

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77998**

This is to certify that: SOUTH ELMORE IRRIGATION CO
PO BOX 396
MOUNTAIN HOME ID 83647
(208)587-2789

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>
2-7317	WR/Decreed	02/12/1981	9.3 cfs	2325 af	N/A	465.0	SNAKE RIVER
2-7255	WR/Decreed	08/15/1977	19.2 cfs	4800 af	N/A	960.0	SNAKE RIVER
2-2210	WR/Decreed	04/12/1963	17.9 cfs	3811.5 af	N/A	847.0	SNAKE RIVER
2-2269	WR/Decreed	02/19/1964	87.11 cfs	22580 af	N/A	5,645.0	SNAKE RIVER
2-2367	WR/Decreed	03/22/1965	9.72 cfs	1944 af	N/A	486.0	SNAKE RIVER
2-2345	WR/Decreed	01/15/1965	5.44 cfs	1100 af	N/A	272.0	SNAKE RIVER
2-7263	WR/Decreed	06/01/1978	12 cfs	3455 af	N/A	691.0	SNAKE RIVER

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>
2-7317	NO	NO	YES	NO	NO	NO
2-7255	NO	NO	YES	NO	NO	NO
2-2210	NO	NO	YES	NO	NO	NO
2-2269	NO	NO	YES	NO	NO	NO
2-2367	NO	NO	YES	NO	NO	NO
2-2345	NO	NO	YES	NO	NO	NO
2-7263	NO	NO	YES	NO	NO	NO

SUPPORT DATA
IN FILE # 2-2210

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77998**

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
2-7317	2-7317	9.3 cfs	2325 af	N/A	9,366		N/A	N/A	N/A	N/A
2-7255	2-7255	19.2 cfs	4800 af	N/A	9,366		N/A	N/A	N/A	N/A
2-2210	2-2210	17.9 cfs	3811.5 af	N/A	9,366		N/A	N/A	N/A	N/A
2-2269	2-2269	87.11	22580 af	N/A	9,366		N/A	N/A	N/A	N/A
2-2367	2-2367	9.72 cfs	1944 af	N/A	9,366		N/A	N/A	N/A	N/A
2-2345	2-2345	5.44 cfs	1100 af	N/A	9,366		N/A	N/A	N/A	N/A
2-7263	2-7263	12 cfs	3455 af	N/A	9,366		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		131.14 cfs		N/A	9366		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of July, 2012

for 
Western Regional Manager

WATER RIGHT NO. 2-2210
As Modified by Transfer No. 77998

In accordance with the approval of Transfer No. 77998, Water Right No. 2-2210 is now described as follows.

Right Holder: SOUTH ELMORE IRRIGATION CO
PO BOX 396
MOUNTAIN HOME ID 83647

Priority Date: April 12, 1963

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	17.90 CFS	3,811.5 AF
			17.90 CFS	3,811.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L2 (NESW) Sec. 28 Twp 05S Rge 07E ELMORE County

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 are limited to the irrigation of 9,366 acres within the boundary of South Elmore Irrigation Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
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. 2.
7. Upon notification by the Department, the right holder shall install and 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.
8. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 2-2210
As Modified by Transfer No. 77998

CONDITIONS OF APPROVAL

9. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 when combined shall not exceed a total diversion rate of 131.14 cfs.
10. 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.
11. The following rights are diverted through point of diversion described above: 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317.

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 30th day of July, 20 12

for 
Western Regional Manager

WATER RIGHT NO. 2-2269
As Modified by Transfer No. 77998

In accordance with the approval of Transfer No. 77998, Water Right No. 2-2269 is now described as follows.

Right Holder: SOUTH ELMORE IRRIGATION CO
PO BOX 396
MOUNTAIN HOME ID 83647

Priority Date: February 19, 1964

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	87.11 CFS	22,580.0 AF
			87.11 CFS	22,580.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L2 (NESW) Sec. 28 Twp 05S Rge 07E ELMORE County

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 are limited to the irrigation of 9,366 acres within the boundary of South Elmore Irrigation Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
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. 2.
7. Upon notification by the Department, the right holder shall install and 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.
8. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 2-2269
As Modified by Transfer No. 77998

CONDITIONS OF APPROVAL

9. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/8/2008.
10. Rights 2-2269 and 2-2367 when combined shall not exceed a total diversion rate of 87.11 cfs.
11. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 when combined shall not exceed a total diversion rate of 131.14 cfs.
12. 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.
13. The following rights are diverted through point of diversion described above: 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317.

