

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. **81278**OCT 17 2016 MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER
WATER RESOURCES
WESTERN REGION

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

Name of Applicant(s) Murphy Flats Water Co IncCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

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

81278

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 17 2016

WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Murphy Flats Water Co Inc Phone 509-545-4545

Mailing address PO Box 3110 Pasco, WA 99302 Email _____

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

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

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543

Mailing address 2016 North Washington St Suite 4 Twin Falls, Idaho 83301 Email _____

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

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

[Signature]
Signature of Applicant or Authorized Representative

Tim M. Tippet
Print Name and Title if applicable
Authorized Agent

10-6-16
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

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

Create a permissible place of use and update authorized POU.

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(BES)

81278

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	See Exhibit A				

Total authorized under rights 146.14 cfs and/or 27979 acre-feet.

2. Total amount of water proposed to be transferred or changed 146.14 cubic feet per second and/or 27979 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

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

Existing diversion and delivery system.

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

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

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

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: No Mortgage Holder

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

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☒ complete Attachment WSB.

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

Acres that have historically been irrigated or are currently leased into the water supply bank will be transfer to a new location within the PPU.

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

None

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

Yes No

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

If yes, describe:

A total of 418.9 acres from 57-179, 57-180B, 57-181, 57-7152, 57-7385, 2-2361, 2-2370, 2-7001 and 2-10020 are currently under contract to be leased to the water supply bank until 12/31/2018.

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

Current Water Right No.: 57-179

Current Owner: MURPHY FLATS WATER CO INC

Priority Date: 4/1/1865

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

SINKER CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/01 to 11/15

Total Diversion**Diversion Rate**

0.4 CFS

0.4 CFS

Annual Volume**Location of Point(s) of Diversion**

SINKER CREEK

SE1/4NW1/4

Sec. 11, Twp 04S, Rge 02W B.M.

OWYHEE County

Place of Use**IRRIGATION Within OWYHEE County**

T03S R01W S2	SWNE	13.00	T03S R01W S2	SWNW	27.00
T03S R01W S2	NWSW	40.00	T03S R01W S2	NWSE	21.00
T03S R01W S3	SWNW	40.00	T03S R01W S3	NWSW	40.00
T03S R01W S3	SWSW	40.00	T03S R01W S3	NESE	40.00
T03S R01W S3	NWSE	40.00	T03S R01W S3	SWSE	40.00
T03S R01W S3	SESE	40.00	T03S R01W S4	SWNE	40.00
T03S R01W S4	SENE	40.00	T03S R01W S4	SWNW	40.00
T03S R01W S4	SENE	40.00	T03S R01W S4	NESW	40.00
T03S R01W S4	SENE	40.00	T03S R01W S4	SWSW	40.00
T03S R01W S4	SENE	40.00	T03S R01W S4	NESE	40.00
T03S R01W S4	SENE	40.00	T03S R01W S4	SWSE	30.00
T03S R01W S4	SENE	40.00	T03S R01W S5	SENE	40.00
T03S R01W S5	NESE	40.00	T03S R01W S5	SESE	40.00
T03S R01W S7	SESE	40.00	T03S R01W S7	NESE	40.00
T03S R01W S7	SESE	40.00	T03S R01W S7	SWSE	40.00
T03S R01W S7	SESE	40.00	T03S R01W S8	NENE	35.00
T03S R01W S8	NWNE	40.00	T03S R01W S8	SWNE	40.00
T03S R01W S8	SENE	35.00	T03S R01W S8	NENW	40.00
T03S R01W S8	NWNW	40.00	T03S R01W S8	SWNW	40.00
T03S R01W S8	SENE	40.00	T03S R01W S8	NESW	40.00
T03S R01W S8	NWSW	40.00	T03S R01W S8	SWSW	40.00
T03S R01W S8	SESE	40.00	T03S R01W S8	NESE	35.00
T03S R01W S8	NWSE	40.00	T03S R01W S8	SWSE	40.00

T03S R01W S8	SESE	35.00	T03S R01W S9	NENE	40.00
T03S R01W S9	NWNE	40.00	T03S R01W S9	SWNE	40.00
T03S R01W S9	SENE	40.00	T03S R01W S9	NENW	40.00
T03S R01W S9	NWNW	40.00	T03S R01W S9	SWNW	40.00
T03S R01W S9	SENE	40.00	T03S R01W S9	NESW	40.00
T03S R01W S9	NWSW	40.00	T03S R01W S9	SWSW	40.00
T03S R01W S9	SESW	40.00	T03S R01W S9	NESE	40.00
T03S R01W S9	NWSE	40.00	T03S R01W S9	SWSE	40.00
T03S R01W S9	SESE	40.00	T03S R01W S10	NENE	35.00
T03S R01W S10	NWNE	35.00	T03S R01W S10	SWNE	40.00
T03S R01W S10	SENE	40.00	T03S R01W S10	NENW	37.00
T03S R01W S10	NWNW	40.00	T03S R01W S10	SWNW	40.00
T03S R01W S10	SENE	40.00	T03S R01W S10	NESW	40.00
T03S R01W S10	NWSW	40.00	T03S R01W S10	SWSW	40.00
T03S R01W S10	SESW	40.00	T03S R01W S10	NESE	40.00
T03S R01W S10	NWSE	40.00	T03S R01W S10	SWSE	40.00
T03S R01W S10	SESE	40.00	T03S R01W S11	NENW	40.00
T03S R01W S11	NWNW	40.00	T03S R01W S11	SWNW	40.00
T03S R01W S11	SENE	40.00	T03S R01W S11	NESW	40.00
T03S R01W S11	NWSW	40.00	T03S R01W S15	NWNE	34.00
T03S R01W S15	NENW	40.00	T03S R01W S15	NWNW	30.00
T03S R01W S17	NENE	40.00	T03S R01W S17	NWNE	40.00
T03S R01W S17	SWNE	40.00	T03S R01W S17	SENE	40.00
T03S R01W S17	NENW	40.00	T03S R01W S17	NWNW	35.00
T03S R01W S17	SWNW	40.00	T03S R01W S17	SENE	40.00
T03S R01W S17	NESW	40.00	T03S R01W S17	NWSW	40.00
T03S R01W S17	SWSW	40.00	T03S R01W S17	SESW	40.00
T03S R01W S17	NWSE	40.00	T03S R01W S17	SWSE	40.00
T03S R01W S18	NENE	40.00	T03S R01W S18	NWNE	40.00
T03S R01W S18	SWNE	40.00	T03S R01W S18	SENE	40.00
T03S R01W S18	NENW	40.00	T03S R01W S18	SENE	40.00
T03S R01W S18	NESW	40.00	T03S R01W S18	NESE	40.00
T03S R01W S18	NWSE	40.00	T03S R01W S18	SWSE	40.00
T03S R01W S18	SESE	40.00	T03S R01W S19	NENE	35.00
T03S R01W S19	NWNE	25.00	T03S R01W S20	NENW	40.00
T03S R01W S20	NWNW	40.00			

Total Acres: 4537

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. WATER IS DELIVERED THROUGH MURPHY MUTUAL CANAL.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00180B, 57-00181 AND 57-07152.
3. RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS.
4. C01 THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).
5. USE OF THIS RIGHT WITH RIGHT NO. 57-00180B, 57-00181 AND 57-07152 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4537 ACRES IN AN IRRIGATION SEASON.

Decreed Date: 10/25/2002

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

Current Water Right No.: 57-180B

Current Owner: MURPHY FLATS WATER CO INC

Priority Date: 4/1/1865

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

SINKER CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/01 to 11/15

Total DiversionDiversion Rate

0.2 CFS

0.2 CFS

Annual VolumeLocation of Point(s) of Diversion

SINKER CREEK

SE1/4NW1/4

Sec. 11, Twp 04S, Rge 02W B.M.

OWYHEE County

Place of UseIRRIGATION Within OWYHEE County

T03S R01W S2	SWNE	13.00	T03S R01W S2	SWNW	27.00
T03S R01W S2	NWSW	40.00	T03S R01W S2	NWSE	21.00
T03S R01W S3	SWNW	40.00	T03S R01W S3	NWSW	40.00
T03S R01W S3	SWSW	40.00	T03S R01W S3	NESE	40.00
T03S R01W S3	NWSE	40.00	T03S R01W S3	SWSE	40.00
T03S R01W S3	SESE	40.00	T03S R01W S4	SWNE	40.00
T03S R01W S4	SENE	40.00	T03S R01W S4	SWNW	40.00
T03S R01W S4	SENW	40.00	T03S R01W S4	NESW	40.00
T03S R01W S4	NWSW	40.00	T03S R01W S4	SWSW	40.00
T03S R01W S4	SESW	40.00	T03S R01W S4	NESE	40.00
T03S R01W S4	NWSE	40.00	T03S R01W S4	SWSE	30.00
T03S R01W S4	SESE	40.00	T03S R01W S5	SENE	40.00
T03S R01W S5	NESE	40.00	T03S R01W S5	SESE	40.00
T03S R01W S7	SESW	40.00	T03S R01W S7	NESE	40.00
T03S R01W S7	NWSE	40.00	T03S R01W S7	SWSE	40.00
T03S R01W S7	SESE	40.00	T03S R01W S8	NENE	35.00
T03S R01W S8	NWNE	40.00	T03S R01W S8	SWNE	40.00
T03S R01W S8	SENE	35.00	T03S R01W S8	NENW	40.00
T03S R01W S8	NWNW	40.00	T03S R01W S8	SWNW	40.00
T03S R01W S8	SENW	40.00	T03S R01W S8	NESW	40.00
T03S R01W S8	NWSW	40.00	T03S R01W S8	SWSW	40.00
T03S R01W S8	SESW	40.00	T03S R01W S8	NESE	35.00
T03S R01W S8	NWSE	40.00	T03S R01W S8	SWSE	40.00

T03S R01W S8	SESE	35.00	T03S R01W S9	NENE	40.00
T03S R01W S9	NWNE	40.00	T03S R01W S9	SWNE	40.00
T03S R01W S9	SENE	40.00	T03S R01W S9	NENW	40.00
T03S R01W S9	NWNW	40.00	T03S R01W S9	SWNW	40.00
T03S R01W S9	SENE	40.00	T03S R01W S9	NESW	40.00
T03S R01W S9	NWSW	40.00	T03S R01W S9	SWSW	40.00
T03S R01W S9	SESW	40.00	T03S R01W S9	NESE	40.00
T03S R01W S9	NWSE	40.00	T03S R01W S9	SWSE	40.00
T03S R01W S9	SESE	40.00	T03S R01W S10	NENE	35.00
T03S R01W S10	NWNE	35.00	T03S R01W S10	SWNE	40.00
T03S R01W S10	SENE	40.00	T03S R01W S10	NENW	37.00
T03S R01W S10	NWNW	40.00	T03S R01W S10	SWNW	40.00
T03S R01W S10	SENE	40.00	T03S R01W S10	NESW	40.00
T03S R01W S10	NWSW	40.00	T03S R01W S10	SWSW	40.00
T03S R01W S10	SESW	40.00	T03S R01W S10	NESE	40.00
T03S R01W S10	NWSE	40.00	T03S R01W S10	SWSE	40.00
T03S R01W S10	SESE	40.00	T03S R01W S11	NENW	40.00
T03S R01W S11	NWNW	40.00	T03S R01W S11	SWNW	40.00
T03S R01W S11	SENE	40.00	T03S R01W S11	NESW	40.00
T03S R01W S11	NWSW	40.00	T03S R01W S15	NWNE	34.00
T03S R01W S15	NENW	40.00	T03S R01W S15	NWNW	30.00
T03S R01W S17	NENE	40.00	T03S R01W S17	NWNE	40.00
T03S R01W S17	SWNE	40.00	T03S R01W S17	SENE	40.00
T03S R01W S17	NENW	40.00	T03S R01W S17	NWNW	35.00
T03S R01W S17	SWNW	40.00	T03S R01W S17	SENE	40.00
T03S R01W S17	NESW	40.00	T03S R01W S17	NWSW	40.00
T03S R01W S17	SWSW	40.00	T03S R01W S17	SESW	40.00
T03S R01W S17	NWSE	40.00	T03S R01W S17	SWSE	40.00
T03S R01W S18	NENE	40.00	T03S R01W S18	NWNE	40.00
T03S R01W S18	SWNE	40.00	T03S R01W S18	SENE	40.00
T03S R01W S18	NENW	40.00	T03S R01W S18	SENE	40.00
T03S R01W S18	NESW	40.00	T03S R01W S18	NESE	40.00
T03S R01W S18	NWSE	40.00	T03S R01W S18	SWSE	40.00
T03S R01W S18	SESE	40.00	T03S R01W S19	NENE	35.00
T03S R01W S19	NWNE	25.00	T03S R01W S20	NENW	40.00
T03S R01W S20	NWNW	40.00			

Total Acres: 4537

Conditions of Approval:

1. C01 THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).
2. RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTORS REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS.
3. USE OF THIS RIGHT WITH RIGHT NO. 57-00179, 57-00181 AND 57-07152 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4537 ACRES IN AN IRRIGATION SEASON.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. WATER IS DELIVERED THROUGH MURPHY MUTUAL CANAL. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00179, 57-00181 AND 57-07152.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decreed Date: 10/25/2002

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

Current Water Right No.: 57-181

Current Owner: MURPHY LAND CO LLC

Priority Date: 12/26/1906

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

SINKER CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/01 to 11/15

Total Diversion**Diversion Rate**

80.1 CFS

80.1 CFS

Annual Volume**Location of Point(s) of Diversion**

SINKER CREEK

SE1/4NW1/4

Sec. 11, Twp 04S, Rge 02W B.M.

