

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 78356

This is to certify that: SHEKINAH INDUSTRIES INC  
ATTN: MICHAEL PRESTON  
420 BITTERROOT DR  
BOISE, ID 83709

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

Summary of Water Rights Before the Proposed Changes

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 61-10378           | WR/DECREED          | 4/30/1974            | 0.800 cfs             | N/A                     | 47.0              | 1459.0             | GROUND WATER  |
| 61-2154            | WR/DECREED          | 1/14/1963            | 5.440 cfs             | 1088.0 af               | 272.0             | 1459.0             | GROUND WATER  |
| 61-2155            | WR/DECREED          | 1/14/1963            | 5.860 cfs             | 1232.0 af               | 308.0             | 1459.0             | GROUND WATER  |
| 61-7005            | WR/DECREED          | 8/23/1967            | 5.240 cfs             | 1280.0 af               | 320.0             | 1459.0             | GROUND WATER  |
| 61-7119            | WR/LICENSE          | 7/10/1972            | 5.240 cfs             | 1048.0 af               | 262.0             | 1459.0             | GROUND WATER  |
| 61-7396            | WR/DECREED          | 1/4/1980             | 2.200 cfs             | 640.0 af                | 160.0             | 1459.0             | GROUND WATER  |

Purpose of Transfer (Changes Proposed)

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 61-10378              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 61-2154               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 61-2155               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 61-7005               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 61-7119               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 61-7396               | YES          | YES        | YES        | NO             | NO                   | NO                   |

Summary Of Water Rights After the Approved Change

| <u>Existing Right</u> | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 61-10378              | 61-12283                         | 0.240 cfs            | N/A                    | 14.0              | 765.0              | 61-10378                           | 0.560 cfs             | N/A                     | 33.0                        | 1459.0                       |
| 61-2154               | 61-12284                         | 1.620 cfs            | 324.0 af               | 81.0              | 765.0              | 61-2154                            | 3.820 cfs             | 764.0 af                | 191.0                       | 1459.0                       |
| 61-2155               | 61-12285                         | 1.730 cfs            | 364.0 af               | 91.0              | 765.0              | 61-2155                            | 4.130 cfs             | 868.0 af                | 217.0                       | 1459.0                       |
| 61-7005               | 61-12281                         | 1.560 cfs            | 380.0 af               | 95.0              | 765.0              | 61-7005                            | 3.680 cfs             | 900.0 af                | 225.0                       | 1459.0                       |
| 61-7119               | 61-12280                         | 1.560 cfs            | 312.0 af               | 78.0              | 765.0              | 61-7119                            | 3.680 cfs             | 736.0 af                | 184.0                       | 1459.0                       |
| 61-7396               | 61-12282                         | 0.650 cfs            | 188.0 af               | 47.0              | 765.0              | 61-7396                            | 1.550 cfs             | 452.0 af                | 113.0                       | 1459.0                       |
| COMBINED TOTALS       |                                  | 5.560 cfs            | 1476.0 af              | 369.0             | 765.0              |                                    | 13.18 cfs             | 3500 af                 | 875.0                       | 1459.0                       |

SUPPORT DATA

IN FILE # 61-2154

Transfer No. 78356

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 78356

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 21<sup>st</sup> day of January, 2016.

for   
Chief, Water Allocation Bureau



**WATER RIGHT NO. 61-7119****As Modified by Transfer No. 78356**

In accordance with the approval of Transfer No. 78356, Water Right No. 61-7119 is now described as follows:

**Right Holder:** BERNARD L BROWN AND/OR  
NORMA JEAN BROWN  
655 E 19TH N  
MOUNTAIN HOME, ID 83647

**Priority Date:** 7/10/1972

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

**To**  
to 11/15**Diversion Rate**

3.680 cfs

3.680 cfs

**Diversion Volume**

736.0 af

736.0 af

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

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SESESE      | Sec 18 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (SENWNW) | Sec 19 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | SWNESW      | Sec 19 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NWSENE      | Sec 20 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | SWNWNW      | Sec 20 Twp 04S Rge 06E | ELMORE County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 04S | 06E | 17  |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 |      |      |      |      | 80.0   |
| 04S | 06E | 18  |      |      |      |      |      |      | 43.0 | 40.0 |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 243.0  |
|     |     |     |      |      |      |      |      |      | L 2  |      |      |      |      |      |      |      |      |      |        |
| 04S | 06E | 19  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 44.0 | 44.0 | 40.0 | 40.0 | 44.0 | 44.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 656.0  |
|     |     |     |      |      |      |      |      | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |        |
| 04S | 06E | 20  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |

Right Acre Limit: 184.0

POU Total Acres: 1459.0

**CONDITIONS OF APPROVAL**

1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. This right is limited to the irrigation of 184 acres within the place of use described above in a single irrigation season.

Transfer No. 78356

**WATER RIGHT NO. 61-7119**

**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

3. Rights 61-2154, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 5.70 cfs and the irrigation of 433 acres.
4. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 2632 af at the field headgate, and the irrigation of 658 acres.
5. Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 13.18 cfs, a total annual maximum diversion volume of 3500 af at the field headgate, and the irrigation of 875 acres.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. This right is for the use of trust water and is subject to review 5 years after the issuance of this transfer to determine availability of water and to re-evaluate the public interest.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
10. The following rights are diverted through points of diversion described above: 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378.

