

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74910

This is to certify that: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110
 (801)246-5329

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>
37-481D	WR/Decreed	08/01/1882	3 cfs	N/A	387.0	675.0	BIG WOOD RIVER
37-482J	WR/Decreed	08/01/1884	3 cfs	N/A	387.0	675.0	BIG WOOD RIVER
37-483D	WR/Decreed	08/01/1902	3 cfs	N/A	523.0	675.0	BIG WOOD RIVER
37-577BP	WR/Decreed	03/24/1883	7 cfs	N/A	523.0	675.0	BIG WOOD RIVER
37-917	WR/Decreed	04/01/1940	2.54 cfs	N/A	246.0	675.0	BIG WOOD RIVER
37-11975	WR/Decreed	06/15/1891	3.2 cfs	N/A	79.0	675.0	BIG WOOD RIVER
37-11976	WR/Decreed	06/01/1884	0.7 cfs	N/A	79.0	675.0	BIG WOOD RIVER
37-11977	WR/Decreed	06/15/1891	0.8 cfs	N/A	20.0	675.0	BIG WOOD RIVER
37-11978	WR/Decreed	03/24/1883	3.5 cfs	N/A	79.0	675.0	BIG WOOD RIVER
37-2713	WR/Decreed	08/18/1965	10 cfs	2086 af	596.0	675.0	GROUND WATER
37-7356	WR/Decreed	04/28/1974	2.68 cfs	1057.8 af	596.0	675.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-481D	NO	NO	YES	NO	NO	NO
37-482J	NO	NO	YES	NO	NO	NO
37-483D	NO	NO	YES	NO	NO	NO
37-577BP	NO	NO	YES	NO	NO	NO
37-917	NO	NO	YES	NO	NO	NO
37-11975	NO	NO	YES	NO	NO	NO
37-11976	NO	NO	YES	NO	NO	NO
37-11977	NO	NO	YES	NO	NO	NO
37-11978	NO	NO	YES	NO	NO	NO
37-2713	NO	NO	YES	NO	NO	NO
37-7356	NO	NO	YES	NO	NO	NO

TRANSFER OF WATER RIGHT

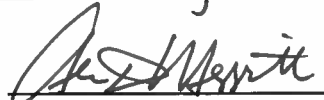
TRANSFER NO. 74910

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-481D	37-481D	3 cfs	N/A	387.0	675.5	N/A	N/A	N/A	N/A	N/A
37-482J	37-482J	3 cfs	N/A	387.0	675.5	N/A	N/A	N/A	N/A	N/A
37-483D	37-483D	3 cfs	N/A	523.0	675.5	N/A	N/A	N/A	N/A	N/A
37-577BP	37-577BP	7 cfs	N/A	523.0	675.5	N/A	N/A	N/A	N/A	N/A
37-917	37-917	2.54 cfs	N/A	246.0	675.5	N/A	N/A	N/A	N/A	N/A
37-11975	37-11975	3.2 cfs	N/A	79.0	675.5	N/A	N/A	N/A	N/A	N/A
37-11976	37-11976	0.7 cfs	N/A	79.0	675.5	N/A	N/A	N/A	N/A	N/A
37-11977	37-11977	0.8 cfs	N/A	20.0	675.5	N/A	N/A	N/A	N/A	N/A
37-11978	37-11978	3.5 cfs	N/A	79.0	675.5	N/A	N/A	N/A	N/A	N/A
37-2713	37-2713	10 cfs	2086 af	596.0	675.5	N/A	N/A	N/A	N/A	N/A
37-7356	37-7356	2.68 cfs	1057.8 af	596.0	675.5	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		26.74 cfs	4172 af	596	675.5	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of January, 2012


Southern Region Manager

WATER RIGHT NO. 37-482J
As Modified by Transfer No. 74910

In accordance with the approval of Transfer No. 74910, Water Right No. 37-482J is now described as follows.

