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FEB 08 2012

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WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 77754

FEB 02 2012

MINIMUM REQUIREMENTS CHECKLIST **TO BE SUBMITTED WITH APPLICATION FOR TRANSFER**

WATER RESOURCES
WESTERN REGION

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 77754

FEB 12 2012

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

WATER RESOURCES

WESTERN REGION

Name of Applicant(s) Ark Properties Inc.

Phone 208-366-7931

Mailing address 11204 N. Bar 21 Dr., Glens Ferry, ID 83623

Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Lori Graves, SPF Water Engineering

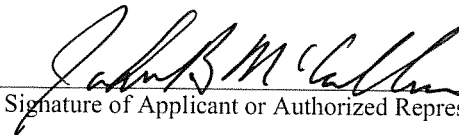
Phone 208-383-4140

Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706

Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

John B. McCallum
Print Name and Title if applicable
MANAGER

1/25/12
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2. See attached**
- _____

Transfer Part 1A Continued:

Applicants wish to change the proposed water rights to reflect an integrated irrigation system. Below is a summary of the water rights current combined limits by group. Each group's current place of use is identified in Figure 1.

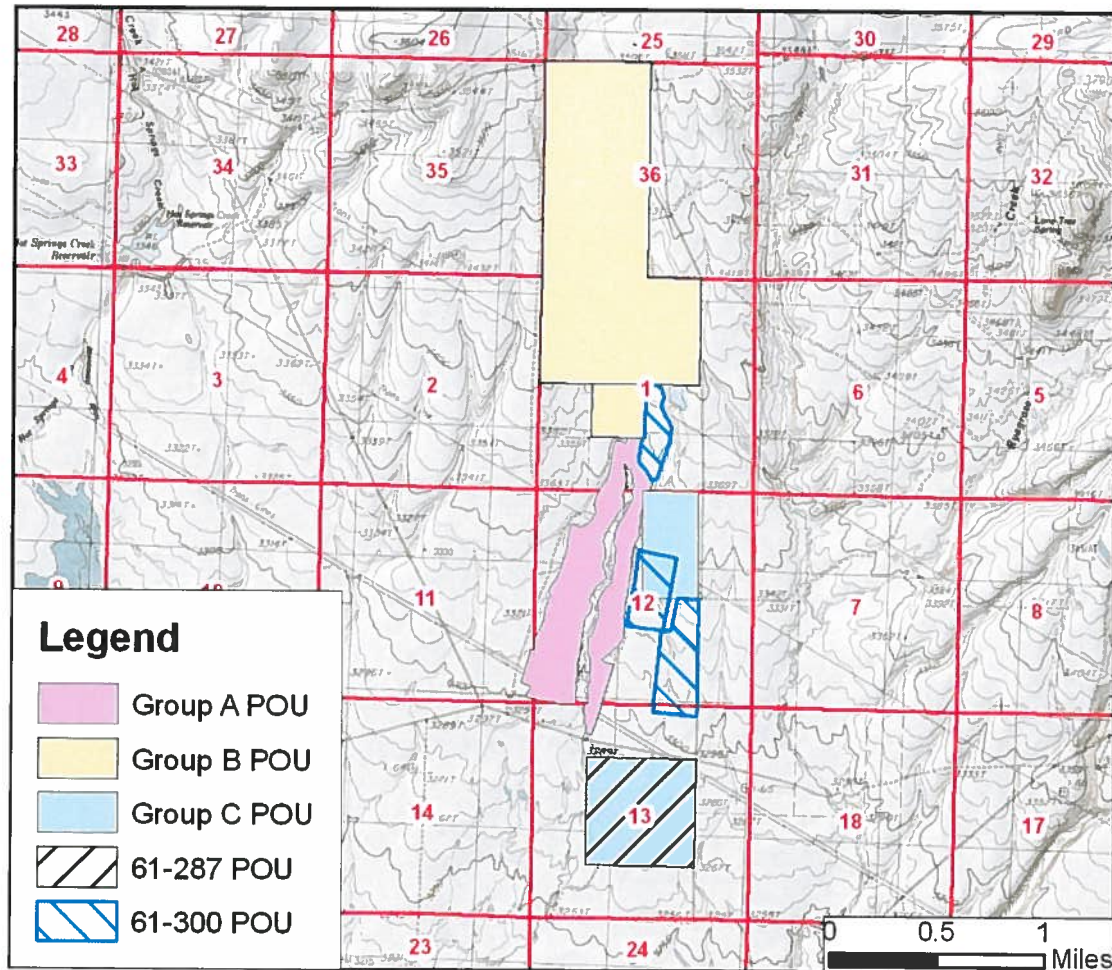


Figure 1

Group A

The following water rights are limited to 216 acres irrigation and diversion of 4.32 cfs when combined: Bennett Creek natural flow rights 61-281A, 61-282A, 61-358A, 61-361A, 61-362C, 61-10377A, 61-2006A and ground water right 61-302.

Group B

The following water rights are limited to 308 acres irrigation when combined: Bennett Creek natural flow rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F and 61-10377C and ground water right 61-2208.

Group C

The following rights are limited to 80.0 acres when combined: Bennett Creek natural flow rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G and 61-10377D.

Water Rights without Combined Limits

Bennett Creek natural flow right 61-287 allows irrigation of 54.8 acres per approved transfer 5484.

Ground water right 61-300 allows irrigation of 124.1 acres.

Conclusion

The water right conditions indicate the following:

There are a total of 782.9 acres authorized for irrigation from Bennett Creek and ground water:

Group A - 216.0 acres
Group B - 308.0 acres
Group C - 80.0 acres
61-287 - 54.8 acres
61-300 - 124.1 acres

Proposed Condition

When combined, water rights listed in transfer Part 1B, 1 are limited to irrigation of 782.9 acres within the permissible place of use described in transfer Part 1B, 4.

The specific 782.9 acres to be irrigated by the right holder are identified in transfer attachment 7a and 7b. Before changing the 782.9 acres to be irrigated within the proposed ppu, 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.

Review Notes

The Department's GIS shape file for water right 61-287 has not been changed per approved transfer 5484 and water right decree record 61-287.

- fixed
KW
4/4

A change in ownership was filed in 2008, when the applicant purchased the north half of the farm from the Beckmans. Water right 61-362E was inadvertently not included. As a result, a warranty deed for the subject property is included as transfer attachment 2A and an ownership change fee of \$25 has been included with the transfer fee.