**WATER RIGHT NO. 61-12280****As Modified by Transfer No. 78356**

In accordance with the approval of Transfer No. 78356, Water Right No. 61-12280 is now described as follows:

**Right Holder:** SHEKINAH INDUSTRIES INC  
ATTN: MICHAEL PRESTON  
420 BITTERROOT DR  
BOISE, ID 83709

**Priority Date:** 7/10/1972

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 1.560 cfs             | 312.0 af                |
|                       |             |           | 1.560 cfs             | 312.0 af                |

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

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWNE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWNE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NENW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWNW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SENW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWNW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 23 Twp 01S Rge 04E | ELMORE County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |     |     |    | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|----|-----|-----|----|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE | NW  | SW  | SE | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 01S | 04E | 14  |    |     |     |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      |      |      |      | 160.0  |
| 01S | 04E | 23  |    | 7.0 | 7.0 |    | 40.0 | 22.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 476.0  |
| 01S | 04E | 24  |    |     |     |    |      |      |      |      | 12.0 | 40.0 | 40.0 | 37.0 |      |      |      |      | 129.0  |

Right Acre Limit: 78.0

POU Total Acres: 765.0

Transfer No. 78356

**WATER RIGHT NO. 61-12280**  
**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

1. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. This right does not grant any right-of-way or easement across the land of another.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Prior to diversion and use of water under this right, the right holder shall install a flow measurement and volume totalizing device of a type approved by the Department on each point of diversion to measure flow and volume of water diverted.
7. The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
8. The diversion and use of water described in Transfer 78356 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. Diversion and use of water in connection with this right is subject to a Monitoring-Reporting Plan. The right holder shall provide the Department with a plan for monitoring-reporting aquifer levels, diversion flow rates, and volumes. The monitoring-reporting should occur in parallel with land development and production and should include identification of non-production wells and timelines for measuring and reporting. The right holder shall not divert water in connection with this right until the plan is approved by the Department. Failure to comply with the plan once it is accepted shall be cause for the Department to cancel or revoke the right.
10. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 61-12090 in the event of priority administration of water rights with points of diversion within administrative Basin 61.
11. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 63-32499 in the event of priority administration of water rights with points of diversion within administrative Basin 63.

**WATER RIGHT NO. 61-12280**  
**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

12. This right is limited to the irrigation of 78 acres within the authorized place of use in a single irrigation season.
13. Rights 61-12280, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 2.40 cfs and the irrigation of 183 acres.
14. Rights 61-12280, 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 1112 af at the field headgate, and the irrigation of 278 acres.
15. Rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 when combined shall not exceed a total diversion rate of 5.56 cfs, a total annual maximum diversion volume of 1476 af, a total annual maximum consumptive use volume of 1092 af, and the irrigation of 369 acres in a single irrigation season.
16. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
17. The following rights are diverted through points of diversion described above: 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285.

**WATER RIGHT NO. 61-7005****As Modified by Transfer No. 78356**

In accordance with the approval of Transfer No. 78356, Water Right No. 61-7005 is now described as follows:

**Right Holder:** BROWN FARMS LLC  
764 N TROUTNER WAY  
BOISE, ID 83712

**Priority Date:** 8/23/1967

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u>  | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|------------------------|-------------------------|
| IRRIGATION            | 3/01        | to 10/15  | 3 680 cfs<br>3 680 cfs | 900.0 af<br>900.0 af    |

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

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SESESE      | Sec 18 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (SENWNW) | Sec 19 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | SWNESW      | Sec 19 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NWSENE      | Sec 20 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | SWNWNW      | Sec 20 Twp 04S Rge 06E | ELMORE County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 04S | 06E | 17  |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 |      |      |      |      | 80.0   |
| 04S | 06E | 18  |      |      |      |      |      |      | 43.0 | 40.0 |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 243.0  |
|     |     |     |      |      |      |      |      |      | L 2  |      |      |      |      |      |      |      |      |      |        |
| 04S | 06E | 19  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 44.0 | 44.0 | 40.0 | 40.0 | 44.0 | 44.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 656.0  |
|     |     |     |      |      |      |      |      | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |        |
| 04S | 06E | 20  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |

Right Acre Limit: 225.0

POU Total Acres: 1459.0

**CONDITIONS OF APPROVAL**

1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. This right is limited to the irrigation of 225 acres within the place of use described above in a single irrigation season.

Transfer No. 78356

**WATER RIGHT NO. 61-7005**

**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

3. Rights 61-2154, 61-7005, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 2248 af at the field headgate, and the irrigation of 562 acres.
4. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 2632 af at the field headgate, and the irrigation of 658 acres.
5. Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 13.18 cfs, a total annual maximum diversion volume of 3500 af at the field headgate, and the irrigation of 875 acres.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
9. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/27/2003.
10. The following rights are diverted through points of diversion described above: 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378.

**WATER RIGHT NO. 61-12281****As Modified by Transfer No. 78356**

In accordance with the approval of Transfer No. 78356, Water Right No. 61-12281 is now described as follows:

**Right Holder:** SHEKINAH INDUSTRIES INC  
ATTN: MICHAEL PRESTON  
420 BITTERROOT DR  
BOISE, ID 83709

**Priority Date:** 8/23/1967

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 3/01        | to 10/15  | 1.560 cfs             | 380.0 af                |
|                       |             |           | 1.560 cfs             | 380.0 af                |

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

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWNE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWNE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NENW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWNW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SENW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWNW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 23 Twp 01S Rge 04E | ELMORE County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |     |     |    | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|----|-----|-----|----|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE | NW  | SW  | SE | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 01S | 04E | 14  |    |     |     |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      |      |      |      | 160.0  |
| 01S | 04E | 23  |    | 7.0 | 7.0 |    | 40.0 | 22.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 476.0  |
| 01S | 04E | 24  |    |     |     |    |      |      |      |      | 12.0 | 40.0 | 40.0 | 37.0 |      |      |      |      | 129.0  |

Right Acre Limit: 95.0

POU Total Acres: 765.0

Transfer No. 78356

**WATER RIGHT NO. 61-12281**

**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

1. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. This right does not grant any right-of-way or easement across the land of another.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Prior to diversion and use of water under this right, the right holder shall install a flow measurement and volume totalizing device of a type approved by the Department on each point of diversion to measure flow and volume of water diverted.
7. The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
8. The diversion and use of water described in Transfer 78356 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. Diversion and use of water in connection with this right is subject to a Monitoring-Reporting Plan. The right holder shall provide the Department with a plan for monitoring-reporting aquifer levels, diversion flow rates, and volumes. The monitoring-reporting should occur in parallel with land development and production and should include identification of non-production wells and timelines for measuring and reporting. The right holder shall not divert water in connection with this right until the plan is approved by the Department. Failure to comply with the plan once it is accepted shall be cause for the Department to cancel or revoke the right.
10. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 61-12090 in the event of priority administration of water rights with points of diversion within administrative Basin 61.
11. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 63-32499 in the event of priority administration of water rights with points of diversion within administrative Basin 63.

**WATER RIGHT NO. 61-12281**

**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

12. This right is limited to the irrigation of 95 acres within the authorized place of use in a single irrigation season.
13. Rights 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 948 af at the field headgate, and the irrigation of 237 acres.
14. Rights 61-12280, 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 1112 af at the field headgate, and the irrigation of 278 acres.
15. Rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 when combined shall not exceed a total diversion rate of 5.56 cfs, a total annual maximum diversion volume of 1476 af, a total annual maximum consumptive use volume of 1092 af, and the irrigation of 369 acres in a single irrigation season.
16. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
17. The following rights are diverted through points of diversion described above: 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285.

**WATER RIGHT NO. 61-7396****As Modified by Transfer No. 78356**

In accordance with the approval of Transfer No. 78356, Water Right No. 61-7396 is now described as follows:

**Right Holder:** BROWN FARMS LLC  
764 N TROUTNER WAY  
BOISE, ID 83712

**Priority Date:** 1/4/1980

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 3/15        | to 11/15  | 1.550 cfs             | 452.0 af                |
|                       |             |           | 1.550 cfs             | 452.0 af                |

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

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SESESE      | Sec 18 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (SENWNW) | Sec 19 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | SWNESW      | Sec 19 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NWSENE      | Sec 20 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | SWNWNW      | Sec 20 Twp 04S Rge 06E | ELMORE County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 04S | 06E | 17  |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 |      |      |      |      | 80.0   |
| 04S | 06E | 18  |      |      |      |      |      |      | 43.0 | 40.0 |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 243.0  |
|     |     |     |      |      |      |      |      |      | L 2  |      |      |      |      |      |      |      |      |      |        |
| 04S | 06E | 19  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 44.0 | 44.0 | 40.0 | 40.0 | 44.0 | 44.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 656.0  |
|     |     |     |      |      |      |      |      | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |        |
| 04S | 06E | 20  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |

Right Acre Limit: 113.0  
POU Total Acres: 1459.0

**CONDITIONS OF APPROVAL**

1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. This right is limited to the irrigation of 113 acres within the place of use described above in a single irrigation season.
3. Rights 61-2154, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 5.70 cfs and the irrigation of 433 acres.

Transfer No. 78356

**WATER RIGHT NO. 61-7396**

**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

4. Rights 61-2154, 61-7005, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 2248 af at the field headgate, and the irrigation of 562 acres.
5. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 2632 af at the field headgate, and the irrigation of 658 acres.
6. Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 13.18 cfs, a total annual maximum diversion volume of 3500 af at the field headgate, and the irrigation of 875 acres.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
10. The following rights are diverted through points of diversion described above: 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378.

**WATER RIGHT NO. 61-12282****As Modified by Transfer No. 78356**

In accordance with the approval of Transfer No. 78356, Water Right No. 61-12282 is now described as follows:

**Right Holder:** SHEKINAH INDUSTRIES INC  
ATTN: MICHAEL PRESTON  
420 BITTERROOT DR  
BOISE, ID 83709

**Priority Date:** 1/4/1980

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 3/15        | to 11/15  | 0.650 cfs             | 188.0 af                |
|                       |             |           | 0.650 cfs             | 188.0 af                |

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

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWNE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWNE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NENW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWNW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SENW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWNW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 23 Twp 01S Rge 04E | ELMORE County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |     |     |    | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|----|-----|-----|----|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE | NW  | SW  | SE | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 01S | 04E | 14  |    |     |     |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      |      |      |      | 160.0  |
| 01S | 04E | 23  |    | 7.0 | 7.0 |    | 40.0 | 22.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 476.0  |
| 01S | 04E | 24  |    |     |     |    |      |      |      |      | 12.0 | 40.0 | 40.0 | 37.0 |      |      |      |      | 129.0  |