Right Holder: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110

Priority Date: August 01, 1884

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	3.00 CFS
			3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESWNE Sec. 16 Twp 02N Rge 18E BLAINE County

BIG WOOD RIVER SENESE Sec. 22 Twp 02N Rge 18E BLAINE 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	
02N	18E	15												.3			4.5		4.8
02N	18E	22	9.0	31.0	2.8	36.0	.6								32.0				111.4
02N	18E	23							21.0		14.0	40.0	40.0	38.0			11.0	8.0	172.0
02N	18E	25						26.0	40.0	5.9	26.0	25.0	3.4	15.0					141.3
02N	18E	26	38.0	35.0	40.0	32.0	40.0	29.0	32.0										246.0

Total Acres: 675.5

WATER RIGHT NO. 37-482J
As Modified by Transfer No. 74910

CONDITIONS OF APPROVAL

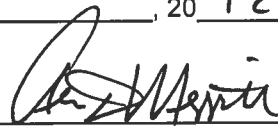
1. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 26.74 cfs, a total annual maximum diversion volume of 4172 af at the field headgate, and the irrigation of 596 acres.
2. Rights 37-481D and 37-482J when combined shall not exceed the irrigation of 387 acres.
3. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, and 37-11978 are limited to the irrigation of a specific 596 acres within the 675.5 acre place of use in a single irrigation season. The specific 596 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 596 acres to be irrigated within the 675.5 acre place of use, 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.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.
5. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 41720.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. 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(s).
8. This right does not grant any right-of-way or easement across the land of another.
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.

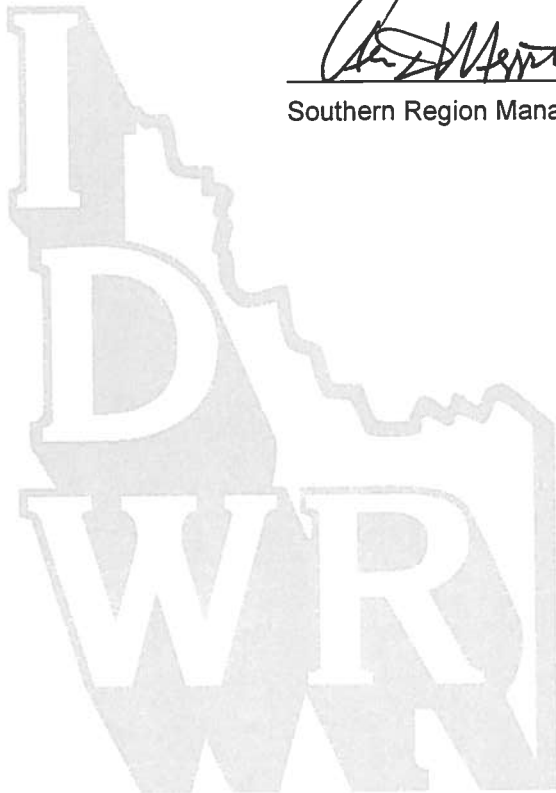
WATER RIGHT NO. 37-482J
As Modified by Transfer No. 74910

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 12th day of January, 20 12


Southern Region Manager



WATER RIGHT NO. 37-483D
As Modified by Transfer No. 74910

In accordance with the approval of Transfer No. 74910, Water Right No. 37-483D is now described as follows.

Right Holder: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110

Priority Date: August 01, 1902

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	3.00 CFS
			3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESWNE Sec. 16 Twp 02N Rge 18E BLAINE County

BIG WOOD RIVER SENESE Sec. 22 Twp 02N Rge 18E BLAINE 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	
02N	18E	15												.3			4.5		4.8
02N	18E	22	9.0	31.0	2.8	36.0	.6							32.0					111.4
02N	18E	23						21.0			14.0	40.0	40.0	38.0		11.0	8.0		172.0
02N	18E	25						26.0	40.0	5.9	26.0	25.0	3.4	15.0					141.3
02N	18E	26	38.0	35.0	40.0	32.0	40.0	29.0		32.0									246.0

Total Acres: 675.5

WATER RIGHT NO. 37-483D
As Modified by Transfer No. 74910

CONDITIONS OF APPROVAL

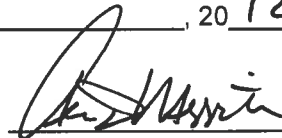
1. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 26.74 cfs, a total annual maximum diversion volume of 4172 af at the field headgate, and the irrigation of 596 acres.
2. Rights 37-483D and 37-577BP when combined shall not exceed the irrigation of 523 acres.
3. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, and 37-11978 are limited to the irrigation of a specific 596 acres within the 675.5 acre place of use in a single irrigation season. The specific 596 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 596 acres to be irrigated within the 675.5 acre place of use, 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.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.
5. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 41720.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. 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(s).
8. This right does not grant any right-of-way or easement across the land of another.
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.

