

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79382**

This is to certify that: **FED AGRIBUSINESS LLC**
568 W 1650 S
OAKLEY, ID 83346

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>
45-10158	WR/DECREED	5/1/1961	0.800 cfs	160.0 af	40.0	515.0	GROUND WATER
45-10164	WR/DECREED	6/30/1985	2.470 cfs	N/A	309.0	515.0	GROUND WATER
45-12757	WR/DECREED	6/30/1985	0.480 cfs	N/A	85.0	419.0	GROUND WATER
45-2338	WR/DECREED	8/8/1950	1.250 cfs	528.1 af	135.0	419.0	GROUND WATER
45-2374	WR/DECREED	4/23/1951	1.180 cfs	498.5 af	N/A	144.0	GROUND WATER
45-2380	WR/DECREED	6/5/1951	2.040 cfs	960.0 af	240.0	936.0	GROUND WATER
45-2381	WR/DECREED	6/5/1951	4.140 cfs	1280.0 af	320.0	936.0	GROUND WATER
45-2384	WR/DECREED	6/18/1951	1.420 cfs	599.9 af	275.0	419.0	GROUND WATER
45-2589	WR/DECREED	9/11/1959	1.100 cfs	160.0 af	40.0	936.0	GROUND WATER
45-2596	WR/DECREED	1/4/1960	3.320 cfs	664.0 af	166.0	515.0	GROUND WATER
45-2626	WR/DECREED	8/22/1960	1.540 cfs	576.0 af	N/A	144.0	GROUND WATER
45-2715	WR/DECREED	2/11/1958	1.540 cfs	765.0 af	N/A	320.0	GROUND WATER
45-4239	WR/DECREED	6/1/1954	4.080 cfs	1100.0 af	275.0	419.0	GROUND WATER
45-7156	WR/DECREED	10/17/1973	2.000 cfs	970.2 af	292.0	320.0	GROUND WATER
45-7201	WR/DECREED	11/18/1974	5.720 cfs	1352.0 af	338.0	936.0	GROUND WATER
45-7456	WR/DECREED	11/4/1980	0.700 cfs	296.8 af	302.0	320.0	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>
45-10158	NO	NO	YES	NO	NO	NO
45-10164	NO	NO	YES	NO	NO	NO
45-12757	NO	NO	YES	NO	NO	NO
45-2338	NO	NO	YES	NO	NO	NO
45-2374	NO	YES	YES	NO	NO	NO
45-2380	NO	NO	YES	YES	NO	NO
45-2381	NO	NO	YES	YES	NO	NO
45-2384	NO	NO	YES	NO	NO	NO
45-2589	NO	NO	YES	YES	NO	NO
45-2596	NO	NO	YES	NO	NO	NO
45-2626	NO	YES	YES	NO	NO	NO
45-2715	NO	NO	YES	YES	NO	NO
45-4239	NO	NO	YES	NO	NO	NO
45-7156	NO	NO	YES	YES	NO	NO

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IN FILE # 45-2338
SUPPORT DATA

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79382**

Purpose of Transfer (Changes Proposed)

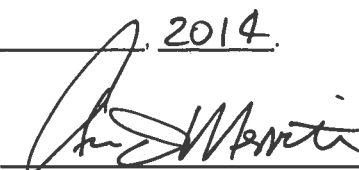
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-7201	NO	NO	YES	YES	NO	NO
45-7456	NO	NO	YES	NO	NO	NO

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>
45-10158	45-10158	0.800 cfs	160.0 af	40.0	2330.0	N/A	N/A	N/A	N/A	N/A
45-10164	45-10164	2.470 cfs	N/A	309.0	2330.0	N/A	N/A	N/A	N/A	N/A
45-12757	45-12757	0.480 cfs	N/A	85.0	2330.0	N/A	N/A	N/A	N/A	N/A
45-2338	45-2338	1.250 cfs	528.1 af	135.0	2330.0	N/A	N/A	N/A	N/A	N/A
45-2374	45-2374	1.180 cfs	498.5 af	N/A	2330.0	N/A	N/A	N/A	N/A	N/A
45-2380	45-2380	2.040 cfs	960.0 af	240.0	2330.0	N/A	N/A	N/A	N/A	N/A
45-2381	45-2381	4.140 cfs	1280.0 af	320.0	2330.0	N/A	N/A	N/A	N/A	N/A
45-2384	45-2384	1.420 cfs	599.9 af	275.0	2330.0	N/A	N/A	N/A	N/A	N/A
45-2589	45-2589	1.100 cfs	160.0 af	40.0	2330.0	N/A	N/A	N/A	N/A	N/A
45-2596	45-2596	3.320 cfs	664.0 af	166.0	2330.0	N/A	N/A	N/A	N/A	N/A
45-2626	45-2626	1.540 cfs	576.0 af	N/A	2330.0	N/A	N/A	N/A	N/A	N/A
45-2715	45-2715	1.540 cfs	765.0 af	N/A	2330.0	N/A	N/A	N/A	N/A	N/A
45-4239	45-4239	4.080 cfs	1100.0 af	275.0	2330.0	N/A	N/A	N/A	N/A	N/A
45-7156	45-7156	2.000 cfs	970.2 af	292.0	2330.0	N/A	N/A	N/A	N/A	N/A
45-7201	45-7201	5.720 cfs	1352.0 af	338.0	2330.0	N/A	N/A	N/A	N/A	N/A
45-7456	45-7456	0.700 cfs	296.8 af	302.0	2330.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		30.680 cfs	7672.0 af	2330.0	2330.0		N/A	N/A	N/A	N/A

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 20th day of October, 2014.


Southern Region Manager

WATER RIGHT NO. 45-2338**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-2338 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 8/8/1950

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	1.250 cfs	528.1 af
			1.250 cfs	528.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENE	Sec 33 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWNENW	Sec 34 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWNESW	Sec 34 Twp 11S Rge 20E	TWIN FALLS 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	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 135.0

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 135 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2338, 45-2384, and 45-4239 when combined shall not exceed the irrigation of 330 acres.
3. Rights 45-2338 and 45-12757 when combined shall not exceed a total diversion rate of 1.25 cfs, and a total annual maximum diversion volume of 528.1 af.