OWYHEE County

Place of Use**IRRIGATION Within OWYHEE County**

T03S R01W S2	SWNE	13.00	T03S R01W S2	SWNW	27.00
T03S R01W S2	NWSW	40.00	T03S R01W S2	NWSE	21.00
T03S R01W S3	SWNW	40.00	T03S R01W S3	NWSW	40.00
T03S R01W S3	SWSW	40.00	T03S R01W S3	NESE	40.00
T03S R01W S3	NWSE	40.00	T03S R01W S3	SWSE	40.00
T03S R01W S3	SESE	40.00	T03S R01W S4	SWNE	40.00
T03S R01W S4	SENE	40.00	T03S R01W S4	SWNW	40.00
T03S R01W S4	SENE	40.00	T03S R01W S4	NESW	40.00
T03S R01W S4	NWSW	40.00	T03S R01W S4	SWSW	40.00
T03S R01W S4	SESW	40.00	T03S R01W S4	NESE	40.00
T03S R01W S4	NWSE	40.00	T03S R01W S4	SWSE	30.00
T03S R01W S4	SESE	40.00	T03S R01W S5	SENE	40.00
T03S R01W S5	NESE	40.00	T03S R01W S5	SESE	40.00
T03S R01W S7	SESW	40.00	T03S R01W S7	NESE	40.00
T03S R01W S7	NWSE	40.00	T03S R01W S7	SWSE	40.00
T03S R01W S7	SESE	40.00	T03S R01W S8	NENE	35.00
T03S R01W S8	NWNE	40.00	T03S R01W S8	SWNE	40.00
T03S R01W S8	SENE	35.00	T03S R01W S8	NENW	40.00
T03S R01W S8	NWNW	40.00	T03S R01W S8	SWNW	40.00
T03S R01W S8	SENE	40.00	T03S R01W S8	NESW	40.00
T03S R01W S8	NWSW	40.00	T03S R01W S8	SWSW	40.00
T03S R01W S8	SESW	40.00	T03S R01W S8	NESE	35.00
T03S R01W S8	NWSE	40.00	T03S R01W S8	SWSE	40.00

T03S R01W S8	SESE	35.00	T03S R01W S9	NENE	40.00
T03S R01W S9	NWNE	40.00	T03S R01W S9	SWNE	40.00
T03S R01W S9	SENE	40.00	T03S R01W S9	NENW	40.00
T03S R01W S9	NWNW	40.00	T03S R01W S9	SWNW	40.00
T03S R01W S9	SENE	40.00	T03S R01W S9	NESW	40.00
T03S R01W S9	NWSW	40.00	T03S R01W S9	SWSW	40.00
T03S R01W S9	SESW	40.00	T03S R01W S9	NESE	40.00
T03S R01W S9	NWSE	40.00	T03S R01W S9	SWSE	40.00
T03S R01W S9	SESE	40.00	T03S R01W S10	NENE	35.00
T03S R01W S10	NWNE	35.00	T03S R01W S10	SWNE	40.00
T03S R01W S10	SENE	40.00	T03S R01W S10	NENW	37.00
T03S R01W S10	NWNW	40.00	T03S R01W S10	SWNW	40.00
T03S R01W S10	SENE	40.00	T03S R01W S10	NESW	40.00
T03S R01W S10	NWSW	40.00	T03S R01W S10	SWSW	40.00
T03S R01W S10	SESW	40.00	T03S R01W S10	NESE	40.00
T03S R01W S10	NWSE	40.00	T03S R01W S10	SWSE	40.00
T03S R01W S10	SESE	40.00	T03S R01W S11	NENW	40.00
T03S R01W S11	NWNW	40.00	T03S R01W S11	SWNW	40.00
T03S R01W S11	SENE	40.00	T03S R01W S11	NESW	40.00
T03S R01W S11	NWSW	40.00	T03S R01W S15	NWNE	34.00
T03S R01W S15	NENW	40.00	T03S R01W S15	NWNW	30.00
T03S R01W S17	NENE	40.00	T03S R01W S17	NWNE	40.00
T03S R01W S17	SWNE	40.00	T03S R01W S17	SENE	40.00
T03S R01W S17	NENW	40.00	T03S R01W S17	NWNW	35.00
T03S R01W S17	SWNW	40.00	T03S R01W S17	SENE	40.00
T03S R01W S17	NESW	40.00	T03S R01W S17	NWSW	40.00
T03S R01W S17	SWSW	40.00	T03S R01W S17	SESW	40.00
T03S R01W S17	NWSE	40.00	T03S R01W S17	SWSE	40.00
T03S R01W S18	NENE	40.00	T03S R01W S18	NWNE	40.00
T03S R01W S18	SWNE	40.00	T03S R01W S18	SENE	40.00
T03S R01W S18	NENW	40.00	T03S R01W S18	SENE	40.00
T03S R01W S18	NESW	40.00	T03S R01W S18	NESE	40.00
T03S R01W S18	NWSE	40.00	T03S R01W S18	SWSE	40.00
T03S R01W S18	SESE	40.00	T03S R01W S19	NENE	35.00
T03S R01W S19	NWNE	25.00	T03S R01W S20	NENW	40.00
T03S R01W S20	NWNW	40.00			

Total Acres: 4537

Conditions of Approval:

1. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00179, 57-00180B AND 57-07152.
2. USE OF THIS RIGHT WITH RIGHT NOS. 57-00179, 57-00180B AND 57-07152 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4537 ACRES IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH RIGHT NOS. 57-00179 AND 57-00180B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 80.1 CFS.

Page 14 of 31

Decreed Date: 9/10/2001

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

Current Water Right No.: 57-7152

Current Owner: MURPHY FLATS WATER CO INC

Priority Date: 10/30/1975

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

SINKER CREEK

Tributary

SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER STORAGE	1/01 to 12/31		10 AF
IRRIGATION FROM STORAGE	3/15 to 11/15		4035 AF
STOCKWATER FROM STORAGE	3/15 to 11/15		10 AF
IRRIGATION STORAGE	1/01 to 12/31		4035 AF
	<u>Total Diversion</u>		4035 AF

Location of Point(s) of Diversion

SINKER CREEK
OWYHEE County

SE1/4NW1/4 Sec. 11, Twp 04S, Rge 02W B.M.

Place of UseIRRIGATION FROM STORAGE Within OWYHEE County

T03S R01W S2	SWNE	13.00	T03S R01W S2	SWNW	27.00
T03S R01W S2	NWSW	40.00	T03S R01W S2	NWSE	21.00
T03S R01W S3	SWNW	40.00	T03S R01W S3	NWSW	40.00
T03S R01W S3	SWSW	40.00	T03S R01W S3	NESE	40.00
T03S R01W S3	NWSE	40.00	T03S R01W S3	SWSE	40.00
T03S R01W S3	SESE	40.00	T03S R01W S4	SWNE	40.00
T03S R01W S4	SENE	40.00	T03S R01W S4	SWNW	40.00
T03S R01W S4	SENE	40.00	T03S R01W S4	NESW	40.00
T03S R01W S4	NWSW	40.00	T03S R01W S4	SWSW	40.00
T03S R01W S4	SESW	40.00	T03S R01W S4	NESE	40.00
T03S R01W S4	NWSE	40.00	T03S R01W S4	SWSE	30.00
T03S R01W S4	SESE	40.00	T03S R01W S5	SENE	40.00
T03S R01W S5	NESE	40.00	T03S R01W S5	SESE	40.00
T03S R01W S7	SESW	40.00	T03S R01W S7	NESE	40.00
T03S R01W S7	NWSE	40.00	T03S R01W S7	SWSE	40.00
T03S R01W S7	SESE	40.00	T03S R01W S8	NENE	35.00
T03S R01W S8	NWNE	40.00	T03S R01W S8	SWNE	40.00

T03S R01W S8	SENE	35.00	T03S R01W S8	NENW	40.00
T03S R01W S8	NWNW	40.00	T03S R01W S8	SWNW	40.00
T03S R01W S8	SENW	40.00	T03S R01W S8	NESW	40.00
T03S R01W S8	NWSW	40.00	T03S R01W S8	SWSW	40.00
T03S R01W S8	SESW	40.00	T03S R01W S8	NESE	35.00
T03S R01W S8	NWSE	40.00	T03S R01W S8	SWSE	40.00
T03S R01W S8	SESE	35.00	T03S R01W S9	NENE	40.00
T03S R01W S9	NWNE	40.00	T03S R01W S9	SWNE	40.00
T03S R01W S9	SENE	40.00	T03S R01W S9	NENW	40.00
T03S R01W S9	NWNW	40.00	T03S R01W S9	SWNW	40.00
T03S R01W S9	SENW	40.00	T03S R01W S9	NESW	40.00
T03S R01W S9	NWSW	40.00	T03S R01W S9	SWSW	40.00
T03S R01W S9	SESW	40.00	T03S R01W S9	NESE	40.00
T03S R01W S9	NWSE	40.00	T03S R01W S9	SWSE	40.00
T03S R01W S9	SESE	40.00	T03S R01W S10	NENE	35.00
T03S R01W S10	NWNE	35.00	T03S R01W S10	SWNE	40.00
T03S R01W S10	SENE	40.00	T03S R01W S10	NENW	37.00
T03S R01W S10	NWNW	40.00	T03S R01W S10	SWNW	40.00
T03S R01W S10	SENW	40.00	T03S R01W S10	NESW	40.00
T03S R01W S10	NWSW	40.00	T03S R01W S10	SWSW	40.00
T03S R01W S10	SESW	40.00	T03S R01W S10	NESE	40.00
T03S R01W S10	NWSE	40.00	T03S R01W S10	SWSE	40.00
T03S R01W S10	SESE	40.00	T03S R01W S11	NENW	40.00
T03S R01W S11	NWNW	40.00	T03S R01W S11	SWNW	40.00
T03S R01W S11	SENW	40.00	T03S R01W S11	NESW	40.00
T03S R01W S11	NWSW	40.00	T03S R01W S15	NWNE	34.00
T03S R01W S15	NENW	40.00	T03S R01W S15	NWNW	30.00
T03S R01W S17	NENE	40.00	T03S R01W S17	NWNE	40.00
T03S R01W S17	SWNE	40.00	T03S R01W S17	SENE	40.00
T03S R01W S17	NENW	40.00	T03S R01W S17	NWNW	35.00
T03S R01W S17	SWNW	40.00	T03S R01W S17	SENW	40.00
T03S R01W S17	NESW	40.00	T03S R01W S17	NWSW	40.00
T03S R01W S17	SWSW	40.00	T03S R01W S17	SESW	40.00
T03S R01W S17	NWSE	40.00	T03S R01W S17	SWSE	40.00
T03S R01W S18	NENE	40.00	T03S R01W S18	NWNE	40.00
T03S R01W S18	SWNE	40.00	T03S R01W S18	SENE	40.00
T03S R01W S18	NENW	40.00	T03S R01W S18	SENW	40.00
T03S R01W S18	NESW	40.00	T03S R01W S18	NESE	40.00
T03S R01W S18	NWSE	40.00	T03S R01W S18	SWSE	40.00
T03S R01W S18	SESE	40.00	T03S R01W S19	NENE	35.00
T03S R01W S19	NWNE	25.00	T03S R01W S20	NENW	40.00
T03S R01W S20	NWNW	40.00			

Total Acres: 4537

Place of Use: STOCKWATER STORAGE same as IRRIGATION FROM STORAGE

Place of Use: STOCKWATER FROM STORAGE same as IRRIGATION FROM STORAGE

Place of Use: IRRIGATION STORAGE same as IRRIGATION FROM STORAGE

Conditions of Approval:

1. WATER IS DELIVERED THROUGH MURPHY MUTUAL CANAL.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00179, 57-00180B & 57-00181
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-
1412(6), IDAHO CODE.
3. RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE
DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S
REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS
RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE
OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL
CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE
BASIN 02 RIGHTS.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 4537 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-00179, 57-00180B &
57-00181
5. THE USE OF WATER FOR IRRIGATION FROM STORAGE UNDER THIS
RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS
LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT
ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15
UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS
HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A
PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT.

Decreed Date: 2/21/2003

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

Current Water Right No.: 57-7385

Current Owner: MURPHY FLATS WATER CO INC

Priority Date: 3/12/1984

Origin: Water Right

Status: Active

Basis: License

Source

SINKER CREEK

Tributary

SNAKE RIVER

Beneficial Use**From To****Diversion Rate****Annual Volume**

DIVERSION TO STORAGE 11/01 to 07/01

70 CFS

IRRIGATION STORAGE 01/01 to 12/31

936 AF

IRRIGATION FROM STORAGE 04/01 to 11/01

936 AF

Total Diversion

70 CFS

936 AF

Location of Point(s) of Diversion

SINKER CREEK

SE1/4NW1/4

Sec. 11, Twp 04S, Rge 02W B.M.