WATER RIGHT NO. 37-483D
As Modified by Transfer No. 74910

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 12th day of January, 2012



Southern Region Manager



WATER RIGHT NO. 37-917
As Modified by Transfer No. 74910

In accordance with the approval of Transfer No. 74910, Water Right No. 37-917 is now described as follows.

Right Holder: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110

Priority Date: April 01, 1940

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	2.54 CFS
			2.54 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESWNE Sec. 16 Twp 02N Rge 18E BLAINE County

BIG WOOD RIVER SENESE Sec. 22 Twp 02N Rge 18E BLAINE 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	
02N 18E 15												.3			4.5		4.8
02N 18E 22	9.0	31.0	2.8	36.0	.6								32.0				111.4
02N 18E 23							21.0		14.0	40.0	40.0	38.0			11.0	8.0	172.0
02N 18E 25						26.0	40.0	5.9	26.0	25.0	3.4	15.0					141.3
02N 18E 26	38.0	35.0	40.0	32.0	40.0	29.0		32.0									246.0

Total Acres: 675.5

WATER RIGHT NO. 37-917
As Modified by Transfer No. 74910

CONDITIONS OF APPROVAL

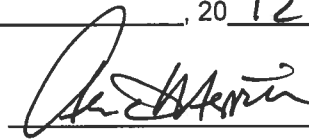
1. This right is limited to the irrigation of 246 acres within the authorized place of use in a single irrigation season.
2. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 26.74 cfs, a total annual maximum diversion volume of 4172 af at the field headgate, and the irrigation of 596 acres.
3. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, and 37-11978 are limited to the irrigation of a specific 596 acres within the 675.5 acre place of use in a single irrigation season. The specific 596 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 596 acres to be irrigated within the 675.5 acre place of use, 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.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.
5. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 41720.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. 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(s).
8. This right does not grant any right-of-way or easement across the land of another.
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.

WATER RIGHT NO. 37-917
As Modified by Transfer No. 74910

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 12th day of January, 2012


Southern Region Manager



WATER RIGHT NO. 37-2713
As Modified by Transfer No. 74910

In accordance with the approval of Transfer No. 74910, Water Right No. 37-2713 is now described as follows.

Right Holder: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110

Priority Date: August 18, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 09/01	10.00 CFS	2,086.0 AF
			10.00 CFS	2,086.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 15 Twp 02N Rge 18E BLAINE County
GROUND WATER	NESW	Sec. 23 Twp 02N Rge 18E BLAINE County
GROUND WATER	NWSW	Sec. 23 Twp 02N Rge 18E BLAINE County
GROUND WATER	SWSE	Sec. 23 Twp 02N Rge 18E BLAINE 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	
02N 18E 15												.3			4.5		4.8
02N 18E 22	9.0	31.0	2.8	36.0	.6								32.0				111.4
02N 18E 23							21.0		14.0	40.0	40.0	38.0		11.0	8.0		172.0
02N 18E 25						26.0	40.0	5.9	26.0	25.0	3.4	15.0					141.3
02N 18E 26	38.0	35.0	40.0	32.0	40.0	29.0		32.0									246.0

Total Acres: 675.5

WATER RIGHT NO. 37-2713
As Modified by Transfer No. 74910

CONDITIONS OF APPROVAL

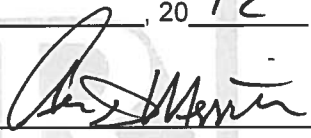
1. This right is limited to the irrigation of 596 acres within the place of use described above in a single irrigation season.
2. Rights 37-2713 and 37-7356 when combined shall not exceed a total annual maximum diversion volume of 2086 af at the field headgate, and the irrigation of 596 acres.
3. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 26.74 cfs, a total annual maximum diversion volume of 4172 af at the field headgate, and the irrigation of 596 acres.
4. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, and 37-11978 are limited to the irrigation of a specific 596 acres within the 675.5 acre place of use in a single irrigation season. The specific 596 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 596 acres to be irrigated within the 675.5 acre place of use, 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.
5. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 41720.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
6. Rights 37-2713 and 37-7356 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the land described above. When water is applied through a sprinkler irrigation system, the portion of Rights 37-2713 and 37-7356 used for conveyance losses is 0.76 cfs.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

WATER RIGHT NO. 37-2713
As Modified by Transfer No. 74910

10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 09/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/16/2002 (approval date of transfer 69809).
11. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 12th day of January, 20 12


Southern Region Manager

WATER RIGHT NO. 37-7356
As Modified by Transfer No. 74910

In accordance with the approval of Transfer No. 74910, Water Right No. 37-7356 is now described as follows.

