

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77052

FEB 04 2011

MINIMUM REQUIREMENTS CHECKLIST

WATER RESOURCES TO BE SUBMITTED WITH APPLICATION FOR TRANSFER
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. Part 2B forms are available on the Department's website at: http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs_09/WaterRight_TransferApp_Part2B.pdf.
- ☒ * 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.
- ☐ ☒ #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).
- ☐ ☒ #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/wrt_default.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.)
- ☐ ☒ #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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77052

FEB 04 2011

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**WATER RESOURCES
WESTERN REGIONName of Applicant(s) Basin and Range Resource Co. LLC c/o Dorothy Timian-Palmer Phone (775) 885-5000Mailing address 3480 G.S. Richards Blvd., Ste 101 Carson City, NV 89703 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 RepresentativeName of Representative ERO Resources (Steven Hannula) Phone (208) 373-7983Mailing address 3314 Grace St., Boise, ID 83703 Email shannula@eroreources.com

- ☐ 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.

Dorothy A. Timian-Palmer
Signature of Applicant or Authorized Representative

Dorothy A. Timian-Palmer 02/01/11
Print Name and Title if applicable 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**. To group the existing water rights into a permissible place of use and to add three points of diversion.

AKH

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 ☒ ☐	63-3182	6.68 / 1966.5	IRRIGATION	3/1 to 11/15	Ground Water
☒ ☐	63-3308	4.18 / 1264.5	IRRIGATION	3/15 to 11/15	Ground Water
☒ ☐	63-3583	1.5 / 472.5	IRRIGATION	3/15 to 11/15	Ground Water
☒ ☐	63-7177	4.7 / 1570.5	IRRIGATION	3/1 to 10/31	Ground Water
☒ ☐	63-7349	1.66 / 802	IRRIGATION	3/1 to 10/31	Ground Water
☒ ☐	63-7903	3.13 / 1519	IRRIGATION	3/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 20.35 cfs and/or 5733 ac-ft

2. Total amount of water proposed to be transferred or changed 20.35 cubic feet per second and/or 5733 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 #
			NE	SE	23	6N	5W	Payette	Ground Water	#1
			SW	SE	23	6N	5W	Payette	Ground Water	#2
			SE	SW	23	6N	5W	Payette	Ground Water	#3
			NW	NW	24	6N	5W	Payette	Ground Water	#4
			SW	NE	23	6N	5W	Payette	Ground Water	#5

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	
6N	5W	13											40						40
		14											40	40			40	40	160
		15																40	40
		22	40	40	40	40	40			40	40			40	40	40	40	40	480
		23	40	40	40	40	40	40	40	40	40	40		20	40	40	20		520
		24						40	40			20							100

Total Acres (for irrigation use) 1274 in 1340 PPU

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: Six existing wells, a series of booster pumps, regulating ponds, and a pipeline/ditch system will distribute water to the entire farm via pivots, hand lines, and wheel lines.
The proposed wells and cross-connects will stabilize the water supply and ensure that the authorized amount of water can be pumped. In-line measuring devices can be installed in the straight sections of the pump discharge lines.
- 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: NO
- 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: The farm will have the flexibility to use water from any well on the property, on any field in the property, which improves farm management. The number of acres irrigated will be limited to the licensed amount.
- 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: _____
- 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: _____

License and Certificate of Water Right

Water License No. G-28486 Priority February 19, 1960 Amount 6.68 c.f.s.

THIS IS TO CERTIFY that PAT STOCKTON & DOROLENE OBENDORF-ASSIGNEE-RAY
OBENDORF & DOROLENE OBENDORF
of Parma, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 19, 1960; that Permit No. G-28486
was issued under said application; that Certificate of Completion of Works, with a carrying capacity
of 6.68 second feet, was issued thereunder on February 13, 1968, showing
that said works were completed on the 5 day of March, 1965; and
that on the 5 day of March, 1965 RAY & DOROLENE OBENDORF

of Parma, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation
under Use Permit No. G-28486 of the Department of Reclamation, and
that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in
Valerona, Idaho, on the 13 day of February, 1968.

The right hereby confirmed dates from February 19 19 60.

The Point of Diversion is located two points, one in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, Twp. 6 N. Rge. 5 WBM one in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 6 N, R. 5 W, B.M. Payette County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 6.68 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated		
6 N	5 W	13	SW $\frac{1}{4}$	40	24		
			SE $\frac{1}{4}$	40	38		
		14	SW $\frac{1}{4}$	40	36		
			SE $\frac{1}{4}$	40	39		
		23	NE $\frac{1}{4}$	40	39		
			NW $\frac{1}{4}$	40	39		
			SW $\frac{1}{4}$	40	39		
			SE $\frac{1}{4}$	40	40		
			NE $\frac{1}{4}$	40	40		
			NW $\frac{1}{4}$	40	24		
			SW $\frac{1}{4}$	40	13		
			NW $\frac{1}{4}$	40	38		
		24	SW $\frac{1}{4}$	40	28		
		Total number of acres irrigated:					437

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho,
this 13 day of February, 1968.

State Reclamation Engineer.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3182

WATER RIGHT NUMBER: 63-3182

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RAY OBENDORF 24034 BATT CORNER RD PARMA, ID 83660 (208)482-7397
Directors Report Owner	JIM D SCARROW 3184 S 1900 E WENDELL, ID 83355 (208) 316-1100
Current Owner	BASIN AND RANGE RESOURCE COMPANY LLC 3480 G S RICHARDS BLVD #101 CARSON CITY, NV 89703 (775)885-5000
Attorney	DANA L HOFSTETTER HOFSTETTER LAW OFFICE LLC 608 W FRANKLIN ST BOISE, ID 83702 (208)424-7800

Priority Date: 02/19/1960

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	6.680 CFS	
	<u>Total Diversion:</u>	6.680 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 23, Twp 06N, Rge 05W, B.M.
PAYETTE County		
GROUND WATER	NW1/4NW1/4	Sec. 24, Twp 06N, Rge 05W, B.M.
PAYETTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	13											24.0						24.0
06N	05W	14											39.0			36.0	38.0		113.0

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3182

06N 05W 23		39.0	39.0	39.0	40.0		40.0					24.0	13.0		234.0
06N 05W 24								38.0	28.0						66.0

Total Acres: 437

Conditions of Approval:

Remarks:

Water Supply Bank:

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 30671/63-3308 Priority August 31, 1962 Amount 4.18 cfs

THIS IS TO CERTIFY, that LENA M. STOCKTON
of Parma, Idaho, has complied with the terms and conditions of Permit
No. 30671/63-3308 issued pursuant to Application for Permit dated August 31, 1962
and has submitted proof to the Department of Water Administration on September 11, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 4.18 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 4.18 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 4.18 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23, Twp. 6 N, Rge. 5 W, B.M.

in the county of Payette; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,264.5 acre feet per year or _____
4.5 acre feet per acre.

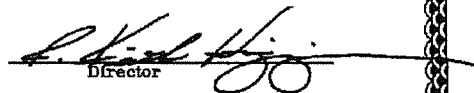
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 N	5 W	22				32									35	39	40	40	186
		23						38	20		37								95

Total number of acres irrigated 281

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of
October, 19 73.


Director

63 3308

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3308

WATER RIGHT NUMBER: 63-3308

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LENA M STOCKTON 23034 BATT CORNER RD PARMA, ID 83660 (208)482-7937
Current Owner	BASIN AND RANGE RESOURCE COMPANY LLC 3480 G S RICHARDS BLVD #101 CARSON CITY, NV 89703 (775)885-5000
Attorney	DANA L HOFSTETTER HOFSTETTER LAW OFFICE LLC 608 W FRANKLIN ST BOISE, ID 83702 (208)424-7800

Priority Date: 08/31/1962

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	4.180 CFS	1,264.50 AF
	<u>Total Diversion:</u>	4.180 CFS	1,264.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 23, Twp 06N, Rge 05W, B.M.
PAYETTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	22				32.0									35.0	39.0	40.0	40.0	186.0
06N	05W	23						38.0	20.0		37.0								95.0

Total Acres: 281

Conditions of Approval:

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TRANSFER No. 77052

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3308

Remarks:

Water Supply Bank:

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33470/63-3583 Priority Feb. 17, 1967 Amount 1.50 cfs

THIS IS TO CERTIFY, that RAY OBENDORF
of Parma, Idaho, has complied with the terms and conditions of Permit
No. 33470/63-3583 issued pursuant to Application for Permit dated February 17, 1967,
and has submitted proof to the Department of Water Administration on December 17, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 4.18 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 1.50 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.50 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23, Twp. 6 N, Rge. 5 W, B. M.

in the county of Payette; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 472.5 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 N	5 W	23									40			20		40	5		105

Total number of acres irrigated 105

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6th day of
November, 19 73.


Director

63 3583

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3583

WATER RIGHT NUMBER: 63-3583

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RAY OBENDORF 24034 BATT CORNER RD PARMA, ID 83660 (208)482-7397
Directors Report Owner	JIM D SCARROW 3184 S 1900 E WENDELL, ID 83355 (208) 316-1100
Current Owner	BASIN AND RANGE RESOURCE COMPANY LLC 3480 G S RICHARDS BLVD #101 CARSON CITY, NV 89703 (775)885-5000
Attorney	DANA L HOFSTETTER HOFSTETTER LAW OFFICE LLC 608 W FRANKLIN ST BOISE, ID 83702 (208)424-7800

Priority Date: 02/17/1967

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.500 CFS	472.50 AF
	<u>Total Diversion:</u>	1.500 CFS	472.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 23, Twp 06N, Rge 05W, B.M.
PAYETTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	23									40.0			20.0			40.0	5.0	105.0

Total Acres: 105

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3583

Remarks:

Water Supply Bank:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7177 Priority Dec. 12, 1968 Amount 4.70 cfs

THIS IS TO CERTIFY, that RAY OBENDORF
of Parma, Idaho, has complied with the terms and conditions of Permit
No. 63-7177 issued pursuant to Application for Permit dated December 12, 1968,
and has submitted proof to the Department of Water Resources on December 13, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.70 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 1</u> to <u>Oct. 31</u>	at <u>4.70</u> cfs and	<u>1,570.5</u> acre feet
	from _____ to _____	at _____ cfs and	or <u>4.5</u> af per acre
	from _____ to _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 4.70 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,570.5 acre feet per year, said waters to be diverted within the SE 1/4 SW 1/4 of Sec. 23,
Twp. 6 N, Rge. 5 W, B. M. in the County of Payette

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 N	5 W	15																39	39
		22	40	39	39	39				39	39			39					270
		23					40												40

Total number of acres irrigated 349

A measuring device of a type approved by the Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3 day of
December, 19 76.

Director

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7177

WATER RIGHT NUMBER: 63-7177

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	JIM D SCARROW 3184 S 1900 E WENDELL, ID 83355 (208) 316-1100
Original Owner	RAY OBENDORF 24034 BATT CORNER RD PARMA, ID 83660 (208) 482-7397
Current Owner	BASIN AND RANGE RESOURCE COMPANY LLC 3480 G S RICHARDS BLVD #101 CARSON CITY, NV 89703 (775) 885-5000
Attorney	DANA L HOFSTETTER HOFSTETTER LAW OFFICE LLC 608 W FRANKLIN ST BOISE, ID 83702 (208) 424-7800

Priority Date: 12/12/1968

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 10/31	4.700 CFS	1,570.50 AF
	<u>Total Diversion:</u>	4.700 CFS	1,570.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 23, Twp 06N, Rge 05W, B.M.
PAYETTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
06N	05W	15																	39.0	39.0
06N	05W	22	40.0	39.0	35.0		39.0			39.0	39.0			39.0						270.0
06N	05W	23						40.0												40.0

Total Acres: 349

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-7177

TRANSFER No. 77052

Conditions of Approval:

Remarks:

Water Supply Bank:

State of Idaho
Department of Water Resources

TRANSFER No. 77052

WATER RIGHT LICENSE

License of Water Right No. 63-7349 Priority July 7, 1970 Amount 1.66 cfs

THIS IS TO CERTIFY, that RAY OBENDORF

of Parma, Idaho, has complied with the terms and conditions of Permit No. 63-7349 issued pursuant to Application for Permit dated July 7, 1970, and has submitted proof to the Department of Water Resources on December 13, 1973 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 5.84 cfs of water from a ground water source tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 1</u> to <u>Oct. 31</u>	at <u>1.66</u> cfs and	<u>802 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>* 4.5 af per acre</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than ** 1.66 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

802 acre feet per year, said waters to be diverted within the SW 1/4 SE 1/4 of Sec. 23,
Twp. 6 N, Rge. 5 W, B. M. in the County of Payette

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 N	5 W	22				40									40	40	40	40	200
		23						40	40		30								110

Total number of acres irrigated 310

* Subject to the condition that the maximum volume per year shall not exceed 4.5 acre feet per acre when combined with License No. 63-3308.

** Subject to the condition that the maximum rate of diversion shall not exceed 5.84 cfs when combined with Licenses No. 63-3308 and 63-3583.

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3 day of December, 19 76.

Director

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7349

WATER RIGHT NUMBER: 63-7349

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LENA M STOCKTON 23034 BATT CORNER RD PARMA, ID 83660 (208)482-7937
Original Owner	RAY OBENDORF 24034 BATT CORNER RD PARMA, ID 83660 (208)482-7397
Current Owner	BASIN AND RANGE RESOURCE COMPANY LLC 3480 G S RICHARDS BLVD #101 CARSON CITY, NV 89703 (775)885-5000
Attorney	DANA L HOFSTETTER HOFSTETTER LAW OFFICE LLC 608 W FRANKLIN ST BOISE, ID 83702 (208)424-7800