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 30th day of July, 20 12

for 
Western Regional Manager

WATER RIGHT NO. 2-2345
As Modified by Transfer No. 77998

In accordance with the approval of Transfer No. 77998, Water Right No. 2-2345 is now described as follows.

Right Holder: SOUTH ELMORE IRRIGATION CO
PO BOX 396
MOUNTAIN HOME ID 83647

Priority Date: January 15, 1965

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	5.44 CFS	1,100.0 AF
			5.44 CFS	1,100.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L2 (SENE SW) Sec. 28 Twp 05S Rge 07E ELMORE County

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 are limited to the irrigation of 9,366 acres within the boundary of South Elmore Irrigation Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
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. 2.
7. Upon notification by the Department, the right holder shall install and 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.
8. This right does not grant any right-of-way or easement across the land of another.

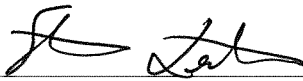
WATER RIGHT NO. 2-2345
As Modified by Transfer No. 77998

CONDITIONS OF APPROVAL

9. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 when combined shall not exceed a total diversion rate of 131.14 cfs.
10. 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.
11. The following rights are diverted through point of diversion described above: 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317.

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 30th day of July, 2012



Western Regional Manager

**WATER RIGHT NO. 2-2367
As Modified by Transfer No. 77998**

In accordance with the approval of Transfer No. 77998, Water Right No. 2-2367 is now described as follows.

Right Holder: SOUTH ELMORE IRRIGATION CO
PO BOX 396
MOUNTAIN HOME ID 83647

Priority Date: March 22, 1965

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	9.72 CFS	1,944.0 AF
			9.72 CFS	1,944.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L2 (NESW) Sec. 28 Twp 05S Rge 07E ELMORE County

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 are limited to the irrigation of 9,366 acres within the boundary of South Elmore Irrigation Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
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. 2.
7. Upon notification by the Department, the right holder shall install and 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.
8. This right does not grant any right-of-way or easement across the land of another.

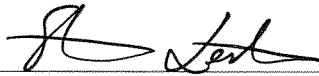
WATER RIGHT NO. 2-2367
As Modified by Transfer No. 77998

CONDITIONS OF APPROVAL

9. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/15/2009.
10. Rights 2-2269 and 2-2367 when combined shall not exceed a total diversion rate of 87.11 cfs.
11. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 when combined shall not exceed a total diversion rate of 131.14 cfs.
11. 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.
12. The following rights are diverted through point of diversion described above: 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317.

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 30th day of July, 20 12



Western Regional Manager

WATER RIGHT NO. 2-7255
As Modified by Transfer No. 77998

In accordance with the approval of Transfer No. 77998, Water Right No. 2-7255 is now described as follows.

Right Holder: SOUTH ELMORE IRRIGATION CO
PO BOX 396
MOUNTAIN HOME ID 83647

Priority Date: August 15, 1977

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversión Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	19.20 CFS	4,800.0 AF
			19.20 CFS	4,800.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L2 (NESW) Sec. 28 Twp 05S Rge 07E ELMORE County

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 are limited to the irrigation of 9,366 acres within the boundary of South Elmore Irrigation Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
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. 2.
7. Upon notification by the Department, the right holder shall install and 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.
8. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 2-7255
As Modified by Transfer No. 77998

CONDITIONS OF APPROVAL

9. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 when combined shall not exceed a total diversion rate of 131.14 cfs.
10. 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.
11. The following rights are diverted through point of diversion described above: 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317.

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 30th day of July, 2012



Xen Western Regional Manager

WATER RIGHT NO. 2-7263
As Modified by Transfer No. 77998

In accordance with the approval of Transfer No. 77998, Water Right No. 2-7263 is now described as follows.