Right Holder: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110

Priority Date: April 28, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 09/01	2.68 CFS	1,057.8 AF
			2.68 CFS	1,057.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 15 Twp 02N Rge 18E	BLAINE County
GROUND WATER	NESW	Sec. 23 Twp 02N Rge 18E	BLAINE County
GROUND WATER	NWSW	Sec. 23 Twp 02N Rge 18E	BLAINE County
GROUND WATER	SWSE	Sec. 23 Twp 02N Rge 18E	BLAINE 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	
02N 18E 15												.3			4.5		4.8
02N 18E 22	9.0	31.0	2.8	36.0	.6								32.0				111.4
02N 18E 23							21.0		14.0	40.0	40.0	38.0		11.0	8.0		172.0
02N 18E 25						26.0	40.0	5.9	26.0	25.0	3.4	15.0					141.3
02N 18E 26	38.0	35.0	40.0	32.0	40.0	29.0	32.0										246.0

Total Acres: 675.5

WATER RIGHT NO. 37-7356
As Modified by Transfer No. 74910

CONDITIONS OF APPROVAL

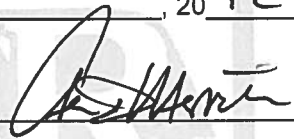
1. This right is limited to the irrigation of 596 acres within the place of use described above in a single irrigation season.
2. Rights 37-2713 and 37-7356 when combined shall not exceed a total annual maximum diversion volume of 2086 af at the field headgate, and the irrigation of 596 acres.
3. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 26.74 cfs, a total annual maximum diversion volume of 4172 af at the field headgate, and the irrigation of 596 acres.
4. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, and 37-11978 are limited to the irrigation of a specific 596 acres within the 675.5 acre place of use in a single irrigation season. The specific 596 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 596 acres to be irrigated within the 675.5 acre place of use, 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.
5. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 41720.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
6. Rights 37-2713 and 37-7356 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the land described above. When water is applied through a sprinkler irrigation system, the portion of Rights 37-2713 and 37-7356 used for conveyance losses is 0.76 cfs.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

WATER RIGHT NO. 37-7356
As Modified by Transfer No. 74910

10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 09/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/16/2002 (approval date of transfer 69809).
11. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 12th day of January, 2012


Southern Region Manager

WATER RIGHT NO. 37-11975
As Modified by Transfer No. 74910

In accordance with the approval of Transfer No. 74910, Water Right No. 37-11975 is now described as follows.

Right Holder: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110

Priority Date: June 15, 1891

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	3.20 CFS
			3.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESWNE Sec. 16 Twp 02N Rge 18E BLAINE County

BIG WOOD RIVER SENESE Sec. 22 Twp 02N Rge 18E BLAINE 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	
02N 18E 15												.3			4.5		4.8
02N 18E 22	9.0	31.0	2.8	36.0	.6								32.0				111.4
02N 18E 23							21.0		14.0	40.0	40.0	38.0		11.0	8.0		172.0
02N 18E 25						26.0	40.0	5.9	26.0	25.0	3.4	15.0					141.3
02N 18E 26	38.0	35.0	40.0	32.0	40.0	29.0		32.0									246.0

Total Acres: 675.5

WATER RIGHT NO. 37-11975
As Modified by Transfer No. 74910

CONDITIONS OF APPROVAL

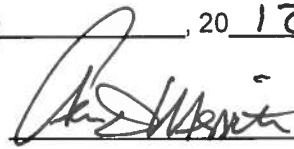
1. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 26.74 cfs, a total annual maximum diversion volume of 4172 af at the field headgate, and the irrigation of 596 acres.
2. Rights 37-11975, 37-11976, 37-11977, and 37-11978 when combined shall not exceed the irrigation of 79 acres.
3. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, and 37-11978 are limited to the irrigation of a specific 596 acres within the 675.5 acre place of use in a single irrigation season. The specific 596 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 596 acres to be irrigated within the 675.5 acre place of use, 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.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.
5. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 41720.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. 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(s).
8. This right does not grant any right-of-way or easement across the land of another.
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.

