

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77459

This is to certify that: PETERSEN RANCH TRUST
C/O GARY PETERSEN
207 PAINTED HILLS DR
IVINS UT 84738
(208)688-2244

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>
72-4077	WR/Decreed	06/01/1922	4.5 cfs	N/A		40.5	BAYHORSE 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>
72-4077	NO	YES	NO	NO	YES	YES

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>
72-4077	72-4077	4.5 cfs	N/A	N/A	20.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.5 cfs		20.5	20.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15th day of September, 2011



Southern Region Manager

[illegible]

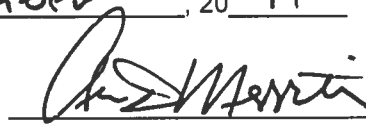
WATER RIGHT NO. 72-4077
As Modified by Transfer No. 77459

CONDITIONS OF APPROVAL

1. 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. 170.
2. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
4. Approval of Transfer 77459 does not grant any right-of-way or easement for use of a delivery system owned by persons other than the right owner.
5. The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
6. The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
7. This right mitigates for the depletion of water resulting from the diversion and use of water under Right 72-16873. To prevent injury to other water right holders, the right holder shall cease diverting 2.22 cfs of this right from the Bayhorse Creek used to irrigate 20 acres within the (Lt4) SENW of Section 7, T12N, R19E. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Right 72-16873 that is being mitigated shall be reduced by the same proportion as the reduction to this right.
8. Rights 72-16873 and 72-4077 when combined shall not exceed the irrigation of a total of 40.5 acres.
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 15th day of September, 20 11


Southern Region Manager

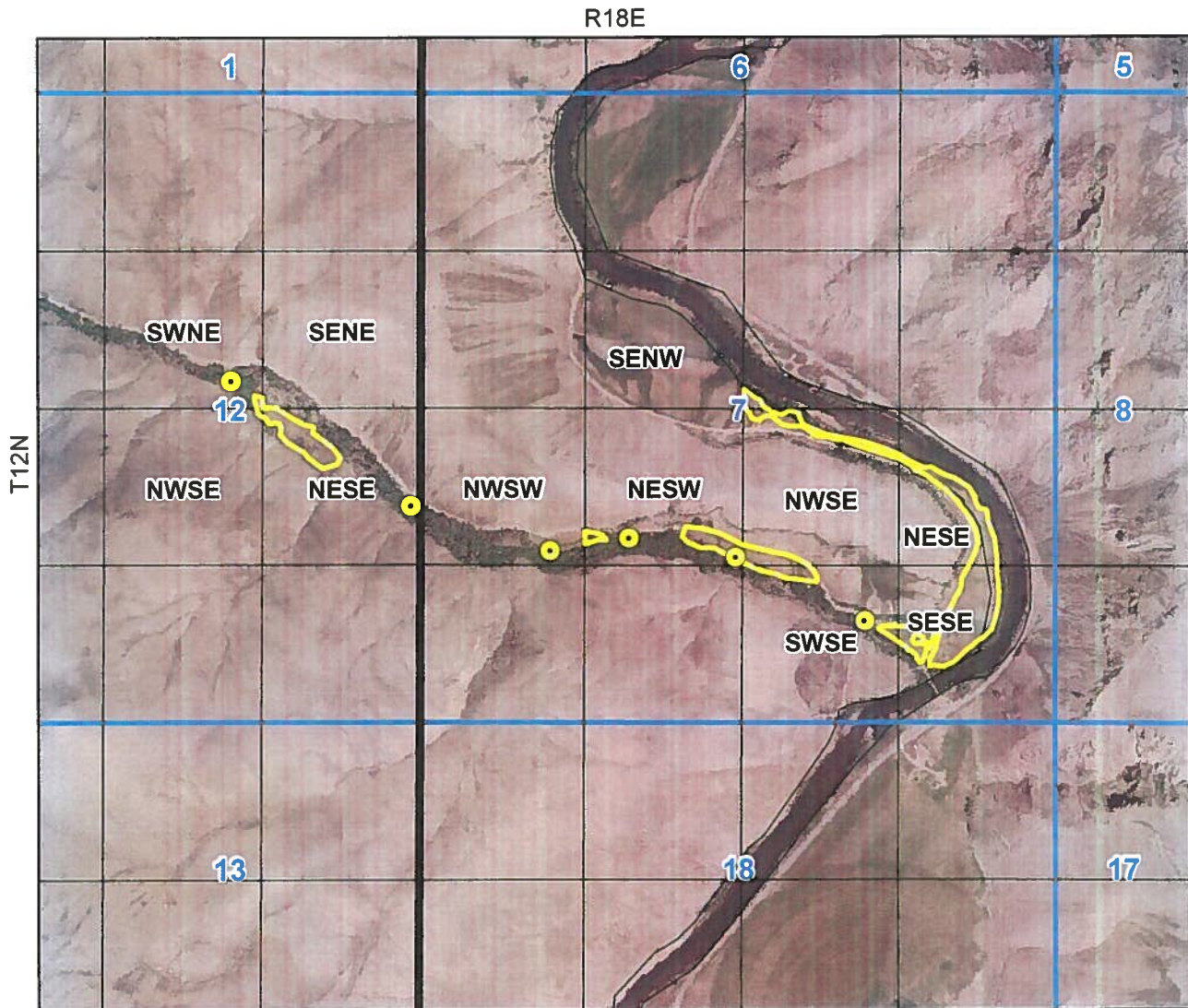
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 77459

