

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79430**

This is to certify that: **SOUTH COVE VENTURES LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009**

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>
37-22771	WR/DECREED	10/30/1974	9.510 cfs	2339.4 af	N/A	768.3	GROUND WATER
37-7393	WR/DECREED	10/18/1974	2.580 cfs	763.5 af	254.5	254.5	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
37-11989	WR/DECREED	4/15/1957	1.700 cfs	N/A		748.5	SPRING
37-2211	WR/DECREED	5/9/1911	1.700 cfs	N/A	85.0	748.5	SPRING

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>
37-22771	YES	YES	YES	NO	NO	NO
37-7393	NO	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>
37-22771	37-22922	0.250 cfs	59.4 af	19.8	317.7	37-22771	9.260 cfs	2280.0 af	N/A	748.5
37-7393	37-7393	2.580 cfs	763.5 af	254.5	317.7	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.830 cfs	822.9 af	274.3	317.7		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 79430

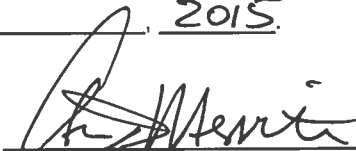
IN FILE # 37-7393

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79430

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 2nd day of February, 2015.


Southern Region Manager



WATER RIGHT NO. 37-22771**As Modified by Transfer No. 79430**

In accordance with the approval of Transfer No. 79430, Water Right No. 37-22771 is now described as follows:

Right Holder: BLACK BUTTE HILLS LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

Priority Date: 10/30/1974

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DIVERSION TO STORAGE	01/01	to 12/31	0.200 cfs	
IRRIGATION	05/01	to 10/01	9.060 cfs	2245.5 af
STOCKWATER STORAGE	01/01	to 12/31		34.5 af
WILDLIFE STORAGE	01/01	to 12/31		34.5 af
			9.260 cfs	2280.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 1 Twp 02S Rge 17E BLAINE County
GROUND WATER	SWSE	Sec 11 Twp 02S Rge 17E CAMAS 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	
02S	17E	1							6.2				30.0	39.0					75.2
02S	17E	2				0.4									13.4	1.6	34.0	39.0	121.4
02S	17E	11	40.0	34.0	28.0	33.0	31.9			15.0					20.0	12.0	19.0	27.0	259.9
02S	17E	12			20.0		15.0	40.0	40.0	36.0	38.0	40.0	28.0	11.0		24.0			292.0

POU Total Acres: 748.5

PLACE OF USE: STOCKWATER STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	17E	11													X	X		X	
02S	17E	12										X	X	X					

PLACE OF USE: WILDLIFE STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	17E	11													X	X		X	
02S	17E	12										X	X	X					

Transfer No. 79430

WATER RIGHT NO. 37-22771
As Modified by Transfer No. 79430

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. 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).
3. Rights 37-2211, 37-11989, and 37-22771 when combined shall not exceed the irrigation of 748.5 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the decree on February 3, 2010.
6. Right 37-22771 authorizes the diversion of an annual total of 34.5 acre-feet to be used for the replacement of losses caused by evaporation from the ponds authorized under right 37-21301.
7. The ponds established by the storage of water under rights 37-21301 and 37-22771 shall not exceed a total capacity of 81.6 acre-feet or a total surface area of 18.99 acres.
8. The ponds established by the storage of water under rights 37-11989, 37-12000, 37-21301, and 37-22771 shall not exceed a total capacity of 93.6 acre-feet or a total surface area of 24.34 acres.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-22922
As Modified by Transfer No. 79430

In accordance with the approval of Transfer No. 79430, Water Right No. 37-22922 is now described as follows:

Right Holder: SOUTH COVE VENTURES LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

Priority Date: 10/30/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	05/01	to 10/01	0.250 cfs 0.250 cfs	59.4 af 59.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 14 Twp 01S Rge 14E CAMAS County
GROUND WATER	NENE	Sec 14 Twp 01S Rge 14E CAMAS 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	14E	14	40.0	40.0	40.0	40.0									40.0	40.0	39.0	38.7	317.7

Right Acre Limit: 19.8
POU Total Acres: 317.7

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37B.
2. This right is limited to the irrigation of 19.8 acres within the authorized place of use in a single irrigation season.
3. 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).