✓ KW
4/5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☐ ☐	See attached			to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 19.76 cfs and/or 1635.4 ac-ft

2. Total amount of water proposed to be transferred or changed 19.76 cubic feet per second and/or 1635.4 acre-feet per annum.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	8E	36					40	40	40	40	40	40	40	40					320
4S	8E	1		L2			L3	L4											
				40	40		40	40	40	40	40	40		40		40	40		440
		11																30	30
		12	40	40	40	40	40	40	40	40	40	40	40	40		40	40		560
		13		40	40		40	12		40	40					40			252
		14	3																3

Total Acres (for irrigation use) 1605 ppu

Stockwater pou same as irrigation ppu

Transfer Part 1B: Water Rights

Water Right	Basis	Priority Date	Decreed Date	Source	Water Use	Total Acres	Diversion Rate (cfs)	Volume (afa)	Current Owner of Record
61-281A	Decreed	3/1/1872	12/5/2001	BENNETT CREEK	IRRIGATION	216.2	1.02	0.0	ARK PROPERTIES INC
61-281C	Decreed	3/1/1872	10/26/2000	BENNETT CREEK	IRRIGATION	308.2	1.46	0.0	ARK PROPERTIES LLC
61-281D	Decreed	3/1/1872	10/26/2000	BENNETT CREEK	IRRIGATION	80.0	0.38	0.0	ARK PROPERTIES LLC
61-282A	Decreed	4/1/1883	12/5/2001	BENNETT CREEK	IRRIGATION	216.2	0.37	0.0	ARK PROPERTIES INC
61-282C	Decreed	4/1/1883	10/26/2000	BENNETT CREEK	IRRIGATION	308.2	0.52	0.0	ARK PROPERTIES LLC
61-282D	Decreed	4/1/1883	10/26/2000	BENNETT CREEK	IRRIGATION	80.0	0.13	0.0	ARK PROPERTIES LLC
61-287	Decreed	10/1/1887	4/12/2001	BENNETT CREEK	IRRIGATION	54.8	1.37	0.0	ARK PROPERTIES LLC
61-300	Decreed	5/1/1889	12/5/2001	GROUND WATER	IRRIGATION	124.1	2.50	500.0	ARK PROPERTIES INC
61-302	Decreed	1/19/1961	12/5/2001	GROUND WATER	IRRIGATION	216.2	*4.32	864.0	ARK PROPERTIES INC
61-358A	Decreed	3/1/1892	12/5/2001	BENNETT CREEK	IRRIGATION	216.2	0.16	0.0	ARK PROPERTIES INC
61-358C	Decreed	3/1/1892	10/26/2000	BENNETT CREEK	IRRIGATION	308.2	0.23	0.0	ARK PROPERTIES LLC
61-358D	Decreed	3/1/1892	10/26/2000	BENNETT CREEK	IRRIGATION	80.0	0.06	0.0	ARK PROPERTIES LLC
61-361A	Decreed	3/1/1876	12/5/2001	BENNETT CREEK	IRRIGATION	216.2	0.25	0.0	ARK PROPERTIES INC
61-361C	Decreed	3/1/1876	10/26/2000	BENNETT CREEK	IRRIGATION	308.2	0.36	0.0	ARK PROPERTIES LLC
61-361D	Decreed	3/1/1876	10/26/2000	BENNETT CREEK	IRRIGATION	80.0	0.09	0.0	ARK PROPERTIES LLC
61-362C	Decreed	3/1/1892	12/5/2001	BENNETT CREEK	IRRIGATION	216.2	0.61	0.0	ARK PROPERTIES INC
61-362E	Decreed	3/1/1892	10/26/2000	BENNETT CREEK	IRRIGATION	308.2	0.87	0.0	MICHAEL KENN BECKMAN
61-362F	Decreed	3/1/1892	10/26/2000	BENNETT CREEK	IRRIGATION	80.0	0.23	0.0	ARK PROPERTIES LLC
61-2006A	Decreed	1/28/1908	12/5/2001	BENNETT CREEK	IRRIGATION	216.2	0.42	0.0	ARK PROPERTIES INC
61-2006F	Decreed	1/28/1908	10/26/2000	BENNETT CREEK	IRRIGATION	308.2	2.81	0.0	ARK PROPERTIES LLC
61-2006G	Decreed	1/28/1908	10/26/2000	BENNETT CREEK	IRRIGATION	80.0	0.73	0.0	ARK PROPERTIES LLC
61-2013B	Decreed	3/17/1909	10/26/2000	BENNETT CREEK	STOCKWATER	n/a	0.08	0.0	ARK PROPERTIES LLC
61-2013A	Decreed	3/17/1909	12/5/2001	BENNETT CREEK	STOCKWATER	n/a	0.04	0.0	ARK PROPERTIES INC
61-2208	Decreed	8/23/1966	10/26/2000	GROUND WATER	DOMESTIC	n/a		1.4	ARK PROPERTIES LLC
61-2208	Decreed	8/23/1966	10/26/2000	GROUND WATER	IRRIGATION	93.2	0.90	270.0	ARK PROPERTIES LLC
61-10377A	Decreed	3/1/1867	12/5/2001	BENNETT CREEK	IRRIGATION	216.2	1.49	0.0	ARK PROPERTIES INC
61-10377C	Decreed	3/1/1867	10/26/2000	BENNETT CREEK	IRRIGATION	308.2	2.13	0.0	ARK PROPERTIES LLC
61-10377D	Decreed	3/1/1867	10/26/2000	BENNETT CREEK	IRRIGATION	80.0	0.55	0.0	ARK PROPERTIES LLC
Totals							19.76	1635.4	

*Limited to 4.32 cfs when combined with 61-281A, -282A, -258A, -261A, -262C, -2006A, -10377A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: _____

Pumps, pipe, wells, and sprinklers if not already in place. Measuring devices and lockable controlling works will be installed upon the Department's request.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

n/a

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Spring water right 61-10335 also used for stockwater (separate system)

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-281A

Current Owner: ARK PROPERTIES INC

Priority Date: 3/1/1872

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

1.02 CFS

Annual Volume

Total Diversion

1.02 CFS

Location of Point(s) of Diversion

BENNETT CREEK

SE1/4SW1/4

Sec. 1, Twp 04S, Rge 08E B.M.

ELMORE County

Place of Use

IRRIGATION Within ELMORE County

T04S R08E S1	SESW	21.00	T04S R08E S1	SWSE	2.00
T04S R08E S11	SESE	4.90	T04S R08E S12	NWNE	0.90
T04S R08E S12	NENW	30.00	T04S R08E S12	NWNW	5.20
T04S R08E S12	SWNW	22.00	T04S R08E S12	SENE	24.60
T04S R08E S12	NESW	22.50	T04S R08E S12	NWSW	32.00
T04S R08E S12	SWSW	32.00	T04S R08E S12	SESW	14.00
T04S R08E S13	NENW	4.00	T04S R08E S13	NWNW	1.10

Total Acres: 216.2

Conditions of Approval:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 216 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00282A, 61-00358A, 61-00361A, 61-00362C, 61-10377A, 61-02006A, 61-00302.
2. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 61-00282A, 61-00358A, 61-00361A, 61-00362C, 61-10377A, 61-02006A, 61-02013A.
3. C18 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.

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Decreed Date: 12/5/2001

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-281C

Current Owner: ARK PROPERTIES LLC
Priority Date: 3/1/1872
Origin: Water Right
Status: Active
Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

03/15 to 11/15

1.46 CFS

Total Diversion

1.46 CFS

Location of Point(s) of Diversion

BENNETT CREEK

NW1/4NW1/4NW1/4

Sec. 25, Twp 03S, Rge 08E B.M.

ELMORE County

Place of Use

IRRIGATION Within ELMORE County

T03S R08E S36	NENW	6.90	T03S R08E S36	NWNW	14.00		
T03S R08E S36	SWNW	21.70	T03S R08E S36	SENW	8.90		
T03S R08E S36	NESW	21.00	T03S R08E S36	NWSW	32.40		
T03S R08E S36	SWSW	40.00	T03S R08E S36	SESW	15.50		
T04S R08E S1	Lot 2	NWNE	7.20	T04S R08E S1	SWNE	11.00	
T04S R08E S1	Lot 3	NENW	31.60	T04S R08E S1	Lot 4	NWNW	39.00
T04S R08E S1	SWNW	31.00	T04S R08E S1	SENW	28.00		

Total Acres: 308.2

Conditions of Approval:

1. X35 Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F, 61-2208 and 61-10377C when combined shall not exceed the irrigation of 308.0 acres.
2. T19 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.

