

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68532

This is to certify that: **IDA GOLD FARMS LIMITED PARTNERSHIP**

C/O REX GERRATT
2680 BURTON CIRCLE
BURLEY ID 83318
(208) 678-4820

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
43-2366	AJC/License	08/15/1951	2.60 cfs	628.0 af	157.0	707.0	GROUND WATER
43-2375	AJC/License	03/06/1952	4.56 cfs	2016.0 af	504.0	707.0	GROUND WATER
43-2555	AJC/License	10/30/1962	3.33 cfs	872.0 af	218.0	707.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-2366	YES	NO	YES	YES	YES	YES
43-2375	YES	NO	YES	YES	YES	YES
43-2555	YES	NO	YES	YES	YES	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-2366	43-2366B	0.77 cfs	139.2 af	N/A	N/A	43-2366A	1.83 cfs	442.4 af	110.6	467.0
43-2375	43-2375B	1.35 cfs	403.7 af	2.0	2.0	43-2375A	3.21 cfs	1275.6 af	318.9	467.0
43-2555	43-2555B	0.98 cfs	186.3 af	N/A	N/A	43-2555A	2.35 cfs	592.4 af	148.1	467.0
TOTALS		3.10 cfs	590.0 af	2.0	2.0		7.39 cfs	1868.0 af	467.0	467.0

Detailed Water Right Description(s) attached

Dated this 9th day of August, 2001

[Signature]
 Chief, Water Allocation Bureau

TRANSFER 81940
 APPLICANT'S
 EXHIBIT 4

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WATER RIGHT NO. 43-2366A
As Modified by Transfer No. 68532

In accordance with the approval of Transfer No. 68532, Water Right No. 43-2366A is now described as follows.

Right Holder: IDA GOLD FARMS LIMITED PARTNERSHIP
 246 E 300 S
 BURLEY ID 83318

Priority Date: 08/15/1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.83 CFS	442.4 AF
			1.83 CFS	442.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 13 Twp 11S Rge 26E CASSIA County
 GROUND WATER NWNWNE Sec. 14 Twp 11S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
11S 26E 13	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	133.1
			22.4	37.0			39.6	34.1									
11S 26E 14	33.8	28.3	39.3	24.7	39.9			37.7									203.7
11S 27E 18					31.0	31.8	35.8	31.6									130.2
						L1	L2										

Total Acres: 467

CONDITIONS OF APPROVAL

- Right 43-2366A is limited to the irrigation of 110.6 acres within the place of use described above in a single irrigation season.
- Rights 43-2366A and 43-2375A when combined shall not exceed a total annual maximum diversion volume of 1275.6 af at the field headgate, and the irrigation of 318.9 acres.
- The total instantaneous diversion of water from all points of diversion under Rights 43-2366A, 43-2375A and 43-2555A shall not exceed 7.39 cfs, nor total combined annual volume of 1868.0 af for the irrigation of 467.0 acres.
- Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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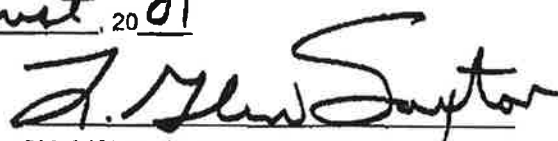
WATER RIGHT NO. 43-2366A
As Modified by Transfer No. 68532

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. Approval of Transfer 68532 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 9th day of August, 2001


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-2366B
As Modified by Transfer No. 68532

In accordance with the approval of Transfer No. 68532, Water Right No. 43-2366B is now described as follows.

Right Holder: IDA GOLD FARMS LIMITED PARTNERSHIP
 246 E 300 S
 BURLEY ID 83318

Priority Date: 08/15/1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.77 CFS	139.2 AF
COMMERCIAL	01/01	to 12/31	0.77 CFS	139.2 AF
			0.77 CFS	139.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNW	Sec. 13 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec. 13 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec. 13 Twp 11S	Rge 26E	CASSIA County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X			X	X											
11S	26E	14	X			X													
11S	27E	18						X											