Right Acre Limit: 47.0

POU Total Acres: 765.0

Transfer No. 78356

**WATER RIGHT NO. 61-12282**  
**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

1. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. This right does not grant any right-of-way or easement across the land of another.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Prior to diversion and use of water under this right, the right holder shall install a flow measurement and volume totalizing device of a type approved by the Department on each point of diversion to measure flow and volume of water diverted.
7. The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
8. The diversion and use of water described in Transfer 78356 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. Diversion and use of water in connection with this right is subject to a Monitoring-Reporting Plan. The right holder shall provide the Department with a plan for monitoring-reporting aquifer levels, diversion flow rates, and volumes. The monitoring-reporting should occur in parallel with land development and production and should include identification of non-production wells and timelines for measuring and reporting. The right holder shall not divert water in connection with this right until the plan is approved by the Department. Failure to comply with the plan once it is accepted shall be cause for the Department to cancel or revoke the right.
10. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 61-12090 in the event of priority administration of water rights with points of diversion within administrative Basin 61.
11. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 63-32499 in the event of priority administration of water rights with points of diversion within administrative Basin 63.

**WATER RIGHT NO. 61-12282**  
**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

12. This right is limited to the irrigation of 47 acres within the authorized place of use in a single irrigation season.
13. Rights 61-12280, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 2.40 cfs and the irrigation of 183 acres.
14. Rights 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 948 af at the field headgate, and the irrigation of 237 acres.
15. Rights 61-12280, 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 1112 af at the field headgate, and the irrigation of 278 acres.
16. Rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 when combined shall not exceed a total diversion rate of 5.56 cfs, a total annual maximum diversion volume of 1476 af, a total annual maximum consumptive use volume of 1092 af, and the irrigation of 369 acres in a single irrigation season.
17. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
18. The following rights are diverted through points of diversion described above: 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285.

**WATER RIGHT NO. 61-10378****As Modified by Transfer No. 78356**

In accordance with the approval of Transfer No. 78356, Water Right No. 61-10378 is now described as follows:

**Right Holder:** BROWN FARMS LLC  
764 N TROUTNER WAY  
BOISE, ID 83712

**Priority Date:** 4/30/1974

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From**  
03/15

**To**  
to 11/15

**Diversion Rate**  
0.560 cfs  
0.560 cfs

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

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SESESE      | Sec 18 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (SENWNW) | Sec 19 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | SWNESW      | Sec 19 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NWSENE      | Sec 20 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | SWNWNW      | Sec 20 Twp 04S Rge 06E | ELMORE County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 04S | 06E | 17  |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 |      |      |      |      | 80.0   |
| 04S | 06E | 18  |      |      |      |      |      |      | 43.0 | 40.0 |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 243.0  |
|     |     |     |      |      |      |      |      |      | L 2  |      |      |      |      |      |      |      |      |      |        |
| 04S | 06E | 19  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 44.0 | 44.0 | 40.0 | 40.0 | 44.0 | 44.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 656.0  |
|     |     |     |      |      |      |      |      | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |        |
| 04S | 06E | 20  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |

Right Acre Limit: 33.0

POU Total Acres: 1459.0

**CONDITIONS OF APPROVAL**

1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. Right 61-10378 is an enlargement of Right 61-2154 pursuant to Section 42-1426, Idaho Code.

Transfer No. 78356

**WATER RIGHT NO. 61-10378**

**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

3. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
4. This right is for an enlargement of 33 acres within the place of use described above.
5. Rights 61-2154 and 61-10378 when combined shall not exceed a total diversion rate of 3.83 cfs, a total annual maximum diversion volume of 896 af at the field headgate, and the irrigation of 224 acres.
6. Rights 61-2154, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 5.70 cfs and the irrigation of 433 acres.
7. Rights 61-2154, 61-7005, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 2248 af at the field headgate, and the irrigation of 562 acres.
8. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 2632 af at the field headgate, and the irrigation of 658 acres.
9. Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 13.18 cfs, a total annual maximum diversion volume of 3500 af at the field headgate, and the irrigation of 875 acres.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
12. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
13. The following rights are diverted through points of diversion described above: 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378.

**WATER RIGHT NO. 61-12283****As Modified by Transfer No. 78356**

In accordance with the approval of Transfer No. 78356, Water Right No. 61-12283 is now described as follows:

**Right Holder:** SHEKINAH INDUSTRIES INC  
ATTN: MICHAEL PRESTON  
420 BITTERROOT DR  
BOISE, ID 83709

**Priority Date:** 4/30/1974

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

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

**Diversion Rate**  
0.240 cfs  
0.240 cfs

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

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWNE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWNE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NENW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWNW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SENW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWNW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 23 Twp 01S Rge 04E | ELMORE County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |     |     |    | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|----|-----|-----|----|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE | NW  | SW  | SE | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 01S | 04E | 14  |    |     |     |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      |      |      |      | 160.0  |
| 01S | 04E | 23  |    | 7.0 | 7.0 |    | 40.0 | 22.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 476.0  |
| 01S | 04E | 24  |    |     |     |    |      |      |      |      | 12.0 | 40.0 | 40.0 | 37.0 |      |      |      |      | 129.0  |