Transfer No. 79382

WATER RIGHT NO. 45-2338

As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

4. Rights 45-2338, 45-2384, 45-4239, and 45-12757 when combined shall not exceed a total diversion rate of 6.6 cfs, a total annual maximum diversion volume of 1320 af at the field headgate, and the irrigation of 415 acres.
5. Right No. 45-12757 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. Use of this right is combined with water from Southwest Irrigation District.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. 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. 140.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 45-10164**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-10164 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
2.470 cfs
2.470 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESESE Sec 26 Twp 11S Rge 20E TWIN FALLS 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	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 309.0

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 309 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2596, 45-10158, and 45-10164 when combined shall not exceed a total diversion rate of 4.12, a total annual maximum diversion volume of 824 af at the field headgate, and the irrigation of 515 acres.
3. This right is an expansion of Right No. 45-2596 pursuant to Section 42-1416B, Idaho Code.
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 place of use.

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WATER RIGHT NO. 45-10164
As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

5. Use of this right is combined with water from Southwest Irrigation District.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 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. 140.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 45-12757
As Modified by Transfer No. 79382

In accordance with the approval of Transfer No. 79382, Water Right No. 45-12757 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
 568 W 1650 S
 OAKLEY, ID 83346

Priority Date: 6/30/1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.480 cfs 0.480 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE NE	Sec 33 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWNENW	Sec 34 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWNESW	Sec 34 Twp 11S Rge 20E	TWIN FALLS 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	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 85.0

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 85 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2338 and 45-12757 when combined shall not exceed a total diversion rate of 1.25 cfs, and a total annual maximum diversion volume of 528.1 af.
3. Rights 45-2338, 45-2384, 45-4239, and 45-12757 when combined shall not exceed a total diversion rate of 6.6 cfs, a total annual maximum diversion volume of 1320 af at the field headgate, and the irrigation of 415 acres.

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WATER RIGHT NO. 45-12757
As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

4. This right is an expansion of Right No. 45-2338 pursuant to Section 42-1416B, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of this right is combined with water from Southwest Irrigation District.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 45-7456**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-7456 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 11/4/1980

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	0.700 cfs	296.8 af
			0.700 cfs	296.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENE	Sec 19 Twp 12S Rge 21E CASSIA County
GROUND WATER	SWSWNE	Sec 19 Twp 12S Rge 21E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 302.0
POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 302 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2715, 45-7156, and 45-7456 when combined shall not exceed a total annual maximum diversion volume of 1208 af at the field headgate and the irrigation of 320 acres.

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WATER RIGHT NO. 45-7456

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CONDITIONS OF APPROVAL

3. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
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 place of use.
5. Use of this right is combined with water from Southwest Irrigation District.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 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. 140.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 45-7156**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-7156 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 10/17/1973

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	2.000 cfs	970.2 af
			2.000 cfs	970.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE NE	Sec 19 Twp 12S Rge 21E CASSIA County
GROUND WATER	SWSWNE	Sec 19 Twp 12S Rge 21E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 292.0

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 292 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2715, 45-7156, and 45-7456 when combined shall not exceed a total annual maximum diversion volume of 1208 af at the field headgate, and the irrigation of 320 acres.
3. 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.
4. Use of this right is combined with water from Southwest Irrigation District.

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WATER RIGHT NO. 45-7156

As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. 140.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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. 45-2715**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-2715 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 2/11/1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
DOMESTIC	01/01	to 12/31	0.040 cfs	14.5 af
IRRIGATION	03/15	to 11/15	1.540 cfs	751.5 af
			1.540 cfs	765.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENE	Sec 19 Twp 12S Rge 21E CASSIA County
GROUND WATER	SWSWNE	Sec 19 Twp 12S Rge 21E CASSIA County

PLACE OF USE: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	21E	19			X														

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	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. Rights 45-2715, 45-7156, and 45-7456 when combined shall not exceed a total annual maximum diversion volume of 1208 af at the field headgate, and the irrigation of 320 acres.

Transfer No. 79382

WATER RIGHT NO. 45-2715
As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

2. 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.
3. Use of this right is combined with water from Southwest Irrigation District.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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. 45-2626**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-2626 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 8/22/1960

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	1.540 cfs	576.0 af
			1.540 cfs	576.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENE	Sec 34 Twp 11S Rge 20E TWIN FALLS 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	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0		39.0													138.0
12S	21E	20					40	40	40	40									160

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. Rights 45-2374 and 45-2626 when combined shall not exceed a total annual maximum diversion volume of 576.0 af at the field headgate, and the irrigation of 144 acres.
2. 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.
3. Use of this right is combined with water from Southwest Irrigation District.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79382

WATER RIGHT NO. 45-2626

As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 45-2374**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-2374 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 4/23/1951

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	1.180 cfs	498.5 af
			1.180 cfs	498.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SENE	Sec 34 Twp 11S Rge 20E TWIN FALLS 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	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. Rights 45-2374 and 45-2626 when combined shall not exceed a total annual maximum diversion volume of 576.0 af at the field headgate, and the irrigation of 144 acres.
2. 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.
3. Use of this right is combined with water from Southwest Irrigation District.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79382

WATER RIGHT NO. 45-2374

As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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. 45-2380**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-2380 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/5/1951

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	2.040 cfs	960.0 af
			2.040 cfs	960.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESE	Sec 34 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWSW	Sec 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 13 Twp 12S Rge 20E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 240.0
POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESESE, S34, T11S, R20E, and the two points of diversion located in the SESWSW, S11, T12S, R20E are limited to a combined maximum diversion rate of 4.14 cfs. These same wells are also recognized as low temperature geothermal wells and are limited to 4.14 cfs of low temperature geothermal water for irrigation.
2. This right is limited to the irrigation of 240 acres within the authorized place of use in a single irrigation season.

Transfer No. 79382

WATER RIGHT NO. 45-2380

As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

3. Rights 45-2380, 45-2381, 45-2589, and 45-7201 when combined shall not exceed a total annual maximum diversion volume of 3744 af at the field headgate, and the irrigation of 936 acres.
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 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of this right is combined with water from Southwest Irrigation District.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 45-2381**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-2381 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/5/1951

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	4.140 cfs	1280.0 af
			4.140 cfs	1280.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESE	Sec 34 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWSW	Sec 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 13 Twp 12S Rge 20E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 320.0

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESESE, S34, T11S, R20E, and the two points of diversion located in the SESWSW, S11, T12S, R20E are limited to a combined maximum diversion rate of 4.14 cfs. These same wells are also recognized as low temperature geothermal wells and are limited to 4.14 cfs of low temperature geothermal water for irrigation.
2. This right is limited to the irrigation of 320 acres within the authorized place of use in a single irrigation season.

