

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74087

This is to certify that: MANNING RANCHES INC
 2233 BIRCH CREEK RD
 OAKLEY ID 83346
 (208)862-3884

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
45-80B	WR/Decreed	03/01/1875	0.18 cfs	N/A	11	11.0	BIRCH CREEK
45-81B	WR/Decreed	04/01/1881	0.03 cfs	N/A	11	11.0	BIRCH CREEK
45-85	WR/Decreed	04/16/1882	0.97 cfs	N/A	159.4	381.0	BIRCH CREEK
45-12456	WR/Decreed	04/01/1881	3.122 cfs	N/A	N/A	1,014.0	BIRCH CREEK
45-13489	WR/Decreed	03/01/1875	1.309 cfs	N/A	N/A	1,014.0	BIRCH CREEK
45-13497	WR/Decreed	06/01/1882	0.57 cfs	N/A	171.5	461.0	BIRCH CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-80B	NO	NO	YES	YES	NO	NO
45-81B	NO	NO	YES	YES	NO	NO
45-85	NO	NO	YES	NO	NO	NO
45-12456	NO	NO	YES	NO	NO	NO
45-13489	NO	NO	YES	NO	NO	NO
45-13497	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
45-80B	45-80B	0.18 cfs	N/A	11	387.0		N/A	N/A	N/A	N/A
45-81B	45-81B	0.03 cfs	N/A	11	387.0		N/A	N/A	N/A	N/A
45-85	45-85	0.97 cfs	N/A	159.4	387.0		N/A	N/A	N/A	N/A
45-12456	45-12456	3.122 cfs	N/A	N/A	387.0		N/A	N/A	N/A	N/A
45-13489	45-13489	1.309 cfs	N/A	N/A	387.0		N/A	N/A	N/A	N/A
45-13497	45-13497	0.57 cfs	N/A	171.5	387.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		6.18 cfs	N/A	387	387		N/A	N/A	N/A	N/A

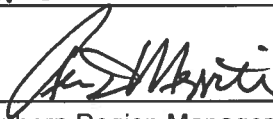
SUPPORT DATA

IN FILE # 45-80B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74087

Detailed Water Right Description(s) attached

Dated this 27th day of March, 2012


Southern Region Manager



WATER RIGHT NO. 45-12456
As Modified by Transfer No. 74087

In accordance with the approval of Transfer No. 74087, Water Right No. 45-12456 is now described as follows.

Right Holder: MANNING RANCHES INC
 2233 BIRCH CREEK RD
 OAKLEY ID 83346

Priority Date: April 01, 1881

Source: BIRCH CREEK

Tributary: GOOSE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	02/28	to 11/15	3.12 CFS
			3.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIRCH CREEK SESESE Sec. 14 Twp 14S Rge 22E CASSIA County

BIRCH CREEK SESWNW Sec. 24 Twp 14S Rge 22E CASSIA 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	
14S 22E 11						16.0	12.0	37.0	13.0			1.0	28.0	40.0	37.0	36.0	220.0
14S 22E 13							12.0			14.0							26.0
14S 22E 14	32.0	38.0	14.0	15.0									31.0	11.0			141.0

Total Acres: 387

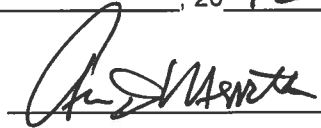
WATER RIGHT NO. 45-12456
As Modified by Transfer No. 74087

CONDITIONS OF APPROVAL

1. Rights 45-80B, 45-81B, 45-85, 45-12456, 45-13489, and 45-13497 when combined shall not exceed a total diversion rate of 6.18 cfs and the irrigation of 387 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45B.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
4. The operation and use of this water right is also subject to the terms and conditions of the Water Rotation Agreement ("Agreement") entered into by certain users on 10 September, 1992. The Agreement was filed and recorded in the office of the Cassia County Recorder on 27 May, 1993 as Instrument No.: 224804; the provisions of such Agreement to apply fully to this water right.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. This right is a combination of old Right Nos. 45-78D for 0.082 cfs, 45-78F for 0.063 cfs, 45-81D for 0.033 cfs, 45-81F for 0.164 cfs, 45-81G for 0.04 cfs, 45-83 for 0.94 cfs, 45-84 for 0.94 cfs, 45-87B for 0.76 cfs, and 0.1 cfs unclaimed from 45-87.
7. The approval of transfer #74087 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 27th day of March, 20 12


Southern Region Manager

WATER RIGHT NO. 45-13489
As Modified by Transfer No. 74087

In accordance with the approval of Transfer No. 74087, Water Right No. 45-13489 is now described as follows.