Rights: 72-4077

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 0.15 0.3 0.6 Miles

Legend

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



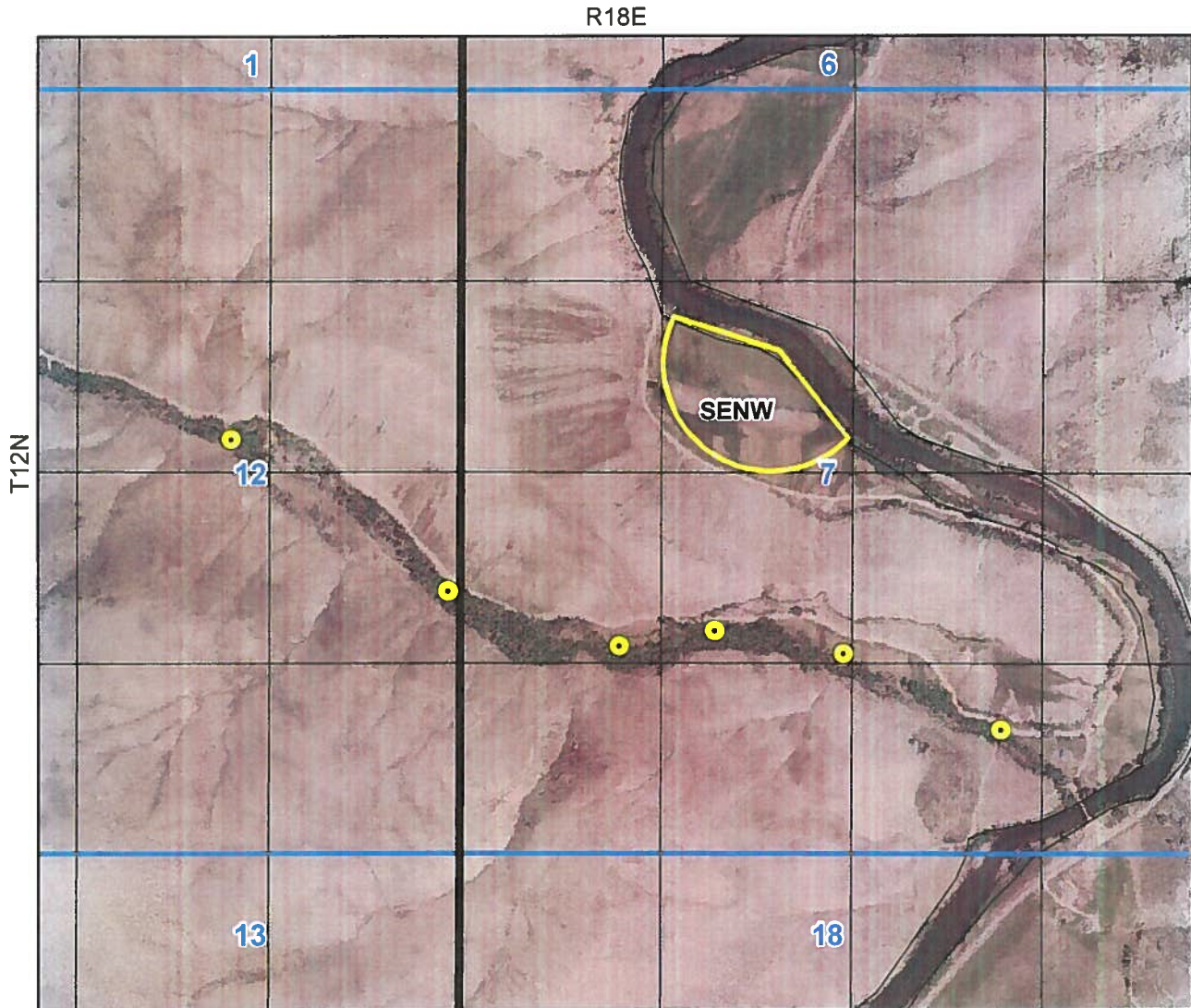
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 77459

Rights: 72-4077

This map depicts the MITIGATION 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.