Transfer No. 79382

WATER RIGHT NO. 45-2381

As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

3. Rights 45-2380, 45-2381, 45-2589, and 45-7201 when combined shall not exceed a total annual maximum diversion volume of 3744 af at the field headgate, and the irrigation of 936 acres.
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 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of this right is combined with water from Southwest Irrigation District.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 45-2384**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-2384 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/18/1951

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	1.420 cfs	599.9 af
			1.420 cfs	599.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENE	Sec 33 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNENW	Sec 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNESW	Sec 34 Twp 11S Rge 20E TWIN FALLS 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	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 275.0

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 275 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2384 and 45-4239 when combined shall not exceed the irrigation of 275 acres.
3. Rights 45-2338, 45-2384, and 45-4239 when combined shall not exceed a total irrigation of 330 acres.

Transfer No. 79382

WATER RIGHT NO. 45-2384

As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

4. Rights 45-2338, 45-2384, 45-4239, and 45-12757 when combined shall not exceed a total diversion rate of 6.6 cfs, a total annual maximum diversion volume of 1320 af at the field headgate, and the irrigation of 415 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of this right is combined with water from Southwest Irrigation District.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 45-2589**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-2589 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 9/11/1959

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	1.100 cfs	160.0 af
			1.100 cfs	160.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESE	Sec 34 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWSW	Sec 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 13 Twp 12S Rge 20E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 40.0

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESESE, S34, T11S, R20E, and the two points of diversion located in the SESWSW, S11, T12S, R20E are limited to a combined maximum diversion rate of 4.14 cfs. These same wells are also recognized as low temperature geothermal wells and are limited to 4.14 cfs of low temperature geothermal water for irrigation.
2. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.

Transfer No. 79382

WATER RIGHT NO. 45-2589

As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

3. Rights 45-2380, 45-2381, 45-2589, and 45-7201 when combined shall not exceed a total annual maximum diversion volume of 3744 af at the field headgate, and the irrigation of 936 acres.
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 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of this right is combined with water from Southwest Irrigation District.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 45-2596**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-2596 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 1/4/1960

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	3.320 cfs	664.0 af
			3.320 cfs	664.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESESE Sec 26 Twp 11S Rge 20E TWIN FALLS 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	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 166.0

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 166 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2596, 45-10158, and 45-10164 when combined shall not exceed a total diversion rate of 4.12, a total annual maximum diversion volume of 824 af at the field headgate, and the irrigation of 515 acres.
3. Right No. 45-10164 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
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 place of use.

Transfer No. 79382

WATER RIGHT NO. 45-2596

As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

5. Use of this right is combined with water from Southwest Irrigation District.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 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. 140.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 45-4239**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-4239 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 6/1/1954

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	4.080 cfs	1100.0 af
			4.080 cfs	1100.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE NE	Sec 33 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNENW	Sec 34 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	NWNESW	Sec 34 Twp 11S Rge 20E TWIN FALLS 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	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 275.0

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 275 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2384 and 45-4239 when combined shall not exceed the irrigation of 275 acres.
3. Rights 45-2338, 45-2384, and 45-4239 when combined shall not exceed a total irrigation of 330 acres.

Transfer No. 79382

WATER RIGHT NO. 45-4239
As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

4. Rights 45-2338, 45-2384, 45-4239, and 45-12757 when combined shall not exceed a total diversion rate of 6.6 cfs, a total annual maximum diversion volume of 1320 af at the field headgate, and the irrigation of 415 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of this right is combined with water from Southwest Irrigation District.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 45-7201**As Modified by Transfer No. 79382**

In accordance with the approval of Transfer No. 79382, Water Right No. 45-7201 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY, ID 83346

Priority Date: 11/18/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	5.720 cfs	1352.0 af
			5.720 cfs	1352.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESE	Sec 34 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWSW	Sec 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 11 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSWSE	Sec 12 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 13 Twp 12S Rge 20E	CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 338.0

POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. The point of diversion located in the SESESE, S34, T11S, R20E, and the two points of diversion located in the SESWSW, S11, T12S, R20E are limited to a combined maximum diversion rate of 4.14 cfs. These same wells are also recognized as low temperature geothermal wells and are limited to 4.14 cfs of low temperature geothermal water for irrigation.
2. This right is limited to the irrigation of 338 acres within the authorized place of use in a single irrigation season.

Transfer No. 79382

WATER RIGHT NO. 45-7201
As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

3. Rights 45-2380, 45-2381, 45-2589, and 45-7201 when combined shall not exceed a total annual maximum diversion volume of 3744 af at the field headgate, and the irrigation of 936 acres.
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 when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of this right is combined with water from Southwest Irrigation District.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 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. 140.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 45-10158
As Modified by Transfer No. 79382

In accordance with the approval of Transfer No. 79382, Water Right No. 45-10158 is now described as follows:

Right Holder: FED AGRIBUSINESS LLC
 568 W 1650 S
 OAKLEY, ID 83346

Priority Date: 5/1/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.800 cfs	160.0 af
			0.800 cfs	160.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESESE Sec 26 Twp 11S Rge 20E TWIN FALLS 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	
11S	20E	26									33	33	34	33	32	32	32	31	260
11S	20E	27	33	34	34	32									31	33	31	28	256
11S	20E	33	34			33									33			30	130
11S	20E	34	31	34	40	39	39	39	40	40	40	40	32	39	39	40	39	38	609
12S	20E	11									33	33	33	33	33	34	33	33	265
12S	20E	12	33	32	33	33									33	32	32	33	261
12S	20E	13					34	33	32	33	32	30	25	32					251
12S	21E	19	29.0	31.0	39.0	39.0													138.0
12S	21E	20					40	40	40	40									160

Right Acre Limit: 40.0
 POU Total Acres: 2330.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2596, 45-10158, and 45-10164 when combined shall not exceed a total diversion rate of 4.12, a total annual maximum diversion volume of 824 af at the field headgate, and the irrigation of 515 acres.
3. 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.
4. Use of this right is combined with water from Southwest Irrigation District.