Right Holder: SOUTH ELMORE IRRIGATION CO
PO BOX 396
MOUNTAIN HOME ID 83647

Priority Date: June 01, 1978

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	12.00 CFS	3,455.0 AF
			12.00 CFS	3,455.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L2 (NESW) Sec. 28 Twp 05S Rge 07E ELMORE County

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 are limited to the irrigation of 9,366 acres within the boundary of South Elmore Irrigation Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
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. 2.
7. Upon notification by the Department, the right holder shall install and 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.
8. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 2-7263
As Modified by Transfer No. 77998

CONDITIONS OF APPROVAL

9. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
10. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 when combined shall not exceed a total diversion rate of 131.14 cfs.
11. 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.
12. The following rights are diverted through point of diversion described above: 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317.

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 30th day of July, 20 12



Western Regional Manager

WATER RIGHT NO. 2-7317
As Modified by Transfer No. 77998

In accordance with the approval of Transfer No. 77998, Water Right No. 2-7317 is now described as follows.

Right Holder: SOUTH ELMORE IRRIGATION CO
PO BOX 396
MOUNTAIN HOME ID 83647

Priority Date: February 12, 1981

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	9.30 CFS	2,325.0 AF
			9.30 CFS	2,325.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L2 (NESW) Sec. 28 Twp 05S Rge 07E ELMORE County

CONDITIONS OF APPROVAL

1. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
2. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 are limited to the irrigation of 9,366 acres within the boundary of South Elmore Irrigation Co.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
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. 2.
7. Upon notification by the Department, the right holder shall install and 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.
8. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 2-7317
As Modified by Transfer No. 77998

CONDITIONS OF APPROVAL

9. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
10. Rights 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317 when combined shall not exceed a total diversion rate of 131.14 cfs.
11. 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.
12. The following rights are diverted through point of diversion described above: 2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263 and 2-7317.

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 30th day of July, 20 12


for _____
Western Regional Manager

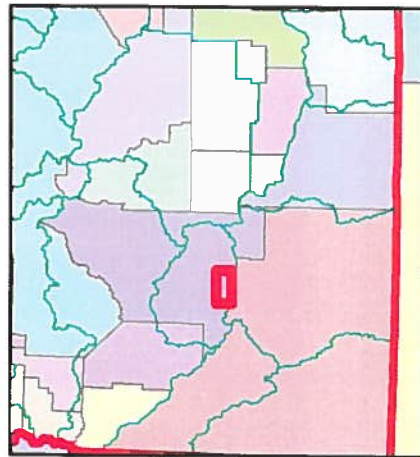


South Elmore Irrigation Co

Water Rights: 2-2210, 2-2345, 2-2367, 2-2269, 2-7255, 2-7263, 2-7317
 Transfer #77998