Right Acre Limit: 14.0

POU Total Acres: 765.0

Transfer No. 78356

**WATER RIGHT NO. 61-12283**  
**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

1. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. This right does not grant any right-of-way or easement across the land of another.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Prior to diversion and use of water under this right, the right holder shall install a flow measurement and volume totalizing device of a type approved by the Department on each point of diversion to measure flow and volume of water diverted.
7. The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
8. The diversion and use of water described in Transfer 78356 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. Diversion and use of water in connection with this right is subject to a Monitoring-Reporting Plan. The right holder shall provide the Department with a plan for monitoring-reporting aquifer levels, diversion flow rates, and volumes. The monitoring-reporting should occur in parallel with land development and production and should include identification of non-production wells and timelines for measuring and reporting. The right holder shall not divert water in connection with this right until the plan is approved by the Department. Failure to comply with the plan once it is accepted shall be cause for the Department to cancel or revoke the right.
10. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 61-12090 in the event of priority administration of water rights with points of diversion within administrative Basin 61.
11. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 63-32499 in the event of priority administration of water rights with points of diversion within administrative Basin 63.
12. This right is for an enlargement of 14 acres within the place of use described above.

**WATER RIGHT NO. 61-12283**

**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

13. Right 61-12283 is an enlargement of Right 61-12284 pursuant to Section 42-1426, Idaho Code.
14. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
15. Rights 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 1.61 cfs, a total annual maximum diversion volume of 380 af at the field headgate, and the irrigation of 95 acres.
16. Rights 61-12280, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 2.40 cfs and the irrigation of 183 acres.
17. Rights 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 948 af at the field headgate, and the irrigation of 237 acres.
18. Rights 61-12280, 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 1112 af at the field headgate, and the irrigation of 278 acres.
19. Rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 when combined shall not exceed a total diversion rate of 5.56 cfs, a total annual maximum diversion volume of 1476 af, a total annual maximum consumptive use volume of 1092 af, and the irrigation of 369 acres in a single irrigation season.
20. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
21. The following rights are diverted through points of diversion described above: 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285.

**WATER RIGHT NO. 61-2154****As Modified by Transfer No. 78356**

In accordance with the approval of Transfer No. 78356, Water Right No. 61-2154 is now described as follows:

**Right Holder:** BROWN FARMS LLC  
764 N TROUTNER WAY  
BOISE, ID 83712

**Priority Date:** 1/14/1963

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 3/15        | to 11/15  | 3.820 cfs             | 764.0 af                |
|                       |             |           | 3.820 cfs             | 764.0 af                |

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

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SESESE      | Sec 18 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (SENWNW) | Sec 19 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | SWNESW      | Sec 19 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NWSENE      | Sec 20 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | SWNWNW      | Sec 20 Twp 04S Rge 06E | ELMORE County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 04S | 06E | 17  |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 |      |      |      |      | 80.0   |
| 04S | 06E | 18  |      |      |      |      |      |      | 43.0 | 40.0 |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 243.0  |
|     |     |     |      |      |      |      |      |      | L 2  |      |      |      |      |      |      |      |      |      |        |
| 04S | 06E | 19  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 44.0 | 44.0 | 40.0 | 40.0 | 44.0 | 44.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 656.0  |
|     |     |     |      |      |      |      |      | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |        |
| 04S | 06E | 20  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |

Right Acre Limit: 191.0

POU Total Acres: 1459.0

**CONDITIONS OF APPROVAL**

1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. This right is limited to the irrigation of 191 acres within the place of use described above in a single irrigation season.
3. Right 61-10378 is an enlargement of Right 61-2154 pursuant to Section 42-1426, Idaho Code.

Transfer No. 78356

**WATER RIGHT NO. 61-2154**

**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

4. Rights 61-2154 and 61-10378 when combined shall not exceed a total diversion rate of 3.83 cfs, a total annual maximum diversion volume of 896 af at the field headgate, and the irrigation of 224 acres.
5. Rights 61-2154, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 5.70 cfs and the irrigation of 433 acres.
6. Rights 61-2154, 61-7005, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 2248 af at the field headgate, and the irrigation of 562 acres.
7. Rights 61-2154, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 2632 af at the field headgate, and the irrigation of 658 acres.
8. Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 13.18 cfs, a total annual maximum diversion volume of 3500 af at the field headgate, and the irrigation of 875 acres.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
11. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
12. The following rights are diverted through points of diversion described above: 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378.

**WATER RIGHT NO. 61-12284****As Modified by Transfer No. 78356**

In accordance with the approval of Transfer No. 78356, Water Right No. 61-12284 is now described as follows:

**Right Holder:** SHEKINAH INDUSTRIES INC  
ATTN: MICHAEL PRESTON  
420 BITTERROOT DR  
BOISE, ID 83709

**Priority Date:** 1/14/1963

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 3/15 **To** 11/15

**Diversion Rate**  
1.620 cfs  
1.620 cfs

**Diversion Volume**  
324.0 af  
324.0 af

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

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWNE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWNE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NENW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWNW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SENW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWNW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 23 Twp 01S Rge 04E | ELMORE County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |     |     |    | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|----|-----|-----|----|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE | NW  | SW  | SE | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 01S | 04E | 14  |    |     |     |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      |      |      |      | 160.0  |
| 01S | 04E | 23  |    | 7.0 | 7.0 |    | 40.0 | 22.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 476.0  |
| 01S | 04E | 24  |    |     |     |    |      |      |      |      | 12.0 | 40.0 | 40.0 | 37.0 |      |      |      |      | 129.0  |

Right Acre Limit: 81.0

POU Total Acres: 765.0

Transfer No. 78356

**WATER RIGHT NO. 61-12284**

**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

1. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. Prior to diversion and use of water under this right, the right holder shall install a flow measurement and volume totalizing device of a type approved by the Department on each point of diversion to measure flow and volume of water diverted.
7. The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
8. The diversion and use of water described in Transfer 78356 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. Diversion and use of water in connection with this right is subject to a Monitoring-Reporting Plan. The right holder shall provide the Department with a plan for monitoring-reporting aquifer levels, diversion flow rates, and volumes. The monitoring-reporting should occur in parallel with land development and production and should include identification of non-production wells and timelines for measuring and reporting. The right holder shall not divert water in connection with this right until the plan is approved by the Department. Failure to comply with the plan once it is accepted shall be cause for the Department to cancel or revoke the right.
10. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 61-12090 in the event of priority administration of water rights with points of diversion within administrative Basin 61.
11. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 63-32499 in the event of priority administration of water rights with points of diversion within administrative Basin 63.

**WATER RIGHT NO. 61-12284**  
**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

12. This right is limited to the irrigation of 81 acres within the authorized place of use in a single irrigation season.
13. Right 61-12283 is an enlargement of Right 61-12284 pursuant to Section 42-1426, Idaho Code.
14. Rights 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 1.61 cfs, a total annual maximum diversion volume of 380 af at the field headgate, and the irrigation of 95 acres.
15. Rights 61-12280, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 2.40 cfs and the irrigation of 183 acres.
16. Rights 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 948 af at the field headgate, and the irrigation of 237 acres.
17. Rights 61-12280, 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 1112 af at the field headgate, and the irrigation of 278 acres.
18. Rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 when combined shall not exceed a total diversion rate of 5.56 cfs, a total annual maximum diversion volume of 1476 af, a total annual maximum consumptive use volume of 1092 af, and the irrigation of 369 acres in a single irrigation season.
19. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
20. The following rights are diverted through points of diversion described above: 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285.

**WATER RIGHT NO. 61-2155****As Modified by Transfer No. 78356**

In accordance with the approval of Transfer No. 78356, Water Right No. 61-2155 is now described as follows:

**Right Holder:** BROWN FARMS LLC  
764 N TROUTNER WAY  
BOISE, ID 83712

**Priority Date:** 1/14/1963

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 10/31  | 4.130 cfs             | 868.0 af                |
|                       |             |           | 4.130 cfs             | 868.0 af                |

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

|              |             |                        |               |
|--------------|-------------|------------------------|---------------|
| GROUND WATER | SESESE      | Sec 18 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | L1 (SENWNW) | Sec 19 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | SWNESW      | Sec 19 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | NWSENE      | Sec 20 Twp 04S Rge 06E | ELMORE County |
| GROUND WATER | SWNWNW      | Sec 20 Twp 04S Rge 06E | ELMORE County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 04S | 06E | 17  |      |      |      |      |      |      |      |      |      |      | 40.0 | 40.0 |      |      |      |      | 80.0   |
| 04S | 06E | 18  |      |      |      |      |      |      | 43.0 | 40.0 |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 243.0  |
|     |     |     |      |      |      |      |      |      | L 2  |      |      |      |      |      |      |      |      |      |        |
| 04S | 06E | 19  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 44.0 | 44.0 | 40.0 | 40.0 | 44.0 | 44.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 656.0  |
|     |     |     |      |      |      |      |      | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |        |
| 04S | 06E | 20  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |

Right Acre Limit: 217.0  
POU Total Acres: 1459.0

**CONDITIONS OF APPROVAL**

- Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- This right is limited to the irrigation of 217 acres within the place of use described above in a single irrigation season.

**WATER RIGHT NO. 61-2155**

**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

3. Rights 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378 when combined shall not exceed a total diversion rate of 13.18 cfs, a total annual maximum diversion volume of 3500 af at the field headgate, and the irrigation of 875 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.
8. The following rights are diverted through points of diversion described above: 61-2154, 61-2155, 61-7005, 61-7119, 61-7396 and 61-10378.

**WATER RIGHT NO. 61-12285****As Modified by Transfer No. 78356**

In accordance with the approval of Transfer No. 78356, Water Right No. 61-12285 is now described as follows:

**Right Holder:** SHEKINAH INDUSTRIES INC  
ATTN: MICHAEL PRESTON  
420 BITTERROOT DR  
BOISE, ID 83709

**Priority Date:** 1/14/1963

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

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

**Diversion Rate**  
1.730 cfs  
1.730 cfs

**Diversion Volume**  
364.0 af  
364.0 af

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

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 14 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWNE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWNE | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 24 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NENW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWNW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SENW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWNW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NESW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | NWSW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SESW | Sec 23 Twp 01S Rge 04E | ELMORE County |
| GROUND WATER | SWSW | Sec 23 Twp 01S Rge 04E | ELMORE County |

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |     |     |    | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|----|-----|-----|----|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| Twp | Rng | Sec | NE | NW  | SW  | SE | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 01S | 04E | 14  |    |     |     |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      |      |      |      | 160.0  |
| 01S | 04E | 23  |    | 7.0 | 7.0 |    | 40.0 | 22.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 476.0  |
| 01S | 04E | 24  |    |     |     |    |      |      |      |      | 12.0 | 40.0 | 40.0 | 37.0 |      |      |      |      | 129.0  |

