

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78768**

This is to certify that: WHISKEY RUN LLC
C/O RICHARD I CLAYTON JR
PO BOX 155
SWAN VALLEY, ID 83449

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>
23-11356	WR/DECREED	1/22/1916	1.590 cfs	N/A	N/A	72.7	RAINEY CREEK
23-11358	WR/DECREED	6/1/1893	0.360 cfs	N/A	18.3	72.7	RAINEY CREEK
23-11360	WR/DECREED	5/7/1896	0.790 cfs	N/A	39.3	72.7	RAINEY CREEK
23-11362	WR/DECREED	10/24/1898	0.330 cfs	N/A	16.8	72.7	RAINEY CREEK
23-11364	WR/DECREED	6/1/1890	0.470 cfs	N/A	23.9	72.7	RAINEY CREEK

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>
23-11356	YES	YES	YES	NO	NO	NO
23-11358	YES	YES	YES	NO	NO	NO
23-11360	YES	YES	YES	NO	NO	NO
23-11362	YES	YES	YES	NO	NO	NO
23-11364	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
23-11356	23-11449	0.270 cfs	N/A	N/A	12.5	23-11356	1.210 cfs	N/A	N/A	55.2
23-11358	23-11450	0.060 cfs	N/A	3.1	12.5	23-11358	0.270 cfs	N/A	13.9	55.2
23-11360	23-11451	0.140 cfs	N/A	6.8	12.5	23-11360	0.600 cfs	N/A	29.8	55.2
23-11362	23-11452	0.060 cfs	N/A	2.9	12.5	23-11362	0.250 cfs	N/A	12.7	55.2
23-11364	23-11453	0.080 cfs	N/A	4.1	12.5	23-11364	0.350 cfs	N/A	18.1	55.2
COMBINED TOTALS		0.290 cfs	N/A	12.5	12.5		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE #. 23-11356

Transfer No. 78768

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78768

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 September, 2013.



Water Resources Program Manager

WATER RIGHT NO. 23-11356**As Modified by Transfer No. 78768**

In accordance with the approval of Transfer No. 78768, Water Right No. 23-11356 is now described as follows:

Right Holder: SWAN VALLEY PROPERTIES LLC
50 KING ST STE 101
PO BOX 4741
JACKSON, WY 83001

Priority Date: 1/22/1916

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 10/31

Diversion Rate
1.210 cfs
1.210 cfs

LOCATION OF POINT(S) OF DIVERSION

RAINEY CREEK

SENWSE

Sec 33 Twp 02N Rge 44E BONNEVILLE 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	
01N	44E	4						17.8											17.8
01N	44E	5	10.1		6.2	3.0													19.3
02N	44E	32																6.9	6.9
02N	44E	33											11.2						11.2

POU Total Acres: 55.2

CONDITIONS OF APPROVAL

1. Rights 23-11356, 23-1135, 23-11360, 23-11362 and 23-11364 when combined shall not exceed a total diversion rate of 1.26 cfs, and the irrigation of 55.2 acres.
2. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 23-11449
As Modified by Transfer No. 78768

In accordance with the approval of Transfer No. 78768, Water Right No. 23-11449 is now described as follows:

Right Holder: WHISKEY RUN LLC
C/O RICHARD I CLAYTON JR
PO BOX 155
SWAN VALLEY, ID 83449

Priority Date: 1/22/1916

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.270 cfs
0.270 cfs

LOCATION OF POINT(S) OF DIVERSION

RAINEY CREEK SWSWSE Sec 33 Twp 02N Rge 44E BONNEVILLE 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	
01N	44E	5				12.5													12.5

POU Total Acres: 12.5

CONDITIONS OF APPROVAL

1. Rights 23-11449, 23-11450, 23-11451, 23-11452 and 23-11453 when combined shall not exceed a total diversion rate of 0.29 cfs, and the irrigation of 12.5 acres.
2. 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. 01.
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).
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.

Transfer No. 78768

WATER RIGHT NO. 23-11358**As Modified by Transfer No. 78768**

In accordance with the approval of Transfer No. 78768, Water Right No. 23-11358 is now described as follows:

Right Holder: SWAN VALLEY PROPERTIES LLC
50 KING ST STE 101
PO BOX 4741
JACKSON, WY 83001

Priority Date: 6/1/1893

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 10/31

Diversion Rate
0.270 cfs
0.270 cfs

LOCATION OF POINT(S) OF DIVERSION

RAINEY CREEK

SENVSE

Sec 33 Twp 02N Rge 44E BONNEVILLE 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	
01N	44E	4						17.8											17.8
01N	44E	5	10.1		6.2	3.0													19.3
02N	44E	32																6.9	6.9
02N	44E	33											11.2						11.2