Right Holder: MANNING RANCHES INC
 2233 BIRCH CREEK RD
 OAKLEY ID 83346

Priority Date: March 01, 1875

Source: BIRCH CREEK

Tributary: GOOSE CREEK

BENEFICIAL USE

IRRIGATION

From

02/28 to 11/15

To

Diversion Rate

1.31 CFS

1.31 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIRCH CREEK SESESE Sec. 14 Twp 14S Rge 22E CASSIA County

BIRCH CREEK SESWNW Sec. 24 Twp 14S Rge 22E CASSIA 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	
14S 22E 11						16.0	12.0	37.0	13.0			1.0	28.0	40.0	37.0	36.0	220.0
14S 22E 13							12.0			14.0							26.0
14S 22E 14	32.0	38.0	14.0	15.0									31.0	11.0			141.0

Total Acres: 387

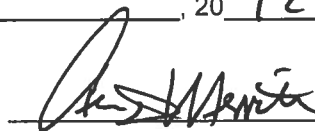
WATER RIGHT NO. 45-13489
As Modified by Transfer No. 74087

CONDITIONS OF APPROVAL

1. Rights 45-80B, 45-81B, 45-85, 45-12456, 45-13489, and 45-13497 when combined shall not exceed a total diversion rate of 6.18 cfs and the irrigation of 387 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45B.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
4. The operation and use of this water right is also subject to the terms and conditions of the Water Rotation Agreement ("Agreement") entered into by certain users on 10 September, 1992. The Agreement was filed and recorded in the office of the Cassia County Recorder on 27 May, 1993 as Instrument No.: 224804; the provisions of such Agreement to apply fully to this water right.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. This right is a combination of old Right Nos. 45-77D for 0.45 cfs, 45-77H for 0.208 cfs, 45-77K for 0.238 cfs, 45-80D for 0.19 cfs, and 45-80F for 0.223 cfs.
7. The approval of transfer #74087 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 27th day of March, 2012


Southern Region Manager

WATER RIGHT NO. 45-80B
As Modified by Transfer No. 74087

In accordance with the approval of Transfer No. 74087, Water Right No. 45-80B is now described as follows.

Right Holder: MANNING RANCHES INC
 2233 BIRCH CREEK RD
 OAKLEY ID 83346

Priority Date: March 01, 1875

Source: BIRCH CREEK

Tributary: GOOSE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	02/28	to 11/15	0.18 CFS
			0.18 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIRCH CREEK SESESE Sec. 14 Twp 14S Rge 22E CASSIA County

BIRCH CREEK SESWNW Sec. 24 Twp 14S Rge 22E CASSIA 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	
14S 22E 11						16.0	12.0	37.0	13.0			1.0	28.0	40.0	37.0	36.0	220.0
14S 22E 13							12.0			14.0							26.0
14S 22E 14	32.0	38.0	14.0	15.0									31.0	11.0			141.0

Total Acres: 387

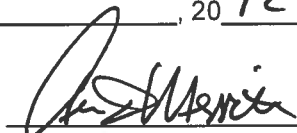
WATER RIGHT NO. 45-80B
As Modified by Transfer No. 74087

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11 acres within the authorized place of use in a single irrigation season.
2. Rights 45-80B and 45-81B when combined shall not exceed the irrigation of 11 acres.
3. Rights 45-80B, 45-81B, 45-85, 45-12456, 45-13489, and 45-13497 when combined shall not exceed a total diversion rate of 6.18 cfs and the irrigation of 387 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45B.
5. 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 diversions.
6. The operation and use of this water right is also subject to the terms and conditions of the Water Rotation Agreement ("Agreement") entered into by certain users on 10 September, 1992. The Agreement was filed and recorded in the office of the Cassia County Recorder on 27 May, 1993 as Instrument No.: 224804; the provisions of such Agreement to apply fully to this water right.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 27th day of March, 2012


Southern Region Manager

WATER RIGHT NO. 45-81B
As Modified by Transfer No. 74087

In accordance with the approval of Transfer No. 74087, Water Right No. 45-81B is now described as follows.