Priority Date: 07/07/1970

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 10/31	1.660 CFS	802.00 AF
	<u>Total Diversion:</u>	1.660 CFS	802.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 23, Twp 06N, Rge 05W, B.M.
PAYETTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	22				40.0									40.0	40.0	40.0	40.0	200.0
06N	05W	23						40.0	40.0			30.0							110.0

Total Acres: 310

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-7349

TRANSFER No. 77052

Conditions of Approval:

Remarks:

Water Supply Bank:

WATER RIGHT LICENSE

License of Water Right No. 63-7903 Priority Dec. 13, 1973 Amount 3.13 cfsTHIS IS TO CERTIFY, that RAY OBENDORF

of Parma, Idaho, has complied with the terms and conditions of Permit No. 63-7903 issued pursuant to Application for Permit dated December 13, 1973, and has submitted proof to the Department of Water Resources on November 26, 1975, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 3.13 cfs of water from a ground water source tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>3.13</u> cfs and	<u>1,519</u> acre feet or
	from _____ to _____	at _____ cfs and	<u>* 4.5</u> af per acre
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.13 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1,519 acre feet per year, said waters to be diverted within the SW 1/4 of Sec. 23, Twp. 6 N, Rge. 5 W, B. M. in the County of Payette

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 N	5 W	13											40						40
		14											40	39			36	38	153
		15																39	39
		22	40	39	35	40	39			39	39			39	40	40	40	40	470
		23	39	39	39	40	40	40	40	40	37			20	30	40	20		504
		24						38	30										68

Total number of acres irrigated 1,274

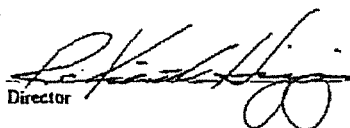
* Subject to the condition that the maximum volume per year shall not exceed 4.5 acre feet per acre when combined with Licenses No. 63-3182, 63-3308, 63-3583, 63-7177 and 63-7340.

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3 day of December, 19 76.


 Director

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7903

WATER RIGHT NUMBER: 63-7903

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RAY OBENDORF 24034 BATT CORNER RD PARMA, ID 83660 (208)482-7397
Current Owner	BASIN AND RANGE RESOURCE COMPANY LLC 3480 G S RICHARDS BLVD #101 CARSON CITY, NV 89703 (775)885-5000
Attorney	DANA L HOFSTETTER HOFSTETTER LAW OFFICE LLC 608 W FRANKLIN ST BOISE, ID 83702 (208)424-7800

Priority Date: 12/13/1973

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.130 CFS	1,519.00 AF
	<u>Total Diversion:</u>	3.130 CFS	1,519.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 23, Twp 06N, Rge 05W, B.M.
PAYETTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	13											40.0						40.0
06N	05W	14											40.0	39.0			36.0	38.0	153.0
06N	05W	15																39.0	39.0
06N	05W	22	40.0	39.0	35.0	40.0	39.0			39.0	39.0			39.0	40.0	40.0	40.0	40.0	470.0
06N	05W	23	39.0	39.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	37.0		20.0	30.0	40.0	20.0		504.0

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-7903

06N 05W 24			38.0 30.0				68.0
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Total Acres: 1274

Conditions of Approval:

Remarks:

Water Supply Bank:

TRANSFER NO. 77052

Total Acres (for irrigation use)

TRANSFER NO. 77052

Transfer contains 23 pages and 3 attachments.

Received by Jmh Date 2-4-11 Prelim. Check by AG Date 3/9/2012

Fee Paid \$ 1030- Date 2-4-11 Received by Jmh Receipt # W038974

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

Remarks for Basin and Range Application for Transfer

Points of Diversion in addition to those listed in Part 1:

NE SE Sec 23 T6N R5W Payette County Ground water Well #6
NE SE Sec 23 T6N R5W Payette County Ground water New Well
NW SW Sec 23 T6N R5W Payette County Ground water Proposed Well #1
SE SW Sec 22 T6N R5W Payette County Ground water Proposed Well #2

Narrative on the Application for Transfer

This Application for Transfer seeks to group the water rights into a permissible place of use (PPU) and to add three points of diversion (POD).

PPU

Cross-connects are anticipated to commingle water across the entire farm. A goal of the transfer is to provide management flexibility.

POD

Well #1 (attachment #7a) has had problems of pumping sand and low production. Through a replacement well permit a New Well was drilled in the NE SE Sec 23. The production of the New Well was not sufficient to fully replace Well #1, so Well #1 will not be abandoned. The New Well was not connected for use and is waiting for the subject application for transfer to be approved. This application seeks to add a POD to account for the New Well.

This application also seeks two Proposed Wells as a precaution against future well production problems. One proposed well is in the NWSW Sec 23 and the other is in the SE SW Sec 22.

Additional Comment

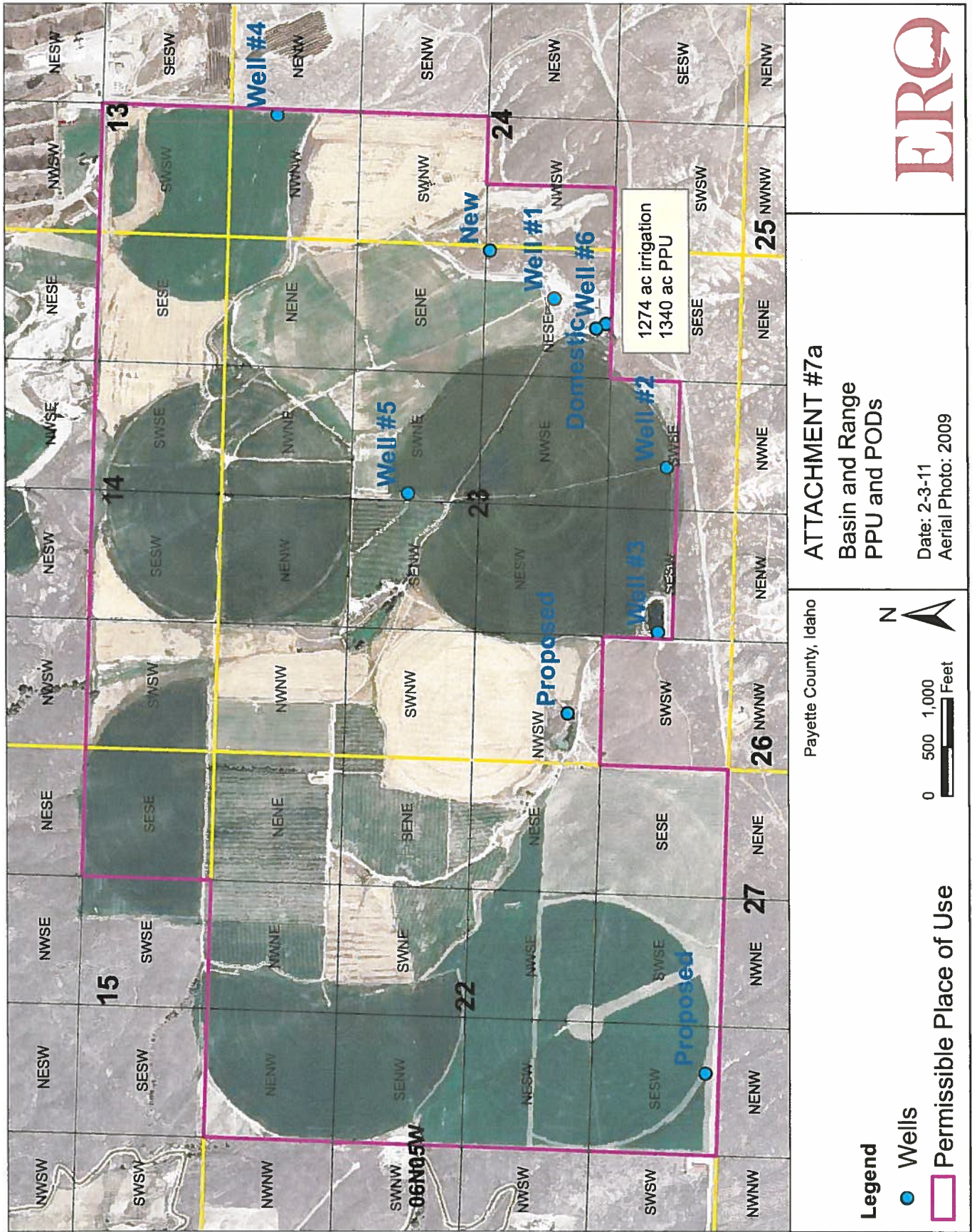
Split rights 63-31854 and 63-31855 were recombined to parent water right 63-3308 when Transfer 71619 was rescinded.

Split rights 63-31841 and 63-31842 were recombined to parent water right 63-7349 when Transfer 71619 was rescinded.

Split rights 63-31839 and 63-31840 were recombined to parent water right 63-7903 when Transfer 71619 was rescinded.

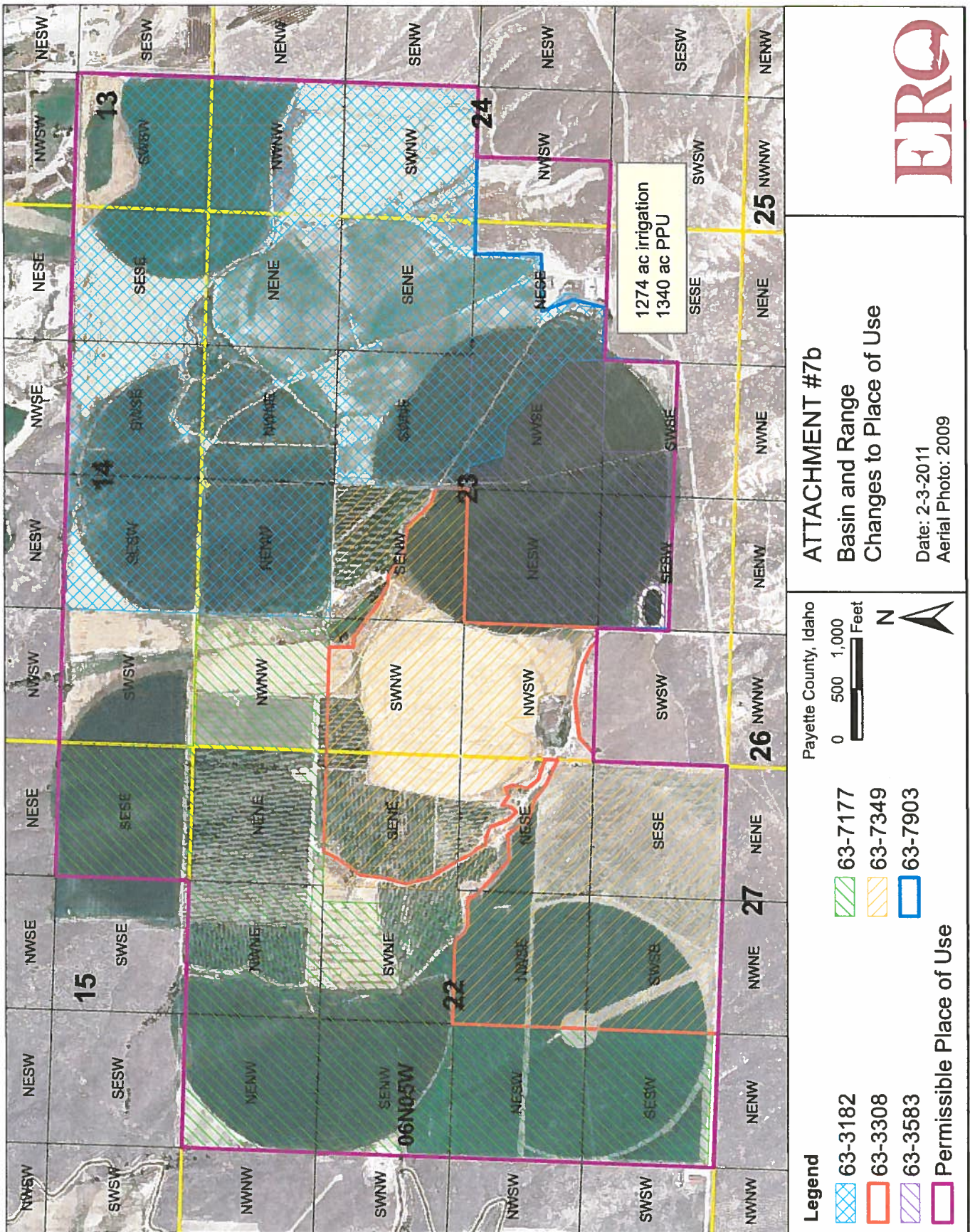
Attachment #7a(1 pg)

TRANSFER No. 77052



ATTACHMENT # 7b (1 pg)

TRANSFER No. 77052



Lester, Steve

From: Lester, Steve
Sent: Friday, April 13, 2012 4:22 PM
To: 'Dana Hofstetter'
Subject: RE: Transfer 77052 - 4072.1

Dana:

I suggest just making changes to the current application that we have (2/4/2011 amended version). This can be done by hand-written addition to point of diversion list and by marking up the existing map or providing a new map. Someone authorized to sign for the applicant can do this.

Since the current application is already in legal notice process, a \$50 re-advertising fee would be needed. I forgot about that in our earlier conversation. This fee applies even if current legal notices are interrupted because the department has already spent the application money, so to speak.

Also, please provide some form of notice of appearance if you will be acting in that capacity for the applicant. The current application identifies ERO Resources as the contact entity.

Please let me know if you need more information. Thank you.

Steve

-----Original Message-----

From: Dana Hofstetter [<mailto:Dana@IdahoWaterLaw.com>]
Sent: Friday, April 13, 2012 3:54 PM
To: Lester, Steve
Subject: Transfer 77052 - 4072.1

Steve:

During our telephone conversation today regarding the above-referenced Transfer, you indicated that amending the permissible place of use Transfer Application 77052 to add a point of diversion and postponing advertisement by a couple of weeks for this purpose would be more efficient than submitting a separate Transfer Application for the additional point of diversion and should only delay Transfer 77052 by a couple of weeks. Accordingly, Basin and Range plans to submit Amended Transfer 77052 asap. Please confirm whether just making the changes to the previously submitted Application and having those revisions initialed is acceptable or whether a new Amended Transfer Application incorporating this change should be submitted.

Thank you,
Dana

Lester, Steve

From: Dana Hofstetter [Dana@IdahoWaterLaw.com]
Sent: Friday, April 13, 2012 4:06 PM
To: fwprice@blm.gov
Cc: Lester, Steve
Subject: Basin and Range Transfer 77052 - 4072.1

Fred:

Basin and Range would like to drill an additional well (on private ground) and has been informed by Steve Lester that the most expeditious way to address this additional point of diversion is to add it to the permissible place of use Transfer Application 77052 which is pending at IDWR. Steve Lester informs me that BLM has consented to Transfer Application 77052. Would BLM consent to amendment of this Transfer Application to provide for an additional POD on private ground?

Your immediate attention to this matter would be appreciated, thank you, Dana Hofstetter

Lester, Steve

From: Price, Fredric W [fwprice@blm.gov]
Sent: Friday, April 13, 2012 1:57 PM
To: Lester, Steve
Subject: RE: Transfer Application # 77052

Steve,

RE: Transfer #77052, Basin and Range Resources Company, LLC
Involving 63-03182*, 63-03308 (not in SRBA), 63-03583*, 63-07177*, 63-07349*, 63-07903 (not in SRBA)

Thanks for the information, the advertisement looks great. I got a complete copy of the transfer early last year.

Back in 2011, because BLM had objected(*) to the water rights in the SRBA that are involved in this transfer, IDWR wanted to know whether the transfer would create any issues for BLM. I filled out a Recommendation Form on 01-05-2012 to provide that input, which you evidently received on 01-09-2012. Can you tell me whether the two PODs will be described down to the 10 acre tracts as that is private land, and if IDWR intends to include the U42 condition for the POU's? Does implementation of the 01-09-12 comments depend on whether the transfer applicant accepts them?

I have to decide whether or not to protest now due to some statements made by Hofstetter at the last couple SRBA Status Conferences. She was advocating for some sort of remark (concerning PODs) referring to water supply bank water using some of the PODs referred to in this transfer but on BLM lands outside the place of use, as well as, another remark (concerning permissible place of use) referring to the use of water supply bank water outside the permissible place of use on BLM land in the SESW, SWSE, S15, T06N, R05W. BLM opposes such a suggestion. BLM is renting some water temporarily from the water bank while Basin and Range pursues the possibility of getting an Ag Permit from BLM. It appears that the use of BLM land is only going to be temporary and then the use will end, so we are renting water temporarily. It is possible that BLM won't authorize farming at all, in which case, the water bank water will be used to rehab the land and irrigate the seeding temporarily. I may have to protest this transfer in order to have a say in how this modified remark stuff shakes out.

Fred

From: Lester, Steve [<mailto:Steve.Lester@idwr.idaho.gov>]
Sent: Friday, April 13, 2012 11:07 AM
To: Price, Fredric W
Subject: Transfer Application # 77052

Fred:

IDWR received your comments on this application on 1/9/2012 regarding the 2/4/2011 amended application. In the event that you want to make additional comments, please see the attached information. A partial copy of the application is attached (deeds etc. are not included). All of the application documents will be scanned and available on the department website by late next week if you want to see them.

Please let me know if you need more information.

Steve Lester
Water Rights Supervisor
IDWR Western Region
208-334-2190

Lester, Steve

From: Lester, Steve
Sent: Friday, April 13, 2012 11:07 AM
To: 'Fred Price'
Subject: Transfer Application # 77052
Attachments: Transfer 77052.pdf; 77052 transfer ad.docx

Contacts: Fred Price

Fred:

IDWR received your comments on this application on 1/9/2012 regarding the 2/4/2011 amended application. In the event that you want to make additional comments, please see the attached information. A partial copy of the application is attached (deeds etc. are not included). All of the application documents will be scanned and available on the department website by late next week if you want to see them.

Please let me know if you need more information.

Steve Lester
Water Rights Supervisor
IDWR Western Region
208-334-2190

To 77052
Comment letter to BLM

Lester, Steve

From: Lester, Steve
Sent: Thursday, April 12, 2012 1:35 PM
To: 'Lisa Allison'
Subject: Legal Ads
Attachments: Payette County letter.docx; 77052 transfer ad.docx

Hello Lisa:

I am handling legal notices for this office until a replacement person is on board. Please let me know if the attached ad can be published for the specified dates. If you need anything else, just let me know.

Thank you for your help.

Steve Lester
Water Rights Supervisor
IDWR Western Region
208-334-2190

Legal notice

April 12, 2012

LEGAL NOTICE DEPARTMENT
INDEPENDENT ENTERPRISE
124 S MAIN
PAYETTE, ID 83661

RE: Transfer No. 77052,
Water Right Nos. 63-3308, 63-3182, 63-3583, 63-7177, 63-7903, 63-7349

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 5/7/2012. Your cooperation is appreciated.

Sincerely,

Steve Lester
Water Rights Supervisor

PROPOSED CHANGE OF WATER RIGHT(S)

Basin and Range Resource Co. LLC c/o Dorothy Timian-Palmer of 3480 G.S. Richards Blvd. Ste 101 Carson City, NV 89703 filed Application No. 77052 to transfer six water rights with 1960 thru 1973 priority dates from ground water totaling 20.35 cfs. The purpose of the transfer is to record seven existing wells and two proposed wells as points of diversion on each right and create a permissible place of use for irrigation via an integrated diversion system. Water will be used at the current place of use generally located along the north side of Pearl Rd between Parma Rd and Ridgeway Rd approximately four miles east of the Snake River and 4.5 miles northeast of Parma.

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 right(s) 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 5/7/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 4/18 & 4/25/2012

State of Idaho
Department of Water Resources

Application for Transfer
RECOMMENDATION FORM

RECEIVED

JAN 09 2012

WATER RESOURCES
WESTERN REGION

Application No.: Transfer 77052:
63-03182; 63-03308; 63-03583; 63-07177; 63-07349; 63-07903

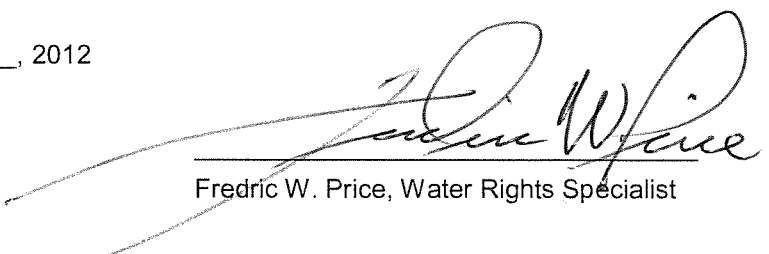
Applicant's Name: Basin and Range Resource Co. LLC
3480 F.S. Richards Blvd., Ste 101
Carson City, NV 89703

Recommendation:

- a) _____ I do not oppose approval of this application.
- b) X I do not oppose approval of this application if it is conditioned as follows:
- 1) This right should be recommended with a clause or description that clearly indicates that the Points of Diversion in SWSE (well #2) and SESW (well #3), S23, T06N, R05W are described on private land.
 - a. Add a remark that reads "Point of diversion does not include federal public land;" or
 - b. Describe the PODs as 10 acre tracks as follows:
 NWSWSE, S23, T06N, R05W
 NWSESW, S23, T06N, R05W
 - 2) The place of use element should be recommended with a condition that clarifies the mixed ownership in the following legal land descriptions do not include federal public land. For example "Place of use does not include federal public lands."
 - a. SWSE, S23, T06N, R05W
 - b. SESW, S23, T06N, R05W
 - c. NWSW, S24, T06N, R05W
- c) _____ I oppose approval of this application for the following reasons:
- d) X Additional comments:
- 1) It is BLM's understanding that this transfer seeks to group existing water rights into a permissible place of use and to make three existing points of diversion available to all rights. BLM's comments above apply only to the application filed with IDWR on 02-04-11. If this transfer is amended in the future, then BLM may have a different opinion.

Dated this 5th day of January , 2012

Bureau of Land Management


Fredric W. Price, Water Rights Specialist



ERO Resources Corp.
3314 Grace Street
Boise, ID 83703
(208) 373-7983
Fax: 373-7985
www.eroresources.com
eroboise@eroresources.com

RECEIVED

FEB 04 2011

WATER RESOURCES
WESTERN REGION

February 3, 2011

Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Basin and Range Resources Application for Transfer

Dear Mr. Lester:

Please accept the attached application for transfer in the name of Basin and Range Resource Company, LLC.

Recall that Transfer #71619 was rescinded, which resulted in all of the subject water right claims in the SRBA to be revised to pre-transfer condition, which are the licensed descriptions. The subject application for transfer refers to the original licensed descriptions. The applicant anticipates that approval of the subject application for transfer will subsequently result in matching SRBA recommendations.

The filing fee of \$1030 is included.

If you have any questions, please call Steve Hannula at 373-7983.

Regards,

A handwritten signature in black ink that reads "Steven R. Hannula". The signature is fluid and cursive, with a large, looping "H" and a long, sweeping underline.

Steven R. Hannula