WATER RIGHT NO. 37-22922
As Modified by Transfer No. 79430

CONDITIONS OF APPROVAL

4. Rights 37-7393 and 37-22922 are limited to the irrigation of a specific 274.3 acres within the 317.7 place of use authorized by these rights in a single irrigation season. The specific 274.3 acres to be irrigated by the right holder shall be identified prior to use by submittal of a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 274.3 acres to be irrigated within the 317.7 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the decree on February 3, 2010.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.

WATER RIGHT NO. 37-7393**As Modified by Transfer No. 79430**

In accordance with the approval of Transfer No. 79430, Water Right No. 37-7393 is now described as follows:

Right Holder: SOUTH COVE VENTURES LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

Priority Date: 10/19/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	2.580 cfs	763.5 af
			2.580 cfs	763.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENE	Sec 14 Twp 01S Rge 14E	CAMAS County
GROUND WATER	NESE	Sec 14 Twp 01S Rge 14E	CAMAS 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	14E	14		40.0	40.0	40.0	40.0									40.0	40.0	39.0	38.7	317.7

Right Acre Limit: 254.5

POU Total Acres: 317.7

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.37B.
2. This right is limited to the irrigation of 254.5 acres within the authorized place of use in a single irrigation season.
3. Rights 37-7393 and 37-22922 when combined shall not exceed a total diversion rate of 2.83 cfs, a total annual maximum diversion volume of 822.9 af at the field headgate, and the irrigation of 274.3 acres.
4. Rights 37-7393 and 37-7408 when combined shall not exceed a total diversion rate of 10.18 cfs.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 79430

WATER RIGHT NO. 37-7393

As Modified by Transfer No. 79430

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. Rights 37-7393 and 37-22922 are limited to the irrigation of a specific 274.3 acres within the 317.7 place of use authorized by these rights in a single irrigation season. The specific 274.3 acres to be irrigated by the right holder shall be identified prior to use by submittal of a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 274.3 acres to be irrigated within the 317.7 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.

WATER RIGHT NO. 37-11989
As Modified by Transfer No. 79430

In accordance with the approval of Transfer No. 79430, Water Right No. 37-11989 is now described as follows:

Right Holder: BLACK BUTTE HILLS LLC
 C/O GREGORY VIK
 PO BOX 1607
 BELLEVUE, WA 98009

Priority Date: 4/15/1957

Source: SPRING

Tributary: SINKS

BENEFICIAL USE	From	To	Diversion Rate
DIVERSION TO STORAGE	01/01	to 12/31	1.700 cfs
IRRIGATION FROM STORAGE	04/15	to 10/31	
IRRIGATION STORAGE	01/01	to 12/31	1.700 cfs

LOCATION OF POINT(S) OF DIVERSION

SPRING	NWNWSE	Sec 11 Twp 02S Rge 17E CAMAS County
SPRING	NWSESE	Sec 11 Twp 02S Rge 17E CAMAS County

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	17E	1							6.2				30.0	39.0					75.2
02S	17E	2				0.4								13.4	33.0	1.6	34.0	39.0	121.4
02S	17E	11	40.0	34.0	28.0	33.0	31.9			15.0					20.0	12.0	19.0	27.0	259.9
02S	17E	12			20.0		15.0	40.0	40.0	36.0	38.0	40.0	28.0	11.0		24.0			292.0

POU Total Acres: 748.5

PLACE OF USE: IRRIGATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	17E	11														X		X	

CONDITIONS OF APPROVAL

- The two ponds established by the storage of water under this right shall not exceed a total capacity of 20.5 acre-feet or a total surface area of 5.35 acre(s). The two ponds may be refilled multiple times in a single year.
- Rights 37-2211 and 37-11989 when combined shall not exceed a total diversion rate of 1.70 cfs.

Transfer No. 79430

WATER RIGHT NO. 37-11989
As Modified by Transfer No. 79430

CONDITIONS OF APPROVAL

3. Rights 37-2211, 37-11989, and 37-22771 when combined shall not exceed the irrigation of 748.5 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. The ponds established by the storage of water under rights 37-11989, 37-12000, 37-21301, and 37-22771 shall not exceed a total capacity of 93.6 acre-feet or a total surface area of 24.34 acres.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.