Right Acre Limit: 91.0

POU Total Acres: 765.0

Transfer No. 78356

**WATER RIGHT NO. 61-12285**  
**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

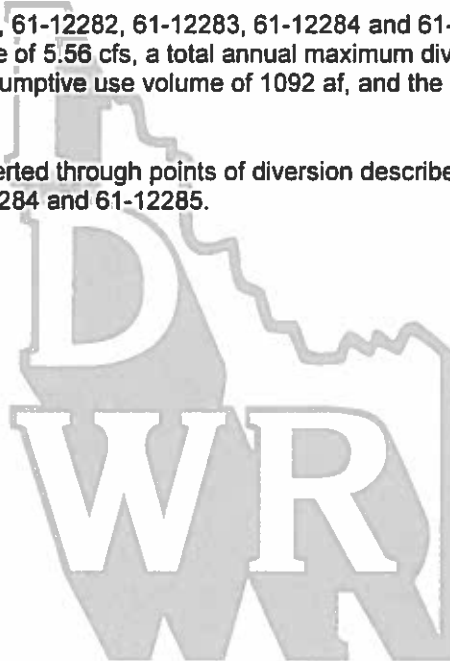
1. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. This right does not grant any right-of-way or easement across the land of another.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Prior to diversion and use of water under this right, the right holder shall install a flow measurement and volume totalizing device of a type approved by the Department on each point of diversion to measure flow and volume of water diverted.
7. The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
8. The diversion and use of water described in Transfer 78356 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. Diversion and use of water in connection with this right is subject to a Monitoring-Reporting Plan. The right holder shall provide the Department with a plan for monitoring-reporting aquifer levels, diversion flow rates, and volumes. The monitoring-reporting should occur in parallel with land development and production and should include identification of non-production wells and timelines for measuring and reporting. The right holder shall not divert water in connection with this right until the plan is approved by the Department. Failure to comply with the plan once it is accepted shall be cause for the Department to cancel or revoke the right.
11. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 61-12090 in the event of priority administration of water rights with points of diversion within administrative Basin 61.

**WATER RIGHT NO. 61-12285**

**As Modified by Transfer No. 78356**

**CONDITIONS OF APPROVAL**

12. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 63-32499 in the event of priority administration of water rights with points of diversion within administrative Basin 63.
13. This right is limited to the irrigation of 91 acres within the authorized place of use in a single irrigation season.
14. Rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 when combined shall not exceed a total diversion rate of 5.56 cfs, a total annual maximum diversion volume of 1476 af, a total annual maximum consumptive use volume of 1092 af, and the irrigation of 369 acres in a single irrigation season.
15. The following rights are diverted through points of diversion described above: 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285.