Transfer No. 79382

WATER RIGHT NO. 45-10158

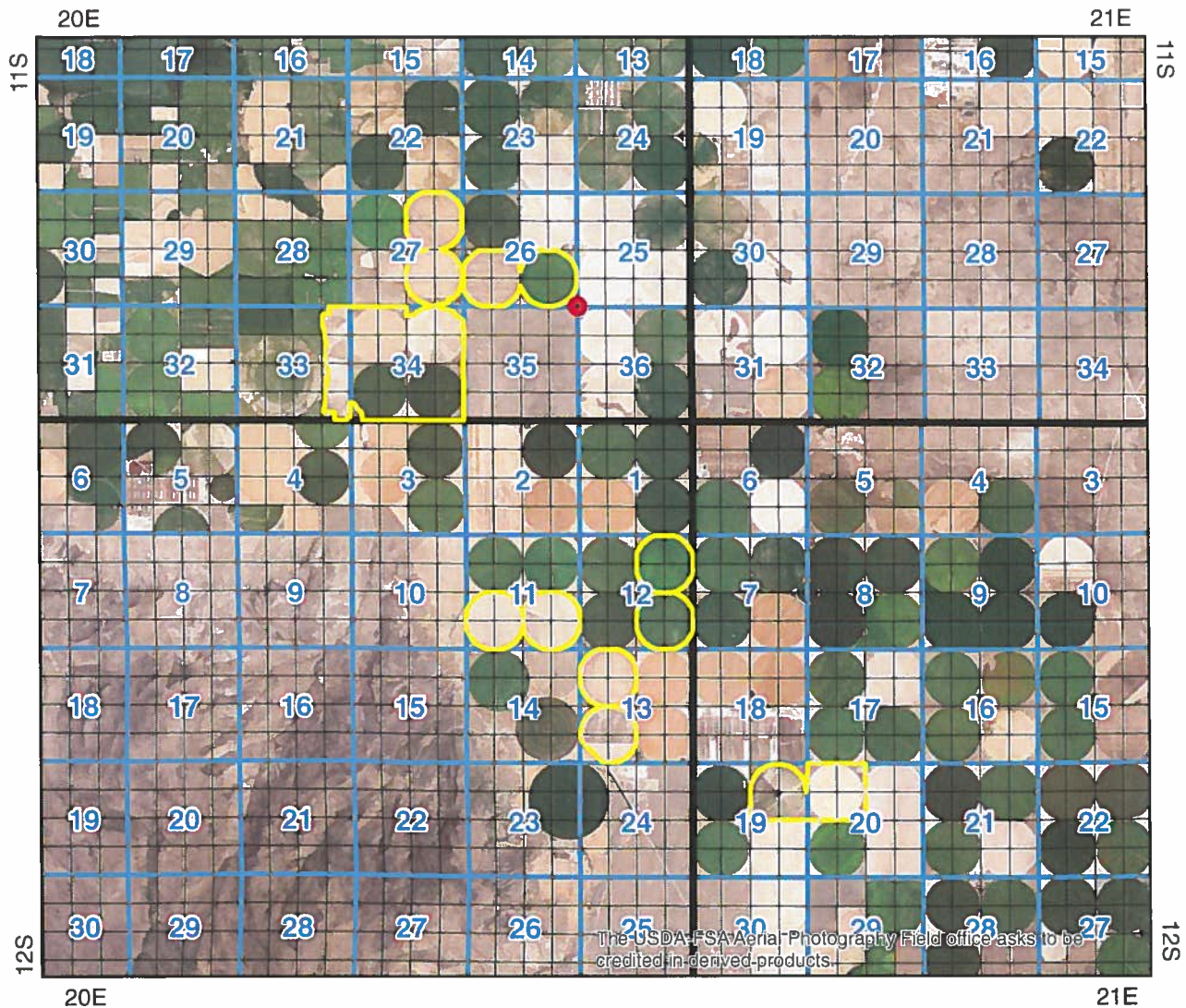
As Modified by Transfer No. 79382

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. 140.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval 79382, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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.

State of Idaho
Department of Water Resources
Attachment To Transfer No. 79382
Rights: 45-2596, 45-10158 and 45-10164

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.



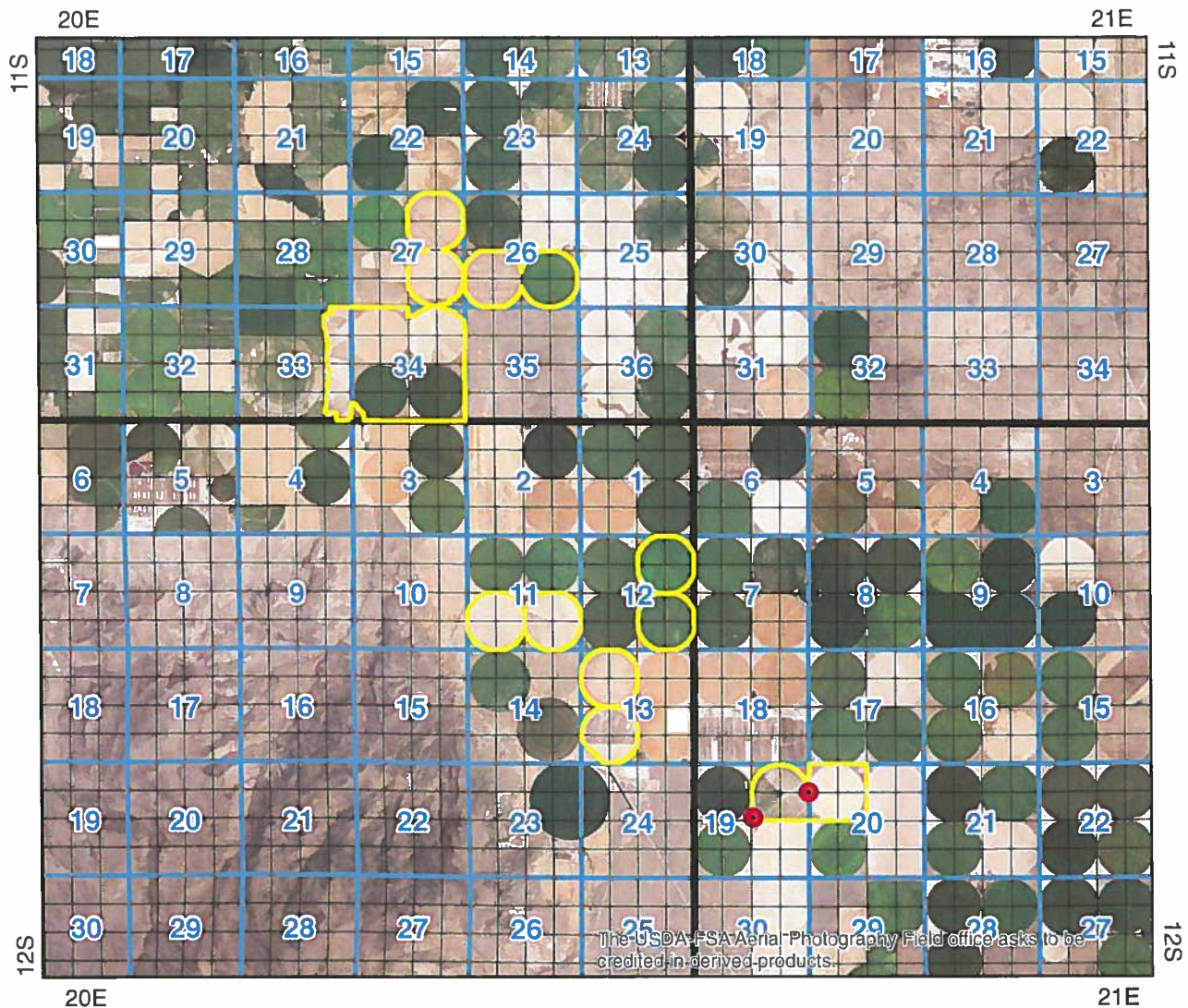
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 1 2 4 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79382
Rights: 45-2715, 45-7156 and 45-7456

