

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77499

This is to certify that: BASIN AND RANGE RESOURCE COMPANY LLC
 3480 G S RICHARDS BLVD #101
 CARSON CITY NV 89703
 (775)885-5000

has requested a change to the water rights listed below. This change in water rights 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>
63-7177	AJC/License	12/12/1968	4.70 cfs	1570.5 af	N/A	349.0	GROUND WATER
63-7349	AJC/License	07/07/1970	1.66 cfs	802.0 af	N/A	310.0	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>
63-7177	NO	NO	NO	YES	NO	NO
63-7349	NO	NO	NO	YES	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>
63-7177	63-7177	4.70 cfs	1570.5 af	N/A	349.0		N/A	N/A	N/A	N/A
63-7349	63-7349	1.66 cfs	802.0 af	N/A	310.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		6.36 cfs	2072.5 af	N/A	659.0		N/A	N/A	N/A	N/A

Detailed Water Right Descriptions attached

Dated this 20th day of September, 20 11


 John Westra, Western Regional Manager

SUPPORT DATA

IN FILE # 63-7177

WATER RIGHT NO. 63-7177
As Modified by Transfer No. 77499

In accordance with the approval of Transfer No. 77499, Water Right No. 63-7177 is now described as follows.

Right Holder: BASIN AND RANGE RESOURCE COMPANY LLC
3480 G S RICHARDS BLVD #101
CARSON CITY NV 89703

Priority Date: December 12, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	4.70 CFS	1,570.5 AF
			4.70 CFS	1,570.5 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NWSW	Sec. 23, Twp 06N, Rge 05W, PAYETTE County
GROUND WATER	SESW	Sec. 23, Twp 06N, Rge 05W, PAYETTE County
GROUND WATER	SWSE	Sec. 23, Twp 06N, Rge 05W, 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

CONDITIONS OF APPROVAL

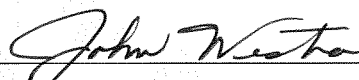
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Rights 63-3308, 63-3583, 63-7349 and 63-7177 when combined shall not exceed a total diversion rate of 10.54 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. The following rights are diverted through the point of diversion located in the SWSE, S23, T06N, R05W: 63-3308, 63-3583, 63-7177 & 63-7349

WATER RIGHT NO. 63-7177
As Modified by Transfer No. 77499

5. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. This water right does not authorize the use of federal public lands.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
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.

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 20th day of September, 20 11



John Westra, Western Regional Manager

WATER RIGHT NO. 63-7349
As Modified by Transfer No. 77499

In accordance with the approval of Transfer No. 77499, Water Right No. 63-7349 is now described as follows.

Right Holder: BASIN AND RANGE RESOURCE COMPANY LLC
 3480 G S RICHARDS BLVD #101
 CARSON CITY NV 89703

Priority Date: July 07, 1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	1.66 CFS	802.0 AF
			1.66 CFS	802.0 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NWSW	Sec. 23, Twp 06N, Rge 05W, PAYETTE County
GROUND WATER	SESW	Sec. 23, Twp 06N, Rge 05W, PAYETTE County
GROUND WATER	SWSE	Sec. 23, Twp 06N, Rge 05W, 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

CONDITIONS OF APPROVAL

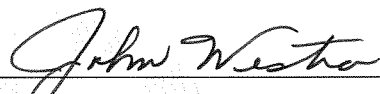
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Rights 63-3308, 63-3583, 63-7349 and 63-7177 when combined shall not exceed a total diversion rate of 10.54 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. The following rights are diverted through the point of diversion located in the SWSE, S23, T06N, R05W: 63-3308, 63-3583, 63-7177 & 63-7349

WATER RIGHT NO. 63-7349
As Modified by Transfer No. 77499

5. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. This water right does not authorize the use of federal public lands.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
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.

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 20th day of September, 20 11


John Westra, Western Regional Manager