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	2	X	X	X	X					X	X	X	X	X	X	X	X	
11S	26E	11	X	X	X	X	X	X	X	X				X	X	X	X	X	
11S	26E	13		X	X	X	X	X	X	X									
11S	26E	14	X	X	X	X	X			X									
11S	27E	17											X						
11S	27E	18					X	X	X	X									
11S	27E	19						L1	L2						X			X	
11S	27E	20						X	X			X	X						
11S	27E	29						X											
11S	27E	30	X		X	X									X	X	X	X	

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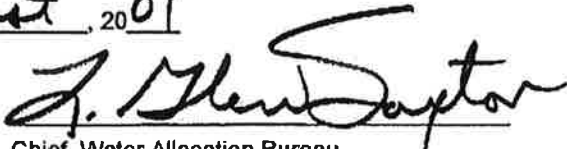
WATER RIGHT NO. 43-2366B
As Modified by Transfer No. 68532

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Rights 43-2366B and 43-2375B when combined shall not exceed a total annual maximum diversion volume of 403.7 af.
3. The total instantaneous diversion of water from all points of diversion under Rights 43-2366B, 43-2375B and 43-2555B shall not exceed 3.10 cfs, nor total combined annual volume of 590.0 af.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Commercial use is for a dairy.
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
8. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
9. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
10. The right holder shall accomplish the change authorized by this transfer within one (1) 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 9th day of August, 2001


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-2375A
As Modified by Transfer No. 68532

In accordance with the approval of Transfer No. 68532, Water Right No. 43-2375A is now described as follows.

Right Holder: IDA GOLD FARMS LIMITED PARTNERSHIP
 246 E 300 S
 BURLEY ID 83318

Priority Date: 03/06/1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	3.21 CFS	1,275.6 AF
			3.21 CFS	1,275.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 13 Twp 11S Rge 26E CASSIA County
 GROUND WATER NWNWNE Sec. 14 Twp 11S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13			22.4	37.0			39.6	34.1									133.1
11S	26E	14	33.8	28.3	39.3	24.7	39.9			37.7									203.7
11S	27E	18					31.0	31.8	35.8	31.6									130.2

Total Acres: 467

CONDITIONS OF APPROVAL:

1. Right 43-2375A is limited to the irrigation of 318.9 acres within the place of use described above in a single irrigation season.
2. Rights 43-2366A and 43-2375A when combined shall not exceed a total annual maximum diversion volume of 1275.6 af at the field headgate, and the irrigation of 318.9 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 43-2366A, 43-2375A and 43-2555A shall not exceed 7.39 cfs, nor total combined annual volume of 1868.0 af for the irrigation of 467.0 acres.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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WATER RIGHT NO. 43-2375A
As Modified by Transfer No. 68532

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. Approval of Transfer 68532 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 9th day of August, 2001


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-2375B
As Modified by Transfer No. 68532

In accordance with the approval of Transfer No. 68532, Water Right No. 43-2375B is now described as follows.

Right Holder: IDA GOLD FARMS LIMITED PARTNERSHIP
 246 E 300 S
 BURLEY ID 83318

Priority Date: 03/06/1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01 to	12/31	0.13 CFS	4.8 AF
IRRIGATION	03/15 to	11/15	0.06 CFS	8.0 AF
STOCKWATER	01/01 to	12/31	1.35 CFS	390.9 AF
COMMERCIAL	01/01 to	12/31	1.35 CFS	390.9 AF
			1.35 CFS	403.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNW	Sec. 13 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec. 13 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec. 13 Twp 11S	Rge 26E	CASSIA County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 14	X																

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 14	2.0																2.0

Total Acres: 2

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 13	X	X			X	X											
11S 26E 14	X			X													
11S 27E 18						X											

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WATER RIGHT NO. 43-2375B
As Modified by Transfer No. 68532

<u>PLACE OF USE:</u>			<u>COMMERCIAL</u>																<u>Totals</u>
<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11S	26E	2	X	X	X	X					X	X	X	X	X	X	X	X	
11S	26E	11	X	X	X	X	X	X	X	X				X	X	X	X	X	
11S	26E	13		X	X	X	X	X	X										
11S	26E	14	X	X	X	X	X			X									
11S	27E	17											X						
11S	27E	18					X	X	X	X									
11S	27E	19						L1	L2						X				X
11S	27E	20						X	X			X	X						
11S	27E	29						X											
11S	27E	30	X		X	X									X	X	X	X	