WATER RIGHT NO. 37-11975
As Modified by Transfer No. 74910

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 12th day of January, 2012



Southern Region Manager



WATER RIGHT NO. 37-11976
As Modified by Transfer No. 74910

In accordance with the approval of Transfer No. 74910, Water Right No. 37-11976 is now described as follows.

Right Holder: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110

Priority Date: June 01, 1884

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

0.70 CFS

0.70 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESWNE Sec. 16 Twp 02N Rge 18E BLAINE County

BIG WOOD RIVER SENESE Sec. 22 Twp 02N Rge 18E BLAINE 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	
02N 18E 15												.3			4.5		4.8
02N 18E 22	9.0	31.0	2.8	36.0	.6								32.0				111.4
02N 18E 23							21.0		14.0	40.0	40.0	38.0		11.0	8.0		172.0
02N 18E 25						26.0	40.0	5.9	26.0	25.0	3.4	15.0					141.3
02N 18E 26	38.0	35.0	40.0	32.0	40.0	29.0		32.0									246.0

Total Acres: 675.5

WATER RIGHT NO. 37-11976
As Modified by Transfer No. 74910

CONDITIONS OF APPROVAL

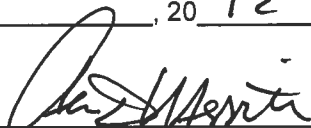
1. Rights 37-11975, 37-11976, 37-11977, and 37-11978 when combined shall not exceed the irrigation of 79 acres.
2. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 26.74 cfs, a total annual maximum diversion volume of 4172 af at the field headgate, and the irrigation of 596 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.
4. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, and 37-11978 are limited to the irrigation of a specific 596 acres within the 675.5 acre place of use in a single irrigation season. The specific 596 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 596 acres to be irrigated within the 675.5 acre place of use, 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.
5. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 41720.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. 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(s).
8. This right does not grant any right-of-way or easement across the land of another.
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.

WATER RIGHT NO. 37-11976
As Modified by Transfer No. 74910

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 12th day of January, 2012



Southern Region Manager



WATER RIGHT NO. 37-11977
As Modified by Transfer No. 74910

In accordance with the approval of Transfer No. 74910, Water Right No. 37-11977 is now described as follows.

Right Holder: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110

Priority Date: June 15, 1891

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	0.80 CFS
			0.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESWNE Sec. 16 Twp 02N Rge 18E BLAINE County

BIG WOOD RIVER SENESE Sec. 22 Twp 02N Rge 18E BLAINE 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	
02N 18E 15												.3			4.5		4.8
02N 18E 22	9.0	31.0	2.8	36.0	.6								32.0				111.4
02N 18E 23							21.0		14.0	40.0	40.0	38.0			11.0	8.0	172.0
02N 18E 25						26.0	40.0	5.9	26.0	25.0	3.4	15.0					141.3
02N 18E 26	38.0	35.0	40.0	32.0	40.0	29.0		32.0									246.0

Total Acres: 675.5

WATER RIGHT NO. 37-11977
As Modified by Transfer No. 74910

CONDITIONS OF APPROVAL

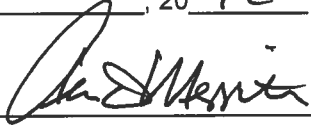
1. This right is limited to the irrigation of 20 acres within the authorized place of use in a single irrigation season.
2. Rights 37-11975, 37-11976, 37-11977, and 37-11978 when combined shall not exceed the irrigation of 79 acres.
3. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 26.74 cfs, a total annual maximum diversion volume of 4172 af at the field headgate, and the irrigation of 596 acres.
4. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, and 37-11978 are limited to the irrigation of a specific 596 acres within the 675.5 acre place of use in a single irrigation season. The specific 596 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 596 acres to be irrigated within the 675.5 acre place of use, 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.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.
6. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 41720.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
7. 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. 37.
8. 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(s).
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