OWYHEE County

Place of Use**IRRIGATION STORAGE Within OWYHEE County**

T03S R01W S2

SWNE

T03S R01W S2

Lot 3

NENW

T03S R01W S2

SENE

T03S R01W S2

NWSE

Total Acres: 4800

IRRIGATION FROM STORAGE Within OWYHEE County

T03S R01W S2	SWNW	34.00	T03S R01W S2	NESW	38.00
T03S R01W S2	NWSW	39.00	T03S R01W S2	NWSE	2.00
T03S R01W S3	SWNW	39.00	T03S R01W S3	NWSW	36.00
T03S R01W S3	SWSW	36.00	T03S R01W S3	NESE	38.00
T03S R01W S3	NWSE	39.00	T03S R01W S3	SWSE	40.00
T03S R01W S3	SESE	39.00	T03S R01W S4	SWNE	40.00
T03S R01W S4	SENE	40.00	T03S R01W S4	SWNW	40.00
T03S R01W S4	SENE	40.00	T03S R01W S4	NESW	40.00
T03S R01W S4	NWSW	40.00	T03S R01W S4	SWSW	40.00
T03S R01W S4	SESW	40.00	T03S R01W S4	NESE	40.00
T03S R01W S4	NWSE	40.00	T03S R01W S4	SWSE	26.00
T03S R01W S4	SESE	28.00	T03S R01W S5	SENE	40.00
T03S R01W S5	NESE	40.00	T03S R01W S5	SESE	39.00
T03S R01W S7	SESW	40.00	T03S R01W S7	NESE	40.00

T03S R01W S7	NWSE	40.00	T03S R01W S7	SWSE	39.00
T03S R01W S7	SESE	39.00	T03S R01W S8	NENE	34.00
T03S R01W S8	NWNE	39.00	T03S R01W S8	SWNE	40.00
T03S R01W S8	SENE	35.00	T03S R01W S8	NENW	39.00
T03S R01W S8	NWNW	39.00	T03S R01W S8	SWNW	39.00
T03S R01W S8	SESW	40.00	T03S R01W S8	NESW	40.00
T03S R01W S8	NWSW	39.00	T03S R01W S8	SWSW	37.00
T03S R01W S8	SESW	38.00	T03S R01W S8	NESE	36.00
T03S R01W S8	NWSE	40.00	T03S R01W S8	SWSE	38.00
T03S R01W S8	SESE	35.00	T03S R01W S9	NENE	39.00
T03S R01W S9	NWNE	36.00	T03S R01W S9	SWNE	40.00
T03S R01W S9	SENE	40.00	T03S R01W S9	NENW	39.00
T03S R01W S9	NWNW	36.00	T03S R01W S9	SWNW	37.00
T03S R01W S9	SESW	38.00	T03S R01W S9	NESW	38.00
T03S R01W S9	NWSW	39.00	T03S R01W S9	SWSW	36.00
T03S R01W S9	SESW	40.00	T03S R01W S9	NESE	38.00
T03S R01W S9	NWSE	40.00	T03S R01W S9	SWSE	40.00
T03S R01W S9	SESE	39.00	T03S R01W S10	NENE	34.00
T03S R01W S10	NWNE	34.00	T03S R01W S10	SWNE	40.00
T03S R01W S10	SENE	40.00	T03S R01W S10	NENW	37.00
T03S R01W S10	NWNW	36.00	T03S R01W S10	SWNW	37.00
T03S R01W S10	SESW	40.00	T03S R01W S10	NESW	40.00
T03S R01W S10	NWSW	38.00	T03S R01W S10	SWSW	40.00
T03S R01W S10	SESW	40.00	T03S R01W S10	NESE	39.00
T03S R01W S10	NWSE	40.00	T03S R01W S10	SWSE	38.00
T03S R01W S10	SESE	39.00	T03S R01W S11	NENW	38.00
T03S R01W S11	NWNW	37.00	T03S R01W S11	SWNW	37.00
T03S R01W S11	SESW	39.00	T03S R01W S11	NESW	40.00
T03S R01W S11	NWSW	40.00	T03S R01W S15	NWNE	37.00
T03S R01W S15	NENW	40.00	T03S R01W S15	NWNW	31.00
T03S R01W S17	NENE	37.00	T03S R01W S17	NWNE	40.00
T03S R01W S17	SWNE	37.00	T03S R01W S17	SENE	40.00
T03S R01W S17	NENW	40.00	T03S R01W S17	NWNW	34.00
T03S R01W S17	SWNW	39.00	T03S R01W S17	SESW	39.00
T03S R01W S17	NESW	40.00	T03S R01W S17	NWSW	39.00
T03S R01W S17	SWSW	39.00	T03S R01W S17	SESW	40.00
T03S R01W S17	NWSE	40.00	T03S R01W S17	SWSE	40.00
T03S R01W S18	NENE	40.00	T03S R01W S18	NWNE	40.00
T03S R01W S18	SWNE	40.00	T03S R01W S18	SENE	40.00
T03S R01W S18	NENW	39.00	T03S R01W S18	SESW	39.00
T03S R01W S18	NESW	39.00	T03S R01W S18	NESE	40.00
T03S R01W S18	NWSE	40.00	T03S R01W S18	SWSE	37.00
T03S R01W S18	SESE	39.00	T03S R01W S19	NENE	35.00
T03S R01W S19	NWNE	27.00	T03S R01W S20	NENW	40.00
T03S R01W S20	NWNW	39.00			

Total Acres: 4443

Place of Use: DIVERSION TO STORAGE same as IRRIGATION STORAGE

Conditions of Approval:

1. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
2. X35 Rights 2-7001, 2-10020, 57-179, 57-180B, 57-181, 57-7152 and 57-7385 when combined shall not exceed a total annual maximum diversion volume of 21,969 af at the field headgate, and the irrigation of 4882 acres.
3. R43 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).
4. WB9 Water shall not be diverted under this right when flows in the Snake River are below 8400 cfs at United Geological Survey Murphy gaging station.
5. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
6. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 57D.
7. R40 The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.

Licensed Date: 3/12/2013

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

Current Water Right No.: 2-2361

Current Owner: MURPHY FLATS WATER CO INC

Priority Date: 1/8/1965

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/15

Diversion Rate

66.04 CFS

Annual Volume

22300 AF

Total Diversion

66.04 CFS

22300 AF

Location of Point(s) of Diversion

SNAKE RIVER

L3(NW1/4NW1/4)

Sec. 6, Twp 03s, Rge 01E B.M.

OWYHEE County

Place of UseIRRIGATION Within OWYHEE County

T03S R01W S2	SWNE	13.00	T03S R01W S2	SWNW	36.00
T03S R01W S2	NESW	40.00	T03S R01W S2	NWSW	40.00
T03S R01W S2	NWSE	23.00	T03S R01W S3	SWNW	40.00
T03S R01W S3	NWSW	32.00	T03S R01W S3	SWSW	37.00
T03S R01W S3	NESE	40.00	T03S R01W S3	NWSE	40.00
T03S R01W S3	SWSE	40.00	T03S R01W S3	SESE	40.00
T03S R01W S4	SWNE	40.00	T03S R01W S4	SENE	40.00
T03S R01W S4	SWNW	40.00	T03S R01W S4	SENE	40.00
T03S R01W S4	NESW	40.00	T03S R01W S4	NWSW	40.00
T03S R01W S4	SWSW	40.00	T03S R01W S4	SESW	40.00
T03S R01W S4	NESE	39.00	T03S R01W S4	NWSE	40.00
T03S R01W S4	SWSE	27.00	T03S R01W S4	SESE	39.00
T03S R01W S5	SENE	39.00	T03S R01W S5	NESW	39.00
T03S R01W S5	SESW	39.00	T03S R01W S5	NESE	39.00
T03S R01W S5	SESE	39.00	T03S R01W S7	SESW	40.00
T03S R01W S7	NESE	40.00	T03S R01W S7	NWSE	40.00
T03S R01W S7	SWSE	40.00	T03S R01W S7	SESE	40.00
T03S R01W S8	NENE	40.00	T03S R01W S8	NWNE	40.00
T03S R01W S8	SWNE	40.00	T03S R01W S8	SENE	37.00
T03S R01W S8	NENW	40.00	T03S R01W S8	NWNW	39.00
T03S R01W S8	SWNW	40.00	T03S R01W S8	SENE	40.00
T03S R01W S8	NESW	40.00	T03S R01W S8	NWSW	40.00
T03S R01W S8	SWSW	40.00	T03S R01W S8	SESW	40.00

T03S R01W S8	NESE	40.00	T03S R01W S8	NWSE	40.00
T03S R01W S8	SWSE	40.00	T03S R01W S8	SESE	40.00
T03S R01W S9	NENE	40.00	T03S R01W S9	NWNE	40.00
T03S R01W S9	SWNE	40.00	T03S R01W S9	SENE	40.00
T03S R01W S9	SWNW	40.00	T03S R01W S9	SENW	40.00
T03S R01W S9	NESW	40.00	T03S R01W S9	NWSW	40.00
T03S R01W S9	SWSW	40.00	T03S R01W S9	SESW	40.00
T03S R01W S9	NESE	40.00	T03S R01W S9	NWSE	40.00
T03S R01W S9	SWSE	40.00	T03S R01W S9	SESE	40.00
T03S R01W S10	NENE	40.00	T03S R01W S10	NWNE	40.00
T03S R01W S10	SWNE	40.00	T03S R01W S10	SENE	40.00
T03S R01W S10	NENW	40.00	T03S R01W S10	NWNW	40.00
T03S R01W S10	SWNW	40.00	T03S R01W S10	SENW	40.00
T03S R01W S10	NESW	40.00	T03S R01W S10	NWSW	40.00
T03S R01W S10	SWSW	40.00	T03S R01W S10	SESW	40.00
T03S R01W S10	NESE	40.00	T03S R01W S10	NWSE	40.00
T03S R01W S10	SWSE	40.00	T03S R01W S10	SESE	40.00
T03S R01W S11	NENW	38.00	T03S R01W S11	NWNW	40.00
T03S R01W S11	SWNW	40.00	T03S R01W S11	SENW	39.00
T03S R01W S11	NESW	40.00	T03S R01W S11	NWSW	40.00
T03S R01W S15	NWNE	37.00	T03S R01W S15	NENW	40.00
T03S R01W S17	NENE	40.00	T03S R01W S17	NWNE	40.00
T03S R01W S17	SWNE	40.00	T03S R01W S17	SENE	40.00
T03S R01W S17	NENW	40.00	T03S R01W S17	NWNW	40.00
T03S R01W S17	SWNW	40.00	T03S R01W S17	SENW	40.00
T03S R01W S17	NESW	40.00	T03S R01W S17	NWSW	40.00
T03S R01W S17	SWSW	40.00	T03S R01W S17	SESW	40.00
T03S R01W S17	NWSE	40.00	T03S R01W S17	SWSE	40.00
T03S R01W S18	NENE	39.00	T03S R01W S18	NWNE	40.00
T03S R01W S18	SWNE	40.00	T03S R01W S18	SENE	40.00
T03S R01W S18	NENW	40.00	T03S R01W S18	SENW	40.00
T03S R01W S18	NESW	40.00	T03S R01W S18	NESE	39.00
T03S R01W S18	NWSE	40.00	T03S R01W S20	NENW	40.00
T03S R01W S20	NWNW	40.00			

Total Acres: 4429

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. X36 Rights 2-2370, 2-7001 and 2-10020 are also diverted through the point of diversion described above.
3. E61 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 66.04 CFS. COMBINED RIGHT NOS.: 2-2370, 2-7001, 2-10020
4. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4882 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 2-7001, 2-10020, 57-179, 57-180B, 57-181, 57-7152
5. S46 The use of water for irrigation under this right may begin as early as March 1 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 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Decreed Date: 6/15/2009

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

Current Water Right No.: 2-2370

Current Owner: MURPHY FLATS WATER CO INC
Priority Date: 4/30/1965
Origin: Water Right
Status: Water Supply Bank Active
Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/15

Total Diversion

Diversion Rate

1.6 CFS

1.6 CFS

Annual Volume

400 AF

400 AF

Location of Point(s) of Diversion

SNAKE RIVER

L3(NW1/4NW1/4)

Sec. 6, Twp 03S, Rge 01E B.M.

OWYHEE County

Place of Use

IRRIGATION Within OWYHEE County

T03S R01W S9

NENW

40.00

T03S R01W S9

NWNW

40.00

Total Acres: 80

Conditions of Approval:

1. X36 Rights 2-2361, 2-7001 and 2-10020 are also diverted through the point of diversion described above.
2. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4882 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 2-7001, 2-10020, 57-179, 57-180B, 57-181, 57-7152
3. S46 The use of water for irrigation under this right may begin as early as March 1 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 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. E60 USE OF THIS RIGHT WITH RIGHT NOS. 2-2361 2-7001 and 2-10020 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 66.04 CFS.

Decreed Date: 6/15/2009

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

Current Water Right No.: 2-7001

Current Owner: MURPHY FLATS WATER CO INC

Priority Date: 7/15/1967

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use**From To****Diversion Rate****Annual Volume**

IRRIGATION FROM STORAGE 04/01 to 10/15

235 AF

IRRIGATION STORAGE 04/01 to 10/15

235 AF

DIVERSION TO STORAGE 04/01 to 10/15

66.04 CFS

Total Diversion

66.04 CFS

235 AF

Location of Point(s) of Diversion

SNAKE RIVER

L3(NW1/4NW1/4)

Sec. 6, Twp 03S, Rge 01E B.M.

OWYHEE County

Place of Use**IRRIGATION FROM STORAGE Within OWYHEE County**

T03S R01W S2	SWNE	5.00	T03S R01W S2	SWNW	37.00
T03S R01W S2	NESW	40.00	T03S R01W S2	NWSW	40.00
T03S R01W S2	NWSE	22.00	T03S R01W S3	SWNW	40.00
T03S R01W S3	NWSW	40.00	T03S R01W S3	SWSW	40.00
T03S R01W S3	NESE	40.00	T03S R01W S3	NWSE	40.00
T03S R01W S3	SWSE	40.00	T03S R01W S3	SESE	40.00
T03S R01W S4	SWNE	40.00	T03S R01W S4	SENE	40.00
T03S R01W S4	SWNW	40.00	T03S R01W S4	SENW	40.00
T03S R01W S4	NESW	40.00	T03S R01W S4	NWSW	40.00
T03S R01W S4	SWSW	40.00	T03S R01W S4	SESW	40.00
T03S R01W S4	NESE	40.00	T03S R01W S4	NWSE	40.00
T03S R01W S4	SWSE	27.00	T03S R01W S4	SESE	40.00
T03S R01W S5	SENE	39.00	T03S R01W S5	NESE	40.00
T03S R01W S5	SESE	40.00	T03S R01W S7	SESW	40.00
T03S R01W S7	NESE	40.00	T03S R01W S7	NWSE	40.00
T03S R01W S7	SWSE	40.00	T03S R01W S7	SESE	40.00
T03S R01W S8	NENE	34.00	T03S R01W S8	NWNE	40.00
T03S R01W S8	SWNE	40.00	T03S R01W S8	SENE	35.00
T03S R01W S8	NENW	40.00	T03S R01W S8	NWNW	40.00

T03S R01W S8	SWNW	40.00	T03S R01W S8	SENE	40.00
T03S R01W S8	NESW	40.00	T03S R01W S8	NWSW	40.00
T03S R01W S8	SWSW	40.00	T03S R01W S8	SESW	40.00
T03S R01W S8	NESE	36.00	T03S R01W S8	NWSE	40.00
T03S R01W S8	SWSE	40.00	T03S R01W S8	SESE	36.00
T03S R01W S9	NENE	40.00	T03S R01W S9	NWNE	40.00
T03S R01W S9	SWNE	40.00	T03S R01W S9	SENE	40.00
T03S R01W S9	NENW	40.00	T03S R01W S9	NWNW	39.00
T03S R01W S9	SWNW	40.00	T03S R01W S9	SENE	40.00
T03S R01W S9	NESW	40.00	T03S R01W S9	NWSW	40.00
T03S R01W S9	SWSW	40.00	T03S R01W S9	SESW	40.00
T03S R01W S9	NESE	40.00	T03S R01W S9	NWSE	40.00
T03S R01W S9	SWSE	40.00	T03S R01W S9	SESE	40.00
T03S R01W S10	NENE	40.00	T03S R01W S10	NWNE	40.00
T03S R01W S10	SWNE	40.00	T03S R01W S10	SENE	40.00
T03S R01W S10	NENW	40.00	T03S R01W S10	NWNW	40.00
T03S R01W S10	SWNW	40.00	T03S R01W S10	SENE	40.00
T03S R01W S10	NESW	40.00	T03S R01W S10	NWSW	40.00
T03S R01W S10	SWSW	40.00	T03S R01W S10	SESW	40.00
T03S R01W S10	NESE	40.00	T03S R01W S10	NWSE	40.00
T03S R01W S10	SWSE	40.00	T03S R01W S10	SESE	40.00
T03S R01W S11	NENW	40.00	T03S R01W S11	NWNW	40.00
T03S R01W S11	SWNW	40.00	T03S R01W S11	SENE	40.00
T03S R01W S11	NESW	40.00	T03S R01W S11	NWSW	40.00
T03S R01W S15	NWNE	36.00	T03S R01W S15	NENW	40.00
T03S R01W S15	NWNW	29.00	T03S R01W S17	NENE	40.00
T03S R01W S17	NWNE	40.00	T03S R01W S17	SWNE	40.00
T03S R01W S17	SENE	40.00	T03S R01W S17	NENW	40.00
T03S R01W S17	NWNW	35.00	T03S R01W S17	SWNW	40.00
T03S R01W S17	SENE	40.00	T03S R01W S17	NESW	40.00
T03S R01W S17	NWSW	40.00	T03S R01W S17	SWSW	40.00
T03S R01W S17	SESW	40.00	T03S R01W S17	NWSE	40.00
T03S R01W S17	SWSE	40.00	T03S R01W S18	NENE	40.00
T03S R01W S18	NWNE	40.00	T03S R01W S18	SWNE	40.00
T03S R01W S18	SENE	40.00	T03S R01W S18	NENW	40.00
T03S R01W S18	SENE	40.00	T03S R01W S18	NESW	40.00
T03S R01W S18	NESE	40.00	T03S R01W S18	NWSE	40.00
T03S R01W S18	SWSE	40.00	T03S R01W S18	SESE	40.00
T03S R01W S19	NENE	40.00	T03S R01W S19	NWNE	33.00
T03S R01W S20	NENW	40.00	T03S R01W S20	NWNW	40.00

Total Acres: 4603

IRRIGATION STORAGE Within OWYHEE County

T03S R01W S2	NESE	T03S R01W S2	SWSE
T03S R01W S2	SESE		

Place of Use: DIVERSION TO STORAGE same as IRRIGATION FROM STORAGE

Conditions of Approval:

1. E60 USE OF THIS RIGHT WITH RIGHT NOS. 2-2361, 2-2370 and 2-10020 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 66.04 CFS.
2. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4882 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 2-2361, 2-2370, 2-10020, 57-179, 57-180B, 57-181, 57-7152
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. X36 Rights 2-2361, 2-2370 and 2-10020 are also diverted through the point of diversion described above.
5. S46 The use of water for irrigation under this right may begin as early as March 1 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 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
6. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Decreed Date: 6/15/2009

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

Current Water Right No.: 2-10020

Current Owner: MURPHY FLATS WATER CO INC

Priority Date: 9/3/1970

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	03/01 to 11/15		73 AF
IRRIGATION FROM STORAGE	03/01 to 11/15		73 AF
DIVERSION TO STORAGE	03/01 to 11/15	66.04 CFS	
	<u>Total Diversion</u>	66.04 CFS	73 AF

Location of Point(s) of Diversion

SNAKE RIVER L3(NW1/4NW1/4) Sec. 6, Twp 03S, Rge 01E B.M.
OWYHEE County

Place of UseIRRIGATION STORAGE Within OWYHEE County

T03s R01w S2	NESE	T03s R01w S2	SWSE
T03s R01w S2	SESE		

Total Acres: 4540

IRRIGATION FROM STORAGE Within OWYHEE County

T03S R01W S2	SWNE	30.00	T03S R01W S2	SWNW	37.00
T03S R01W S2	NESW	40.00	T03S R01W S2	NWSW	39.00
T03S R01W S2	NWSE	35.00	T03S R01W S3	SWNW	39.00
T03S R01W S3	NWSW	38.00	T03S R01W S3	SWSW	38.00
T03S R01W S3	NESE	39.00	T03S R01W S3	NWSE	40.00
T03S R01W S3	SWSE	39.00	T03S R01W S3	SESE	38.00
T03S R01W S4	SWNE	40.00	T03S R01W S4	SENE	39.00
T03S R01W S4	SWNW	38.00	T03S R01W S4	SENE	40.00
T03S R01W S4	NESW	40.00	T03S R01W S4	NWSW	39.00
T03S R01W S4	SWSW	38.00	T03S R01W S4	SESW	39.00
T03S R01W S4	NESE	39.00	T03S R01W S4	NWSE	40.00
T03S R01W S4	SWSE	39.00	T03S R01W S4	SESE	38.00
T03S R01W S5	SENE	38.00	T03S R01W S5	NESW	40.00
T03S R01W S5	SESW	39.00	T03S R01W S5	NESE	38.00

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T03S R01W S5	SESE	38.00	T03S R01W S7	SESW	39.00
T03S R01W S7	NESE	39.00	T03S R01W S7	NWSE	40.00
T03S R01W S7	SWSE	39.00	T03S R01W S7	SESE	38.00
T03S R01W S8	NENE	38.00	T03S R01W S8	NWNE	39.00
T03S R01W S8	SWNE	40.00	T03S R01W S8	SENE	39.00
T03S R01W S8	NENW	39.00	T03S R01W S8	NWNW	38.00
T03S R01W S8	SWNW	39.00	T03S R01W S8	SENW	40.00
T03S R01W S8	NESW	40.00	T03S R01W S8	NWSW	39.00
T03S R01W S8	SWSW	38.00	T03S R01W S8	SESW	39.00
T03S R01W S8	NESE	39.00	T03S R01W S8	NWSE	40.00
T03S R01W S8	SWSE	39.00	T03S R01W S8	SESE	38.00
T03S R01W S9	NENE	38.00	T03S R01W S9	NWNE	39.00
T03S R01W S9	SWNE	40.00	T03S R01W S9	SENE	39.00
T03S R01W S9	NENW	40.00	T03S R01W S9	NWNW	40.00
T03S R01W S9	SWNW	39.00	T03S R01W S9	SENW	40.00
T03S R01W S9	NESW	40.00	T03S R01W S9	NWSW	39.00
T03S R01W S9	SWSW	38.00	T03S R01W S9	SESW	39.00
T03S R01W S9	NESE	39.00	T03S R01W S9	NWSE	40.00
T03S R01W S9	SWSE	39.00	T03S R01W S9	SESE	38.00
T03S R01W S10	NENE	38.00	T03S R01W S10	NWNE	39.00
T03S R01W S10	SWNE	40.00	T03S R01W S10	SENE	39.00
T03S R01W S10	NENW	39.00	T03S R01W S10	NWNW	38.00
T03S R01W S10	SWNW	39.00	T03S R01W S10	SENW	40.00
T03S R01W S10	NESW	40.00	T03S R01W S10	NWSW	39.00
T03S R01W S10	SWSW	38.00	T03S R01W S10	SESW	39.00
T03S R01W S10	NESE	39.00	T03S R01W S10	NWSE	40.00
T03S R01W S10	SWSE	39.00	T03S R01W S10	SESE	38.00
T03S R01W S11	NENW	38.00	T03S R01W S11	NWNW	38.00
T03S R01W S11	SWNW	39.00	T03S R01W S11	SENW	39.00
T03S R01W S11	NESW	39.00	T03S R01W S11	NWSW	39.00
T03S R01W S15	NWNE	37.00	T03S R01W S15	NENW	39.00
T03S R01W S17	NENE	38.00	T03S R01W S17	NWNE	39.00
T03S R01W S17	SWNE	40.00	T03S R01W S17	SENE	39.00
T03S R01W S17	NENW	39.00	T03S R01W S17	NWNW	38.00
T03S R01W S17	SWNW	39.00	T03S R01W S17	SENW	40.00
T03S R01W S17	NESW	40.00	T03S R01W S17	NWSW	39.00
T03S R01W S17	SWSW	38.00	T03S R01W S17	SESW	39.00
T03S R01W S17	NWSE	40.00	T03S R01W S17	NWSE	39.00
T03S R01W S18	NENE	38.00	T03S R01W S18	NWNE	39.00
T03S R01W S18	SWNE	40.00	T03S R01W S18	SENE	39.00
T03S R01W S18	NENW	39.00	T03S R01W S18	SENW	39.00
T03S R01W S18	NESW	39.00	T03S R01W S18	NESE	39.00
T03S R01W S18	NWSE	40.00	T03S R01W S20	NENW	39.00
T03S R01W S20	NWNW	38.00	T03S R01W S20	SWNW	37.00
T03S R01W S20	SENW	35.00			

Total Acres: 4540

Place of Use: DIVERSION TO STORAGE same as IRRIGATION STORAGE

Conditions of Approval:

1. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4882 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 2-7001, 2-2361, 2-2370, 57-179, 57-180B, 57-181, 57-7152
2. X36 Rights 2-2361, 2-2370 and 2-7001 are also diverted through the point of diversion described above.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 66.04 CFS. COMBINED RIGHT NOS.: 2-2361, 2-2370, 2-7001

Decreed Date: 5/15/2009

8 1 2 7 8

Exhibit A
Water Rights

	All	or	Part	Water Right Number	Amount (cfs/ac-ft)		Nature of Use	Period of Use		Source & Tributary
					cfs	ac-ft				
1	X			57-179	0.40		Irrigation	3/01	11/15	Sinker Creek
2	X			57-180B	0.20		Irrigation	3/01	11/15	Sinker Creek
3	X			57-181	80.10		Irrigation	3/01	11/15	Sinker Creek
4	X			57-7152		10	Stockwater Storage	1/01	12/31	Sinker Creek
						10	Stockwater From Storage	3/15	11/15	Sinker Creek
						4035	Irrigation Storage	1/01	12/31	Sinker Creek
						4035	Irrigation From Storage	3/15	11/15	Sinker Creek
5	X			57-7385	70.00		Diversion to Storage	11/01	7/01	Sinker Creek
						936	Irrigation Storage	1/01	12/31	Sinker Creek
						936	Irrigation From Storage	4/01	11/01	Sinker Creek
6	X			2-2361	66.04	22300	Irrigation	4/01	10/15	Snake River
7	X			2-2370	1.60	400	Irrigation	4/01	10/15	Snake River
8	X			2-7001	66.04		Diversion to Storage	4/01	11/15	Snake River
						235.0	Irrigation Storage	4/01	11/15	Snake River
						235.0	Irrigation From Storage	4/01	11/15	Snake River
9	X			2-10020	66.04		Diversion to Storage	3/01	11/15	Snake River
						73	Irrigation Storage	3/01	11/15	Snake River
						73	Irrigation From Storage	3/01	11/15	Snake River

