

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 77912

This is to certify that: MID-VALLEY WATER COMPANY, LLC
C/O THE KIRK GROUP
PO BOX 4380
KETCHUM ID 83340

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-2125	WR/Decreed	01/28/1909	0.46 cfs	N/A	N/A	11.5	UNNAMED STREAM
37-458B	WR/Decreed	06/01/1883	0.46 cfs	N/A	N/A	11.5	CLEAR CREEK

Purpose of Transfer (Changes Proposed)

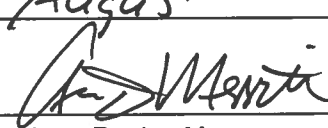
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-2125	NO	YES	YES	NO	NO	NO
37-458B	NO	NO	YES	NO	NO	NO

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>
37-2125	37-2125	0.46 cfs	N/A	11.5	24.6		N/A	N/A	N/A	N/A
37-458B	37-458B	0.46 cfs	N/A	11.5	24.6		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.46 cfs		11.5	24.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of August, 2012


Southern Region Manager

SUPPORT DATA

IN FILE # 37-458B

WATER RIGHT NO. 37-458B
As Modified by Transfer No. 77912

In accordance with the approval of Transfer No. 77912, Water Right No. 37-458B is now described as follows.

Right Holder: MID-VALLEY WATER COMPANY, LLC
C/O THE KIRK GROUP
PO BOX 4380
KETCHUM ID 83340

Priority Date: June 01, 1883

Source: CLEAR CREEK

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	0.46 CFS

LOCATION OF POINT(S) OF DIVERSION:

CLEAR CREEK SWSWNE Sec. 31 Twp 04N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04N	18E	31	.4	.8	9.3	2.1										12.0			24.6

Total Acres: 24.6

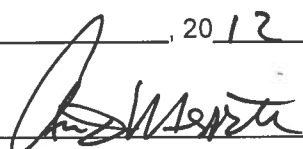
WATER RIGHT NO. 37-458B
As Modified by Transfer No. 77912

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. The rights listed below are limited to the irrigation of a combined total of 11.5 acres in a single irrigation season. Combined Right Nos.: 37-2125, 37-458B.
4. Right Nos. 37-458B and 37-2125 are limited to a total combined diversion rate of 0.46 cfs when irrigating by furrow irrigation methods.
5. This right individually, or when combined with Right No. 37-2125, shall provide no more than .02 cfs per acre (0.23 cfs) when irrigating by sprinkler irrigation methods.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use when irrigating by sprinkler irrigation methods.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. Rights 37- 458B, and 37-2125 are limited to the irrigation of a specific 11.5 acres within the 24.6 acre place of use authorized by these rights in a single irrigation season. The specific 11.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 11.5 acres to be irrigated within the 24.6 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

This water right 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.

Dated this 20th day of August, 2012


Southern Region Manager

WATER RIGHT NO. 37-2125
As Modified by Transfer No. 77912

In accordance with the approval of Transfer No. 77912, Water Right No. 37-2125 is now described as follows.

Right Holder: MID-VALLEY WATER COMPANY, LLC
C/O THE KIRK GROUP
PO BOX 4380
KETCHUM ID 83340

Priority Date: January 28, 1909

Source: UNNAMED STREAM **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to 10/31	0.46 CFS

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NWSE Sec. 31 Twp 04N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04N	18E	31	.4	.8	9.3	2.1											12.0		24.6

Total Acres: 24.6

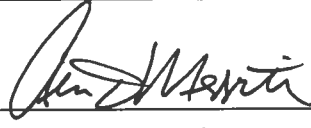
WATER RIGHT NO. 37-2125
As Modified by Transfer No. 77912

CONDITIONS OF APPROVAL

1. This right is subordinated to uses represented by upstream water rights 37-4130 and 37-4131.
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. 37.
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. The rights listed below are limited to the irrigation of a combined total of 11.5 acres in a single irrigation season. Combined Right Nos.: 37-2125, 37-458B.
5. Right Nos. 37-458B and 37-2125 are limited to a total combined diversion rate of 0.46 cfs when irrigating by furrow irrigation methods.
6. This right individually, or when combined with Right No. 37-458B, shall provide no more than .02 cfs per acre (0.23 cfs) when irrigating by sprinkler irrigation methods.
7. 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 when irrigating by sprinkler irrigation methods.
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.
11. Rights 37- 458B, and 37-2125 are limited to the irrigation of a specific 11.5 acres within the 24.6 acre place of use authorized by these rights in a single irrigation season. The specific 11.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 11.5 acres to be irrigated within the 24.6 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

This water right 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.

Dated this 20th day of August, 20 12


Southern Region Manager