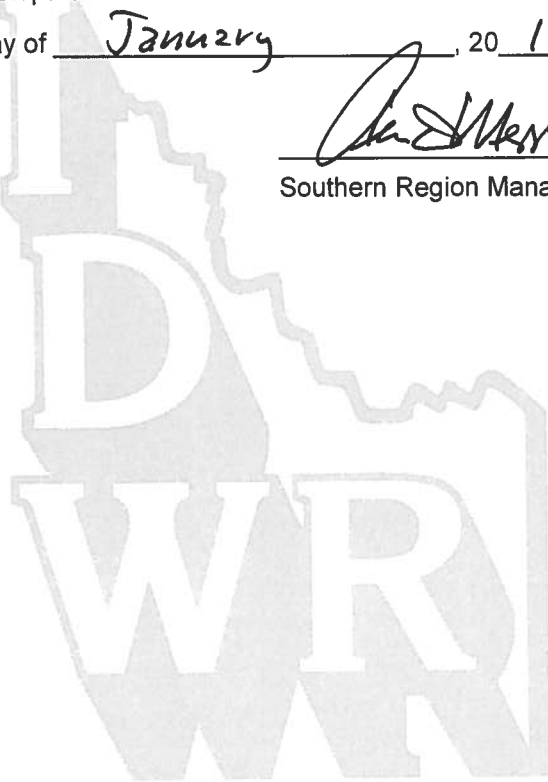
WATER RIGHT NO. 37-11977
As Modified by Transfer No. 74910

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 12th day of January, 2012


Southern Region Manager



WATER RIGHT NO. 37-11978
As Modified by Transfer No. 74910

In accordance with the approval of Transfer No. 74910, Water Right No. 37-11978 is now described as follows.

Right Holder: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110

Priority Date: March 24, 1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	3.50 CFS
			3.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESWNE Sec. 16 Twp 02N Rge 18E BLAINE County

BIG WOOD RIVER SENESE Sec. 22 Twp 02N Rge 18E BLAINE 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	
02N	18E	15												.3			4.5		4.8
02N	18E	22	9.0	31.0	2.8	36.0	.6							32.0					111.4
02N	18E	23							21.0		14.0	40.0	40.0	38.0			11.0	8.0	172.0
02N	18E	25						26.0	40.0	5.9	26.0	25.0	3.4	15.0					141.3
02N	18E	26	38.0	35.0	40.0	32.0	40.0	29.0		32.0									246.0

Total Acres: 675.5

WATER RIGHT NO. 37-11978
As Modified by Transfer No. 74910

CONDITIONS OF APPROVAL

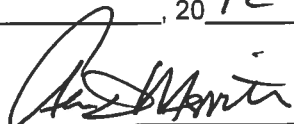
1. Rights 37-11975, 37-11976, 37-11977, and 37-11978 when combined shall not exceed the irrigation of 79 acres.
2. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 26.74 cfs, a total annual maximum diversion volume of 4172 af at the field headgate, and the irrigation of 596 acres.
3. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, and 37-11978 are limited to the irrigation of a specific 596 acres within the 675.5 acre place of use in a single irrigation season. The specific 596 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 596 acres to be irrigated within the 675.5 acre place of use, 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.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.
5. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 41720.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. 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(s).
8. This right does not grant any right-of-way or easement across the land of another.
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.

WATER RIGHT NO. 37-11978
As Modified by Transfer No. 74910

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 12th day of January, 2012



Southern Region Manager



WATER RIGHT NO. 37-481D
As Modified by Transfer No. 74910

In accordance with the approval of Transfer No. 74910, Water Right No. 37-481D is now described as follows.