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Rights 43-2366B and 43-2375B when combined shall not exceed a total annual maximum diversion volume of 403.7 af.
3. The total instantaneous diversion of water from all points of diversion under Rights 43-2366B, 43-2375B and 43-2555B shall not exceed 3.10 cfs, nor total combined annual volume of 590.0 af.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Commercial use is for a dairy.
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
8. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

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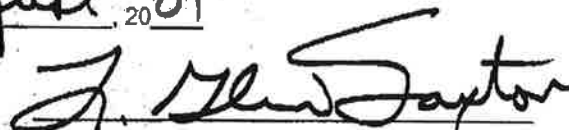
WATER RIGHT NO. 43-2375B
As Modified by Transfer No. 68532

CONDITIONS OF APPROVAL

9. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. Domestic use is for 8 homes.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 9th day of August, 2001


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-2555A
As Modified by Transfer No. 68532

In accordance with the approval of Transfer No. 68532, Water Right No. 43-2555A is now described as follows.

Right Holder: IDA GOLD FARMS LIMITED PARTNERSHIP
 246 E 300 S
 BURLEY ID 83318

Priority Date: 10/30/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.35 CFS	592.4 AF
			2.35 CFS	592.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 13 Twp 11S Rge 26E CASSIA County
 GROUND WATER NWNWNE Sec. 14 Twp 11S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
11S 26E 13	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	133.1
			22.4	37.0			39.6	34.1									
11S 26E 14	33.8	28.3	39.3	24.7	39.9			37.7									203.7
11S 27E 18					31.0	31.8	35.8	31.6									130.2
					L1	L2											

Total Acres: 467

CONDITIONS OF APPROVAL

1. Right 43-2555A is limited to the irrigation of 148.1 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-2366A, 43-2375A and 43-2555A shall not exceed 7.39 cfs, nor total combined annual volume of 1868.0 af for the irrigation of 467.0 acres.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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WATER RIGHT NO. 43-2555A
As Modified by Transfer No. 68532

CONDITIONS OF APPROVAL

6. Approval of Transfer 68532 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this

9th

day of

August, 2001


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-2555B
As Modified by Transfer No. 68532

In accordance with the approval of Transfer No. 68532, Water Right No. 43-2555B is now described as follows.

Right Holder: IDA GOLD FARMS LIMITED PARTNERSHIP
 246 E 300 S
 BURLEY ID 83318

Priority Date: 10/30/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.98 CFS	186.3 AF
COMMERCIAL	01/01	to 12/31	0.98 CFS	186.3 AF
			0.98 CFS	186.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 13 Twp 11S Rge 26E CASSIA County
 GROUND WATER NWNW Sec. 13 Twp 11S Rge 26E CASSIA County
 GROUND WATER NWNW Sec. 13 Twp 11S Rge 26E CASSIA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 13	X	X			X	X											
11S 26E 14	X			X													
11S 27E 18						X											

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 2	X	X	X	X					X	X	X	X	X	X	X	X	
11S 26E 11	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
11S 26E 13		X	X	X	X	X	X	X									
11S 26E 14	X	X	X	X	X			X									
11S 27E 17											X						
11S 27E 18					X	X	X	X									
11S 27E 19						L1	L2						X			X	
11S 27E 20						X	X		X	X							
11S 27E 29						X											
11S 27E 30	X		X	X									X	X	X	X	

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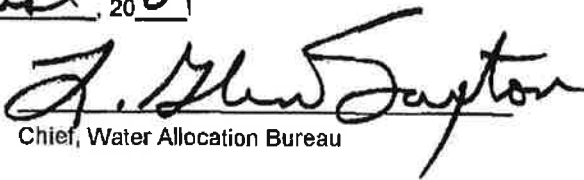
WATER RIGHT NO. 43-2555B
As Modified by Transfer No. 68532

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-2366B, 43-2375B and 43-2555B shall not exceed 3.10 cfs, nor total combined annual volume of 590.0 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Commercial use is for a dairy.
6. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
7. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
8. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 9th day of August, 2001


Chief, Water Allocation Bureau

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