Right Acre Limit: 13.9

POU Total Acres: 55.2

CONDITIONS OF APPROVAL

1. Rights 23-11356, 23-11358, 23-11360, 23-11362 and 23-11364 when combined shall not exceed a total diversion rate of 1.26 cfs, and the irrigation of 55.2 acres.
2. This right is limited to the irrigation of 13.9 acres within the authorized place of use in a single irrigation season.
3. This right when combined with Right No. 23-11356, 12-11360, 23-11362, 23-11364 shall provide no more than .02 cfs per acre.
4. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Transfer No. 78768

WATER RIGHT NO. 23-11358

As Modified by Transfer No. 78768

CONDITIONS OF APPROVAL

6. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 23-11450

As Modified by Transfer No. 78768

In accordance with the approval of Transfer No. 78768, Water Right No. 23-11450 is now described as follows:

Right Holder: WHISKEY RUN LLC
C/O RICHARD I CLAYTON JR
PO BOX 155
SWAN VALLEY, ID 83449

Priority Date: 6/1/1893

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.060 cfs
0.060 cfs

LOCATION OF POINT(S) OF DIVERSION

RAINEY CREEK SWSWSE Sec 33 Twp 02N Rge 44E BONNEVILLE 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	
01N	44E	5				12.5													12.5

Right Acre Limit: 3.1

POU Total Acres: 12.5

CONDITIONS OF APPROVAL

1. Rights 23-11449, 23-11450, 23-11451, 23-11452 and 23-11453 when combined shall not exceed a total diversion rate of 0.29 cfs, and the irrigation of 12.5 acres.
2. This right is limited to the irrigation of 3.1 acres within the authorized place of use in a single irrigation season.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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.

Transfer No. 78768

WATER RIGHT NO. 23-11450
As Modified by Transfer No. 78768

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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. 23-11360
As Modified by Transfer No. 78768

In accordance with the approval of Transfer No. 78768, Water Right No. 23-11360 is now described as follows:

Right Holder: SWAN VALLEY PROPERTIES LLC
WEEKS BROTHERS
STEVE WEEKS
RUTH WEEKS
Priority Date: 5/7/1896

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 10/31

Diversion Rate
0.600 cfs
0.600 cfs

LOCATION OF POINT(S) OF DIVERSION

RAINEY CREEK

SENNWSE

Sec 33 Twp 02N Rge 44E BONNEVILLE 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	
01N	44E	4						17.8											17.8
01N	44E	5	10.1		6.2	3.0													19.3
02N	44E	32																6.9	6.9
02N	44E	33											11.2						11.2

Right Acre Limit: 29.8

POU Total Acres: 55.2

CONDITIONS OF APPROVAL

1. Rights 23-11356, 23-11358, 23-11360, 23-11362 and 23-11364 when combined shall not exceed a total diversion rate of 1.26 cfs, and the irrigation of 55.2 acres.
2. This right is limited to the irrigation of 29.8 acres within the authorized place of use in a single irrigation season.
3. This right when combined with Right No. 23-11356, 23-11358, 23-11362, 23-11364 shall provide no more than .02 cfs per acre.
4. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Transfer No. 78768

WATER RIGHT NO. 23-11360
As Modified by Transfer No. 78768

CONDITIONS OF APPROVAL

6. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 23-11451

As Modified by Transfer No. 78768

In accordance with the approval of Transfer No. 78768, Water Right No. 23-11451 is now described as follows:

Right Holder: WHISKEY RUN LLC
C/O RICHARD I CLAYTON JR
PO BOX 155
SWAN VALLEY, ID 83449

Priority Date: 5/7/1896

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 10/31

Diversion Rate
0.140 cfs
0.140 cfs

LOCATION OF POINT(S) OF DIVERSION

RAINEY CREEK SWSWSE Sec 33 Twp 02N Rge 44E BONNEVILLE 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	
01N	44E	5				12.5													12.5

Right Acre Limit: 6.8

POU Total Acres: 12.5

CONDITIONS OF APPROVAL

1. Rights 23-11449, 23-11450, 23-11451, 23-11452 and 23-11453 when combined shall not exceed a total diversion rate of 0.29 cfs, and the irrigation of 12.5 acres.
2. This right is limited to the irrigation of 6.8 acres within the authorized place of use in a single irrigation season.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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.