Right Holder: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110

Priority Date: August 01, 1882

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	3.00 CFS
			3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER SESWNE Sec. 16 Twp 02N Rge 18E BLAINE County

BIG WOOD RIVER SENESE Sec. 22 Twp 02N Rge 18E BLAINE 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	
02N 18E 15												.3			4.5		4.8
02N 18E 22	9.0	31.0	2.8	36.0	.6								32.0				111.4
02N 18E 23							21.0		14.0	40.0	40.0	38.0			11.0	8.0	172.0
02N 18E 25						26.0	40.0	5.9	26.0	25.0	3.4	15.0					141.3
02N 18E 26	38.0	35.0	40.0	32.0	40.0	29.0		32.0									246.0

Total Acres: 675.5

WATER RIGHT NO. 37-481D
As Modified by Transfer No. 74910

CONDITIONS OF APPROVAL

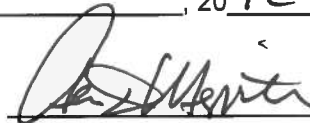
1. Rights 37-481D and 37-482J when combined shall not exceed the irrigation of 387 acres.
2. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 26.74 cfs, a total annual maximum diversion volume of 4172 af at the field headgate, and the irrigation of 596 acres.
3. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 41720.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
4. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, and 37-11978 are limited to the irrigation of a specific 596 acres within the 675.5 acre place of use in a single irrigation season. The specific 596 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 596 acres to be irrigated within the 675.5 acre place of use, 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.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. 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(s).
8. This right does not grant any right-of-way or easement across the land of another.
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.

WATER RIGHT NO. 37-481D
As Modified by Transfer No. 74910

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 12th day of January, 2012



Southern Region Manager



WATER RIGHT NO. 37-577BP
As Modified by Transfer No. 74910

In accordance with the approval of Transfer No. 74910, Water Right No. 37-577BP is now described as follows.

Right Holder: ECCLES FLYING HAT RANCH LLC
 PO BOX 3028
 SALT LAKE CITY UT 84110

Priority Date: March 24, 1883

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	5.60 CFS
MITIGATION	04/15 to	10/31	1.40 CFS
			7.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SESWNE	Sec. 16 Twp 02N Rge 18E BLAINE County
BIG WOOD RIVER	SENESE	Sec. 22 Twp 02N Rge 18E BLAINE County
BIG WOOD RIVER	SWNW	Sec. 20 Twp 03N Rge 18E BLAINE 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	
02N 18E 15												.3			4.5		4.8
02N 18E 22	9.0	31.0	2.8	36.0	.6								32.0				111.4
02N 18E 23							21.0		14.0	40.0	40.0	38.0		11.0	8.0		172.0
02N 18E 25						26.0	40.0	5.9	26.0	25.0	3.4	15.0					141.3
02N 18E 26	38.0	35.0	40.0	32.0	40.0	29.0	32.0										246.0

Total Acres: 675.5

WATER RIGHT NO. 37-577BP
As Modified by Transfer No. 74910

PLACE OF USE: **MITIGATION**

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 18E 15											X	X					
02N 18E 22	X	X	X	X	X								X				
02N 18E 23							X		X	X	X	X			X	X	
02N 18E 25						X	X		X	X	X	X					
02N 18E 26	X	X	X	X	X	X		X									



WATER RIGHT NO. 37-577BP
As Modified by Transfer No. 74910

CONDITIONS OF APPROVAL

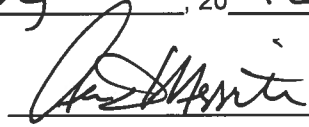
1. Rights 37-483D and 37-577BP when combined shall not exceed the irrigation of 523 acres.
2. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 26.74 cfs, a total annual maximum diversion volume of 4172 af at the field headgate, and the irrigation of 596 acres.
3. A portion of Right 37-577BP, 1.40 cfs, shall continue to be diverted into the Hiawatha Canal to mitigate the removal of Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977 and 37-11978 diverted into Cove Canal and Kohler Ditch under Transfer 68526 until such time as the canal ceases operation or is otherwise no longer necessary for such mitigation. The right holder retains ownership of the 1.40 cfs portion of this right diverted into the Hiawatha Canal.
4. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, and 37-11978 are limited to the irrigation of a specific 596 acres within the 675.5 acre place of use in a single irrigation season. The specific 596 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 596 acres to be irrigated within the 675.5 acre place of use, 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.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.
6. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not exceed a maximum diversion rate of 11.92 cfs and 2086.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 23.84 cfs and 41720.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
7. 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. 37.
8. 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(s).
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 37-577BP
As Modified by Transfer No. 74910