Decreed Date: 10/26/2000

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 61-281D

Current Owner: ARK PROPERTIES LLC

Priority Date: 3/1/1872

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.38 CFS

Annual Volume

Total Diversion

0.38 CFS

Location of Point(s) of Diversion

BENNETT CREEK

ELMORE County

NW1/4NW1/4NW1/4

Sec. 25, Twp 03S, Rge 08E B.M.

Place of Use

IRRIGATION Within ELMORE County

T04S R08E S12	NWNE	14.80	T04S R08E S12	SWNE	10.00
T04S R08E S13	SWNE	13.80	T04S R08E S13	SENE	13.80
T04S R08E S13	NESW	13.80	T04S R08E S13	NWSE	13.80

Total Acres: 80

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Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. T19 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.
3. R60 This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. X35 Rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G, and 61-10377D when combined shall not exceed a total annual maximum diversion volume of 320.0 af at the field headgate, and the irrigation of 80.0 acres.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
7. R43 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.
8. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 61-C, Bennett Creek.

Decreed Date: 10/26/2000

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-282A

Current Owner: ARK PROPERTIES INC

Priority Date: 4/1/1883

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Total Diversion

Diversion Rate

0.37 CFS

0.37 CFS

Annual Volume

Location of Point(s) of Diversion

BENNETT CREEK

ELMORE County

SE1/4SW1/4

Sec. 1, Twp 04S, Rge 08E B.M.

Place of Use

IRRIGATION Within ELMORE County

T04S R08E S1	SESW	21.00	T04S R08E S1	SWSE	2.00
T04S R08E S11	SESE	4.90	T04S R08E S12	NWNE	0.90
T04S R08E S12	NENW	30.00	T04S R08E S12	NWNW	5.20
T04S R08E S12	SWNW	22.00	T04S R08E S12	SENE	24.60
T04S R08E S12	NESW	22.50	T04S R08E S12	NWSW	32.00
T04S R08E S12	SWSW	32.00	T04S R08E S12	SESW	14.00
T04S R08E S13	NENW	4.00	T04S R08E S13	NWNW	1.10

Total Acres: 216.2

Conditions of Approval:

1. C18 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.
2. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 61-00281A, 61-00358A, 61-00361A, 61-00362C, 61-10377A, 61-02006A, 61-02013A.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 216 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00281A, 61-00358A, 61-00361A, 61-00362C, 61-10377A, 61-02006A, 61-00302.

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Decreed Date: 12/5/2001

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-282C

Current Owner: ARK PROPERTIES LLC

Priority Date: 4/1/1883

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.52 CFS

Annual Volume

Total Diversion

0.52 CFS

Location of Point(s) of Diversion

BENNETT CREEK

NW1/4NW1/4NW1/4

Sec. 25, Twp 03S, Rge 08E B.M.

ELMORE County

Place of Use

IRRIGATION Within ELMORE County

T03S R08E S36		NENW	6.90	T03S R08E S36		NWNW	14.00
T03S R08E S36		SWNW	21.70	T03S R08E S36		SENE	8.90
T03S R08E S36		NESW	21.00	T03S R08E S36		NWSW	32.40
T03S R08E S36		SWSW	40.00	T03S R08E S36		SESW	15.50
T04S R08E S1	Lot 2	NWNE	7.20	T04S R08E S1		SWNE	11.00
T04S R08E S1	Lot 3	NENW	31.60	T04S R08E S1	Lot 4	NWNW	39.00
T04S R08E S1		SWNW	31.00	T04S R08E S1		SENE	28.00

Total Acres: 308.2

Conditions of Approval:

1. X35 Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F, 61-2208 and 61-10377C when combined shall not exceed the irrigation of 308.0 acres.
2. T19 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.

Decreed Date: 10/26/2000

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 61-282D

Current Owner: ARK PROPERTIES LLC

Priority Date: 4/1/1883

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

0.13 CFS

0.13 CFS

Annual Volume

Location of Point(s) of Diversion

BENNETT CREEK

ELMORE County

NW1/4NW1/4NW1/4

Sec. 25, Twp 03S, Rge 08E B.M.

Place of Use

IRRIGATION Within ELMORE County

T04S R08E S12	NWNE	14.80	T04S R08E S12	SWNE	10.00
T04S R08E S13	SWNE	13.80	T04S R08E S13	SENE	13.80
T04S R08E S13	NESW	13.80	T04S R08E S13	NWSE	13.80

Total Acres: 80

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Conditions of Approval:

1. T19 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.
2. R43 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.
3. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. T08 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. R60 This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 61-C, Bennett Creek.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. X35 Rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G, and 61-10377D when combined shall not exceed a total annual maximum diversion volume of 320.0 af at the field headgate, and the irrigation of 80.0 acres.

Decreed Date: 10/26/2000

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 61-287

Current Owner: ARK PROPERTIES LLC

Priority Date: 10/1/1887

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

1.37 CFS

Annual Volume

Total Diversion

1.37 CFS

Location of Point(s) of Diversion

BENNETT CREEK

NW1/4NW1/4NW1/4

Sec. 25, Twp 03S, Rge 08E B.M.

ELMORE County

Place of Use

IRRIGATION Within ELMORE County

T04S R08E S13

SWNE

13.70

T04S R08E S13

SENE

13.70

T04S R08E S13

NESW

13.70

T04S R08E S13

NWSE

13.70

Total Acres: 54.8

Conditions of Approval:

1. C18 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.
2. A04 THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

Decreed Date: 4/12/2001

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-302

Current Owner: ARK PROPERTIES INC

Priority Date: 1/19/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	4.32 CFS	864 AF
	<u>Total Diversion</u>	4.32 CFS	864 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4SE1/4	Sec. 1,	Twp 04S,	Rge 08E B.M.
ELMORE County				

Place of Use

IRRIGATION Within ELMORE County

T04S R08E S1	SESW	21.00	T04S R08E S1	SWSE	2.00
T04S R08E S11	SESE	4.90	T04S R08E S12	NWNE	0.90
T04S R08E S12	NENW	30.00	T04S R08E S12	NWNW	5.20
T04S R08E S12	SWNW	22.00	T04S R08E S12	SENW	24.60
T04S R08E S12	NESW	22.50	T04S R08E S12	NWSW	32.00
T04S R08E S12	SWSW	32.00	T04S R08E S12	SESW	14.00
T04S R08E S13	NENW	4.00	T04S R08E S13	NWNW	1.10

Total Acres: 216.2

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Conditions of Approval:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 216 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00282A, 61-00358A, 61-00361A, 61-00362C, 61-10377A, 61-02006A, 61-00281A.
2. C15 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
3. THE FOLLOWING RIGHT IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 61-00300.
WATER TEMPERATURE MEASURED AT 140 DEGREES F.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.32 CFS. COMBINED RIGHT NOS.: 61-00281A, 61-00282A, 61-00358A, 61-00361A, 61-00362C, 61-10377A, 61-02006A.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decreed Date: 12/5/2001

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-362E

Current Owner: CARLA B BECKMAN
MICHAEL KENN BECKMAN

Priority Date: 3/1/1892

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.87 CFS

Annual Volume

Total Diversion

0.87 CFS

Location of Point(s) of Diversion

BENNETT CREEK
ELMORE County

NW1/4NW1/4NW1/4 Sec. 25, Twp 03S, Rge 08E B.M.

Place of Use

IRRIGATION Within ELMORE County

T03S R08E S36	NENW	6.90	T03S R08E S36	NWNW	14.00
T03S R08E S36	SWNW	21.70	T03S R08E S36	SENE	8.90
T03S R08E S36	NESW	21.00	T03S R08E S36	NWSW	32.40
T03S R08E S36	SWSW	40.00	T03S R08E S36	SESW	15.50
T04S R08E S1	Lot 2 NWNE	7.20	T04S R08E S1	SWNE	11.00
T04S R08E S1	Lot 3 NENW	31.60	T04S R08E S1	Lot 4 NWNW	39.00
T04S R08E S1	SWNW	31.00	T04S R08E S1	SENE	28.00

Total Acres: 308.2

Conditions of Approval:

1. T19 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.
2. X35 Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F, 61-2208 and 61-10377C when combined shall not exceed the irrigation of 308.0 acres.

Decreed Date: 10/26/2000

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-362F

Current Owner: ARK PROPERTIES LLC

Priority Date: 3/1/1892

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.23 CFS

Annual Volume

Total Diversion

0.23 CFS

Location of Point(s) of Diversion

BENNETT CREEK

NW1/4NW1/4NW1/4

Sec. 25, Twp 03S, Rge 08E B.M.

ELMORE County

Place of Use

IRRIGATION Within ELMORE County

T04S R08E S12	NWNE	14.80	T04S R08E S12	SWNE	10.00
T04S R08E S13	SWNE	13.80	T04S R08E S13	SENE	13.80
T04S R08E S13	NESW	13.80	T04S R08E S13	NWSE	13.80

Total Acres: 80

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Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. T19 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.
3. X35 Rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G, and 61-10377D when combined shall not exceed a total annual maximum diversion volume of 320.0 af at the field headgate, and the irrigation of 80.0 acres.
4. R60 This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
6. R43 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.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 61-C, Bennett Creek.

Decreed Date: 10/26/2000

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 61-2006A

Current Owner: ARK PROPERTIES INC

Priority Date: 1/28/1908

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Total Diversion

Diversion Rate

0.42 CFS

0.42 CFS

Annual Volume

Location of Point(s) of Diversion

BENNETT CREEK

ELMORE County

SE1/4SW1/4

Sec. 1, Twp 04S, Rge 08E B.M.

Place of Use

IRRIGATION Within ELMORE County

T04S R08E S1	SESW	21.00	T04S R08E S1	SWSE	2.00
T04S R08E S11	SESE	4.90	T04S R08E S12	NWNE	0.90
T04S R08E S12	NENW	30.00	T04S R08E S12	NWNW	5.20
T04S R08E S12	SWNW	22.00	T04S R08E S12	SENE	24.60
T04S R08E S12	NESW	22.50	T04S R08E S12	NWSW	32.00
T04S R08E S12	SWSW	32.00	T04S R08E S12	SESW	14.00
T04S R08E S13	NENW	4.00	T04S R08E S13	NWNW	1.10

Total Acres: 216.2

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Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 61-00282A, 61-00358A, 61-00361A, 61-00362C, 61-10377A, 61-00281A, 61-02013A.
3. C18 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.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 216 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00282A, 61-00358A, 61-00361A, 61-00362C, 61-10377A, 61-00281A, 61-00302.
5. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decreed Date: 12/5/2001

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-2006F

Current Owner: ARK PROPERTIES LLC

Priority Date: 1/28/1908

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

2.81 CFS

Annual Volume

Total Diversion

2.81 CFS

Location of Point(s) of Diversion

BENNETT CREEK

NW1/4NW1/4NW1/4

Sec. 25, Twp 03S, Rge 08E B.M.

ELMORE County

Place of Use

IRRIGATION Within ELMORE County

T03S R08E S36		NENW	6.90	T03S R08E S36		NWNW	14.00
T03S R08E S36		SWNW	21.70	T03S R08E S36		SENW	8.90
T03S R08E S36		NESW	21.00	T03S R08E S36		NWSW	32.40
T03S R08E S36		SWSW	40.00	T03S R08E S36		SESW	15.50
T04S R08E S1	Lot 2	NWNE	7.20	T04S R08E S1		SWNE	11.00
T04S R08E S1	Lot 3	NENW	31.60	T04S R08E S1	Lot 4	NWNW	39.00
T04S R08E S1		SWNW	31.00	T04S R08E S1		SENW	28.00

Total Acres: 308.2

Conditions of Approval:

1. X35 Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F, 61-2208 and 61-10377C when combined shall not exceed the irrigation of 308.0 acres.
2. T19 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.

Decreed Date: 10/26/2000

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-2006G

Current Owner: ARK PROPERTIES LLC

Priority Date: 1/28/1908

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.73 CFS

Annual Volume

Total Diversion

0.73 CFS

Location of Point(s) of Diversion

BENNETT CREEK

ELMORE County

NW1/4NW1/4NW1/4

Sec. 25, Twp 03S, Rge 08E B.M.

Place of Use

IRRIGATION Within ELMORE County

T04S R08E S12	NWNE	14.80	T04S R08E S12	SWNE	10.00
T04S R08E S13	SWNE	13.80	T04S R08E S13	SENE	13.80
T04S R08E S13	NESW	13.80	T04S R08E S13	NWSE	13.80

Total Acres: 80

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. R60 This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 61-C, Bennett Creek.
4. R43 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.
5. T08 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. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
7. X35 Rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G, and 61-10377D when combined shall not exceed a total annual maximum diversion volume of 320.0 af at the field headgate, and the irrigation of 80.0 acres.
8. T19 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.

Decreed Date: 10/26/2000

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-2013A

Current Owner: ARK PROPERTIES INC

Priority Date: 3/17/1909

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

STOCKWATER

1/01 to 12/31

0.04 CFS

Total Diversion

0.04 CFS

Location of Point(s) of Diversion

BENNETT CREEK

SE1/4SW1/4

Sec. 1, Twp 04S, Rge 08E B.M.

ELMORE County

Place of Use

STOCKWATER Within ELMORE County

T04S R08E S1	SESW	T04S R08E S1	SWSE
T04S R08E S11	SESE	T04S R08E S12	NWNE
T04S R08E S12	NENW	T04S R08E S12	NWNW
T04S R08E S12	SWNW	T04S R08E S12	SENW
T04S R08E S12	NESW	T04S R08E S12	NWSW
T04S R08E S12	SWSW	T04S R08E S12	SESW
T04S R08E S13	NENW	T04S R08E S13	NWNW

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. STOCKWATER, 179 RANGE CATTLE
3. C18 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.
4. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Decreed Date: 12/5/2001

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 61-2013B

Current Owner: ARK PROPERTIES LLC
CARLA B BECKMAN

Priority Date: 3/17/1909

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>
STOCKWATER	1/01 to 12/31
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.08 CFS	
0.08 CFS	

Location of Point(s) of Diversion

BENNETT CREEK
ELMORE County

NW1/4NW1/4 Sec. 25, Twp 03S, Rge 08E B.M.

Place of Use

STOCKWATER Within ELMORE County

T03S R08E S36	NENW
T03S R08E S36	SWNW
T03S R08E S36	NESW
T03S R08E S36	SWSW
T04S R08E S1	NWNE
T04S R08E S1	NENW
T04S R08E S1	SWNW
T04S R08E S1	NESW

T03S R08E S36	NWNW
T03S R08E S36	SENW
T03S R08E S36	NWSW
T03S R08E S36	SESW
T04S R08E S1	SWNE
T04S R08E S1	NWNW
T04S R08E S1	SENW
T04S R08E S1	NWSW

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Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. C18 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.
3. STOCKWATER, 321 RANGE CATTLE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 61-00281B, 61-00282B, 61-00358B, 61-00361B, 61-00362D, 61-10377B AND 61-02006E.
4. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Decreed Date: 10/26/2000

Page 33 of 41

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 61-2208

Current Owner: ARK PROPERTIES LLC

Priority Date: 8/23/1966

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.9 CFS	270 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.4 AF
	<u>Total Diversion</u>	0.9 CFS	271.4 AF

Location of Point(s) of Diversion

GROUND WATER
ELMORE County

NE1/4SE1/4SW1/4 Sec. 36, Twp 03S, Rge 08E B.M.

Place of Use

IRRIGATION Within ELMORE County

T03S R08E S36	SESW	13.00	T04S R08E S1	NWNE	7.20
T04S R08E S1	SWNE	11.00	T04S R08E S1	NENW	26.00
T04S R08E S1	SESW	21.00	T04S R08E S1	NESW	15.00

Total Acres: 93.2

DOMESTIC Within ELMORE County

T03S R08E S36 SESW

Page 34 of 41

Conditions of Approval:

1. X35 Right 61-2208 when combined with Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F and 61-10377C shall not exceed the irrigation of 78.2 acres within the place of use described above in a single irrigation season.
2. X62 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and 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 before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10-26-2000.
5. X27 This right is limited to the irrigation of 60.0 acres within the place of use described above in a single irrigation season.
6. T19 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.

Decreed Date: 10/26/2000

Page 35 of 41

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 61-10377A

Current Owner: ARK PROPERTIES INC

Priority Date: 3/1/1867

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

1.49 CFS

Annual Volume

Total Diversion

1.49 CFS

Location of Point(s) of Diversion

BENNETT CREEK

SE1/4SW1/4

Sec. 1, Twp 04S, Rge 08E B.M.

ELMORE County

Place of Use

IRRIGATION Within ELMORE County

T04S R08E S1	SESW	21.00	T04S R08E S1	SWSE	2.00
T04S R08E S11	SESE	4.90	T04S R08E S12	NWNE	0.90
T04S R08E S12	NENW	30.00	T04S R08E S12	NWNW	5.20
T04S R08E S12	SWNW	22.00	T04S R08E S12	SENW	24.60
T04S R08E S12	NESW	22.50	T04S R08E S12	NWSW	32.00
T04S R08E S12	SWSW	32.00	T04S R08E S12	SESW	14.00
T04S R08E S13	NENW	4.00	T04S R08E S13	NWNW	1.10

Total Acres: 216.2

Page 36 of 41

Conditions of Approval:

1. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 61-00282A, 61-00358A, 61-00361A, 61-00362C, 61-00281A, 61-02006A, 61-02013A.
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 61-00285A, 61-00285B, 61-00286A & 61-00286B.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 216 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00282A, 61-00358A, 61-00361A, 61-00362C, 61-00281A, 61-02006A, 61-00302.
3. C18 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.

Decreed Date: 12/5/2001

Page 37 of 41

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 61-10377C

Current Owner: ARK PROPERTIES LLC

Priority Date: 3/1/1867

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

2.13 CFS

2.13 CFS

Annual Volume

Location of Point(s) of Diversion

BENNETT CREEK

ELMORE County

NW1/4NW1/4NW1/4

Sec. 25, Twp 03S, Rge 08E B.M.

Place of Use

IRRIGATION Within ELMORE County

T03S R08E S36	NENW	6.90	T03S R08E S36	NWNW	14.00		
T03S R08E S36	SWNW	21.70	T03S R08E S36	SENW	8.90		
T03S R08E S36	NESW	21.00	T03S R08E S36	NWSW	32.40		
T03S R08E S36	SWSW	40.00	T03S R08E S36	SESW	15.50		
T04S R08E S1	Lot 2	NWNE	7.20	T04S R08E S1	SWNE	11.00	
T04S R08E S1	Lot 3	NENW	31.60	T04S R08E S1	Lot 4	NWNW	39.00
T04S R08E S1	SWNW	31.00	T04S R08E S1	SENW	28.00		

Total Acres: 308.2

Conditions of Approval:

1. X35 Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F, 61-2208 and 61-10377C when combined shall not exceed the irrigation of 308.0 acres.
2. T19 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.

Decreed Date: 10/26/2000

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 61-10377D

Current Owner: ARK PROPERTIES LLC

Priority Date: 3/1/1867

Origin: Water Right

Status: Active

Basis: Decreed

Source

BENNETT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

0.55 CFS

0.55 CFS

Annual Volume

Location of Point(s) of Diversion

BENNETT CREEK

ELMORE County

NW1/4NW1/4NW1/4

Sec. 25, Twp 03S, Rge 08E B.M.

Place of Use

IRRIGATION Within ELMORE County

T04S R08E S12	NWNE	14.80	T04S R08E S12	SWNE	10.00
T04S R08E S13	SWNE	13.80	T04S R08E S13	SENE	13.80
T04S R08E S13	NESW	13.80	T04S R08E S13	NWSE	13.80

Total Acres: 80

Page 39 of 41

Conditions of Approval:

1. R60 This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. X35 Rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G, and 61-10377D when combined shall not exceed a total annual maximum diversion volume of 320.0 af at the field headgate, and the irrigation of 80.0 acres.
3. R43 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.
4. T19 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.
5. T08 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. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
8. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 61-C, Bennett Creek.

Decreed Date: 10/26/2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/> , Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number:

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

FOR DEPARTMENT USE ONLY

Transfer contains 41 pages and 2 attachments.

Received by MP Date 2/8/12 Prelim. Check by KW Date 5/5/2012

Fee Paid \$ 2020.00 Date 2/8/12 Received by MP Receipt # W039894

Add'l Fee Paid \$ 25.00 (Change of ownership) Date 2/8/12 Received by MP Receipt # W039894



ATTACHMENT 2A
WARRANTY DEED FOR WATER RIGHT 61-362E

WARRANTY DEED

CERTIFIED COPY

For Value Received,

KENN BECKMAN AND CARLA BECKMAN, HUSBAND AND WIFE
AKA CARLA B BECKMAN

the Grantors do hereby grant, bargain, sell, convey and warrant unto

ARK PROPERTIES, LLC

the Grantee whose current address is:
11204 N Bar 21 Dr, Glens Ferry, ID 83623

the following described real property in Elmore County, State of Idaho more particularly described as follows, to-wit:

Township 3 South, Range 8 East, Boise Meridian, Elmore County, Idaho
Section 36: W1/2
Reserving a Life Estate unto Grantors the W1/2NE1/4SE1/4SW1/4

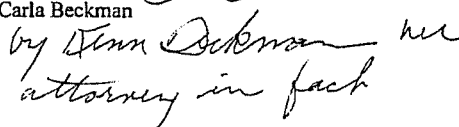
Township 4 South, Range 8 East, Boise Meridian, Elmore County, Idaho
Section 1: U.S. Government Lots 2, 3 & 4, SW1/4NE1/4, S1/2NW1/4 and N1/2SW1/4

Together with Water right numbers: 61-2017, 61-281C, 61-282C, 61-358C, 61-362C, 61-2006F, 61-2208, 61-10377C, 61-2013B

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that they will warrant and defend the same from all lawful claims whatsoever, except those of record.

Date: May 6, 2008


Kenn Beckman

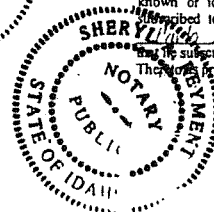
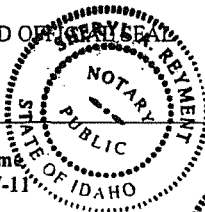

Carla Beckman
by  her
attorney in fact

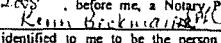
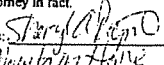
State of Idaho
County of Elmore

On this 9th day of May, 2008, before me, the undersigned, a Notary Public, in and for said State, personally appeared KENN BECKMAN AND CARLA BECKMAN, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

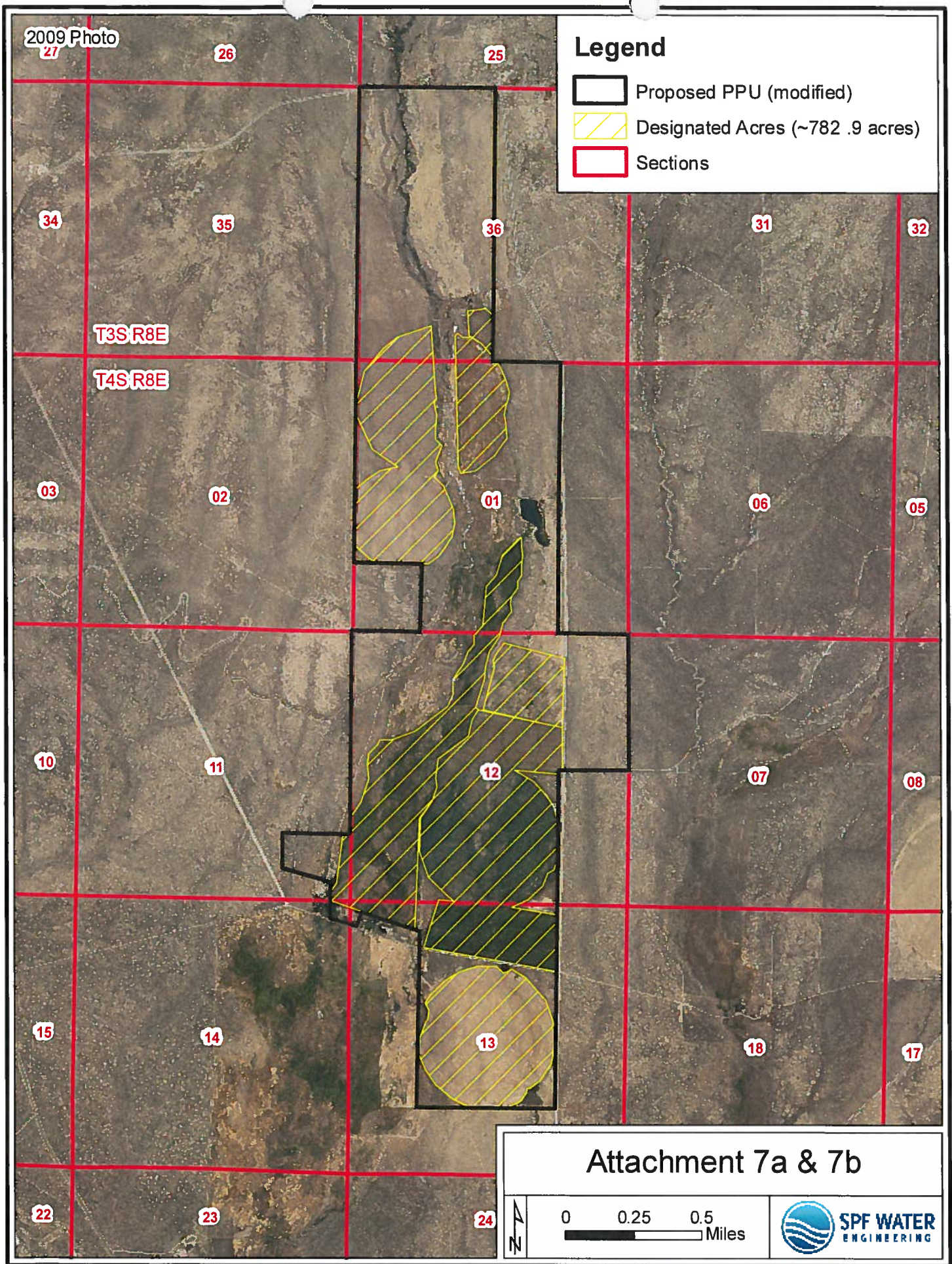
WITNESS MY HAND AND OFFICIAL SEAL


Notary Public
Residing at: Mountain Home
Commission Expires: 12-27-11



STATE OF Idaho)
COUNTY OF Elmore)
On this 9th day of May
In the year 2008, before me, a Notary Public, personally
appeared 
known or identified to me to be the person whose name is
subscribed to the within instrument as the attorney in fact of
Kenn Beckman and Carla Beckman and acknowledged to me
that he subscribed the name of the above
The undersigned principal, and his/her attorney in fact,
Notary Public: 
Residing at: Mountain Home
Expires: 12-27-11

Attachment 1a



Attachment 2

Pearson, Mandi

From: Pearson, Mandi
Sent: Wednesday, June 27, 2012 3:04 PM
To: 'sswenson@mountainhomenews.com'
Subject: Legal Ad
Attachments: Elmore Cover Letter.docx; Elmore County Ad.docx

Stacy,

I will be taking over the advertising duties for the time being.
Please see the attached legal ads for publication 7/4/12 and 7/11/12.
Please confirm that these are ok to publish as shown.

Thanks!

Mandi Pearson

Office Specialist 2
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

Legal Notice

PROPOSED CHANGE OF WATER RIGHTS

Ark Properties Inc. of 11204 N. Bar 21 Dr., Glens Ferry, ID 83623, filed Application No. 77754 to transfer 27 water rights with 1867 through 1966 priority dates Bennett Creek and groundwater totaling 19.76 cfs. The purpose of the transfer is to create a permissible place of use for 783 acres within a 1605 acre area. Water will be used at the current place of use north of Bennett Road, east of Hot Springs Road, south of Hot Creek Road and west of Rye Grass Road.

For additional information concerning the property location, please contact Western Region office at 208-334-2190 or see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp for a full description of the rights and the proposed transfer. Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Director, IDWR Western Region, 2735 Airport Way, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 7/23/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 7/4/2012, 7/11/2012

June 27, 2012

LEGAL NOTICE DEPARTMENT

MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME, ID 83647-1330

RE: Transfer No. 77754,
Water Right No(s): 61-2006A, 61-2013B, 61-281A, 61-282A, 61-358A, 61-361A, 61-362C, 61-2013A, 61-10377A,
61-300, 61-302, 61-287, 61-281C, 61-281D, 61-282C, 61-282D, 61-358C, 61-358D, 61-361C, 61-361D, 61-362E,
61-362F, 61-2006F, 61-10377C, 61-10377D, 61-2006G, 61-2208

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 7/23/2012. Your cooperation is appreciated.

Sincerely,

Mandi Pearson
Office Specialist II

Enclosure(s)

MEMORANDUM

TO: Transfer No. 77754
FROM: Kay Walker *KW*
DATE: June 12, 2012
RE: Evaluation of Application

The transfer proposes to create a permissible place of use for each of the 27 water rights involved in this application.

The site is located north of Bennett Road, east of Hot Springs Road, south of Hot Creek Road and west of Rye Grass Road.

Contact person for the applicant is Lori Graves of SPF Water Engineering, 300 E. Mallard Dr., Suite 350, Boise, ID, 383-4140.

Summary of Information Submitted

Authority to File:

The applicant is the current water right holder of record for each of the water rights involved in this application.

It was found that the applicants did not own a small parcel of land in the SESE, Sec. 11 and NENE, Sec. 14, Twp. 4S, Rge. 8E. Contact was made with the applicants representative and 15 acres were removed from the proposed ppu within this area.

Water Right Validity:

The rights involved in this application were each decreed between October 27, 2000 and December 5, 2001. Recent beneficial use confirmed via 2009 and 2011 aerial photography.

Injury to Other Water Rights:

There should be no injury to other rights. The application does not intend to increase the number of acres irrigated or the amount of water to be diverted. The applicants intend to create a permissible place of use for their water rights but will be limited to the parameters of the rights as decreed.

Enlargement of Use:

No enlargement should occur if conditioned appropriately.

Local Public Interest:

It is within the local public interest to allow property owners the flexibility to move their water use around on their properties.

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.

Discussion

Data entry affected the correct records. Each of the water rights had been decreed in the SRBA between October of 2000 and December of 2001, and the partial decrees have been migrated into water rights data base.

Overlapping rights at the existing PODs consist of the rights involved in this transfer from Bennett Creek and a couple of wells. There are also some rights for Frank Galey diverted at the point of diversion within the SESW, S1, 4S, 8E. Since these rights are all under watermaster control it is up to the watermaster to make sure senior rights are delivered and junior rights are shut off. There are no overlapping rights for the place of use under this proposal, only the rights involved in this application.

Watermaster comments will be solicited while the application is being advertised.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

9E

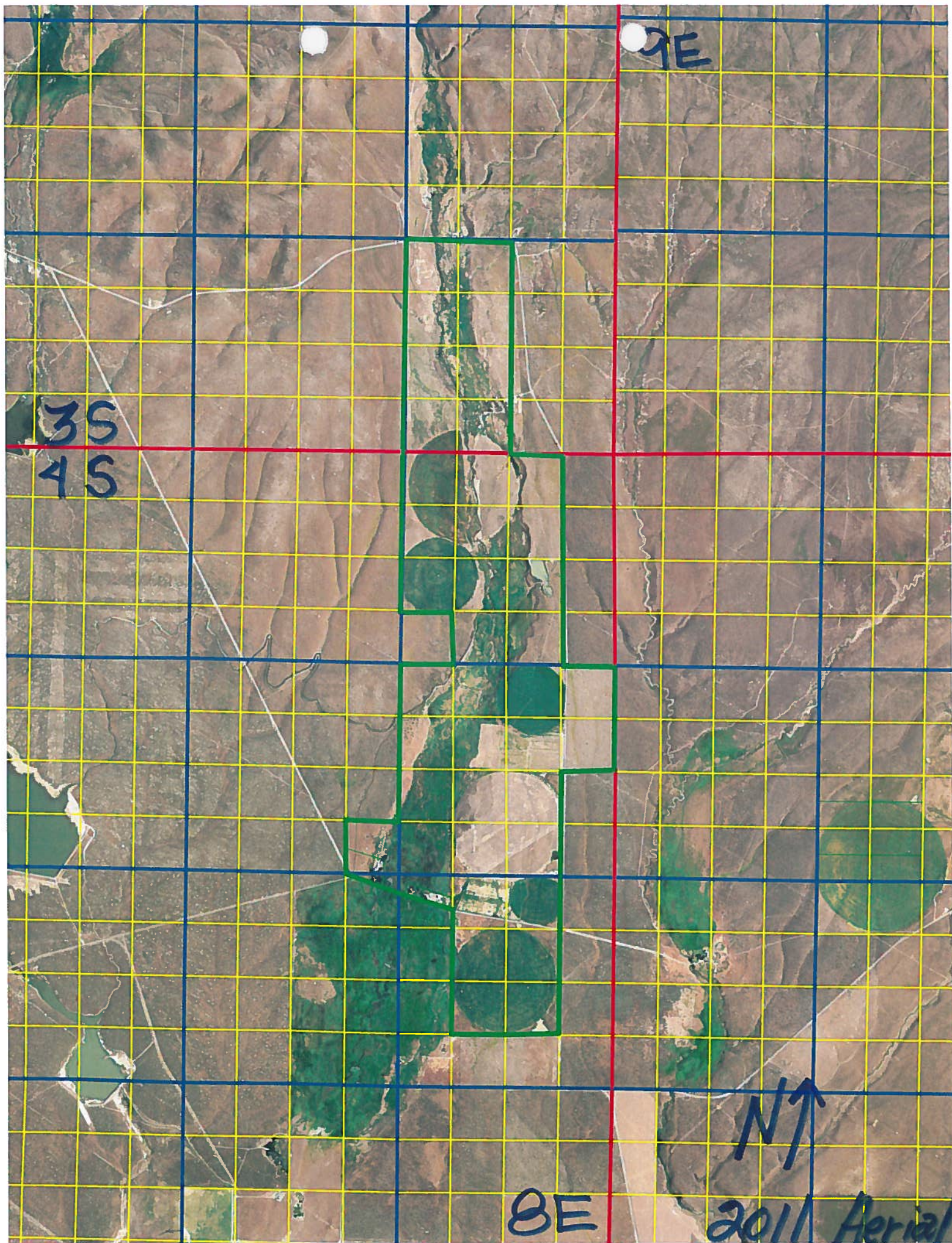
3S

4S

N ↑

8E

2009 Aerial



Walker, Kay

From: Lori Graves [LGraves@spfwater.com]
Sent: Thursday, June 07, 2012 2:07 PM
To: Walker, Kay
Subject: RE: Ark Properties Transfer 77754 (Bennett Creek)
Attachments: Attach 7a-b (modified).pdf; Modified PPU, Part 1.pdf

Kay,

Attached is a modified ppu map that excludes the property owned by Robin Friend. Also attached is a modified Part 1 page for the transfer application with the original ppu reduced by 4 acres in the NENE, S14 and 10 acres in the SESE, S11 to exclude Friend's property. Please let me know if you need anything else Kay. Thanks.

From: Walker, Kay [<mailto:Kay.Walker@idwr.idaho.gov>]
Sent: Thursday, June 07, 2012 1:31 PM
To: Lori Graves
Cc: Walker, Kay
Subject: RE: Ark Properties Transfer 77754 (Bennett Creek)

The tax lot information does not include the size of the lots – on the “acres” line they just say “null”. Don’t know what that is about. I redrew the lots and find:
Friend’s lot in SESE, S11 is about 9.6 acres; her lot in NENE, S14 is about 4 acres. The tax lot data was last updated in April of 2010. Don’t know why they did not include “size” like they had done previously. They don’t even show the number of acres in 40’s that are not split. Sorry I can’t do any better for you. Kay

From: Lori Graves [<mailto:LGraves@spfwater.com>]
Sent: Thursday, June 07, 2012 12:54 PM
To: Walker, Kay
Subject: RE: Ark Properties Transfer 77754 (Bennett Creek)

Kay,

Could you tell me how many acres is assessed to Friend and Arc Properties in each track? Thanks Kay

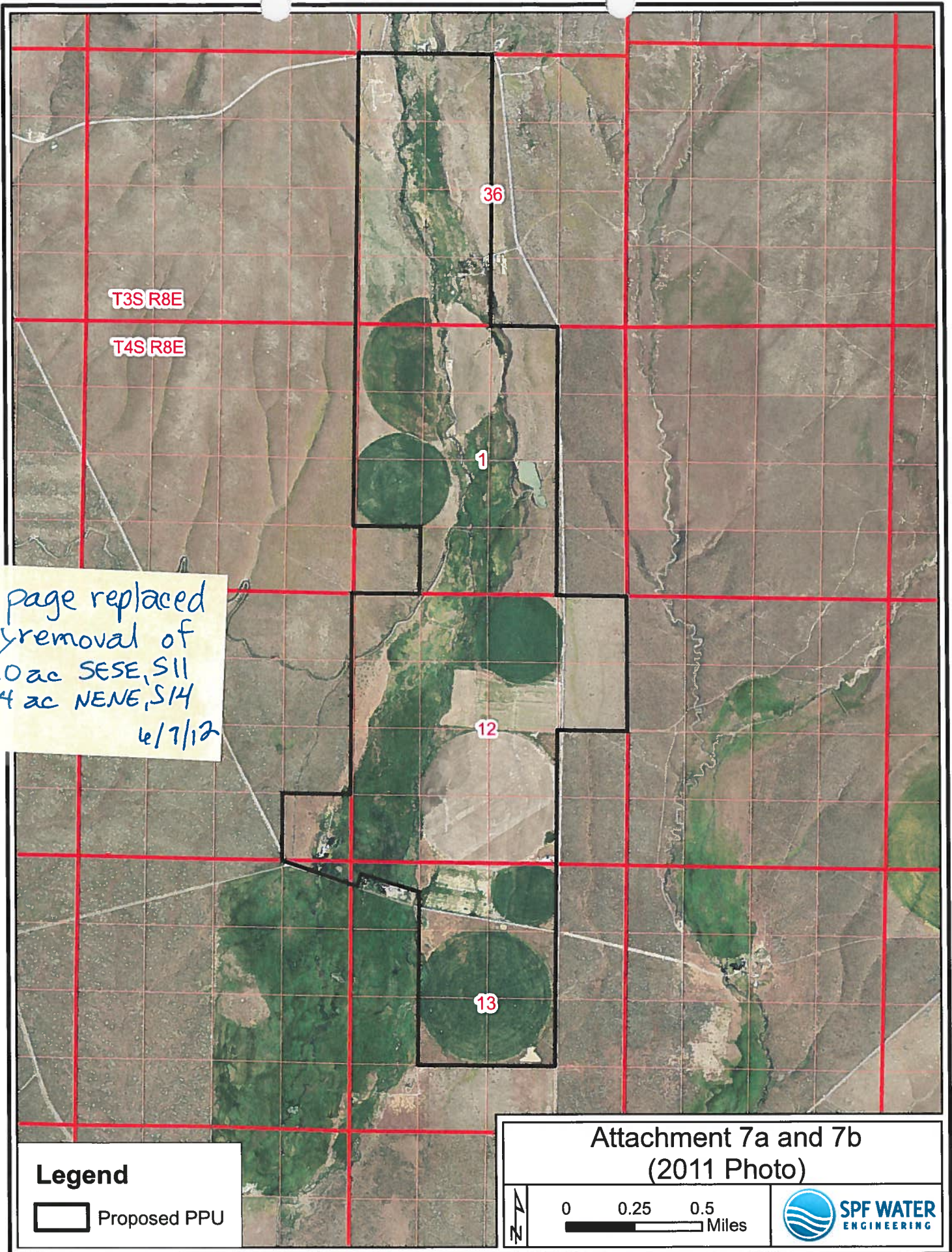
From: Walker, Kay [<mailto:Kay.Walker@idwr.idaho.gov>]
Sent: Thursday, June 07, 2012 10:28 AM
To: Lori Graves
Cc: Walker, Kay
Subject: RE: Ark Properties Transfer 77754 (Bennett Creek)

Hi, Lori!

I have scanned in and attached a map showing the 2 parcels identified in the e-mail I sent yesterday. I hope this helps you out. Let me know if you need something else.

Thanks!! Kay

From: Lori Graves [<mailto:LGraves@spfwater.com>]
Sent: Thursday, June 07, 2012 7:07 AM



Attachment 2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☐ ☐	See attached			to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 19.76 cfs and/or 1635.4 ac-ft

2. Total amount of water proposed to be transferred or changed 19.76 cubic feet per second and/or 1635.4 acre-feet per annum.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	Source	Local name or tag #

Page replaced
 7 removal of
 10 ac - SESE, S11
 4 ac - NENE, S14
 6/12/12

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	8E	36					40	40	40	40	40	40	40	40					320
4S	8E	1		L2			L3	L4											
				40	40		40	40	40	40	40	40		40		40	40		440
		11																40	40
		12	40	40	40	40	40	40	40	40	40	40	40	40		40	40		560
		13		40	40		40	12		40	40					40			252
		14	7																7

Total Acres (for irrigation use) 1619 ppu

Stockwater pou same as irrigation ppu

To: Walker, Kay

Subject: RE: Ark Properties Transfer 77754 (Bennett Creek)

Kay,

Could you send me a map or shape files showing the specific tax parcels. It appears Arc owns some of the property in the SESE S11 and the NENE S14, but it's been split since SPF's last Elmore County tax parcel update. I'll adjust the shape files and PPU accordingly once I see how the parcels were split. Thanks Kay.

From: Walker, Kay [<mailto:Kay.Walker@idwr.idaho.gov>]

Sent: Wednesday, June 06, 2012 9:53 AM

To: Lori Graves

Cc: Walker, Kay

Subject: Ark Properties Transfer 77754 (Bennett Creek)

Hi, Lori! I was just getting ready to send this one to advertising and found one small problem. In Twp. 4S, Rge. 8E, Sec. 11, SESE (Parcel #RP04S08E11930) and Sec. 14, NENE (Parcel #RP04S08E140500). Tax lot data shows Robin Friend owns these parcels that Ark Properties has included in their transfer. I will need to have some documentation that Ark Properties owns this property in order to include it on this application. Everything else looks good to me. Thanks, Kay

Parcel
RP04S08E11A30

SESE

SWSW

11

12

14

13

Parcel
RP04S08E140500

NENE

NWNNW

N ↑

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 02 2012

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 ContinuedWATER RESOURCES
WESTERN REGIONB. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☐	See attached			to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 19.76 cfs and/or 1635.4 ac-ft2. Total amount of water proposed to be transferred or changed 19.76 cubic feet per second and/or 1635.4 acre-feet per annum.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	or tag #

4. Place of use: (If irrigation, identify)

☐ No changes to place of use

Twp	Rge	Sec	NE	NW	Acre Totals
3S	8E	36			320
4S	8E	1		L2	
				40	440
		11			40
		12	40	40	560
		13	40	40	252
		14	7		7

Total Acres (for irrigation use) 1619 ppu

Stockwater pou same as irrigation ppu



SPF WATER
ENGINEERING

February 7, 2012

Steve Lester
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Applications for Transfer (2)

Dear Steve,

Enclosed on behalf of Ark Properties Inc. is an Application for Transfer proposing an integrated irrigation system for property know as the Bennett Creek Farm. The fee enclosed for this application is \$2,020 plus \$25 to change the ownership of water right 61-362E as part of the transfer.

Also enclosed on behalf of Casa Del Norte LP is an Application for Transfer proposing an integrated irrigation system for property known as the Iron Horse East Ranch. The fee enclosed for this application is \$2,020.

Check No. 14163 for \$3,745 and check No. 14202 for \$320 are attached for the required filing fees. Please let me know if you have any questions. Thanks Steve.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: John and Theresa McCallum

Enclosures

RECEIVED

FEB 08 2012

WATER RESOURCES
WESTERN REGION