Transfer No. 78768

WATER RIGHT NO. 23-11451
As Modified by Transfer No. 78768

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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. 23-11362**As Modified by Transfer No. 78768**

In accordance with the approval of Transfer No. 78768, Water Right No. 23-11362 is now described as follows:

Right Holder: SWAN VALLEY PROPERTIES LLC
RUTH WEEKS
STEVE WEEKS
WEEKS BROTHERS

Priority Date: 10/24/1898

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.250 cfs
0.250 cfs

LOCATION OF POINT(S) OF DIVERSION

RAINEY CREEK

SENWSE

Sec 33 Twp 02N Rge 44E BONNEVILLE 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	
01N	44E	4						17.8											17.8
01N	44E	5	10.1		6.2	3.0													19.3
02N	44E	32																6.9	6.9
02N	44E	33											11.2						11.2

Right Acre Limit: 12.7

POU Total Acres: 55.2

CONDITIONS OF APPROVAL

1. Rights 23-11356, 23-11358, 23-11360, 23-11362 and 23-11364 when combined shall not exceed a total diversion rate of 1.26 cfs, and the irrigation of 55.2 acres.
2. This right is limited to the irrigation of 12.7 acres within the authorized place of use in a single irrigation season.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 78768

WATER RIGHT NO. 23-11362
As Modified by Transfer No. 78768

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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. 23-11452 **As Modified by Transfer No. 78768**

In accordance with the approval of Transfer No. 78768, Water Right No. 23-11452 is now described as follows:

Right Holder: WHISKEY RUN LLC
C/O RICHARD I CLAYTON JR
PO BOX 155
SWAN VALLEY, ID 83449

Priority Date: 10/24/1898

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 10/31

Diversion Rate
0.060 cfs
0.060 cfs

LOCATION OF POINT(S) OF DIVERSION

RAINEY CREEK SWSWSE Sec 33 Twp 02N Rge 44E BONNEVILLE 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	
01N	44E	5				12.5													12.5

Right Acre Limit: 2.9

POU Total Acres: 12.5

CONDITIONS OF APPROVAL

1. Rights 23-11449, 23-11450, 23-11451, 23-11452 and 23-11453 when combined shall not exceed a total diversion rate of 0.29 cfs, and the irrigation of 12.5 acres.
2. This right is limited to the irrigation of 2.9 acres within the authorized place of use in a single irrigation season.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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.

Transfer No. 78768

WATER RIGHT NO. 23-11452

As Modified by Transfer No. 78768

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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. 23-11364
As Modified by Transfer No. 78768

In accordance with the approval of Transfer No. 78768, Water Right No. 23-11364 is now described as follows:

Right Holder: SWAN VALLEY PROPERTIES LLC
 50 KING ST STE 101
 PO BOX 4741
 JACKSON, WY 83001

Priority Date: 6/1/1890

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

0.350 cfs

0.350 cfs

LOCATION OF POINT(S) OF DIVERSION

RAINEY CREEK

SENWSE

Sec 33 Twp 02N Rge 44E BONNEVILLE 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	
01N	44E	4						17.8											17.8
01N	44E	5	10.1		6.2	3.0													19.3
02N	44E	32																6.9	6.9
02N	44E	33											11.2						11.2

Right Acre Limit: 18.1

POU Total Acres: 55.2

CONDITIONS OF APPROVAL

1. Rights 23-11356, 23-11358, 23-11360, 23-11362 and 23-11364 when combined shall not exceed a total diversion rate of 1.26 cfs, and the irrigation of 55.2 acres.
2. This right is limited to the irrigation of 18.1 acres within the authorized place of use in a single irrigation season.
3. This right when combined with Right No. 23-11356, 23-11358, 23-11360, 23-11362 shall provide no more than .02 cfs per acre.
4. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Transfer No. 78768

WATER RIGHT NO. 23-11364

As Modified by Transfer No. 78768

CONDITIONS OF APPROVAL

6. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 23-11453

As Modified by Transfer No. 78768

In accordance with the approval of Transfer No. 78768, Water Right No. 23-11453 is now described as follows:

Right Holder: WHISKEY RUN LLC
C/O RICHARD I CLAYTON JR
PO BOX 155
SWAN VALLEY, ID 83449

Priority Date: 6/1/1890

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

0.080 cfs

0.080 cfs

LOCATION OF POINT(S) OF DIVERSION

RAINEY CREEK

SWSWSE

Sec 33 Twp 02N Rge 44E BONNEVILLE 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	
01N	44E	5				12.5													12.5

Right Acre Limit: 18.1

POU Total Acres: 12.5

CONDITIONS OF APPROVAL

1. Rights 23-11449, 23-11450, 23-11451, 23-11452 and 23-11453 when combined shall not exceed a total diversion rate of 0.29 cfs, and the irrigation of 12.5 acres.
2. This right is limited to the irrigation of 4.1 acres within the authorized place of use in a single irrigation season.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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.

Transfer No. 78768

WATER RIGHT NO. 23-11453
As Modified by Transfer No. 78768

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.