Right Holder: MANNING RANCHES INC
 2233 BIRCH CREEK RD
 OAKLEY ID 83346

Priority Date: April 01, 1881

Source: BIRCH CREEK

Tributary: GOOSE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	02/28	to 11/15	0.03 CFS
			0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIRCH CREEK SESESE Sec. 14 Twp 14S Rge 22E CASSIA County

BIRCH CREEK SESWNW Sec. 24 Twp 14S Rge 22E CASSIA 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	
14S 22E 11						16.0	12.0	37.0	13.0			1.0	28.0	40.0	37.0	36.0	220.0
14S 22E 13							12.0			14.0							26.0
14S 22E 14	32.0	38.0	14.0	15.0									31.0	11.0			141.0

Total Acres: 387

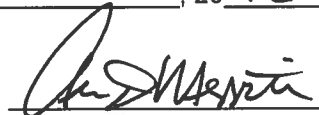
WATER RIGHT NO. 45-81B
As Modified by Transfer No. 74087

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11 acres within the authorized place of use in a single irrigation season.
2. Rights 45-80B and 45-81B when combined shall not exceed the irrigation of 11 acres.
3. Rights 45-80B, 45-81B, 45-85, 45-12456, 45-13489, and 45-13497 when combined shall not exceed a total diversion rate of 6.18 cfs and the irrigation of 387 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45B.
5. 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 diversions.
6. The operation and use of this water right is also subject to the terms and conditions of the Water Rotation Agreement ("Agreement") entered into by certain users on 10 September, 1992. The Agreement was filed and recorded in the office of the Cassia County Recorder on 27 May, 1993 as Instrument No.: 224804; the provisions of such Agreement to apply fully to this water right.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. This right was formerly known as water right 45-81H.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 27th day of March, 20 12



Southern Region Manager

WATER RIGHT NO. 45-13497
As Modified by Transfer No. 74087

In accordance with the approval of Transfer No. 74087, Water Right No. 45-13497 is now described as follows.

Right Holder: MANNING RANCHES INC
 2233 BIRCH CREEK RD
 OAKLEY ID 83346

Priority Date: June 01, 1882

Source: BIRCH CREEK

Tributary: GOOSE CREEK

BENEFICIAL USE

IRRIGATION

From

02/28 to 11/15

To

Diversion Rate

0.57 CFS

0.57 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIRCH CREEK SESESE Sec. 14 Twp 14S Rge 22E CASSIA County

BIRCH CREEK SESWNW Sec. 24 Twp 14S Rge 22E CASSIA 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	
14S 22E 11						16.0	12.0	37.0	13.0			1.0	28.0	40.0	37.0	36.0	220.0
14S 22E 13							12.0			14.0							26.0
14S 22E 14	32.0	38.0	14.0	15.0									31.0	11.0			141.0

Total Acres: 387

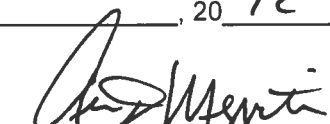
WATER RIGHT NO. 45-13497
As Modified by Transfer No. 74087

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 171.5 acres within the authorized place of use in a single irrigation season.
2. Rights 45-80B, 45-81B, 45-85, 45-12456, 45-13489, and 45-13497 when combined shall not exceed a total diversion rate of 6.18 cfs and the irrigation of 387 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45B.
4. 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 diversions.
5. The operation and use of this water right is also subject to the terms and conditions of the Water Rotation Agreement ("Agreement") entered into by certain users on 10 September, 1992. The Agreement was filed and recorded in the office of the Cassia County Recorder on 27 May, 1993 as Instrument No.: 224804; the provisions of such Agreement to apply fully to this water right.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. This right is a combination of portions of Old Right Nos. 45-89C and 45-89D.
8. The approval of transfer #74087 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 27th day of March, 2012



Southern Region Manager

WATER RIGHT NO. 45-85
As Modified by Transfer No. 74087

In accordance with the approval of Transfer No. 74087, Water Right No. 45-85 is now described as follows.

Right Holder: MANNING RANCHES INC
 2233 BIRCH CREEK RD
 OAKLEY ID 83346

Priority Date: April 16, 1882

Source: BIRCH CREEK

Tributary: GOOSE CREEK

BENEFICIAL USE

IRRIGATION

From

02/28 to 11/15

To

Diversion Rate

0.97 CFS

0.97 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIRCH CREEK SESESE Sec. 14 Twp 14S Rge 22E CASSIA County

BIRCH CREEK SESWNW Sec. 24 Twp 14S Rge 22E CASSIA 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	
14S 22E 11						16.0	12.0	37.0	13.0			1.0	28.0	40.0	37.0	36.0	220.0
14S 22E 13							12.0			14.0							26.0
14S 22E 14	32.0	38.0	14.0	15.0									31.0	11.0			141.0

Total Acres: 387

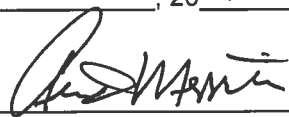
WATER RIGHT NO. 45-85
As Modified by Transfer No. 74087

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 159.4 acres within the authorized place of use in a single irrigation season.
2. Rights 45-80B, 45-81B, 45-85, 45-12456, 45-13489, and 45-13497 when combined shall not exceed a total diversion rate of 6.18 cfs and the irrigation of 387 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45B.
4. 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 diversions.
5. The operation and use of this water right is also subject to the terms and conditions of the Water Rotation Agreement ("Agreement") entered into by certain users on 10 September, 1992. The Agreement was filed and recorded in the office of the Cassia County Recorder on 27 May, 1993 as Instrument No.: 224804; the provisions of such Agreement to apply fully to this water right.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The approval of transfer #74087 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 27th day of March, 2012



Southern Region Manager

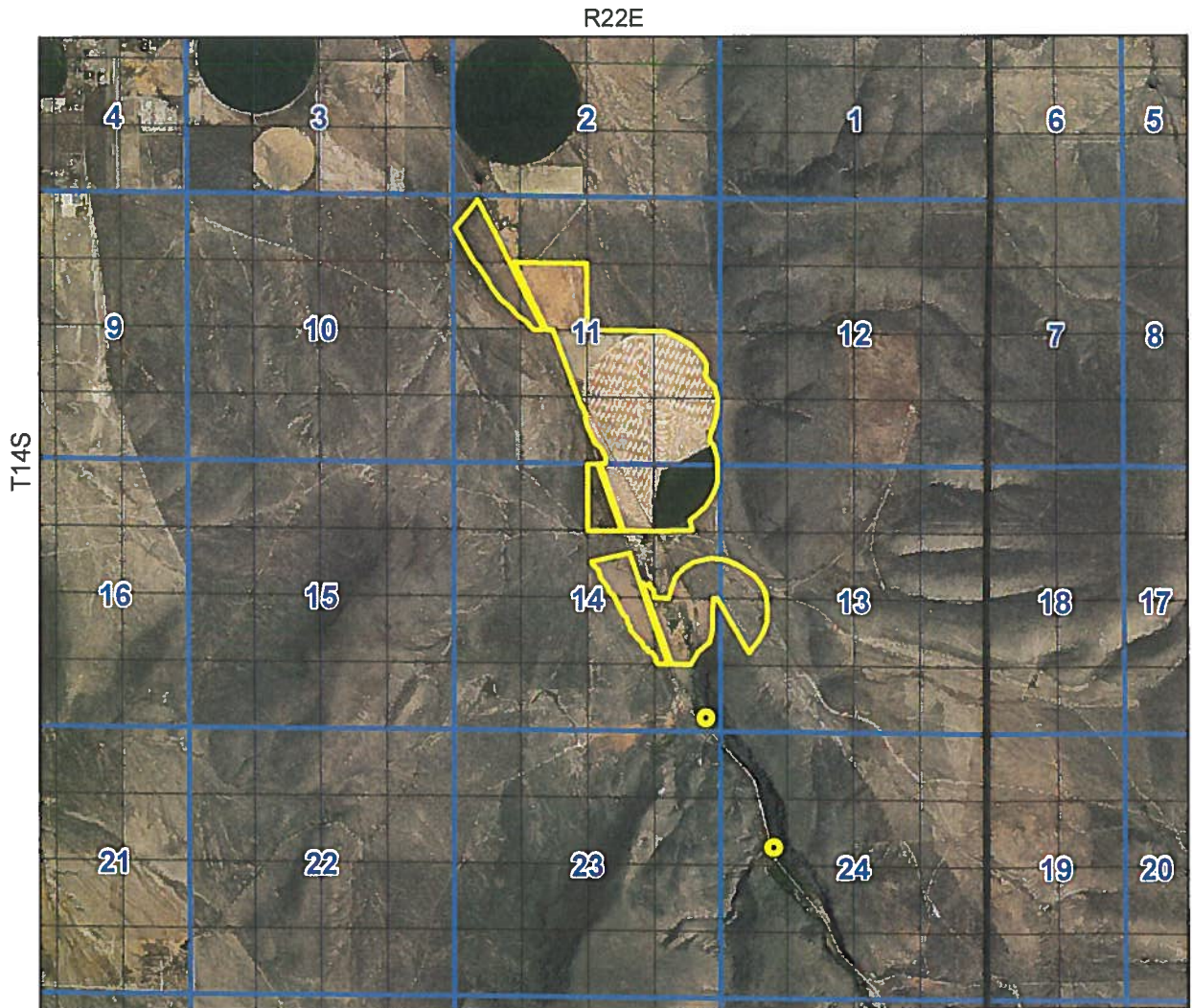
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 74087

Rights: 45-80B, 45-81B, 45-85, 45-12456, 45-13489, 45-13497

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.45 0.9 1.8 Miles

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

