

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 77527

This is to certify that: FARMLAND RESERVE INC  
139 E SOUTH TEMPLE STE 600  
SALT LAKE CITY UT 84111-1175  
(801)359-1600

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 45-14355     | WR/Decreed          | 08/11/1959      | 0.05 cfs    | 19.2 af       | 4.8               | 217.0              | GROUND WATER  |
| 45-14358     | WR/Decreed          | 01/18/1960      | 0.03 cfs    | 19.2 af       | 4.8               | 217.0              | GROUND WATER  |
| 45-14361     | WR/Decreed          | 11/19/1948      | 0.02 cfs    | 7.6 af        | 2.2               | 104.8              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 45-14355              | NO           | YES        | YES        | NO             | YES                  | YES                  |
| 45-14358              | NO           | YES        | YES        | NO             | YES                  | YES                  |
| 45-14361              | NO           | YES        | YES        | NO             | YES                  | YES                  |

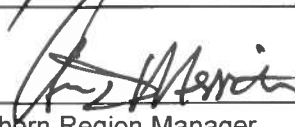
**Summary of Water Rights After the Approved Change**

| <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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 45-14355               | <b>45-14355</b>                  | 0.05 cfs             | 14.5 af                | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-14358               | <b>45-14358</b>                  | 0.03 cfs             | 14.5 af                | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-14361               | <b>45-14361</b>                  | 0.02 cfs             | 6.7 af                 | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>0.1 cfs</b>       | <b>14.5 af</b>         | <b>N/A</b>        | <b>N/A</b>         | <b>N/A</b>                         | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 13<sup>th</sup> day of July, 20 12

**SUPPORT DATA**

  
Southern Region Manager

IN FILE # 45-14355

**WATER RIGHT NO. 45-14361**  
**As Modified by Transfer No. 77527**

In accordance with the approval of Transfer No. 77527, Water Right No. 45-14361 is now described as follows.

**Right Holder:** FARMLAND RESERVE INC  
 139 E SOUTH TEMPLE STE 600  
 SALT LAKE CITY UT 84111-1175

**Priority Date:** November 19, 1948

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| COMMERCIAL            | 01/01       | to 12/31  | 0.02 CFS              | 6.7 AF        |
|                       |             |           | 0.02 CFS              | 6.7 AF        |

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

GROUND WATER      SESW      Sec. 12 Twp 11S    Rge 19E    TWIN FALLS  
 County

**PLACE OF USE:**    COMMERCIAL

| Twp | Rge | Sec | NE        |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           |               |
|-----|-----|-----|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|---------------|
|     |     |     | <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> | <u>Totals</u> |
| 11S | 19E | 12  |           |           |           |           |           |           |           |           | X         |           | X         | X         |           |           |           |           |               |

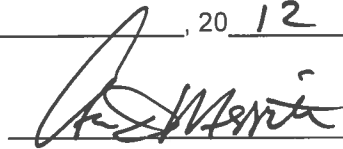
**WATER RIGHT NO. 45-14361**  
**As Modified by Transfer No. 77527**

**CONDITIONS OF APPROVAL**

1. Rights 45-14361, 45-14355, and 45-14358 when combined shall not exceed a total diversion rate of 0.1 cfs and a total annual maximum diversion volume of 14.5 af.
2. 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.
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. 140.
4. Prior to diversion and use of water under Transfer approval 77527, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
5. 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.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

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 13<sup>th</sup> day of July, 2012

  
Southern Region Manager

**WATER RIGHT NO. 45-14355**  
**As Modified by Transfer No. 77527**

In accordance with the approval of Transfer No. 77527, Water Right No. 45-14355 is now described as follows.

**Right Holder:** FARMLAND RESERVE INC  
 139 E SOUTH TEMPLE STE 600  
 SALT LAKE CITY UT 84111-1175

**Priority Date:** August 11, 1959

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| COMMERCIAL            | 01/01       | to 12/31  | 0.05 CFS              | 14.5 AF       |
|                       |             |           | 0.05 CFS              | 14.5 AF       |

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

GROUND WATER      SESW      Sec. 12 Twp 11S    Rge 19E    TWIN FALLS  
 County

**PLACE OF USE:**    COMMERCIAL

| Twp | Rge | Sec | NE        |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           |               |
|-----|-----|-----|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|---------------|
|     |     |     | <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> | <u>Totals</u> |
| 11S | 19E | 12  |           |           |           |           |           |           |           |           | X         |           | X         | X         |           |           |           |           |               |

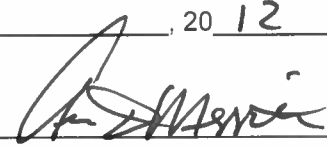
**WATER RIGHT NO. 45-14355**  
**As Modified by Transfer No. 77527**

**CONDITIONS OF APPROVAL**

1. Rights 45-14361, 45-14355, and 45-14358 when combined shall not exceed a total diversion rate of 0.1 cfs and a total annual maximum diversion volume of 14.5 af.
2. 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.
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. 140.
4. Prior to diversion and use of water under Transfer approval 77527, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
5. 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.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

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 13<sup>th</sup> day of July, 2012

  
Southern Region Manager

**WATER RIGHT NO. 45-14358**  
**As Modified by Transfer No. 77527**

In accordance with the approval of Transfer No. 77527, Water Right No. 45-14358 is now described as follows.

**Right Holder:** FARMLAND RESERVE INC  
139 E SOUTH TEMPLE STE 600  
SALT LAKE CITY UT 84111-1175

**Priority Date:** January 18, 1960

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| COMMERCIAL            | 01/01       | to 12/31  | 0.03 CFS              | 14.5 AF       |
|                       |             |           | 0.03 CFS              | 14.5 AF       |

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

GROUND WATER                      SESW                      Sec. 12 Twp 11S   Rge 19E   TWIN FALLS  
County

**PLACE OF USE:** COMMERCIAL

| Twp | Rge | Sec | NE        |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           |               |
|-----|-----|-----|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|---------------|
|     |     |     | <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> | <u>Totals</u> |
| 11S | 19E | 12  |           |           |           |           |           |           |           |           | X         |           | X         | X         |           |           |           |           |               |

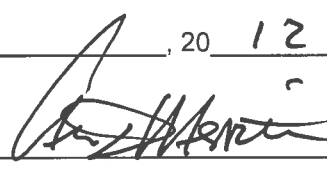
**WATER RIGHT NO. 45-14358**  
**As Modified by Transfer No. 77527**

**CONDITIONS OF APPROVAL**

1. Rights 45-14361, 45-14355, and 45-14358 when combined shall not exceed a total diversion rate of 0.1 cfs and a total annual maximum diversion volume of 14.5 af.
2. 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.
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. 140.
4. Prior to diversion and use of water under Transfer approval 77527, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
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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 13<sup>th</sup> day of July, 2012

  
Southern Region Manager

State of Idaho  
Department of Water Resources  
**Attachment To Transfer Of Water Right**  
Transfer No. 77527

Rights: 45-14355, 45-14358, 45-14361

This map depicts the COMMERCIAL 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.



0 0.05 0.1 0.2 Miles

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

