

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81139**

This is to certify that: **RED ROCK FARMS LLC**
2038 S HWY 81
MALTA, ID 83342

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-13543	WR/DECREED	6/30/1985	1.710 cfs	N/A	142.7	514.0	GROUND WATER
43-13605	WR/DECREED	8/26/1953	7.020 cfs	1485.2 af	371.3	514.0	GROUND WATER
43-2444	WR/DECREED	5/10/1956	4.880 cfs	1044.0 af	N/A	261.0	GROUND WATER
43-2447A	WR/DECREED	7/26/1956	5.280 cfs	1056.0 af	264.0	528.0	GROUND WATER
43-2448A	WR/DECREED	7/26/1956	5.210 cfs	1056.0 af	264.0	528.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-13543	NO	NO	YES	NO	NO	NO
43-13605	NO	NO	YES	NO	NO	NO
43-2444	YES	YES	YES	NO	NO	NO
43-2447A	YES	YES	YES	NO	NO	NO
43-2448A	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-13543	43-13543	1.710 cfs	N/A	142.7	525.5	N/A	N/A	N/A	N/A	N/A
43-13605	43-13605	7.020 cfs	1485.2 af	371.3	525.5	N/A	N/A	N/A	N/A	N/A
43-2444	43-13783	0.940 cfs	200.0 af	50.0	525.5	43-2444	3.940 cfs	844.0 af	N/A	211.0
43-2447A	43-13774	0.120 cfs	46.0 af	11.5	525.5	43-2447A	5.160 cfs	1010.0 af	252.5	500.0
43-2448A	43-13775	0.110 cfs	46.0 af	11.5	525.5	43-2448A	5.100 cfs	1010.0 af	252.5	500.0
COMBINED TOTALS		8.170 cfs	1731.2 af	525.5	525.5		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 81139

IN FILE # 43-2444

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81139

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 6th day of September, 2017.


Southern Region Manager



WATER RIGHT NO. 43-2447A
As Modified by Transfer No. 81139

In accordance with the approval of Transfer No. 81139, Water Right No. 43-2447A is now described as follows:

Right Holder: RED ROCK FARMS LLC
 2038 S HWY 81
 MALTA, ID 83342

Priority Date: 7/26/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	5.160 cfs	1010.0 af
			5.160 cfs	1010.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWSW	Sec 14 Twp 13S Rge 27E CASSIA County
GROUND WATER	NENESW	Sec 15 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	15	31.0	31.0	32.0	31.0	32.0	31.0	31.0	32.0	32.0	32.0	30.0	30.0	31.0	32.0	31.0	31.0	500.0

Right Acre Limit: 252.5

POU Total Acres: 500.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 252.5 acres within the place of use described above in a single irrigation season.
2. Use of this right with right No.43-2448A is limited to a total combined diversion rate of 9.65 cfs and a total combined annual diversion volume of 2000 af.
3. Use of this right with 43-2448A is limited to the irrigation of a combined total of 500.0 acres in a single irrigation season.
4. 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. 81139

WATER RIGHT NO. 43-13774
As Modified by Transfer No. 81139

In accordance with the approval of Transfer No. 81139, Water Right No. 43-13774 is now described as follows:

Right Holder: RED ROCK FARMS LLC
 2038 S HWY 81
 MALTA, ID 83342

Priority Date: 7/26/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.120 cfs	46.0 af
			0.120 cfs	46.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESE	Sec 16 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SWSESW	Sec 16 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SWSWSW	Sec 16 Twp 14S Rge 27E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	27E	16	32.0	32.0	37.0	31.0	32.0	32.0	31.0	36.0	37.0	32.0	30.0	31.0	32.0	37.5	32.0	31.0	525.5

Right Acre Limit: 11.5

POU Total Acres: 525.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11.5 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13774 and 43-13775 when combined shall not exceed a total diversion rate of 0.21 cfs, a total annual maximum diversion volume of 46 af at the field headgate, and the irrigation of 11.5 acres.
3. Rights 43-13543, 43-13605, 43-13774, 43-13775 and 43-13783 when combined shall not exceed a total diversion rate of 8.17 cfs, a total annual maximum diversion volume of 1731.2 af and the irrigation of 525.5 acres.
4. 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. 143.