WATER RIGHT NO. 37-2211

As Modified by Transfer No. 79430

In accordance with the approval of Transfer No. 79430, Water Right No. 37-2211 is now described as follows:

Right Holder: BLACK BUTTE HILLS LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

Priority Date: 5/9/1911

Source: SPRING

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
1.700 cfs
1.700 cfs

LOCATION OF POINT(S) OF DIVERSION

SPRING NESESE Sec 11 Twp 02S Rge 17E CAMAS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	17E	1							6.2			30.0	39.0						75.2
02S	17E	2				0.4								13.4	33.0	1.6	34.0	39.0	121.4
02S	17E	11	40.0	34.0	28.0	33.0	31.9			15.0					20.0	12.0	19.0	27.0	259.9
02S	17E	12			20.0		15.0	40.0	40.0	36.0	38.0	40.0	28.0	11.0		24.0			292.0

Right Acre Limit: 85.0
POU Total Acres: 748.5

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. This right is limited to the irrigation of 85 acres within the authorized place of use in a single irrigation season.
3. Rights 37-2211 and 37-11989 when combined shall not exceed a total diversion rate of 1.70 cfs.
4. Rights 37-2211, 37-11989, and 37-22771 when combined shall not exceed the irrigation of 748.5 acres.

Transfer No. 79430

WATER RIGHT NO. 37-2211

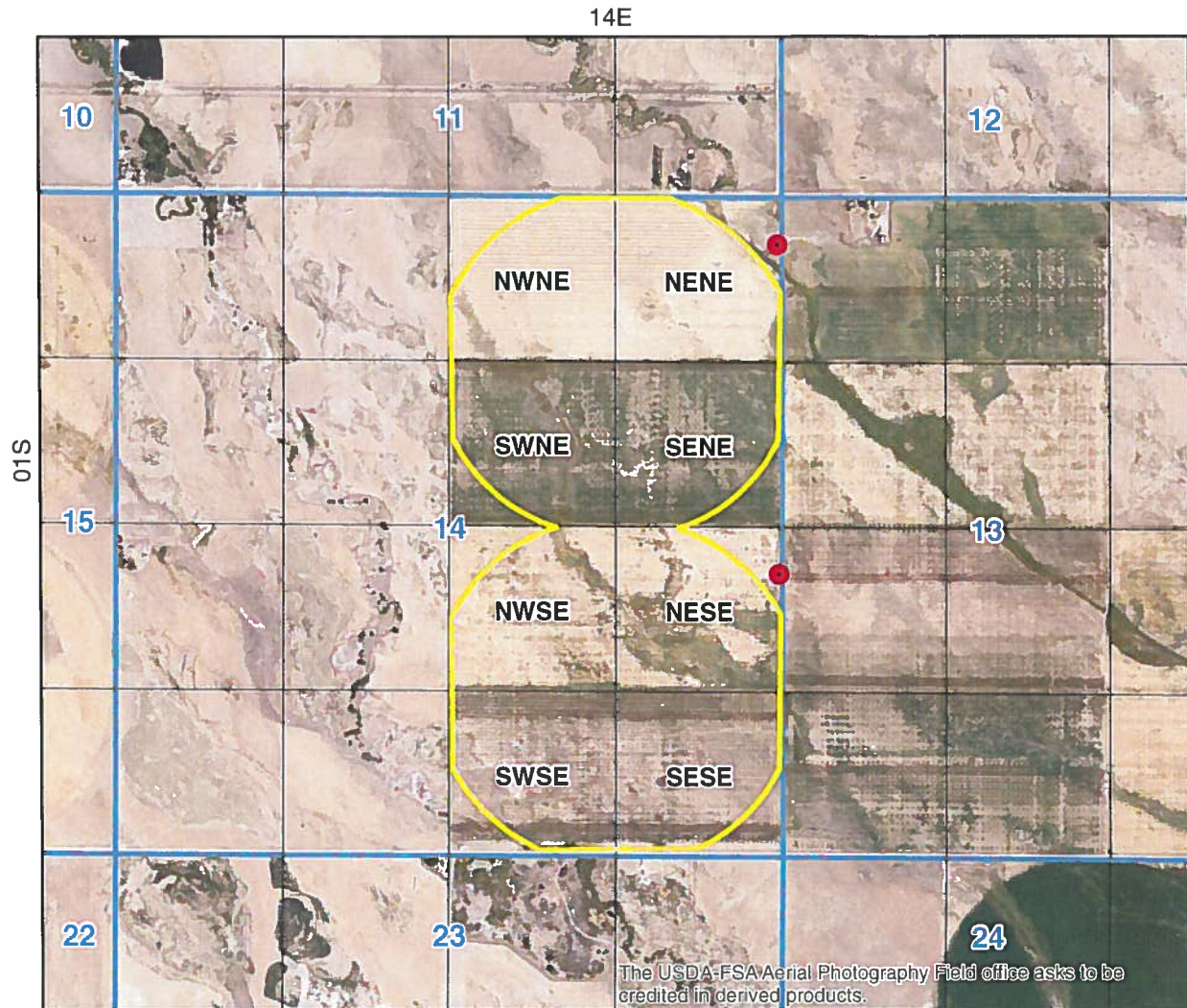
As Modified by Transfer No. 79430

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.

State of Idaho
Department of Water Resources
Attachment To Transfer No. 79430
Rights: 37-7393 and 37-22922

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.



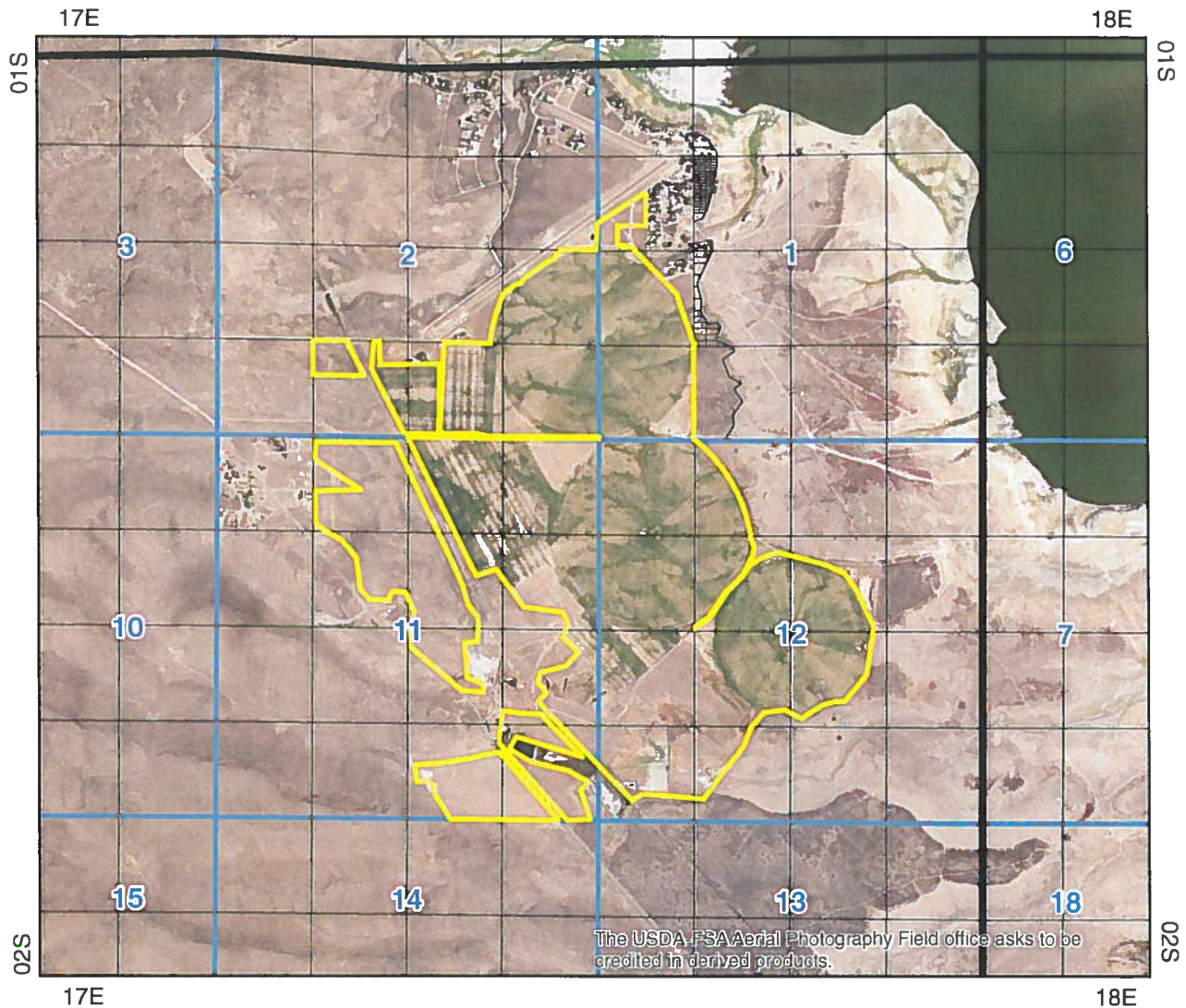
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.175 0.35 0.7 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79430
Rights: 37-22771, 37-2211 and 37-11989

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.



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters