

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73035

This is to certify that: NOTCH BUTTE FARMS LLC
 PO BOX 486
 JEROME ID 83338
 (208)536-2033

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>
37-22606	WR/Decreed	12/21/1956	0.27 cfs	59.6 af	14.9	343.0	GROUND WATER
37-22609	WR/Decreed	12/04/1951	0.99 cfs	246 af	61.5	343.0	GROUND WATER
37-22612	WR/Decreed	09/29/1976	0.11 cfs	55.9 af	14.3	343.0	GROUND WATER
37-22615	WR/Decreed	12/21/1956	0.04 cfs	17.6 af	4.4	343.0	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>
37-22606	NO	NO	YES	NO	NO	NO
37-22609	NO	NO	YES	NO	NO	NO
37-22612	NO	NO	YES	NO	NO	NO
37-22615	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>
37-22606	37-22606	0.27 cfs	59.6 af	14.9	335.1	N/A	N/A	N/A	N/A	N/A
37-22609	37-22609	0.99 cfs	246 af	61.5	335.1	N/A	N/A	N/A	N/A	N/A
37-22612	37-22612	0.11 cfs	55.9 af	14.3	335.1	N/A	N/A	N/A	N/A	N/A
37-22615	37-22615	0.04 cfs	17.6 af	4.4	335.1	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.33 cfs	379.1 af	95.1	335.1	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of August, 20 11


 Southern Region Manager

SUPPORT DATA

IN FILE # 37-2527A

WATER RIGHT NO. 37-22609
As Modified by Transfer No. 73035

In accordance with the approval of Transfer No. 73035, Water Right No. 37-22609 is now described as follows.

Right Holder:

Priority Date: December 04, 1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.99 CFS	246.0 AF
			0.99 CFS	246.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWNW Sec. 32 Twp 06S Rge 17E LINCOLN County

GROUND WATER SWNWSW Sec. 32 Twp 06S Rge 17E LINCOLN 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		
06S	17E	31													15.0				14.0	29.0
06S	17E	32		40.0	19.0		40.0	33.0	3.9	6.8	.9	23.0	32.0	24.0		3.5	40.0	40.0	L 7	306.1

Total Acres: 335.1

CONDITIONS OF APPROVAL

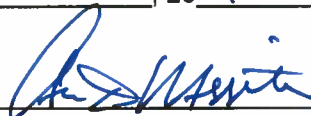
1. This right is limited to the irrigation of 61.5 acres within the authorized place of use in a single irrigation season.
2. Rights 37-22609, 37-22606, 37-22615, and 37-22612 when combined shall not exceed a total diversion rate of 1.33 cfs and the irrigation of 95.1 acres.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. 130.
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 place of use.

WATER RIGHT NO. 37-22609
As Modified by Transfer No. 73035

6. Rights 37-22609, 37-22606, 37-22615, and 37-22612 are limited to the irrigation of a specific 95.1 acres within the 335.1 acre place of use authorized under those rights in a single irrigation season. The specific 95.1 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 95.1 acres to be irrigated within the 335.1 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.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval T73035, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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 29th day of August, 20 11



Southern Region Manager

WATER RIGHT NO. 37-22615
As Modified by Transfer No. 73035

In accordance with the approval of Transfer No. 73035, Water Right No. 37-22615 is now described as follows.

Right Holder: NOTCH BUTTE FARMS LLC
 PO BOX 486
 JEROME ID 83338

Priority Date: December 21, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.04 CFS	17.6 AF
			0.04 CFS	17.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWNW Sec. 32 Twp 06S Rge 17E LINCOLN County

GROUND WATER SWNWSW Sec. 32 Twp 06S Rge 17E LINCOLN 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	
06S	17E	31													15.0			14.0	29.0
06S	17E	32		40.0	19.0		40.0	33.0	3.9	6.8	.9	23.0	32.0	24.0		3.5	40.0	40.0	306.1

Total Acres: 335.1

CONDITIONS OF APPROVAL

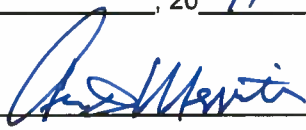
1. This right is limited to the irrigation of 4.4 acres within the authorized place of use in a single irrigation season.
2. Rights 37-22609, 37-22606, 37-22615, and 37-22612 when combined shall not exceed a total diversion rate of 1.33 cfs and the irrigation of 95.1 acres.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. 130.
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 place of use.

WATER RIGHT NO. 37-22615
As Modified by Transfer No. 73035

6. Rights 37-22609, 37-22606, 37-22615, and 37-22612 are limited to the irrigation of a specific 95.1 acres within the 335.1 acre place of use authorized under those rights in a single irrigation season. The specific 95.1 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 95.1 acres to be irrigated within the 335.1 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.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval T73035, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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 29th day of August, 20 11



Southern Region Manager

WATER RIGHT NO. 37-22612
As Modified by Transfer No. 73035

In accordance with the approval of Transfer No. 73035, Water Right No. 37-22612 is now described as follows.

Right Holder: NOTCH BUTTE FARMS LLC
 PO BOX 486
 JEROME ID 83338

Priority Date: September 29, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.11 CFS	55.9 AF
			0.11 CFS	55.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWNW Sec. 32 Twp 06S Rge 17E LINCOLN County

GROUND WATER SWNWSW Sec. 32 Twp 06S Rge 17E LINCOLN 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		
06S	17E	31																15.0	14.0	29.0
06S	17E	32		40.0	19.0		40.0	33.0	3.9	6.8	.9	23.0	32.0	24.0		3.5	40.0	40.0	L 7	306.1

Total Acres: 335.1

CONDITIONS OF APPROVAL

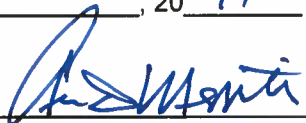
1. This right is limited to the irrigation of 14.3 acres within the authorized place of use in a single irrigation season.
2. Rights 37-22609, 37-22606, 37-22615, and 37-22612 when combined shall not exceed a total diversion rate of 1.33 cfs and the irrigation of 95.1 acres.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. 130.
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 place of use.

WATER RIGHT NO. 37-22612
As Modified by Transfer No. 73035

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval T73035, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Rights 37-22609, 37-22606, 37-22615, and 37-22612 are limited to the irrigation of a specific 95.1 acres within the 335.1 acre place of use authorized under those rights in a single irrigation season. The specific 95.1 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 95.1 acres to be irrigated within the 335.1 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.
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 24th day of August, 20 11



Southern Region Manager

WATER RIGHT NO. 37-22606
As Modified by Transfer No. 73035

In accordance with the approval of Transfer No. 73035, Water Right No. 37-22606 is now described as follows.

Right Holder: NOTCH BUTTE FARMS LLC
 PO BOX 486
 JEROME ID 83338

Priority Date: December 21, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.27 CFS	59.6 AF
			0.27 CFS	59.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWNW Sec. 32 Twp 06S Rge 17E LINCOLN County

GROUND WATER SWNWSW Sec. 32 Twp 06S Rge 17E LINCOLN 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		
06S	17E	31																15.0	14.0	29.0
06S	17E	32	40.0	19.0			40.0	33.0	3.9	6.8	.9	23.0	32.0	24.0		3.5	40.0	40.0	17	306.1

Total Acres: 335.1

CONDITIONS OF APPROVAL

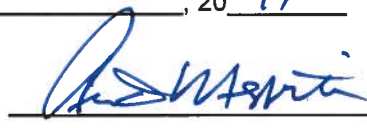
1. This right is limited to the irrigation of 14.9 acres within the authorized place of use in a single irrigation season.
2. Rights 37-22609, 37-22606, 37-22615, and 37-22612 when combined shall not exceed a total diversion rate of 1.33 cfs and the irrigation of 95.1 acres.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. 130.
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 place of use.

WATER RIGHT NO. 37-22606
As Modified by Transfer No. 73035

6. Rights 37-22609, 37-22606, 37-22615, and 37-22612 are limited to the irrigation of a specific 95.1 acres within the 335.1 acre place of use authorized under those rights in a single irrigation season. The specific 95.1 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 95.1 acres to be irrigated within the 335.1 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.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval T73035, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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 24th day of August, 20 11


Southern Region Manager

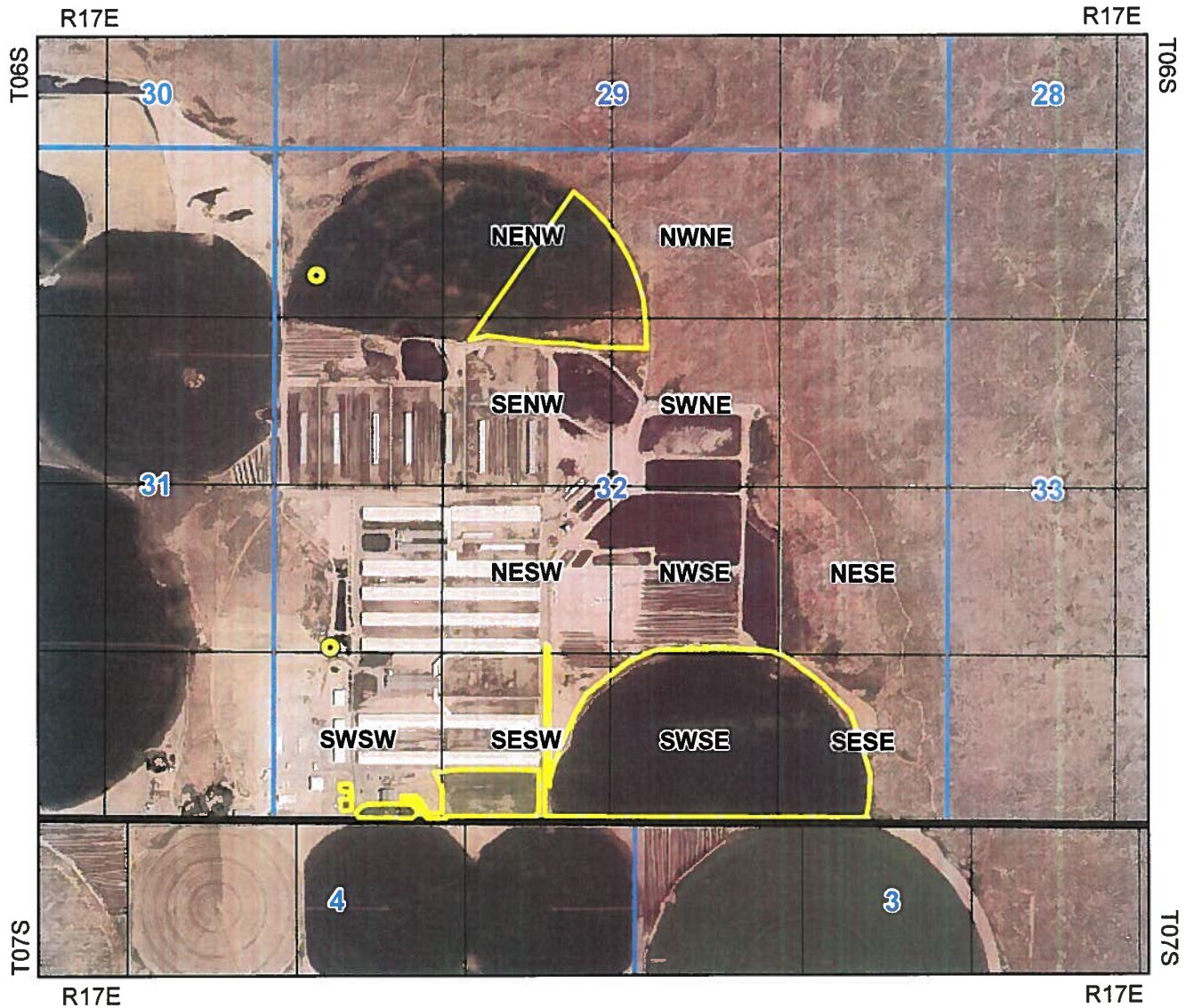
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 73035

Rights: 37-22606, 37-22609, 37-22612, 37-22615

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.



Legend

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