Allowed CFS Allowed AFA
146.1 CFS 27979.0 AFA

Exhibit B
Place of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
03S	01W	2			40		39	39	40	40	40	40				40		
		3							40			40	40		40	40	40	40
		4			40	40			40	40	40	40	40	40	40	40	40	40
		5		41	40	40	42			40	40				40	40	40	40
		7												40	40	40	40	40
		8	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40
		9	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40
		10	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40
		11					40	40	40	40	40	40						
		15		40			40	40										
		17	40	40	40	40	40	40	40	40	40	40	40		40	40		
		18	40	40	40	40	40			40	40				40	40	40	40
		19	40	34														
		20					40	40										

Total 5115

318
280
480
403
200
640
640
640
240
120
560
440
74
80
0

81278

No. C 142656		Due no later than Feb 29, 2016 Annual Report Form		2. Registered Agent and Address (NO PO BOX)		
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. MURPHY FLATS WATER COMPANY TIM TIPPETT PO BOX 3110 PASCO WA 99302-3110		LANCE FUNK 2765 FAIRGROUNDS RD AMERICAN FALLS ID 83211		
				3. New Registered Agent Signature:*		
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	LANCE FUNK	2765 FAIRGROUNDS ROAD	AMERICAN FALLS	ID	USA	83211
SECRETARY	TIM M TIPPETT	950 E. FOSTER WELLS ROAD	PASCO	WA	USA	99301
PRESIDENT	LANCE FUNK	2765 FAIRGROUNDS ROAD	AMERICAN FALLS	ID	USA	83211
5. Organized Under the Laws of: ID C 142656		6. Annual Report must be signed.* Signature: Tim Tippet Name (type or print): Tim Tippet Date: 01/14/2016 Title: Secretary				
Processed 01/14/2016		* Electronically provided signatures are accepted as original signatures.				

ATTACHMENT #1

81278

10/5/2016 4:41 PM



100 10th Avenue South
Nampa, ID 83651

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 548397

WARRANTY DEED

For Value Received

The Wintercamp Ranch Trust

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Frank Tiegs, LLC

hereinafter referred to as Grantee, whose current address is 6610 W. Court St., Ste #B Pasco, WA 99301

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: March 26, 2014

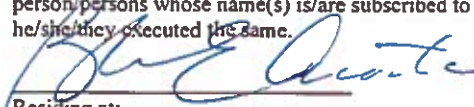
The Wintercamp Ranch Trust

By: 

Donald R. Barnhill, Trustee

State of Idaho, County of Canyon

On this 28 day of March in the year of 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared The Wintercamp Ranch Trust known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.


Residing at:

Commission Expires: Blanca E. Acosta
Residing in Nampa, Idaho
My Commission Expires 9/16/2017



ATTACHMENT * 2/*3 (2 PAGES) PG.
81278

EXHIBIT A

In Township 3 South, Range 1 West, Boise Meridian, Owyhee County, Idaho

Section 5: Government Lots 2 and 3, Southwest Quarter of the Northeast Quarter, Southeast Quarter of the Northwest Quarter, the West Half of the Southeast Quarter, and the Northeast Quarter of the Southwest Quarter

EXCEPTING therefrom the Easterly 25 feet of the following described property:
Government Lot 2, the Southwest Quarter of the Northeast Quarter and the West Half of the Southeast Quarter in
Section 5, Township 3 South, Range 1 West, Boise Meridian, Owyhee County, Idaho.



CONTRACT OF AGREEMENT

To Whom It May Concern,

Blaine Hulet and Murphy Land Company, LLC have entered into this agreement concerning the parcel of land located at Township 03 South Range 1 West Section 19 NWNE owned by Blaine Hulet. The parcel is identified in Owhyee County with Parcel Number: RP03S01W191100.

Blaine Hulet gives permission to Murphy Land Company, LLC to apply irrigation water, owned by Murphy Land Company, LLC, and to irrigate a portion of said Parcel RP03S01W191100. Blaine Hulet has no legal claim or right to the irrigation water rights that will be utilized to irrigate Parcel RP03S01W191100.

Blaine Hulet:

Blaine Hulet

Date: 8-1-16

Murphy Land Company LLC:

Ch. F. Tippet

Title: AUTHORIZED Agent

Date: 5/25/16

APPLICATION FOR TRANSFER OF WATER RIGHT ATTACHMENT WSB: TRANSFERRING WATER RIGHTS LEASED TO THE WATER SUPPLY BANK

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an [Application to Lease a Water Right to the Water Supply Bank](#) form, or they can request early termination of their lease contracts by completing a [Request to Release a Water Right from the Water Supply Bank](#) form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at www.idwr.idaho.gov or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
2-2361	12/31/2018	5.7	1923.4	382.0	Attached? ☒ or No Change ☐
2-2370	12/31/2018	0.15	36.5	7.3	Attached? ☒ or No Change ☐
2-7001	12/31/2018	6.01	21.4	418.9	Attached? ☒ or No Change ☐
2-10020	12/31/2018	5.66	6.3	389.3	Attached? ☒ or No Change ☐
57-179	12/31/2018	0.04	NA	413.1	Attached? ☒ or No Change ☐
57-180B	12/31/2018	0.02	NA	413.1	Attached? ☒ or No Change ☐
57-181	12/31/2018	7.29	NA	413.1	Attached? ☒ or No Change ☐
57-7152	12/31/2018	NA	367.4	413.1	X

Is the ownership of the water right(s) leased to the Bank being changed? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).

Additional Information:

Agency Use Only: Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.

WATER SUPPLY BANK LEASE CONTRACT

This Lease Contract ("Lease") is effective February 10, 2014, between the Idaho Water Resource Board ("Board"), and

**Lessor: MURPHY FLATS WATER CO INC &
MURPHY LAND CO LLC
PO BOX 310
AMERICAN FALLS ID 83211**

RECEIVED

APR 25 2014

**DEPARTMENT OF
WATER RESOURCES**

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

<u>Water Right</u>	<u>Lease Rate</u>	<u>Lease Volume</u>	<u>Acre Limit</u>	<u>Total Leased Acres</u>
02-02361	5.70 CFS	1923.4 AF	382 AC	382.0 AC
02-02370	0.15 CFS	36.5 AF	7.3 AC	7.3 AC
02-07001	6.01 CFS	21.4 AF	418.9 AC	418.9 AC
02-10020	<u>5.66 CFS</u> 5.70 CFS	6.3 AF	389.3 AC	389.3 AC
57-00179	0.04 CFS	NA	413.1 AC	413.1 AC
57-00180B	0.02 CFS	NA	413.1 AC	413.1 AC
57-00181	<u>7.29 CFS</u> 7.29 CFS	NA	413.1 AC	413.1 AC
57-07152	NA	367.4 AF	<u>413.1 AC</u> 413.1 AC	<u>413.1 AC</u> 413.1 AC
Combined Lease Totals: 12.99 CFS		NA	418.9 AC	418.9 AC

The water rights described herein shall be available for rental from the Bank as follows:
Authorized Period of Use under Lease: 03/01 to 11/15 (variable seasons per right)

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

SUPPORT DATA

IN FILE # 02-2361

3. **TERM OF LEASE:** This Lease shall take effect when both parties have signed it and shall continue in effect until December 31, 2018.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.
5. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

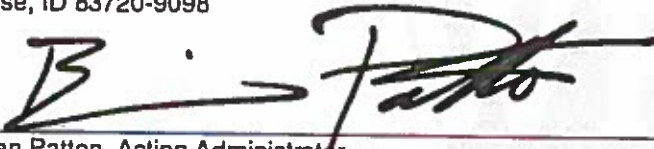
IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

**MURPHY FLATS WATER CO INC &
MURPHY LAND CO LLC**
PO BOX 310
AMERICAN FALLS ID 83211

By 
Printed Name Laurie Erik

Date 4-24-14
Title owner

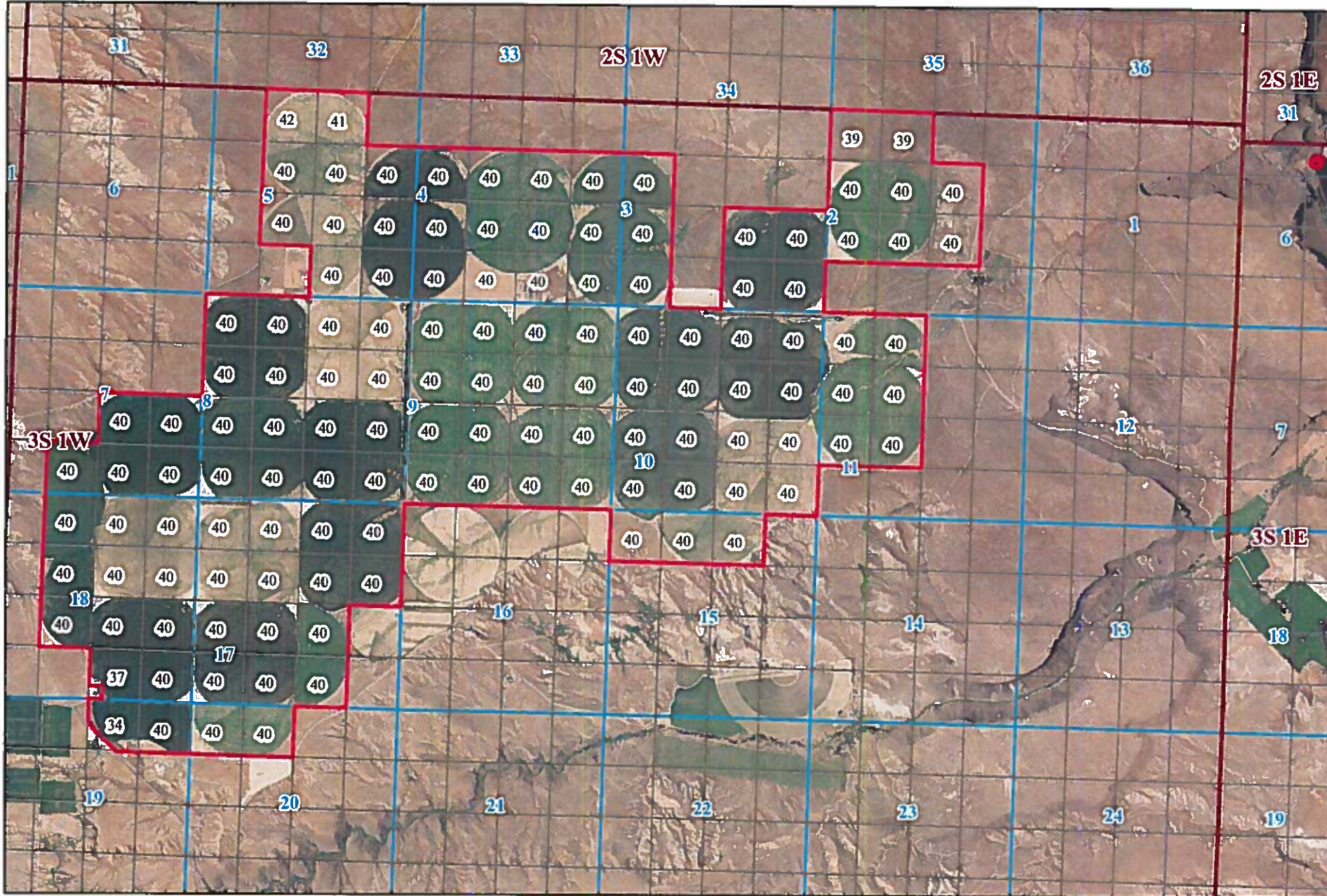
IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-9098

By 
Brian Patton, Acting Administrator
Idaho Water Resource Board

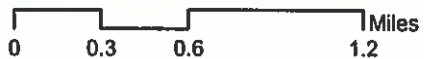
Date 04-28-2014

Lease approved by IDWR 

Date 04-28-2014



Attachment 7a
81278

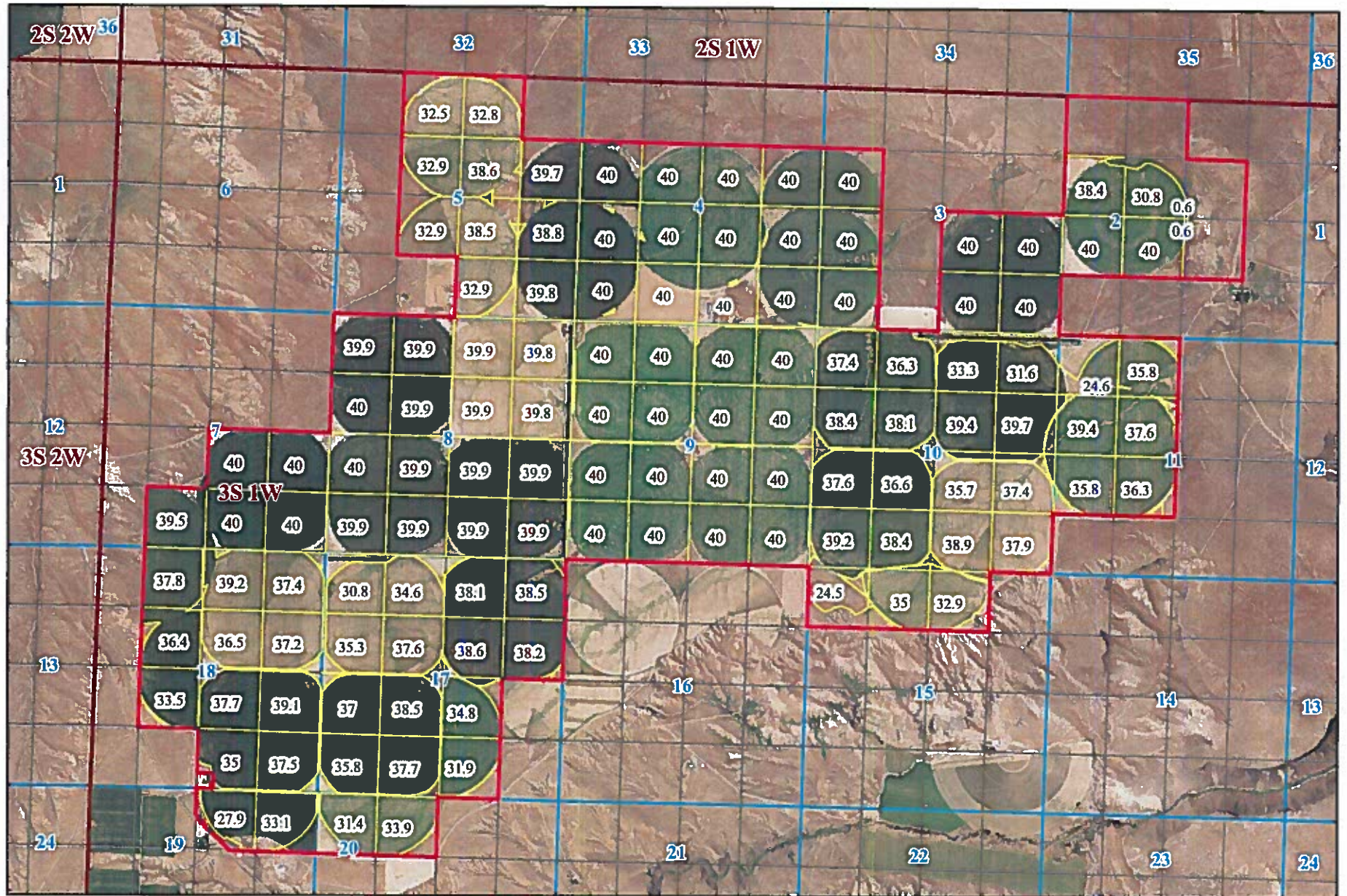


MURPHY FLATS FARM TRANSFER - PERMISSIBLE PLACE OF USE NAIP 2015 AERIAL

BROCKWAY ENGINEERING, PLLC.
 ALR - Date: 6/16/2016



ATTACHMENT #7B 81278



0 0.25 0.5 1 Miles

MURPHY FLATS FARM
TRANSFER - PLACE OF USE IN PPU 2016
NAIP 2015 AERIAL

Legend

PPU_MURPHY_FLATS
Murphy pou perqq2016

twnshp
Sections
ladesc

N



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 9, 2017

MURPHY FLATS WATER CO INC
PO BOX 3110
PASCO, WA 99302-3110

RE: Transfer No. 81278
Water Right No(s). 2-10020, 2-2361, 2-2370, 2-7001, 57-179, 57-180B, 57-181, 57-7152, 57-7385

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the OWYHEE AVALANCHE on 3/15/2017 and 3/22/2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Rachel Neely
Administrative Assistant

CC:
BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, March 09, 2017 9:46 AM
To: 'Jennifer Stutheit'
Subject: Owyhee Legal Ad
Attachments: Owyhee Cover Letter.docx; Owyhee Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 3/15/17 & 3/22/17

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

March 9, 2017

LEGAL NOTICE DEPARTMENT
OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Transfer No. 81278

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 4/3/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following application has been filed to appropriate the public waters of the State of Idaho:

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81278**

MURPHY FLATS WATER CO INC, PO BOX 3110, PASCO, WA 99302-3110; has filed **Application No. 81278** for changes to the following water rights within OWYHEE County(s): Right No(s): 2-10020, 2-2361, 2-2370, 2-7001, 57-179, 57-180B, 57-181, 57-7152, 57-7385. This transfer proposes to create a 4,687 acre POU within a 5,115 acre PPU for 9 water rights that total 4,882 acres of irrigation use. A consolidation of 195 acres is proposed. Changes to diversions or delivery methods are not included. The farm is located approximately 4 miles SE of Murphy, ID.

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s) or proposed transfer(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 4/3/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/15/2017 and 3/22/2017



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 9, 2017

CHAD NETTLETON
23202 DUST DEVIL LN
MURPHY ID 83650

RE: Application for Transfer No. 81278
Water Right No(s). 2-10020, 2-2361, 2-2370, 2-7001, 57-179, 57-180B, 57-181, 57-7152, 57-7385

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is enclosed with this letter for your reference. Please review the application, complete the attached recommendation form, and submit your reply, if any, to this office by April 3, 2017.

IDWR will assume you do not object to this application if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, March 09, 2017 10:41 AM
To: Whitney, Rob
Subject: Application for Transfer No. 81278
Attachments: Watermaster Recommendation Form_F.pdf; Application for Transfer 81278.pdf

March 9, 2017

ROB WHITNEY
WATER DISTRICT #02
322 E FRONT ST
PO BOX 83720
BOISE, ID 83720-0098

RE: Application for Transfer No. 81278
Water Right No(s). 2-10020, 2-2361, 2-2370, 2-7001, 57-179, 57-180B, 57-181, 57-7152, 57-7385

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is enclosed with this email for your reference. Please review the application, complete the attached recommendation form, and submit your reply, if any, to this office by April 3, 2017.

IDWR will assume you do not object to this application if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

MEMORANDUM

TO: Transfer No. 81278
FROM: Patrick Kelly
DATE: 2/27/2017
RE: Evaluation of Application

Summary of Information Submitted

Transfer No, 81278 proposes to create a 5,115 acre PPU for 9 water rights (2-2361, 2-2370, 2-7001, 2-10020, 57-179, 57-180B, 57-181, 57-7152 & 57-7385) that total 4,882 acres of irrigation use. Changes to diversions or delivery methods are not proposed. The farm is located approximately 4 miles SE of Murphy, ID.

Greg Sullivan of Brockway Engineering is the representative in Twin Falls at (208)736-8543.

The transfer involves rights that are currently leased into the Water Supply Bank. An amended lease application has been submitted to the State Office. The leased acres are corners to pivots or areas outside of the farm that are not currently irrigated. These acres are not affected by the transfer, so normal transfer processing may continue.

The transfer cover letter proposes to consolidate acres outside of the PPU boundary but maintain the rate and volume allowance. Diversion rate and volume limits were requested not to be reduced based on the claim that the diversions associated with the rights have historically been made to service the farm. Higher than standard per acre diversions are needed to account for seepage losses on the system. Review of water rights finds a considerable distance between the POD and POU. A total volume limit is not being recommended since the rights are a mix between live water and storage water. Also, the decrees did not attempt to associate a volume limit either. Conditions R65 and R61 are added to the rights which limits the irrigation use to 4.5 af/ac at the field headgate.

Correspondence with the representative was made to clarify the number of acres being consolidated. The 9 rights total 4882 acres allowed for irrigation use. According to the representative, the farm is irrigating 4416.2 acres and renting 270.8 acres from the bank for a total of 4687 acres. The applicant has identified 107.9 acres to consolidate outside the PPU boundary. Further analysis would be required to identify acres within the PPU boundary. Ultimately, this practice is not important since rate and volumes are not changing and all 9 rights will contain an overall acre combined use limit.

The rights combine storage and live water use, however, the rights indicate live water is the primary use. The 9 rights carry a live water combined use of 146.14 cfs. Rounding up, the transfer requires a fee of \$6,160. \$7,140 was paid for the transfer meaning a refund of \$980 will be issued once the transfer process is complete.

Authority to File: The application was filed in the name of Murphy Flat Water Co Inc. and was signed by a Mr. Tim Tippet. According to ID SOS records for this company, Mr. Tippet is the recognized Secretary. Murphy Flats owns all of the rights, including 57-181 which is changing ownership via this transfer process.

Water Right Validity: Murphy Flat Farm rights were decreed at different times from 2001 to 2009. Review of 2015 aerial imagery shows fully irrigated lands associated with the POU. Water

Supply Bank leases in 2014 protects pivot corners from forfeiture. All rights presumed to be valid.

Overlap Analysis: Place of use comparison tool finds that all water rights pertinent to the Murphy Flat farm are included in the transfer. Basin 57 rights were decreed with a 4,537 acre limit condition. Basin 02 rights were later decreed with a 4,882 acre limit. No other rights should be considered.

Injury to Other Water Rights: None anticipated. Changes to points of diversion are not proposed. Comment letters will be solicited from the watermaster for District 2 and 57D. At the time of this review, there are no surface water related areas of concern or moratorium in Owyhee County. A protest period will allow for the general public to express any unknown concerns.

Enlargement of Use: None anticipated. Murphy Flats diversions will continue to be limited to a total diversion of 2.16 cfs, on 4687 acres. All rate combined use limits identified by decree will be maintained.

Local Public Interest: Review staff has no information that would compromise the local public interest.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Kelly, Patrick

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Wednesday, February 22, 2017 8:57 AM
To: Kelly, Patrick
Cc: 'Jim McClelland'
Subject: RE: Another IDWR letter on Murphy Flats PPU

Patrick,

There seems to be some issues on the Murphy Flats Water Company farm regarding the 40 acre tract located at T03S R01W Section 19 NENW. This particular 40.0 acres was identified within the place of use of permit 57-7385. My original analysis of this farm included this 40.0 acres of possible irrigation. However, as you have pointed out, this property is not owned by Murphy Flats Water Company. In fact, the 40.0 acres of irrigation from permit 57-7385 in the NENW of Section 19 was dropped from the place of use of 57-7385 when it was licensed. That is why in my last letter to you dated February 1, 2017 showed the 40.0 acres being removed from 57-7385.

Murphy Land Company is currently irrigating 4,416.2 acres. Murphy Land Company has an active lease contract for 270.8 acres for the 2017, 2018, 2019, 2020 and 2021 irrigation season. That means that 4,687.0 acres are being beneficially used or set aside through the Idaho Water Supply Bank.

There is no forfeiture or abandonment possibility on the 4,687.0 acres.

There will be no enlargement of irrigated water, no expansion of irrigated water and no injury to any other water right holders from this transfer.

This transfer proposes to correct the place of use of the 4,687.0 acres to match what is actually occurring on the farm.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

-----Original Message-----

From: Jim McClelland [mailto:jmcclelland@westernmort.com]
Sent: Tuesday, February 21, 2017 4:02 PM
To: (greg.sullivan@brockwayeng.com) <greg.sullivan@brockwayeng.com>
Subject: FW: Another IDWR letter on Murphy Flats PPU

Will call you in the morning

-----Original Message-----

From: copier@oregonpotato.com [mailto:copier@oregonpotato.com]
Sent: Tuesday, February 21, 2017 11:58 AM
To: Jim McClelland
Subject:

This E-mail was sent from "RNPE9499D" (Aficio MP C5000).

Scan Date: 02.21.2017 14:57:36 (-0500)
Queries to: copier@oregonpotato.com



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 16, 2017

COPY

MURPHY FLATS WATER CO INC
PO BOX 3110
PASCO WA 99302

RE: Additional Information Request for Transfer 81278

Dear Representative:

Thank you for the information you provided regarding Murphy Flats transfer 81278. I am having a difficult time getting the numbers proposed in the transfer to match with the water rights. Here is what I have so far:

The 9 water rights carry a total use limit of 4,882 acres. The farm is currently irrigating 4,687 acres and proposes to consolidate acres to match what is being done on the ground. You have identified a total of 108.9 acres to be reduced from the rights currently described outside the proposed PPU boundary. 40 of these acres you identified within T03S R01W Sec 19 NENW from 57-7385. Murphy Flats does not have water rights within this legal description, as the ground and water rights are owned by Joyce Livestock. Instead, you may wish to consider 39 acres within T03S R01W Sec 5 SESW from rights 2-10020 & 2-2361. This is land not previously irrigated and outside the PPU proposal. If we add up the consolidated acres $(29.4 + 34.4 + 5.1 + (39) = 107.9$ acres, this leaves a total of 4,774.1 acres authorized for irrigation on the farm. This would be the new acre limit, with Murphy Flats needing to file an amended lease to the water supply bank for the difference of 87.1 $(4774.1 - 4687)$ acres.

These numbers are different than what is proposed in the transfer, but I believe it achieves what it is you are trying to accomplish. Please let me know how your client would like to proceed for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be rejected without a timely written reply within the next thirty (30) days. Refunds are not issued for rejected applications.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 for further assistance. Thank you for your attention to this matter.

