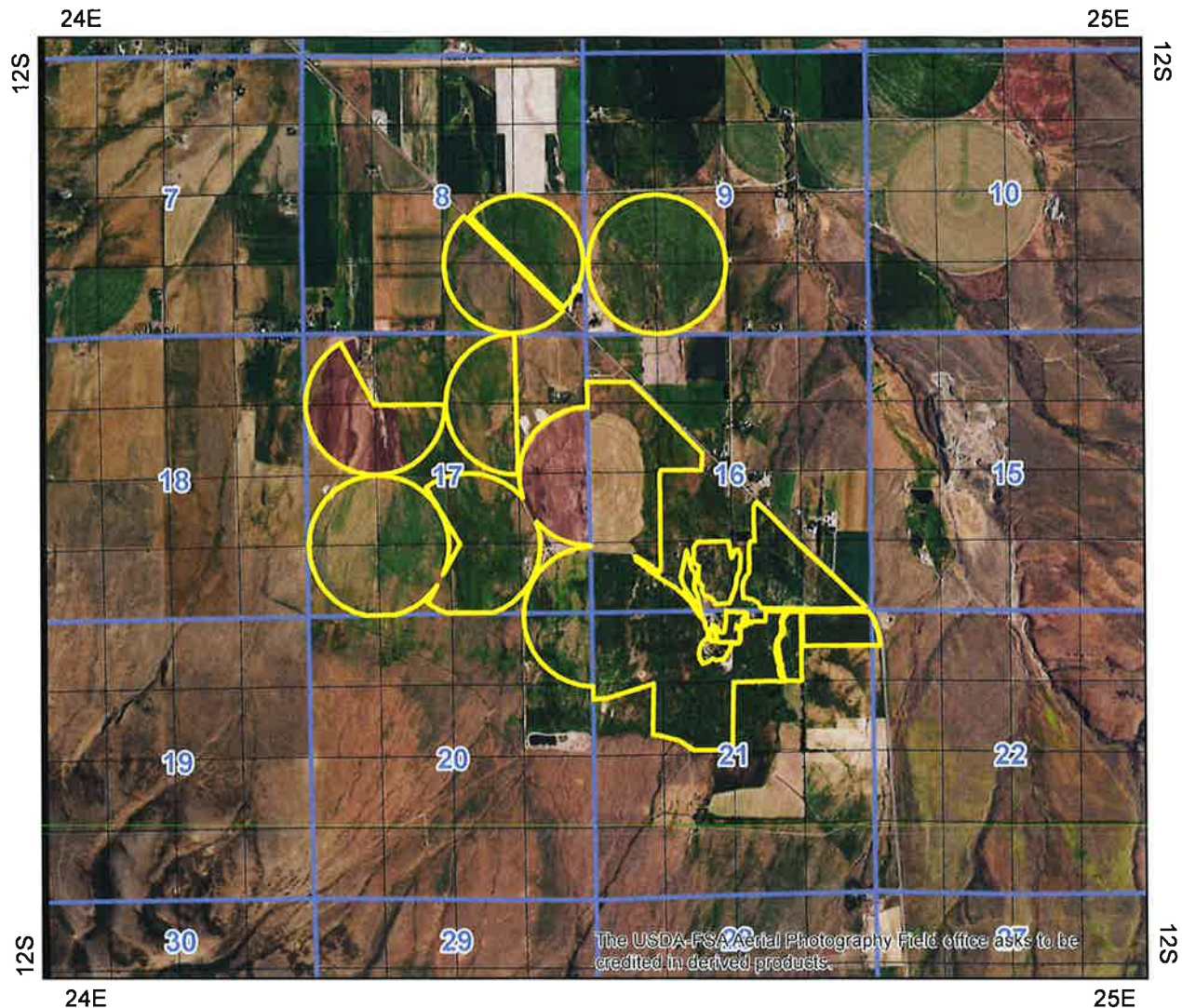
Transfer No. 81125

State of Idaho  
Department of Water Resources

## Attachment to Transfer # 81125

Rights 45-275, 45-284B, 45-285, 45-327D, 45-517D, 45-523A, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452, 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707