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 12th day of January, 2012



Southern Region Manager

State of Idaho
Department of Water Resources

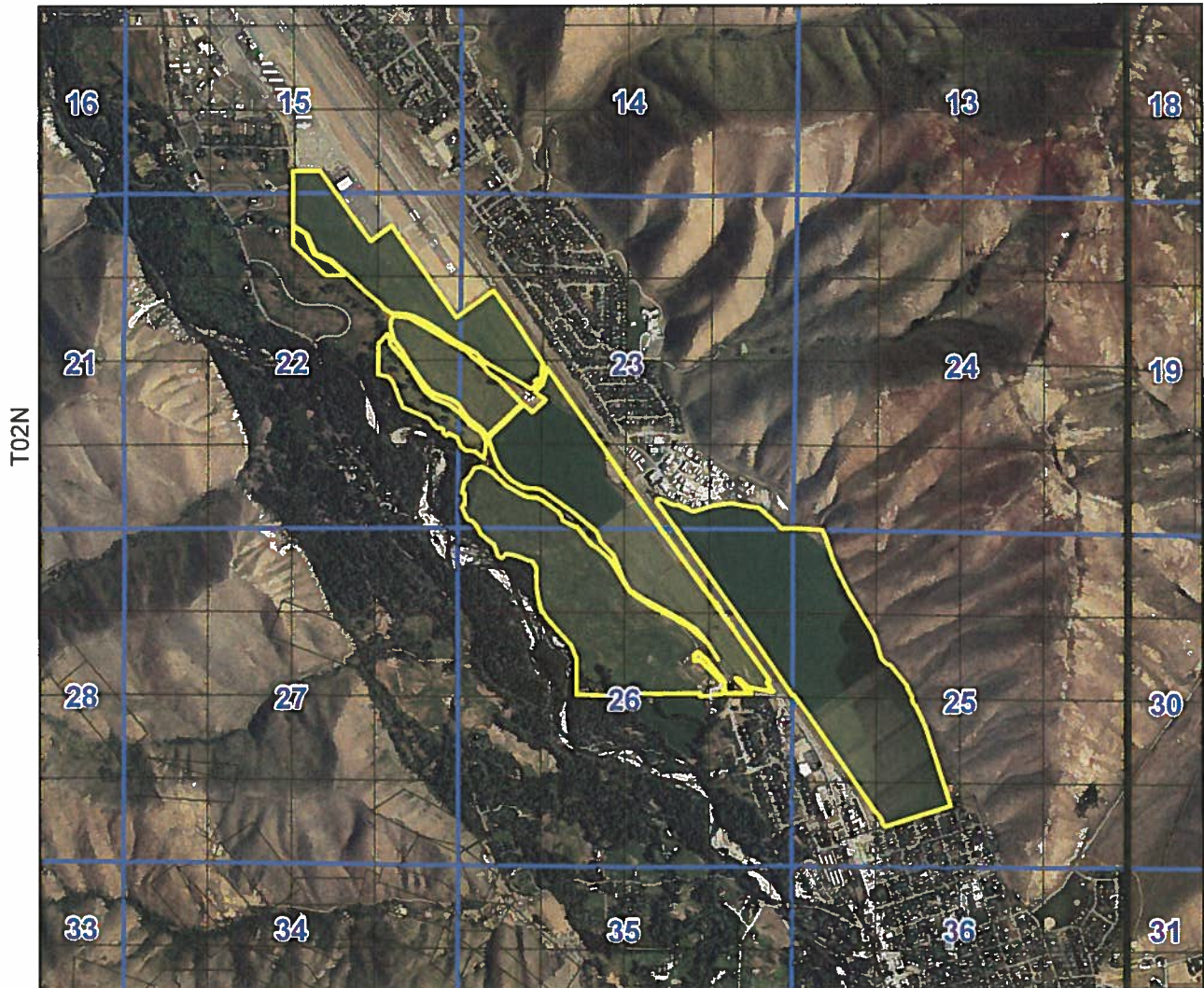
Attachment To Transfer Of Water Right

Transfer No. 74910

Rights: 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975,
37-11976, 37-11977, 37-11978

This map depicts the IRRIGATION place of use boundary for the authorized 596 acres to be irrigated within the 675.5 acre permissible place of use at the time of this approval and is attached to the approval document solely for illustrative purposes.

R18E



0 0.35 0.7 1.4 Miles

 Place Of Use Boundary

 Townships

 PLS Sections

 Quarter Quarters