Transfer No. 81139

WATER RIGHT NO. 43-13774
As Modified by Transfer No. 81139

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to 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. 43-2448A
As Modified by Transfer No. 81139

In accordance with the approval of Transfer No. 81139, Water Right No. 43-2448A is now described as follows:

Right Holder: RED ROCK FARMS LLC
2038 S HWY 81
MALTA, ID 83342

Priority Date: 7/26/1956

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

to

To

10/31

Diversion Rate

5.100 cfs

5.100 cfs

Diversion Volume

1010.0 af

1010.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNWSW

Sec 14 Twp 13S Rge 27E CASSIA County

GROUND WATER

NENESW

Sec 15 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	15	31.0	31.0	32.0	31.0	32.0	31.0	31.0	32.0	32.0	32.0	30.0	30.0	31.0	32.0	31.0	31.0	500.0

Right Acre Limit: 252.5

POU Total Acres: 500.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 252.5 acres within the place of use described above in a single irrigation season.
2. Use of this right with 43-2447A is limited to the irrigation of a combined total of 500.0 acres in a single irrigation season.
3. Use of this right with right No.43-2447A is limited to a total combined diversion rate of 9.65 cfs and a total combined annual diversion volume of 2000 af.
4. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.

Transfer No. 81139

WATER RIGHT NO. 43-2448A
As Modified by Transfer No. 81139

CONDITIONS OF APPROVAL

5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 43-13775
As Modified by Transfer No. 81139

In accordance with the approval of Transfer No. 81139, Water Right No. 43-13775 is now described as follows:

Right Holder: RED ROCK FARMS LLC
 2038 S HWY 81
 MALTA, ID 83342

Priority Date: 7/26/1956

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.110 cfs

0.110 cfs

Diversion Volume

46.0 af

46.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SESESE

Sec 16 Twp 14S Rge 27E CASSIA County

GROUND WATER

SWSESW

Sec 16 Twp 14S Rge 27E CASSIA County

GROUND WATER

SWSWSW

Sec 16 Twp 14S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	27E	16	32.0	32.0	37.0	31.0	32.0	32.0	31.0	36.0	37.0	32.0	30.0	31.0	32.0	37.5	32.0	31.0	525.5

Right Acre Limit: 11.5

POU Total Acres: 525.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11.5 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13774 and 43-13775 when combined shall not exceed a total diversion rate of 0.21 cfs, a total annual maximum diversion volume of 46 af at the field headgate, and the irrigation of 11.5 acres.
3. Rights 43-13543, 43-13605, 43-13774, 43-13775 and 43-13783 when combined shall not exceed a total diversion rate of 8.17 cfs, a total annual maximum diversion volume of 1731.2 af and the irrigation of 525.5 acres.
4. 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. 143.

Transfer No. 81139

WATER RIGHT NO. 43-13775

As Modified by Transfer No. 81139

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 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 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the originating approval/SRBA partial decree date of 6/28/2002.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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. 43-13543
As Modified by Transfer No. 81139

In accordance with the approval of Transfer No. 81139, Water Right No. 43-13543 is now described as follows:

Right Holder: RED ROCK FARMS LLC
 2038 S HWY 81
 MALTA, ID 83342

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

1.710 cfs

1.710 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SESESE

Sec 16 Twp 14S Rge 27E CASSIA County

GROUND WATER

SWSESW

Sec 16 Twp 14S Rge 27E CASSIA County

GROUND WATER

SWSWSW

Sec 16 Twp 14S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	27E	16	32.0	32.0	37.0	31.0	32.0	32.0	31.0	36.0	37.0	32.0	30.0	31.0	32.0	37.5	32.0	31.0	525.5

Right Acre Limit: 142.7

POU Total Acres: 525.5

CONDITIONS OF APPROVAL

1. This right is an expansion of Right No.43-13605 pursuant to Section 42-1416B, Idaho Code.
2. This right is limited to the irrigation of 142.7 acres within the authorized place of use in a single irrigation season.
3. Rights 43-13543 and 43-13605 when combined shall not exceed a total diversion rate of 7.02 cfs, a total annual maximum diversion volume of 1485.2 af and the irrigation of 514.0 acres.
4. Rights 43-13543, 43-13605, 43-13774, 43-13775 and 43-13783 when combined shall not exceed a total diversion rate of 8.17 cfs, a total annual maximum diversion volume of 1731.2 af and the irrigation of 525.5 acres.
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. 143.

Transfer No. 81139

WATER RIGHT NO. 43-13543
As Modified by Transfer No. 81139

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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. 43-13605
As Modified by Transfer No. 81139

In accordance with the approval of Transfer No. 81139, Water Right No. 43-13605 is now described as follows:

Right Holder: RED ROCK FARMS LLC
 2038 S HWY 81
 MALTA, ID 83342

Priority Date: 8/26/1953

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

to

To

11/15

Diversion Rate

7.020 cfs

7.020 cfs

Diversion Volume

1485.2 af

1485.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SESESE

Sec 16 Twp 14S Rge 27E CASSIA County

GROUND WATER

SWSESW

Sec 16 Twp 14S Rge 27E CASSIA County

GROUND WATER

SWSWSW

Sec 16 Twp 14S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	27E	16	32.0	32.0	37.0	31.0	32.0	32.0	31.0	36.0	37.0	32.0	30.0	31.0	32.0	37.5	32.0	31.0	525.5

Right Acre Limit: 371.3

POU Total Acres: 525.5

CONDITIONS OF APPROVAL

1. Right No. 43-13543 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
2. This right is limited to the irrigation of 371.3 acres within the authorized place of use in a single irrigation season.
3. Rights 43-13543 and 43-13605 when combined shall not exceed a total diversion rate of 7.02 cfs, a total annual maximum diversion volume of 1485.2 af and the irrigation of 514.0 acres.
4. Rights 43-13543, 43-13605, 43-13774, 43-13775 and 43-13783 when combined shall not exceed a total diversion rate of 8.17 cfs, a total annual maximum diversion volume of 1731.2 af and the irrigation of 525.5 acres.
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. 143.

Transfer No. 81139

WATER RIGHT NO. 43-13605
As Modified by Transfer No. 81139

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to 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. 43-2444**As Modified by Transfer No. 81139**

In accordance with the approval of Transfer No. 81139, Water Right No. 43-2444 is now described as follows:

Right Holder: RED ROCK FARMS LLC
2038 S HWY 81
MALTA, ID 83342

Priority Date: 5/10/1956

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

to

To

11/01

Diversion Rate

3.940 cfs

3.940 cfs

Diversion Volume

844.0 af

844.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSWSW

Sec 7 Twp 14S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	27E	7							19.0	14.0	41.0	49.0	48.0	40.0					211.0
									L 2			L 3	L 4						

POU Total Acres: 211.0

CONDITIONS OF APPROVAL

1. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.
2. 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. 43-13783
As Modified by Transfer No. 81139

In accordance with the approval of Transfer No. 81139, Water Right No. 43-13783 is now described as follows:

Right Holder: RED ROCK FARMS LLC
 2038 S HWY 81
 MALTA, ID 83342

Priority Date: 5/10/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.940 cfs	200.0 af
			0.940 cfs	200.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESE	Sec 16 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SWSESW	Sec 16 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SWSWSW	Sec 16 Twp 14S Rge 27E	CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	27E	16	32.0	32.0	37.0	31.0	32.0	32.0	31.0	36.0	37.0	32.0	30.0	31.0	32.0	37.5	32.0	31.0	525.5

Right Acre Limit: 50.0

POU Total Acres: 525.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13543, 43-13605, 43-13774, 43-13775 and 43-13783 when combined shall not exceed a total diversion rate of 8.17 cfs, a total annual maximum diversion volume of 1731.2 af and the irrigation of 525.5 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.
4. 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 diversions.