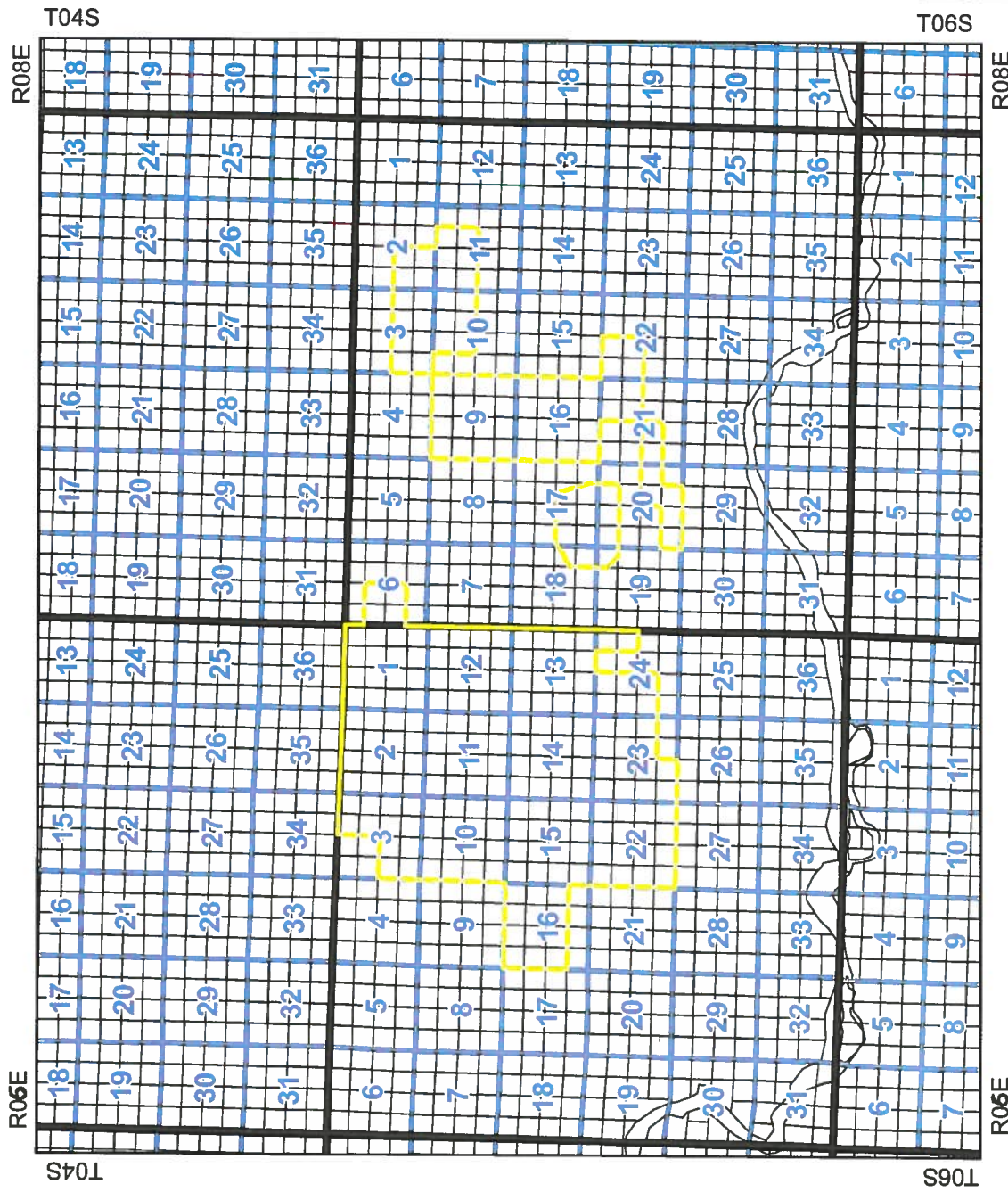
Irrigation Service Area Boundary
 GIS Place of Use Illustration

-  Service Area
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Elmore County
 IDWR Basin 2

Prepared by Curtis, Sharla
 On July 25, 2012





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

July 30, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

SOUTH ELMORE IRRIGATION CO
PO BOX 396
MOUNTAIN HOME ID 83647

RE: Transfer No.: 77998
 Water Right No(s): 2-2210 2-2269 2-2345 2-2367 2-7255
 2-7263 2-7317

Transfer Approval Notice

Dear Water Right Holder:

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.

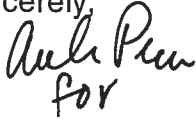
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and 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 homepage 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 208-334-2190.

Sincerely,

A handwritten signature in black ink that reads "John Westra" with "for" written below it.

John Westra

Western Regional Manager

Enclosure(s)

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.

MEMORANDUM

TO: Transfer No. 77998
FROM: Sharla Curtis
DATE: July 25, 2012
RE: Evaluation of Application

The transfer proposes to correct the legal description of the service boundary to match historical and current delivery practices, creating a large pou for all rights held by the company.

Deviations from Transfer Policy Standards

Because this transfer was filed to correctly describe the service boundary of the company, it does not need to be advertised.

Summary of Information Submitted

Authority to File: The owner is the right holder of record for the water rights and therefore has the authority to file the transfer.

Water Right Validity: Rights presumed to be valid because the partial decrees were issued within the past five year period.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No enlargement will occur. The only thing this transfer is doing is correcting the service area boundary to be shown as large pou for all rights.

Local Public Interest: Delivery of water for irrigation of crops is in the local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Data entry affected the correct records. Partial decrees were issued & results were migrated to water right records.

Summary

Assuming other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.