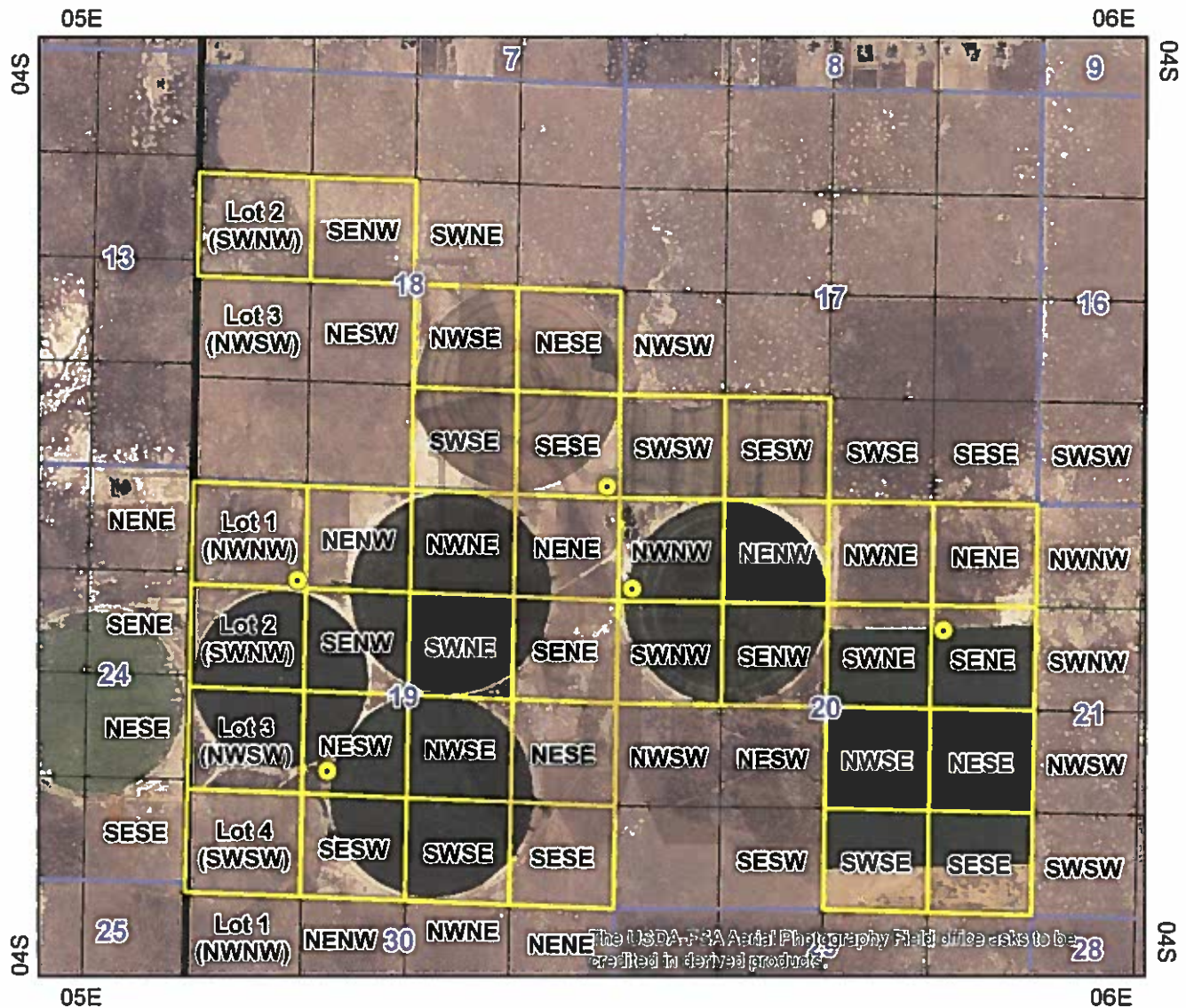


State of Idaho  
Department of Water Resources

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61-7119, 61-7005, 61-7396, 61-10378, 61-2154, and 61-2155

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



● Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

0 0.275 0.55 1.1 Miles

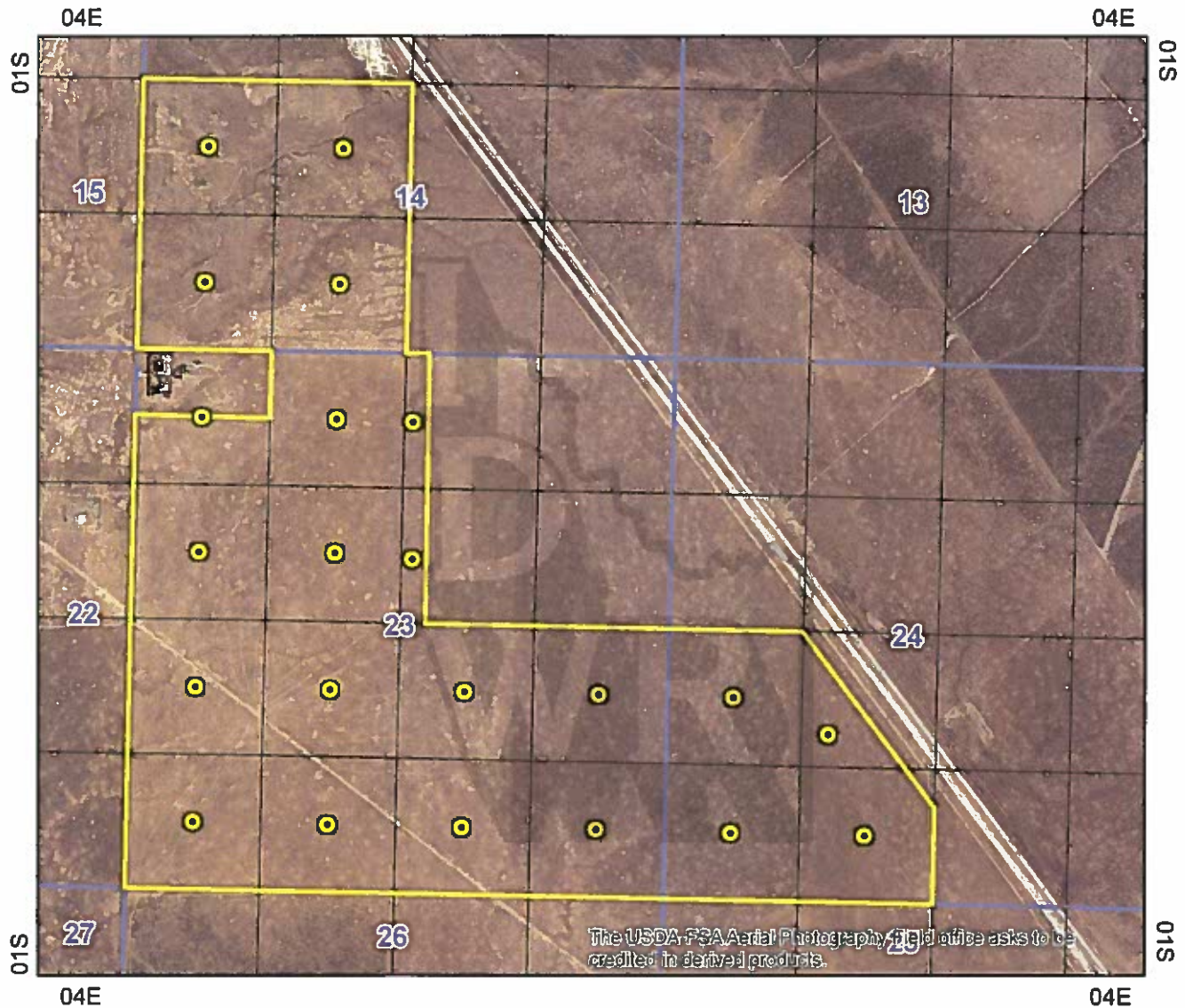


State of Idaho  
Department of Water Resources

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61-12280, 61-12281, 61-12282, 61-12283, 61-12284, and 61-12285

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



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

0 0.2 0.4 0.8 Miles