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 1 2 4 Miles

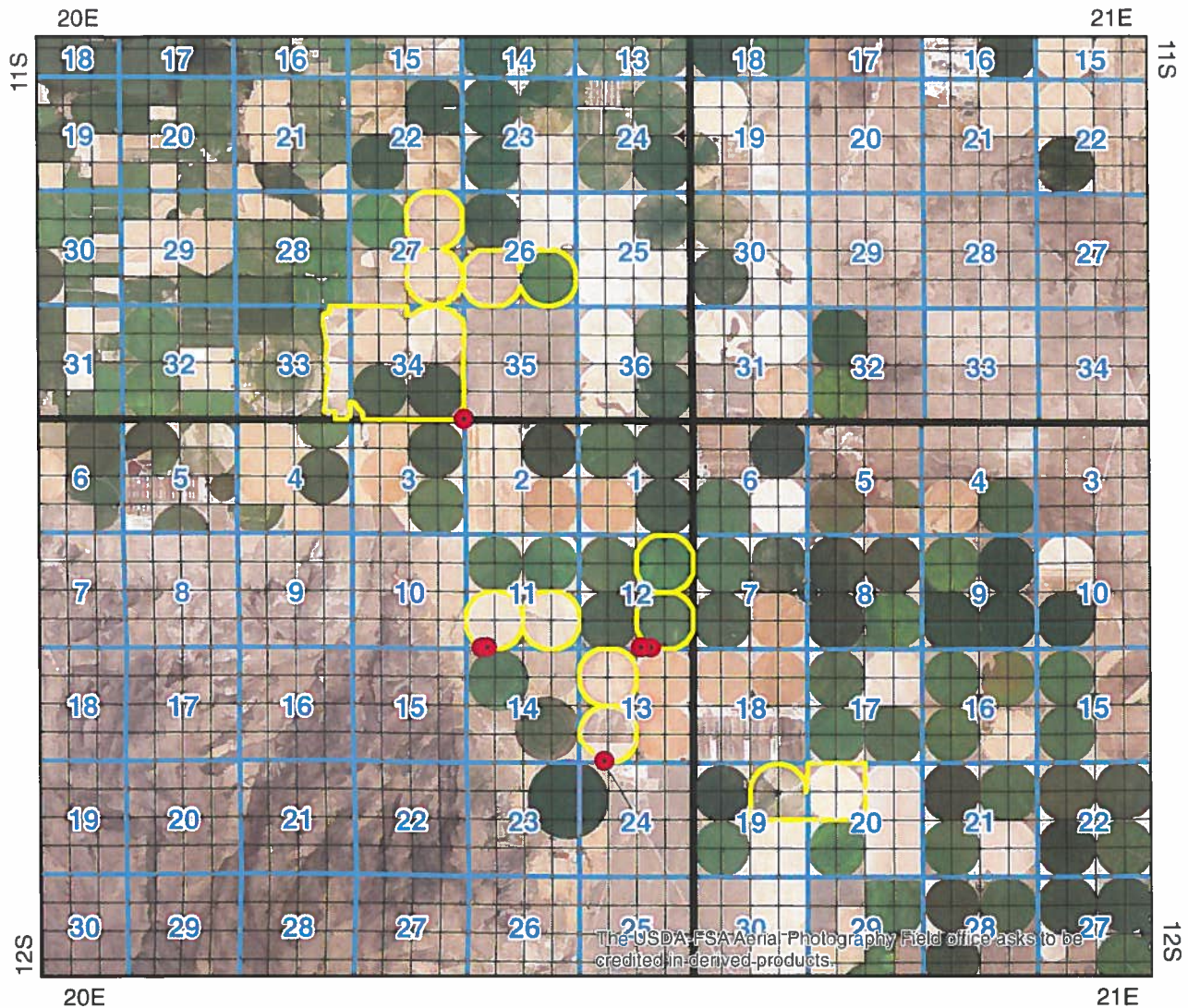


State of Idaho
Department of Water Resources

Attachment To Transfer No. 79382

rights: 45-2380, 45-2381, 45-2589 and 45-7201

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.



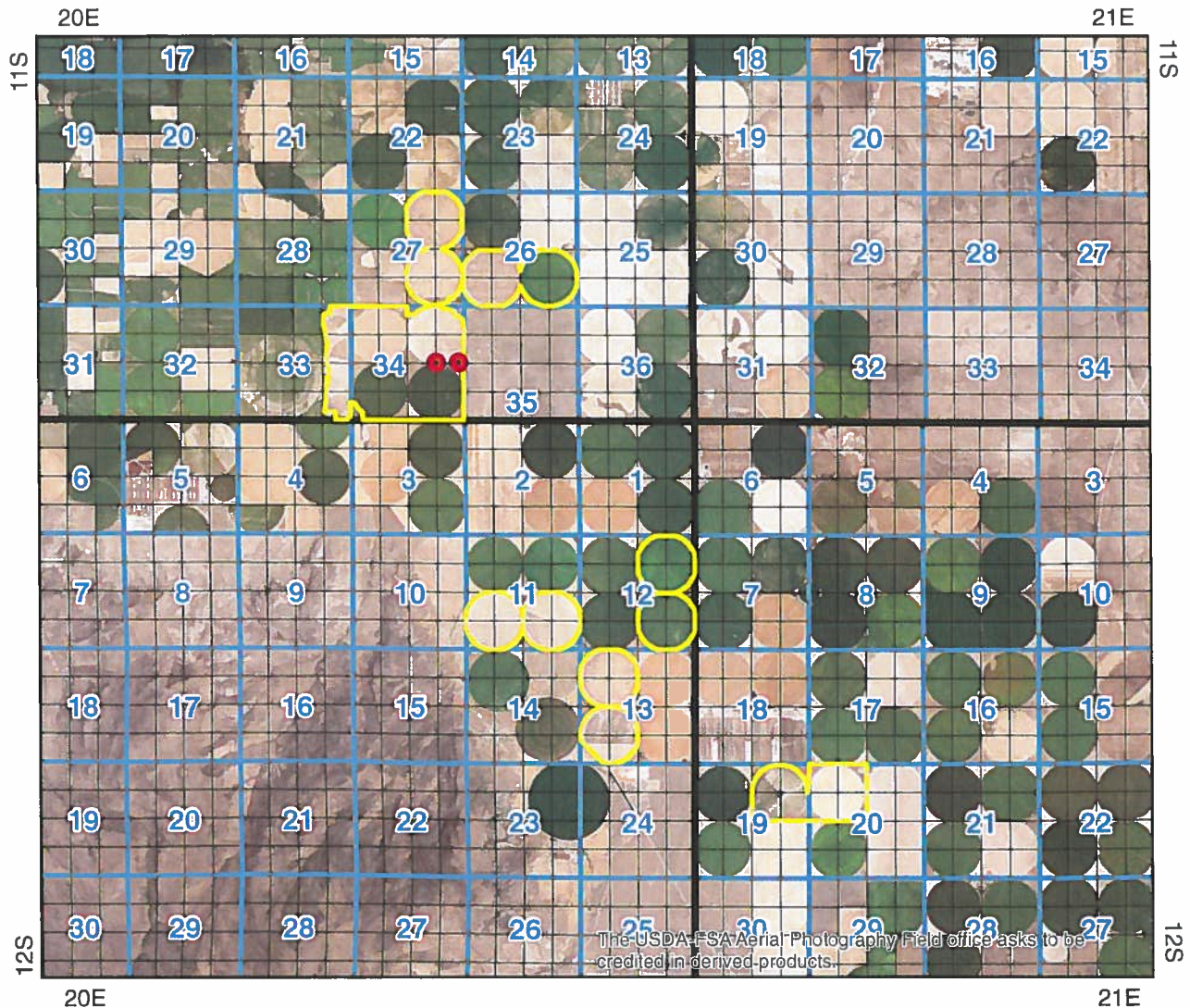
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 1 2 4 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79382
Rights: 45-2374 and 45-2626

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 1 2 4 Miles

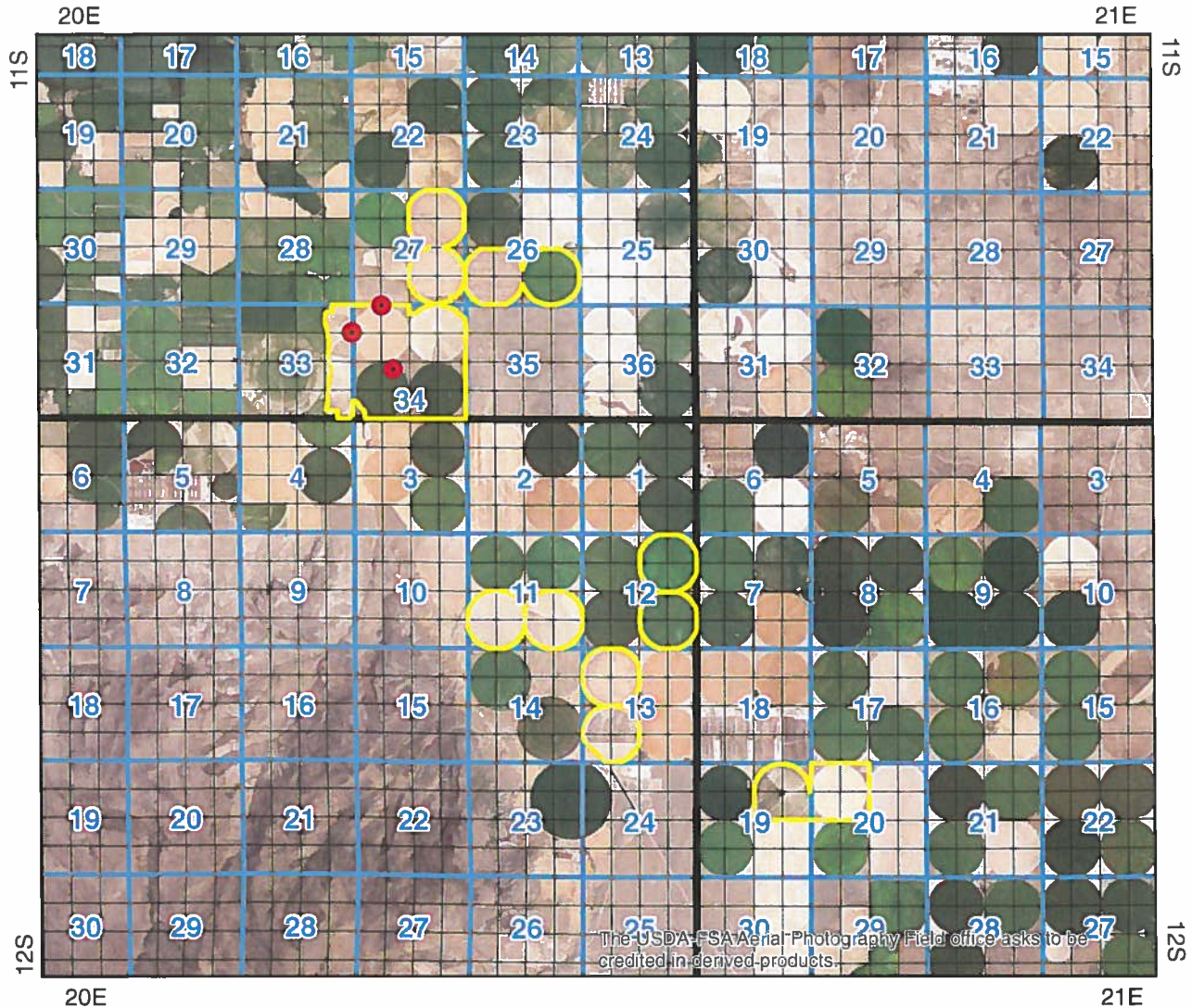


State of Idaho
Department of Water Resources

Attachment To Transfer No. 79382

Rights: 45-2338, 45-2384, 45-4239 and 45-12757

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 1 2 4 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 20, 2014

FED AGRIBUSINESS LLC
568 W 1650 S
OAKLEY ID 83346

Re: Transfer No: 79382

Water Right No(s): 45-2338, 45-2374, 45-2380, 45-2381, 45-2384, 45-2589,
45-2596, 45-2626, 45-2715, 45-4239, 45-7156, 45-7201, 45-7456, 45-10158,
45-10164, 45-12757

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is stylized with a large, sweeping initial "A" and a cursive "Merritt".

Allen Merritt
Southern Regional Manager

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on October 20, 2014 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 79382

**Water Right No(s): 45-2338, 45-2374, 45-2380, 45-2381, 45-2384, 45-2589,
45-2596, 45-2626, 45-2715, 45-4239, 45-7156, 45-7201, 45-7456, 45-10158,
45-10164, 45-12757**

FED AGRIBUSINESS LLC

568 W 1650 S

OAKLEY ID 83346

A handwritten signature in cursive script, reading "Denise Maline", is written over a horizontal line.

**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 20, 2014

BRIAN HIGGS WATERMASTER
WATER DISTRICT # 140
355 W 500 S
BURLEY, ID 83318

Re: **APPROVED** Transfer No. 79382 (FED Agribusiness LLC)

Dear Mr. Higgs:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure

Erickson, Nathan

From: Pickett Ranch [pickettranch@pmt.org]
Sent: Wednesday, October 15, 2014 4:46 PM
To: Erickson, Nathan
Subject: Re: Transfer application

RECEIVED
OCT 16 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

Hello Nathan:

Sorry for the delay. I have reviewed what you have proposed to do and agree. We would like to have water rights 45-7156 and 45-2715 show both wells. Thank you for your time and consideration!

Sincerely:

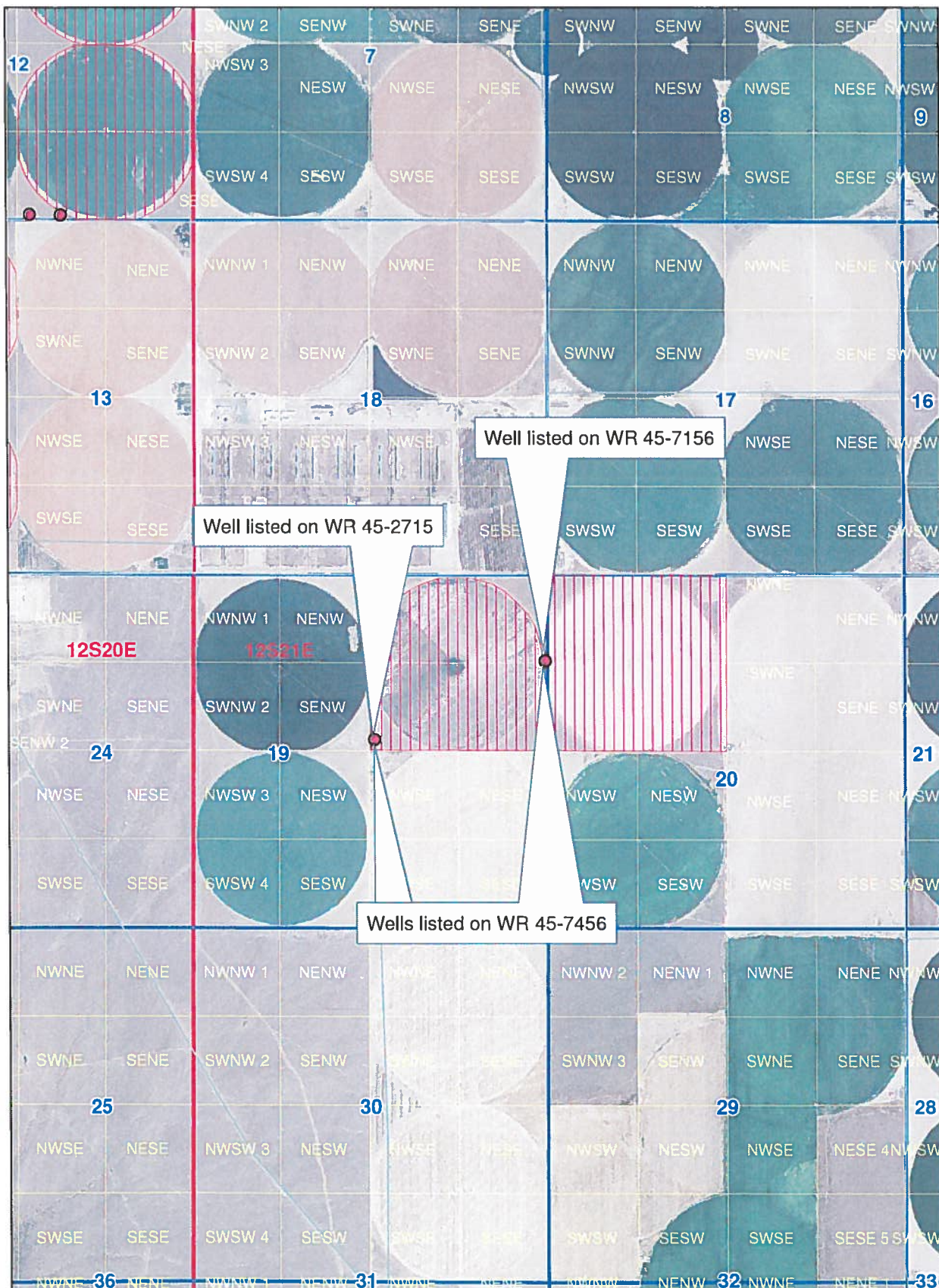
David J. Pickett

From: Erickson, Nathan
Sent: Monday, October 06, 2014 10:22 AM
To: pickettranch@pmt.org
Subject: Transfer application