Legend

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

0 0.15 0.3 0.6 Miles



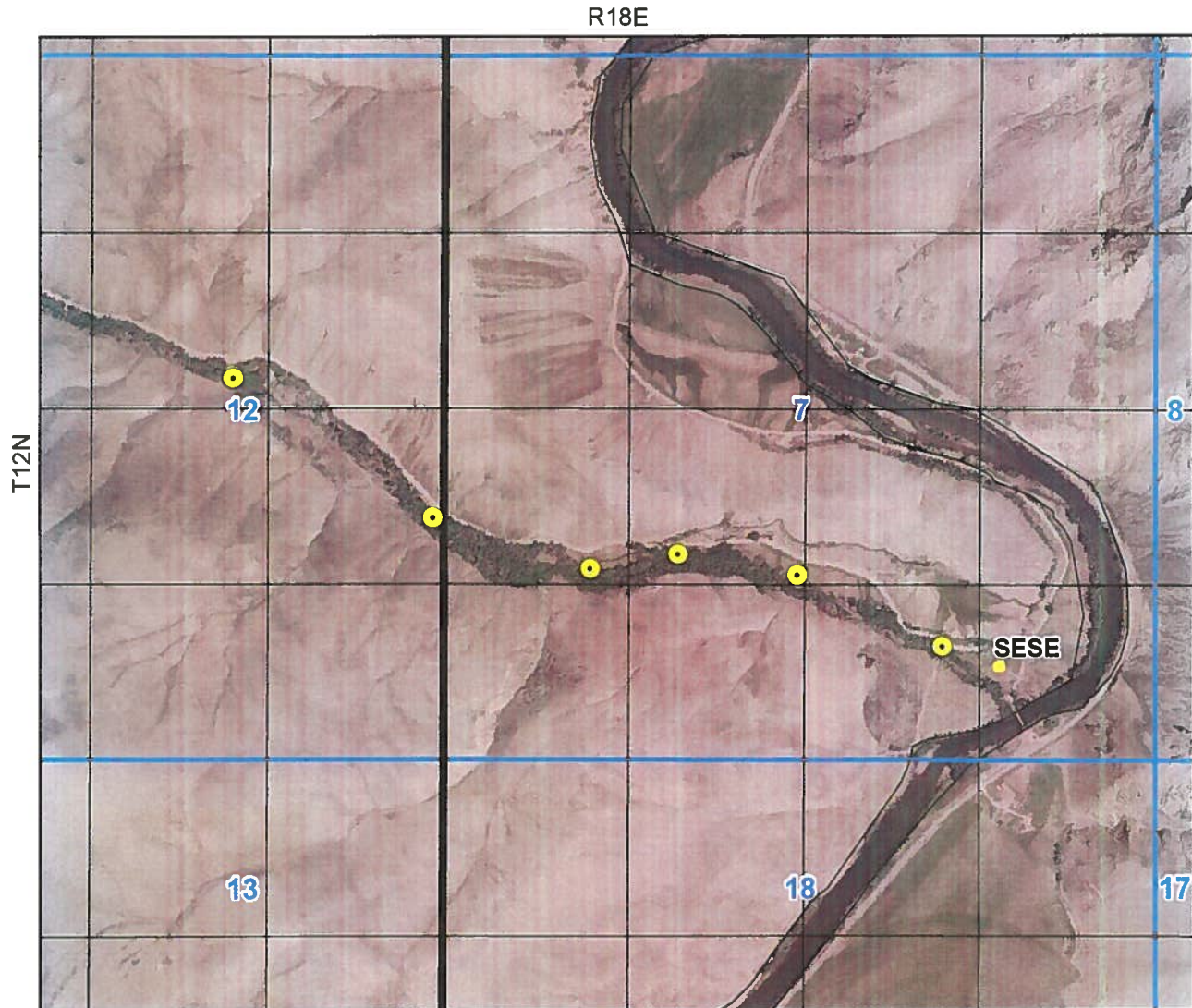
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 77459

Rights: 72-4077

This map depicts the DOMESTIC 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 0.15 0.3 0.6 Miles

Legend

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