Respectfully,

Patrick Kelly
Water Resource Agent, Sr.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

February 1, 2017

Patrick Kelly
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-508

RECEIVED

FEB 06 2017

WATER RESOURCES
WESTERN REGION

Re: Murphy Flats Water Co Inc.

Dear Mr. Kelly:

Based on the Idaho Department of Water Resources water right reports the voluntary reduction of acres will come from the following water rights and locations.

Water right 57-179

The acres amounts that should be reduced are located in the following locations:

T 03S R 1W Sec 2 SWNE 12.4 acres (13.0-12.4 = 0.6 acres remaining)
T 03S R 1W Sec 2 NWSE 20.4 acres (21.0-20.4 = 0.6 acres remaining)
T 03S R 1W Sec 2 SWSE 0.0 acres
T 03S R 1W Sec 19 NWNE 0.0 acres
T 03S R 1W Sec 19 NENW 0.0 acres
T 03S R 1W Sec 19 NWNW 0.0 acres

Water right 57-180B

The acres amounts that should be reduced are located in the following locations:

T 03S R 1W Sec 2 SWNE 12.4 acres (13.0-12.4 = 0.6 acres remaining)
T 03S R 1W Sec 2 NWSE 20.4 acres (21.0-20.4 = 0.6 acres remaining)
T 03S R 1W Sec 2 SWSE 0.0 acres
T 03S R 1W Sec 19 NWNE 0.0 acres
T 03S R 1W Sec 19 NENW 0.0 acres
T 03S R 1W Sec 19 NWNW 0.0 acres

Water right 57-181

The acres amounts that should be reduced are located in the following locations:

T 03S R 1W Sec 2 SWNE 12.4 acres (13.0-12.4 = 0.6 acres remaining)
T 03S R 1W Sec 2 NWSE 20.4 acres (21.0-20.4 = 0.6 acres remaining)
T 03S R 1W Sec 2 SWSE 0.0 acres
T 03S R 1W Sec 19 NWNE 0.0 acres
T 03S R 1W Sec 19 NENW 0.0 acres

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

T 03S R 1W Sec 19 NWNW 0.0 acres

Water right 57-7152

The acres amounts that should be reduced are located in the following locations:

T 03S R 1W Sec 2 SWNE 12.4 acres (13.0-12.4 = 0.6 acres remaining)

T 03S R 1W Sec 2 NWSE 20.4 acres (21.0-20.4 = 0.6 acres remaining)

T 03S R 1W Sec 2 SWSE 0.0 acres

T 03S R 1W Sec 19 NWNE 0.0 acres

T 03S R 1W Sec 19 NENW 0.0 acres

T 03S R 1W Sec 19 NWNW 0.0 acres

Water right 57-7385

The acres amounts that should be reduced are located in the following locations:

T 03S R 1W Sec 2 SWNE 0.0 acres

T 03S R 1W Sec 2 NWSE 1.4 acres (2.0- 1.4 = 0.6 acres remaining)

T 03S R 1W Sec 2 SWSE 0.0 acres

T 03S R 1W Sec 19 NWNE 0.0 acres

T 03S R 1W Sec 19 NENW 40.0 acres (40.0- 40.0 = 0.0 acres remaining)

T 03S R 1W Sec 19 NWNW 0.0 acres

Water right 57-2361

The acres amounts that should be reduced are located in the following locations:

T 03S R 1W Sec 2 SWNE 12.4 acres (13.0-12.4 = 0.6 acres remaining)

T 03S R 1W Sec 2 NWSE 22.4 acres (23.0-22.4 = 0.6 acres remaining)

T 03S R 1W Sec 2 SWSE 0.0 acres

T 03S R 1W Sec 19 NWNE 0.0 acres

T 03S R 1W Sec 19 NENW 0.0 acres

T 03S R 1W Sec 19 NWNW 0.0 acres

Water right 57-2370

The acres amounts that should be reduced are located in the following locations:

T 03S R 1W Sec 2 SWNE 0.0 acres

T 03S R 1W Sec 2 NWSE 0.0 acres

T 03S R 1W Sec 2 SWSE 0.0 acres

T 03S R 1W Sec 19 NWNE 0.0 acres

T 03S R 1W Sec 19 NENW 0.0 acres

T 03S R 1W Sec 19 NWNW 0.0 acres

Water right 57-7001

The acres amounts that should be reduced are located in the following locations:

T 03S R 1W Sec 2 SWNE 4.4 acres (5.0-4.4 = 0.6 acres remaining)
 T 03S R 1W Sec 2 NWSE 21.4 acres (22.0-21.4 = 0.6 acres remaining)
 T 03S R 1W Sec 2 SWSE 0.0 acres
 T 03S R 1W Sec 19 NWNE 5.1 acres (33.0- 5.1 = 27.9 acres remaining)
 T 03S R 1W Sec 19 NENW 0.0 acres
 T 03S R 1W Sec 19 NWNW 0.0 acres

Water right 57-10020

The acres amounts that should be reduced are located in the following locations:

T 03S R 1W Sec 2 SWNE 29.4 acres (30.0-29.4 = 0.6 acres remaining)
 T 03S R 1W Sec 2 NWSE 34.4 acres (35.0-34.4 = 0.6 acres remaining)
 T 03S R 1W Sec 2 SWSE 0.0 acres
 T 03S R 1W Sec 19 NWNE 0.0 acres
 T 03S R 1W Sec 19 NENW 0.0 acres
 T 03S R 1W Sec 19 NWNW 0.0 acres

The full allotment of acres and diversion rate for these water rights have been beneficially used except for the acres leased under contract to the Idaho Water Supply Bank and the acres that have been identified above that Murphy Flats Water Co Inc. is voluntarily abandoning. The transfer proposes to update the outdated place of use descriptions of the water rights and to include acres into a permanent place of use that have previously been irrigated with rented water.

Pertaining to your concern of forfeiture regarding these water rights, portions of water rights 2-2361, 2-2370, 2-7001, 2-10020, 57-179, 57-180B, 57-181 and 57-7152 are currently leased to the Idaho Water Supply Bank. Copies of the lease contracts with the Idaho Water Supply Bank from 2008 through 2021 can be found on the Idaho Department of Water Resources internet database. By leasing the portions of the water rights, Murphy Flats Water Co Inc. has provided a proper defense against forfeiture on the acres that are currently set aside to comply with the current lease contracts.

The 2008 Idaho Water Supply Bank lease was for a total of 389.5 acres. Those acres encompassed all of the corner areas of this farm. The lease application was submitted to the Idaho Water Supply Bank before five years past the partial decree date. Therefore, there is no forfeiture issues on this farm. A portion of the leased acres have been released (December 2016) from

the Idaho Water Supply Bank to facilitate this transfer. A map of the acres currently leased to the Idaho Water Supply Bank is attached to this letter.

Electronic shape files of the proposed permissible place of use and the proposed irrigation place of use can be emailed to you upon your request.

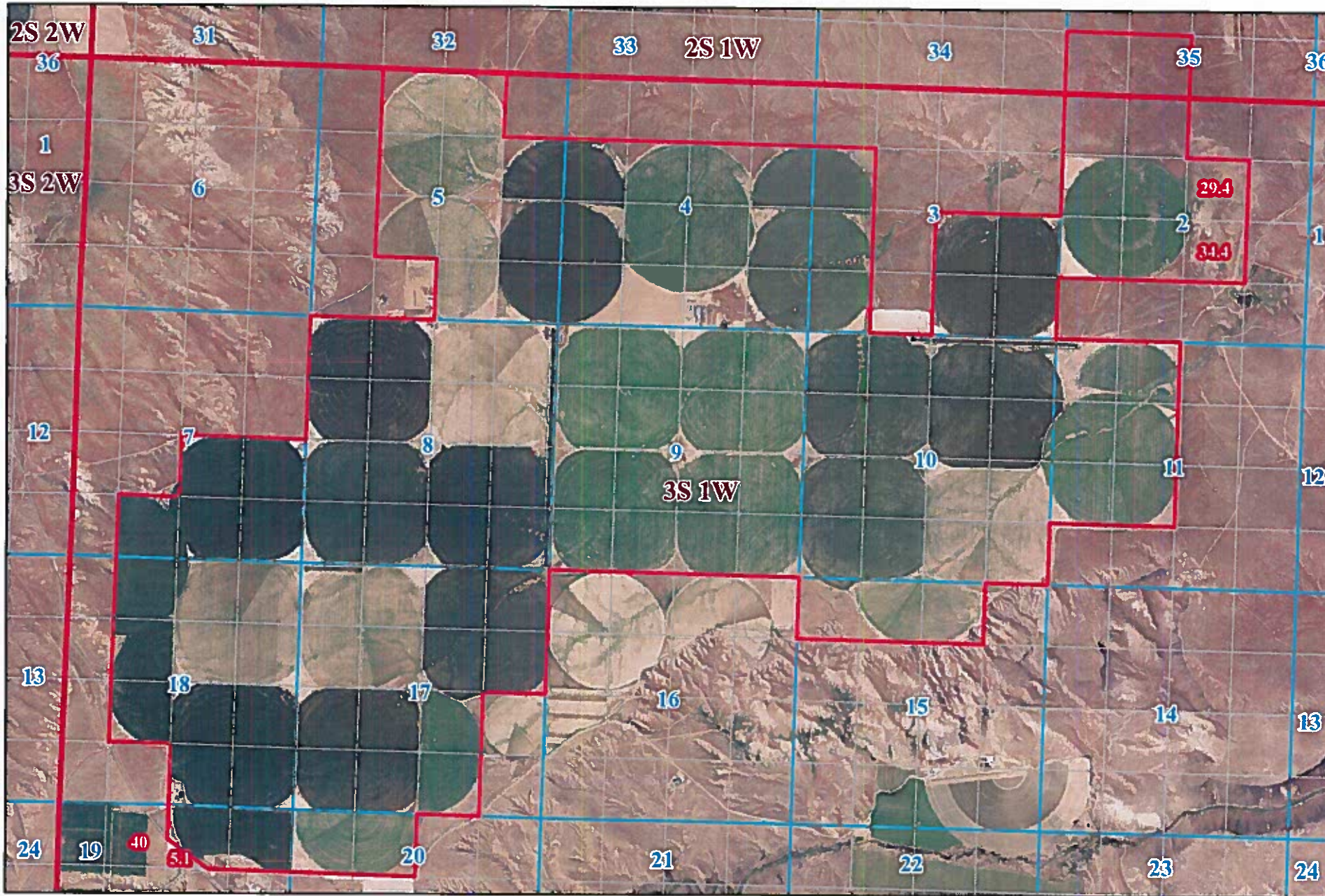
Sincerely,

A handwritten signature in cursive script, appearing to read "Greg Sullivan".

Greg Sullivan, M.S., Engineer

Cc: Frank Tiegs

Enc: Murphy Flats Farm Map of Abandoned Irrigation Acres, Current Water Bank Leased
Acres Aerial Map, IDWR January 27, 2017 Letter and Map



0 1,500 3,000 6,000 Feet

MURPHY FLATS FARM
ACRES NOT UTILIZED
NAIP 2015 AERIAL

Legend

Murphy Flats Farm





0 0.15 0.3 0.6 Miles

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 6/23/2016

MURPHY FLATS FARM
Water Supply Bank Lease Acres
NAIP 2015 AERIAL

Legend



Murphy_WSB_2017
PPU_MURPHY_FLATS



township
Sections
ladesc





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 27, 2017

RECEIVED
JAN 30 2017

MURPHY FLATS WATER CO INC
PO BOX 3110
PASCO WA 99302

BY:

RE: Additional Information Request for Transfer 81278

Dear Representative:

On January 17, 2017, the department received your letter in response to the information request regarding the transfer on Murphy Flat Farms. I have reviewed the information you submitted and further information is needed to adequately complete the request.