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 0.4 0.8 1.6 Miles

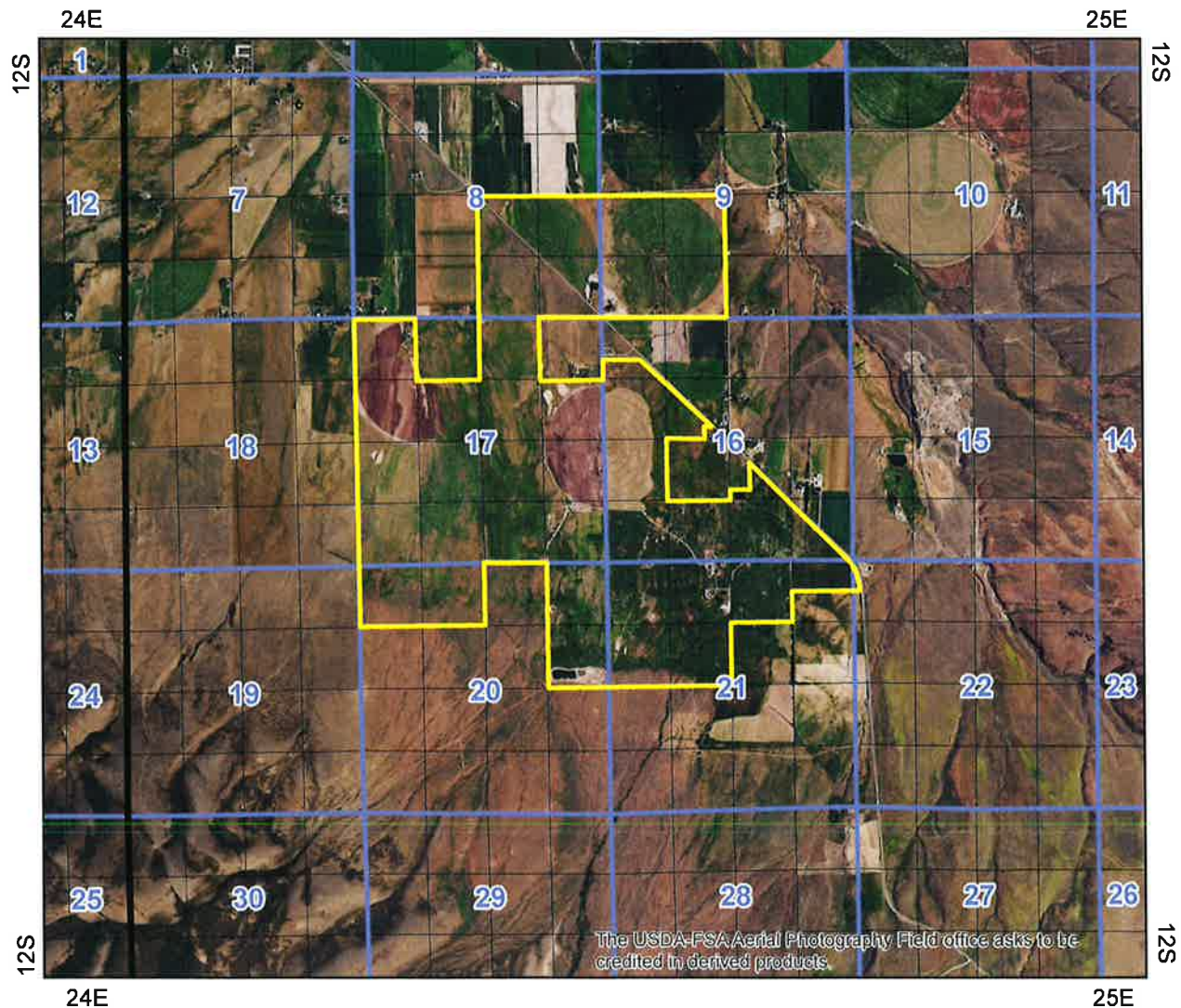


State of Idaho  
Department of Water Resources

## Attachment to Transfer # 81125

Rights 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, and 45-706

This map depicts the STOCKWATER 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 0.45 0.9 1.8 Miles





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

December 6, 2019

ALBION 12 INVESTMENTS LLC  
ROSE CREEK RANCH LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE AZ 85250

Re: Transfer No: 81125

Water Right No(s): 45-236, 45-240, 45-246B, 45-259, 45-275, 45-284B, 45-285, 45-285A, 45-287, 45-290, 45-291, 45-327D, 45-517D, 45-518, 45-519, 45-523A, 45-528, 45-706, 45-707, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452

### 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:

BROCKWAY ENGINEERING PLLC  
C/O ERICK POWELL  
2016 N WASHINGTON ST STE 4  
TWIN FALLS ID 83301

AXA EQUITABLE LIFE INSURANCE COMPANY  
4333 EDGEWOOD RD NE  
CEDAR RAPIDS IA 52499-3830

BRIAN HIGGS  
WATER DISTRICT 140  
355 W 500 S  
BURLEY ID 83318

DON GUNDERSON  
WATER DISTRICT 45F  
1047 E 1000 S  
ALBION ID 83311

## CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2019 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: 81125

Water Right No(s): 45-236, 45-240, 45-246B, 45-259, 45-275, 45-284B, 45-285, 45-285A, 45-287, 45-290, 45-291, 45-327D, 45-517D, 45-518, 45-519, 45-523A, 45-528, 45-706, 45-707, 45-13589, 45-14449, 45-14450, 45-14451, 45-14452

ALBION 12 INVESTMENTS LLC  
ROSE CREEK RANCH LLC  
7595 E MC DONALD DR STE 130  
SCOTTSDALE AZ 85250

BROCKWAY ENGINEERING PLLC  
C/O ERICK POWELL  
2016 N WASHINGTON ST STE 4  
TWIN FALLS ID 83301

AXA EQUITABLE LIFE INSURANCE COMPANY  
4333 EDGEWOOD RD NE  
CEDAR RAPIDS IA 52499-3830

BRIAN HIGGS  
WATER DISTRICT 140  
355 W 500 S  
BURLEY ID 83318-5229

DON GUNDERSON  
WATER DISTRICT 45F  
1047 E 1000 S  
ALBION ID 83311

A handwritten signature in blue ink that reads "Denise Maline". The signature is written in a cursive style and is positioned above a horizontal line.

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.