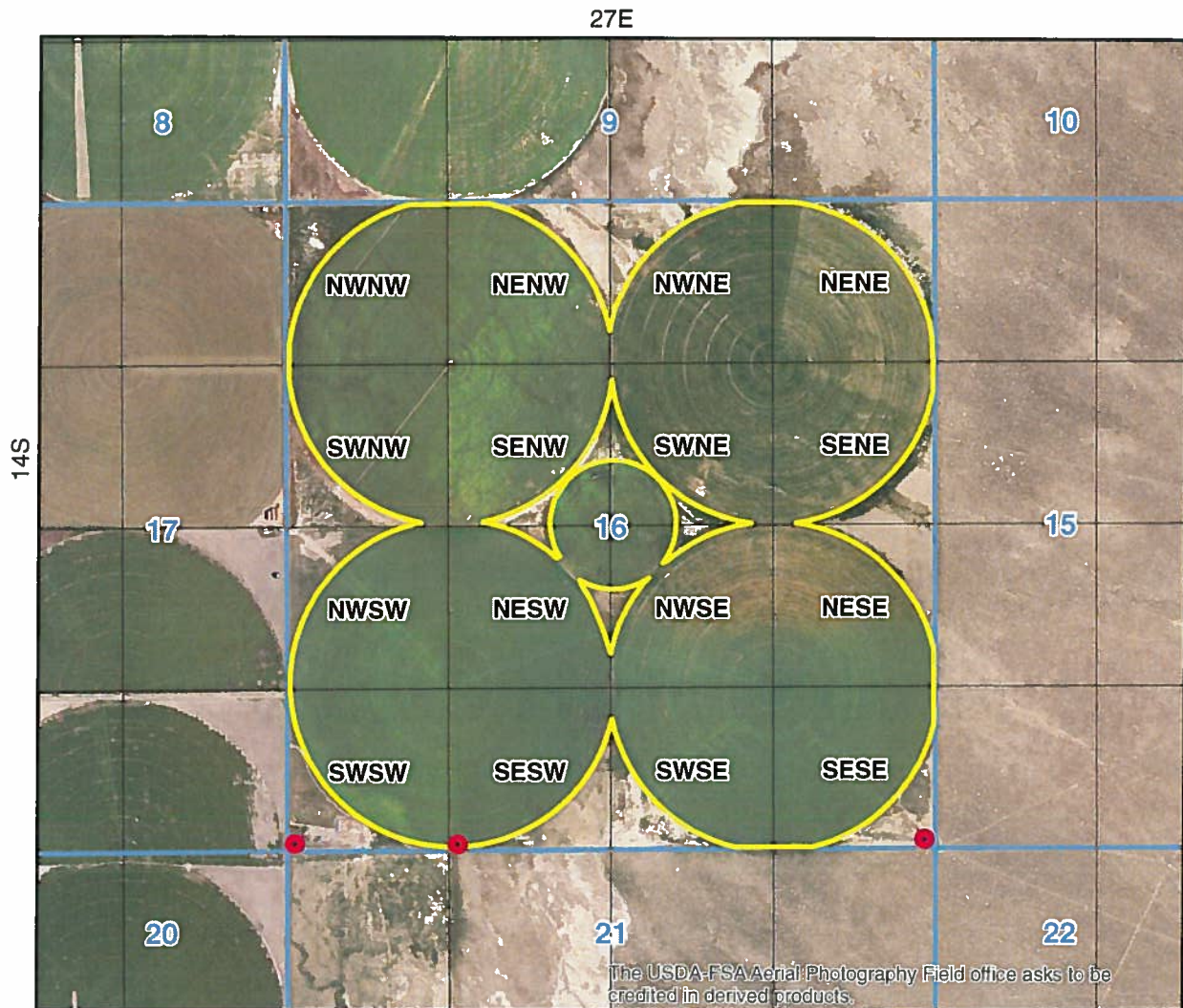
WATER RIGHT NO. 43-13783
As Modified by Transfer No. 81139

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 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 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the originating approval/SRBA partial decree date of 6/28/2002.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to 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.

State of Idaho
Department of Water Resources
Attachment to Transfer # 81139
Rights 43-13543, 43-13605, 43-13774, 43-13775, and 43-13783

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.



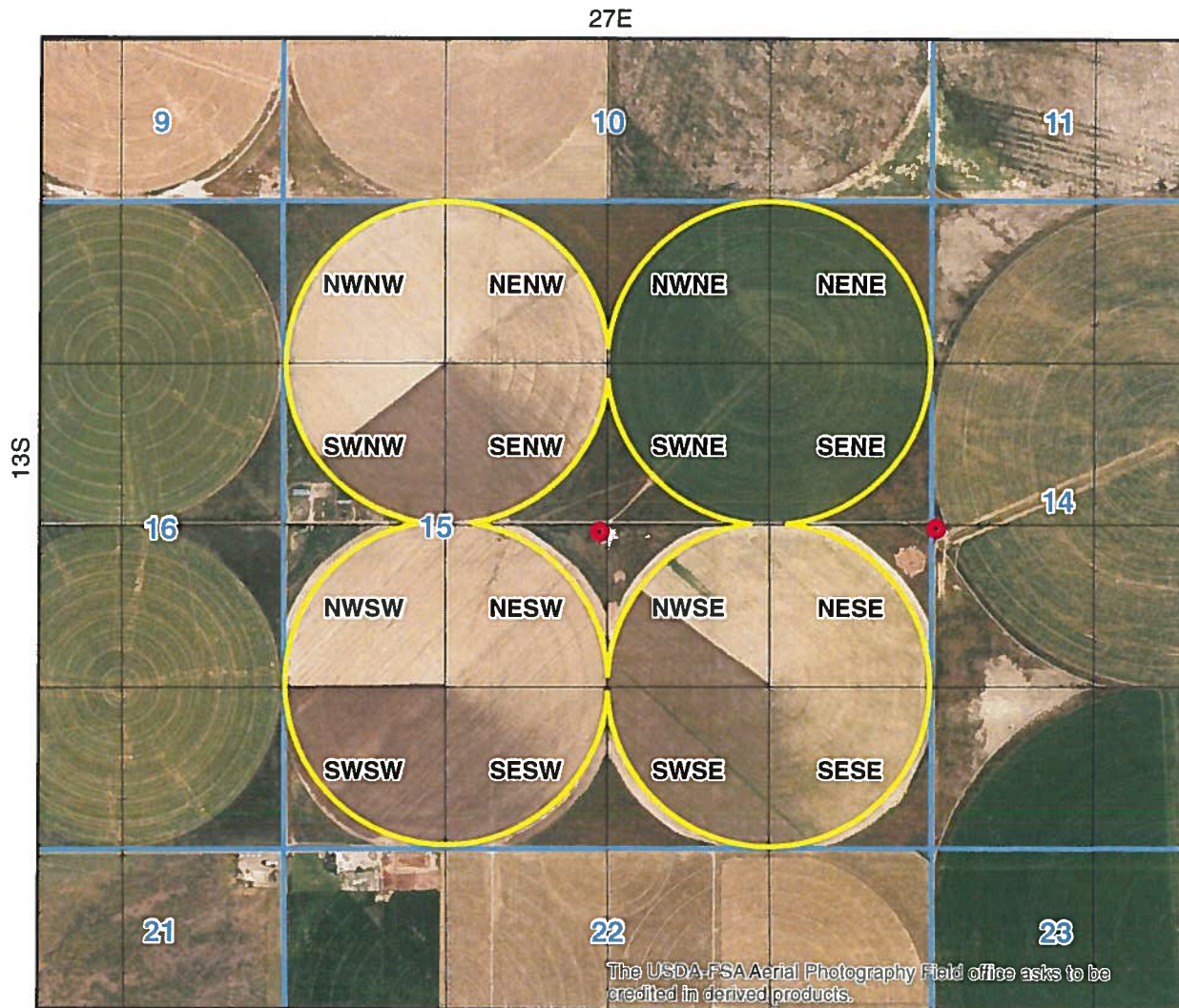
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.175 0.35 0.7 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer # 81139
43-2447A and 43-2448A

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.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.175 0.35 0.7 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 7, 2017

RED ROCK FARMS LLC
2038 S HWY 81
MALTA ID 83342

Re: Transfer No: 81139
Water Right No(s): 43-2444, 43-2447A, 43-2448A, 43-13543, 43-13605

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.

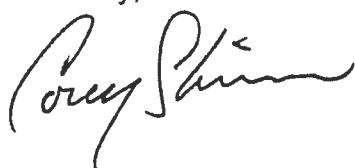
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and 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,

A handwritten signature in black ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with the first name "Corey" written in a larger, more prominent script than the last name "Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

cc:

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

CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2017 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.: 81139

Water Right No(s): 43-2444, 43-2447A, 43-2448A, 43-13543, 43-13605

**RED ROCK FARMS LLC
2038 S HWY 81
MALTA ID 83342**

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

via e-mail



**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.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 81139
Water Right No: 43-2444, etc.
Applicant Name: Red Rock Farms LLC

Watermaster's Recommendation:

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

Dated: February 14, 2017

Water District 143



Nathan Erickson, Watermaster

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

ORDER NUMBER 39600

Ruby Aufderheide

(Legals Clerk)

STATE OF IDAHO)
 .SS
COUNTY OF TWIN FALLS)

On this 26th day of January in the year of 2017 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Melody Xu
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 4/21/2017

PUBLISHED ON: 01/19/2017, 01/26/2017

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81139

RED ROCK FARMS LLC, 2038 S HWY 81, MALTA, ID 83342; has filed Application No. 81139 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13543, 43-13605, 43-2444, 43-2447A, 43-2448A; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a combined 0.21 cfs, 11.5 acre portion from two ground water rights from a farm and moving a 0.94 cfs, 50 acre portion of a ground water right from a second farm to a third farm located approximately 7.0 to 8.0 miles south and 2.8 to 3.8 miles east of Malta. The transferred water from the first two farms will be combined with two other ground water rights on the third farm to create a 525.5 acre permissible place of use and will allow a combined diversion of up to 8.17 cfs from three existing wells. The 11.5 acre portion proposed to be transferred is currently used on a farm located approximately 1.0 to 2.0 miles south and 3.8 to 4.8 miles east of Malta. The 50 acre portion proposed to be transferred is currently used on a farm located approximately 6.02 to 7.0 miles south and 0.75 to 1.3 miles east of Malta.

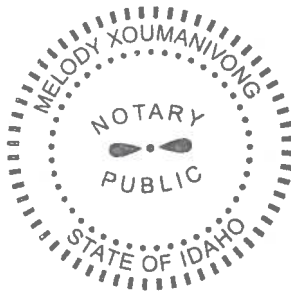
For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before February 6, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
PUBLISH: January 19 and 26, 2017

RECEIVED

JAN 30 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION



✓ OK DM
2-6-2017

TOTAL AD COST: 110.85

FILED ON: 1/26/2017

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 39600

Publication

Times News

Contact ID DEPARTMENT OF WATER RESOURCES

Address 1 650 ADDISON AVE W, STE 500

Address 2

City St Zip TWIN FALLS ID 83301

Phone 2087363033

Fax

Section Legals

SubSection

Category 50 Legal

Ad Key 39600-1

Keywords Red Rock Farms

Notes

Ad Proof

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GARY SPACKMAN, Director

PUBLISH: January 19 and 26, 2017

PO Number

Rate

Order Price

Amount Paid

Amount Due

Legal Notice

110.85

0.00

110.85

Start/End Dates

Insertions

Size

01/19/2017 - 01/26/2017

2

70

Salesperson(s)

Taken By

Ruby Aufderheide

Ruby Aufderheide

Proof of legal notice received
from Times News 1/16/2017
(2 total pages)

✓ OK DM 1/17/2017
E-mail sent to
newspaper.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 39600

Publication

Online

Contact ID DEPARTMENT OF WATER RESOURCES

PO Number

Address 1 650 ADDISON AVE W, STE 500

Rate

Legal Notice

Address 2

Order Price

110.85

City St Zip TWIN FALLS ID 83301

Amount Paid

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Phone 2087363033

Amount Due

110.85

Fax

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1/17/2017.