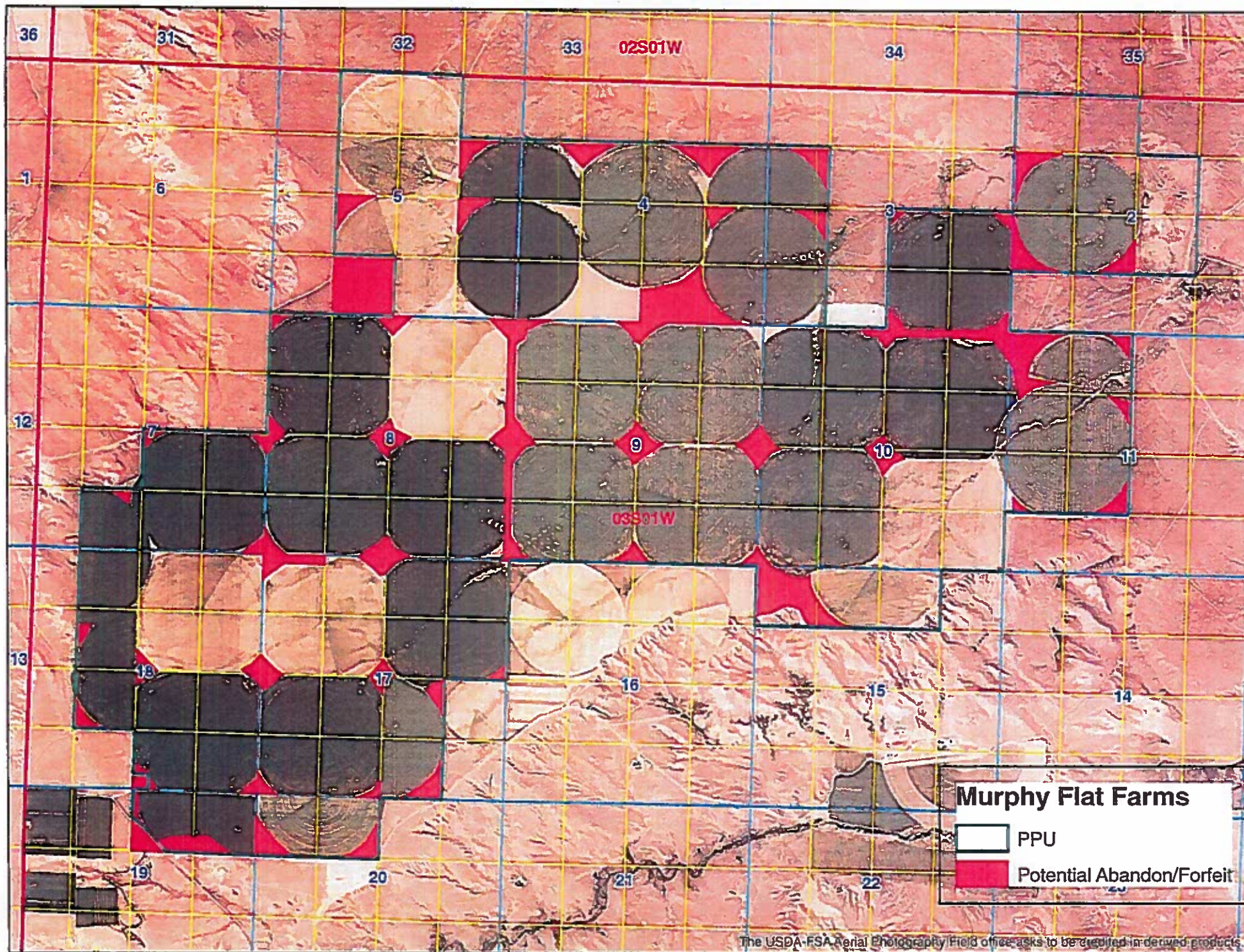
1. In response to outlining which acres are to be abandoned, you included 40.0 acres in Section 2 SWSE. There are no water rights in the quarter-quarter and the property is owned by the Bureau of Land Management. 80.0 acres in the NENW and NWNW of Section 19 are pertinent to water rights owned by Joyce Livestock Co. Additionally, you did not clarify which water rights the acres would be subtracted from. Attached is a map that outlines potential acres to be abandoned. Please outline acres relevant to Murphy Flat Farms and include the proper water right numbers.
2. In response to justification for abandoning acres but maintaining the rate and volume described by the rights, you suggested that the water rights diversion rates should not change because they were based on court decree documentation. However, rights that have been decreed are not exempt to forfeiture for the simple reason they were issued in court. The rules of forfeiture still apply in every transfer analysis. You may provide a proper defense to forfeiture or show evidence that the total diversion rates have historically been diverted and Murphy Flat Farms wishes to consolidate their acres.

Please submit the additional information for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be rejected without a timely written reply within the next thirty (30) days. Refunds are not issued for rejected applications.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 for further assistance. Thank you for your attention to these matter.

Respectfully,

Patrick Kelly
Water Resource Agent, Sr.





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 27, 2017

COPY

MURPHY FLATS WATER CO INC
PO BOX 3110
PASCO WA 99302

RE: Additional Information Request for Transfer 81278

Dear Representative:

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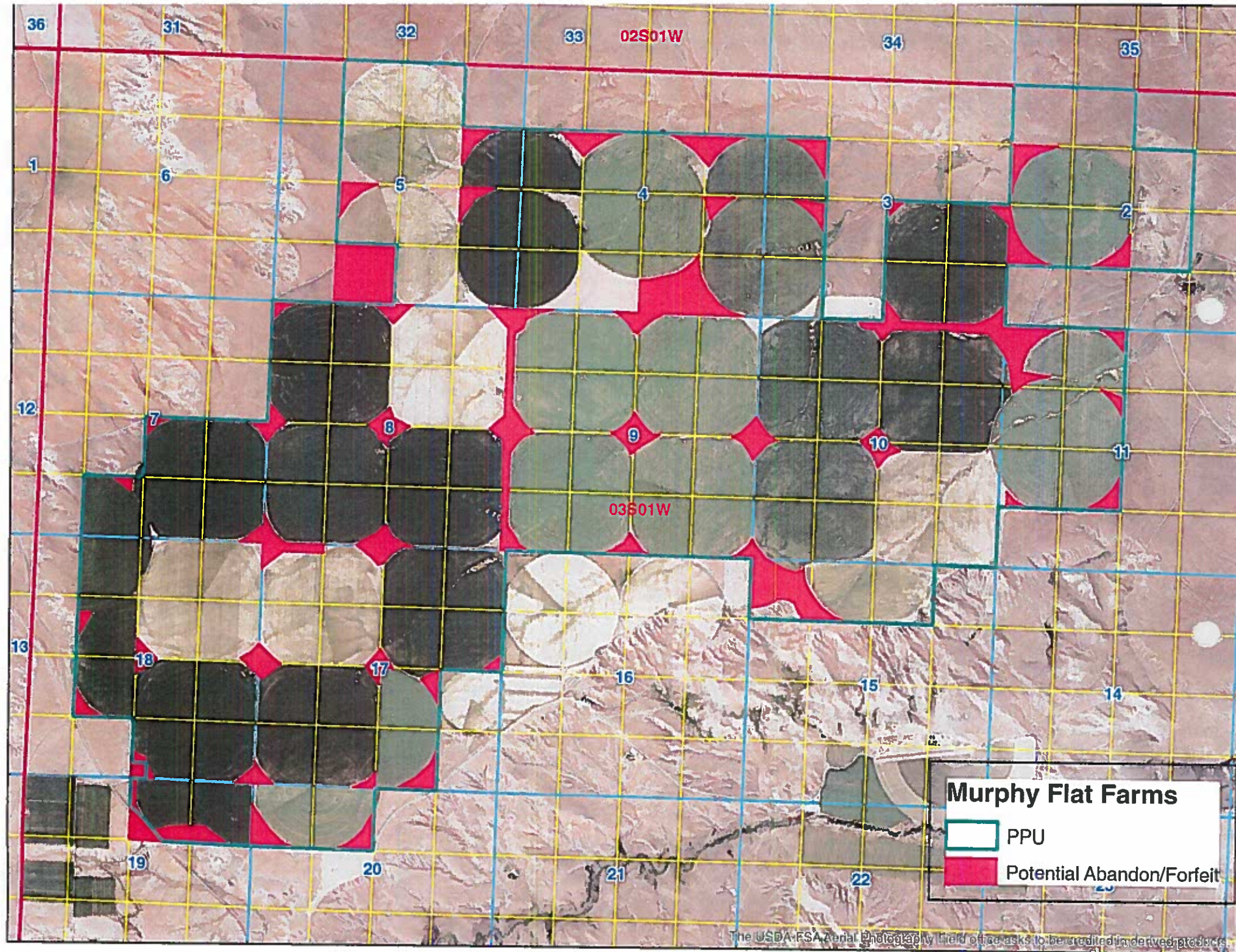
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2. In response to justification for abandoning acres but maintaining the rate and volume described by the rights, you suggested that the water rights diversion rates should not change because they were based on court decree documentation. However, rights that have been decreed are not exempt to forfeiture for the simple reason they were issued in court. The rules of forfeiture still apply in every transfer analysis. You may provide a proper defense to forfeiture or show evidence that the total diversion rates have historically been diverted and Murphy Flat Farms wishes to consolidate their acres.

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Respectfully,

Patrick Kelly
Water Resource Agent, Sr.





BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JAN 17 2017

**WATER RESOURCES
WESTERN REGION**

January 13, 2017

Patrick Kelly
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-508

Re: Murphy Flats Water Co Inc.

Dear Mr. Kelly:

Some of the current POU's acres associated with these water rights involved in this transfer are outside of the proposed PPU/POU or property owned by Murphy Flats Water Co Inc. These acres should be reduced from the individual water right limit but the allowed diversion rates and volume amounts should not change.

The acres amounts that should be reduced are located in the following locations:

Township 03 South Range 1 West Section 2 SWNE 39.4 acres
Township 03 South Range 1 West Section 2 NWSE 29.5 acres
Township 03 South Range 1 West Section 2 SWSE 40.0 acres
Township 03 South Range 1 West Section 19 NWNE 6.1 acres
Township 03 South Range 1 West Section 19 NENW 40.0 acres
Township 03 South Range 1 West Section 19 NWNW 40.0 acres

The total average diversion rate for the water rights involved with this transfer is 0.03 cfs/acre which is due to conveyance losses experienced with the delivery systems from the authorized PODs. The delivery system from the diversion points consist of long canals that conveys the water to storage ponds. A substantial amount of diverted water is lost through seepage from the canals and ponds. The allowed total diversion rate should not be changed with this transfer because the rates are based on court decreed documentation.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Frank Tiegs
Enc: IDWR Letter January 9, 2017

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
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TWIN FALLS,
IDAHO 83301

208•736•8543

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 9, 2017

COPY

MURPHY FLATS WATER CO INC
PO BOX 3110
PASCO WA 99302

RE: Additional Information Request for Transfer 81278

Dear Applicant:

On October 17, 2016, you filed a transfer application to create a permissible place of use for water rights on your Murphy Flat Farm. The transfer application proposes to move 146.14 cfs and 27,979 af. The nine water rights associated with the transfer share a combined use limit of 4,882 acres and an annual volume of 21,969 af. Review of the application finds the following items to be addressed before processing of the transfer may resume:

1. The cover letter attached to your application suggests that you wish to maintain 4,687 acres within a 5,115 acre PPU boundary. The letter cites that acres outside of the PPU should be reduced from the rights. Please confirm that you wish to abandon acres and specify which acres should be forfeited from each right.
2. The cover letter suggests that acres are being reduced from the rights, but that the rate and volume amounts should not change. The rights already receive an increased 0.03 cfs/acre limit that is above department standard to account for conveyance losses. Justification is required to approve a request to further increase the rate and volume per acre limit.
3. The transfer of 147 (146.14) cfs requires a fee of \$6,160. \$7,140 was paid for the transfer meaning a refund of \$980 will be issued once the transfer process is complete.

Please submit the additional information for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be rejected without a timely written reply within the next thirty (30) days. Refunds are not issued for rejected applications.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 for further assistance. Thank you for your attention to these matter.

Respectfully,

Patrick Kelly
Water Resource Agent, Sr.

RECEIVED

OCT 17 2016

WATER RESOURCES
WESTERN REGION



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

October 10, 2016

Nick Miller
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-508

Re: Murphy Flats Water Co Inc.

Dear Mr. Miller:

Murphy Flats Water Co Inc. desires to create a large permissible place of use near the town of Murphy in Owyhee County. There are nine water rights incorporated into this transfer. The water rights are 57-179, 57-180B, 57-181, 57-7152, 57-7385, 2-2361, 2-2370, 2-7001 and 2-10020. The PODs for these water rights will not be changing with this transfer. The beneficial use, period of use will not be changing with this transfer.

The proposed PPU will be 5,115.0 acres with a 4,687.0 acres POU.

Water right 57-181 was not included in an ownership change from the previous owner to Murphy Flats Water Co Inc. The ownership of 57-181 needs to be updated. A \$25.00 fee will be added to the transfer processing fee to cover the IDWR change of ownership fee.

A portion of the PPU and POU covers property in T03S R01W Section 19 that is owned by Blaine Hulet. An agreement between Mr. Hulet and Murphy Flats Water Co Inc is attached. The agreement allows Murphy Flats Water Co Inc. to irrigate a portion of Mr. Hulets property.

There are currently 418.9 acres from the above water rights leased into the Idaho Water Supply Bank. The lease expires December 31, 2018. The lease will be amended and reduced to 270.8 acres after this transfer application is approved.

Murphy Flats Water Co Inc. purchased the full pivot and the $\frac{3}{4}$ pivot in Section 5 in 2014. Currently, water is rented from the 418.9 acres Water Supply Bank lease. The rental of this water will no longer be required after this transfer is approved because this transfer incorporates these two fields into the PPU and POU.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
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208•736•8543

FAX: 736•8506



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

Some of the current POUs of the water rights involved in this transfer currently identify acres outside of the proposed PPU, POU and property owned by Murphy Flats Water Co Inc. These acres should be reduced from the individual water right limit but the allowed diversion rates and volume amounts should not change.

The total average diversion rate for the water rights involved with this transfer is 0.03 cfs/acre which is due to conveyance losses experienced with the delivery systems from the authorized PODs. The allowed total diversion rate should not be changed with this transfer because the rates are based on court decreed documentation.

Because the PODs of these water rights are not changing, it is requested that this transfer not be advertised.

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Frank Tiegs

Enc: Transfer Application, Exhibit A, Exhibit B, Attachment WSB, Aerial Maps, Warranty Deeds, Brockway Engineering Check # 13418 for \$7,165

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

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