Hi David,

We are getting closer to completing the transfer for FED Agribusiness, it has been through advertising and with no protests. During the final review it was identified that three of the water rights (45-7456, 45-7156, and 45-2715) do not have both of the wells associated listed on two of the water rights(see map). Water right 45-7456 lists the two wells however water rights 45-7156 and 45-2715 only list one of the wells. It would make sense to have all three water rights show they are able to use both wells. If this is correct and you would like to have water rights 45-7156 and 45-2715 show both wells please send me an email stating this. If you have any questions please let me know.

Thanks,
Nathan



RECEIVED

AUG 15 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

Affidavit of Publication

STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated 7th day of August, 2014 and ending with the issue dated 14th day of August, 2014

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

Ruby Aufderheide
Ruby Aufderheide, Legal Clerk

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 14th day of August, 2014, before me,

a Notary Public, personally appeared Ruby Aufderheide,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

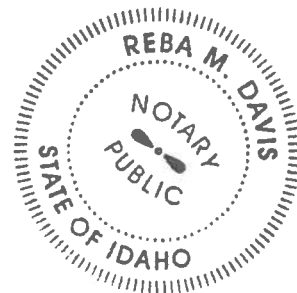
Reba M Davis

Notary Public for Idaho
Residing at Twin Falls, Idaho.

My commission expires:

May 8, 2020

✓ OK DM 8/25/2014



The following application(s) have been filed to appropriate the public waters of the State of Idaho:

47-17620

LARRY HOLLAND ✓

5085 CECILE AVE

LAS VEGAS, NV 89115

Point of Diversion SWNW S17 T10S R17E TWIN FALLS County

Source SLAUGHTERHOUSE GULCH Tributary ROCK CREEK

Use: FISH PROPAGATION 01/01 to 12/31 10 CFS

Total Diversion: 10 CFS

Date Filed: 7/11/2014

Place Of Use: FISH PROPAGATION

T10S R17E S17 NWNW SWNW

Application for permit proposes to divert 10.0 cfs from Slaughterhouse Gulch for non-consumptive fish propagation use at an existing fish facility. The proposed place of use and point of diversion is located approximately 0.75 mi. west of the intersection of West Five Points (Washington St. and Addison Ave.) in Twin Falls on the south side of HWY 30 in Rock Creek Canyon.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79000** ✓

MARK T NEWCOMB, 251 E 200 S, RUPERT, ID 83350; has filed Application No. 79000 for changes to the following water rights within CASSIA County(s): Right No(s). 45-2636, 45-2754, 45-7252, 45-7268B. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to add one new point of diversion to four existing groundwater rights. The new well will be drilled on an existing farm located approximately 2 mi. north and 4. mi. east of the City of Declo. Five wells (four existing and one new) will be used to divert up to 9.9 cfs and 3248 af for the irrigation of 812 acres on the farm.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79382** ✓

FED AGRIBUSINESS LLC, 568 W 1650 S, OAKLEY, ID 83346; has filed Application No. 79382 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No (s). 45-10158, 45-10164, 45-12757, 45-2338, 45-2374, 45-2380, 45-2381, 45-2384, 45-2589, 45-2596, 45-2626, 45-2715, 45-4239, 45-7156, 45-7201, 45-7456. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to combine the place of use for 16 water rights and change or add a point of diversion to several of the water rights including one new well. The new well will be a low temperature geothermal well and will be located approximately 4.5 miles south and 3.5 miles east of Murtaugh. The combine system will irrigate 2,330 acres with a total flow of 30.68 cfs.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79434**

WEBB BROTHERS LAND & LIVESTOCK LLC, 22 N YALE RD, DECLO, ID 83323; has filed Application No. 79434 for changes to the following water rights within CASSIA County(s): Right No (s). 43-10089, 43-13118, 43-13412, 43-13414. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding a new well to be drilled as an authorized point of diversion to a group of groundwater rights used to provide water for a CAFO facility and nearby domestic residences on property located approximately 3.8 - 4.7 miles south and 13.0 - 13.3 miles east of the Interstate 84 and Interstate 86 interchange. The application also proposes modifying the existing point of diversion and/or the place of use descriptions for the group of rights to more accurately reflect actual locations. In total, up to 0.42 cfs and 29.3 afa will be diverted from the new well and two existing wells on the property to provide water for the domestic residences and the CAFO facility. ✓

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79466** ✓

FOUR SISTERS DAIRY LLC, PO BOX 105, TWIN FALLS, ID 83303-0105; has filed Application No. 79466 for changes to the following water rights within TWIN FALLS County(s): Right No (s). 47-2306B. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding a point of diversion and changing the place of use of a water right associated with an existing dairy facility located approximately 4.0 to 4.5 miles south and 2.0 to 2.5 miles west of the Highway 30 and Highway 93 intersection. The application proposes adding a new well to be drilled at the dairy site as an authorized point of diversion for the existing water right associated with the facility. This new well, along with the two currently authorized wells, will divert up to 0.59 cfs and 250 AF per year as allowed by the existing water right associated with the facility. The application also proposes to change the commercial place of use of the water right to more accurately reflect the actual dairy site.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before August 25, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 7th & 14th, 2014

✓ OK DM 8/25/2014

Maline, Denise

From: Brian Higgs [brian@waterwellconsultants.com]
Sent: Monday, August 11, 2014 8:43 AM
To: Maline, Denise
Subject: Re: Comment Letters

Hi Denise.

We have no comment for Transfer 79382 for FED Agribusiness.

Thank you.

Brian

From: Maline, Denise
Sent: Thursday, July 31, 2014 3:13 PM
To: Brian Higgs
Subject: Comment Letters

Hi Brian,

Attached please find a copy of a cover letter, recommendation forms, and Transfer 79000 (Newcomb) and 79382 (FED Agribusiness). Please review the information and provide any necessary comments within 21 days.

Feel free to contact our office if you have any questions.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov