

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76184

This is to certify that: ROTH INVESTMENTS LLC
 PO BOX 634
 JEROME ID 83338
 (208)324-9721

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>
36-2264F	WR/Decreed	03/12/1954	0.66 cfs	209.5 af			GROUND WATER
36-2264C	WR/Decreed	03/12/1954	2.38 cfs	668 af		167.0	GROUND WATER
36-2264D	WR/Decreed	03/12/1954	0.38 cfs	81 af			GROUND WATER
36-13968	WR/Decreed	12/31/1900	0.05 cfs	N/A			GROUND WATER
36-2539B	WR/Decreed	04/26/1962	0.85 cfs	218 af			GROUND WATER
36-16859	WR/Decreed	07/05/1973	0.18 cfs	N/A	12.3	235.0	GROUND WATER
36-16887	WR/Decreed	07/05/1985	0.03 cfs	N/A	2.7	235.0	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>
36-2264F	NO	YES	YES	YES	NO	NO
36-2264C	YES	YES	YES	YES	YES	YES
36-2264D	NO	YES	YES	YES	NO	NO
36-13968	NO	NO	YES	YES	NO	NO
36-2539B	NO	NO	YES	YES	NO	NO
36-16859	NO	YES	YES	YES	YES	YES
36-16887	NO	YES	YES	YES	YES	YES

SUPPORT DATA

IN FILE # 36-2264C

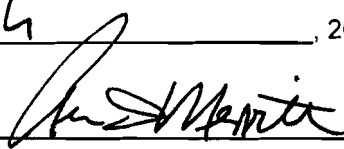
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76184

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
36-2264F	36-2264F	0.66 cfs	209.5 af	N/A			N/A	N/A	N/A	N/A
36-2264C	36-16862	0.31 cfs	76 af	N/A		36-16861	2.07 cfs	580 af	N/A	145.0
36-2264D	36-2264D	0.38 cfs	81 af	N/A			N/A	N/A	N/A	N/A
36-13968	36-13968	0.05 cfs	N/A	N/A			N/A	N/A	N/A	N/A
36-2539B	36-2539B	0.85 cfs	218 af	N/A			N/A	N/A	N/A	N/A
36-16859	36-16859	0.18 cfs	28.3 af	N/A			N/A	N/A	N/A	N/A
36-16887	36-16887	0.03 cfs	6.3 af	N/A			N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.43 cfs	619.1 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of March, 2011



Southern Region Manager

WATER RIGHT NO. 36-2539B
As Modified by Transfer No. 76184

In accordance with the approval of Transfer No. 76184, Water Right No. 36-2539B is now described as follows.

Right Holder: ROTH INVESTMENTS LLC
PO BOX 634
JEROME ID 83338

Priority Date: April 26, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.43 CFS	110.0 AF
COMMERCIAL	01/01	to 12/31	0.42 CFS	108.0 AF
			0.85 CFS	218.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	NESWSE	Sec. 17 Twp 09S	Rge 18E	JEROME County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09S	18E	16							X			X	X						
09S	18E	17				X					X				X	X	X	X	

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09S	18E	16																	
09S	18E	17				X								X	X	X	X		

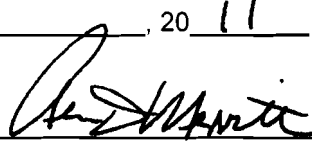
WATER RIGHT NO. 36-2539B
As Modified by Transfer No. 76184

CONDITIONS OF APPROVAL

1. Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 76184, 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 23rd day of March, 20 11



Southern Region Manager

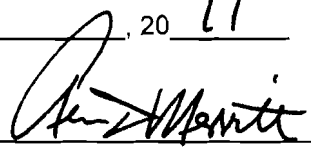
WATER RIGHT NO. 36-2264D
As Modified by Transfer No. 76184

CONDITIONS OF APPROVAL

1. Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 76184, 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 23rd day of March, 20 11


Southern Region Manager

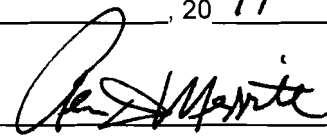
WATER RIGHT NO. 36-2264F
As Modified by Transfer No. 76184

CONDITIONS OF APPROVAL

1. Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 76184, 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 23rd day of March, 20 11



Southern Region Manager

WATER RIGHT NO. 36-13968
As Modified by Transfer No. 76184

In accordance with the approval of Transfer No. 76184, Water Right No. 36-13968 is now described as follows.

Right Holder: ROTH INVESTMENTS LLC
PO BOX 634
JEROME ID 83338

Priority Date: December 31, 1900

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.05 CFS	
DOMESTIC	01/01	to 12/31	0.05 CFS	
			0.05 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	SWSENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	NESWSE	Sec. 17 Twp 09S	Rge 18E	JEROME County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09S	18E	16							X			X	X						
09S	18E	17				X					X			X	X	X	X	X	

PLACE OF USE: DOMESTIC

[illegible]

WATER RIGHT NO. 36-13968
As Modified by Transfer No. 76184

CONDITIONS OF APPROVAL

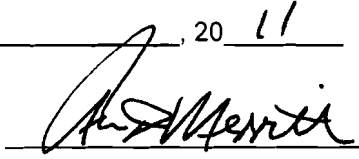
1. Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.
2. The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
3. The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
4. Domestic use is for 2 homes.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
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. 130.
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 76184, 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
11. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
12. The right holder shall accomplish the change authorized by this transfer within five years 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.

WATER RIGHT NO. 36-13968
As Modified by Transfer No. 76184

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 23rd day of March, 20 11


Southern Region Manager

WATER RIGHT NO. 36-16859
As Modified by Transfer No. 76184

In accordance with the approval of Transfer No. 76184, Water Right No. 36-16859 is now described as follows.

Right Holder: ROTH INVESTMENTS LLC
PO BOX 634
JEROME ID 83338

Priority Date: July 05, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.09 CFS	14.2 AF
COMMERCIAL	01/01	to 12/31	0.09 CFS	14.1 AF
			0.18 CFS	28.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	NESWSE	Sec. 17 Twp 09S	Rge 18E	JEROME County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09S	18E	16							X			X	X						
09S	18E	17				X					X			X	X	X	X		

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09S	18E	16							X			X	X						
09S	18E	17				X						X	X	X	X		X		

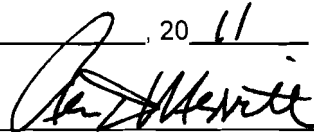
WATER RIGHT NO. 36-16859
As Modified by Transfer No. 76184

CONDITIONS OF APPROVAL

1. Rights 36-16859 and 36-16887 when combined shall not exceed a total diversion rate of 0.18 cfs.
2. Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.
3. Right No. 36-16887 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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. 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.
6. Prior to the diversion and use of water under Transfer approval 76184, 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.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
10. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
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 23rd day of March, 20 11


Southern Region Manager

WATER RIGHT NO. 36-16861
As Modified by Transfer No. 76184

In accordance with the approval of Transfer No. 76184, Water Right No. 36-16861 is now described as follows.

Right Holder: ROTH INVESTMENTS LLC
 PO BOX 634
 JEROME ID 83338

Priority Date: March 12, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.07 CFS	580.0 AF
			2.07 CFS	580.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 9 Twp 09S Rge 18E JEROME 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			
09S 18E 9			25.9					9.9				.2			30.5	25.0	23.8	29.7	145.0

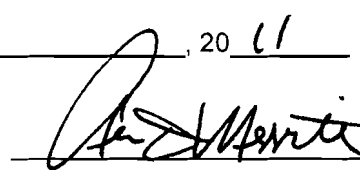
Total Acres: 145

CONDITIONS OF APPROVAL

1. The use of water for irrigation under this right may begin as early as march 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
2. 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 23rd day of March, 20 11


 Southern Region Manager

WATER RIGHT NO. 36-16862
As Modified by Transfer No. 76184

In accordance with the approval of Transfer No. 76184, Water Right No. 36-16862 is now described as follows.

Right Holder: ROTH INVESTMENTS LLC
 PO BOX 634
 JEROME ID 83338

Priority Date: March 12, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	0.15 CFS	38.0 AF
STOCKWATER	01/01	12/31	0.16 CFS	38.0 AF
			0.31 CFS	76.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 17 Twp 09S Rge 18E JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S Rge 18E JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S Rge 18E JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S Rge 18E JEROME County
GROUND WATER	NESWSE	Sec. 17 Twp 09S Rge 18E JEROME County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09S 18E 16							X			X	X						
09S 18E 17				X					X	X	X	X	X	X	X	X	

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09S 18E 16							X			X	X						
09S 18E 17				X					X			X	X	X	X	X	

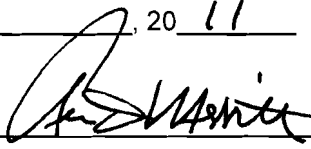
WATER RIGHT NO. 36-16862
As Modified by Transfer No. 76184

CONDITIONS OF APPROVAL

1. Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 76184, 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 23rd day of March, 20 11


Southern Region Manager

WATER RIGHT NO. 36-16887
As Modified by Transfer No. 76184

In accordance with the approval of Transfer No. 76184, Water Right No. 36-16887 is now described as follows.

Right Holder: ROTH INVESTMENTS LLC
PO BOX 634
JEROME ID 83338

Priority Date: July 05, 1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.02 CFS	4.2 AF
COMMERCIAL	01/01	to 12/31	0.01 CFS	2.1 AF
			0.03 CFS	6.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	SENE	Sec. 17 Twp 09S	Rge 18E	JEROME County
GROUND WATER	NESWSE	Sec. 17 Twp 09S	Rge 18E	JEROME County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09S	18E	16							X			X	X						
09S	18E	17				X					X			X	X	X	X		

PLACE OF USE: COMMERCIAL

[illegible]

WATER RIGHT NO. 36-16887
As Modified by Transfer No. 76184

CONDITIONS OF APPROVAL

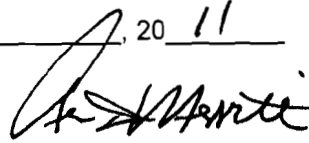
1. This right is based upon an enlargement of Right No. 36-16859 pursuant to Section 42-1426, Idaho Code.
2. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
3. Rights 36-16859 and 36-16887 when combined shall not exceed a total diversion rate of 0.18 cfs.
4. Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.
5. 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.
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 76184, 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
11. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
12. 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. 36-16887
As Modified by Transfer No. 76184

13. 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 23rd day of March, 20 11



Southern Region Manager

State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 76184

Rights: 36-2264D, 36-2264F, 36-2539B, 36-13968, 36-16859, 36-16862,
36-16887

This map depicts the STOCKWATER 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.

R18E



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

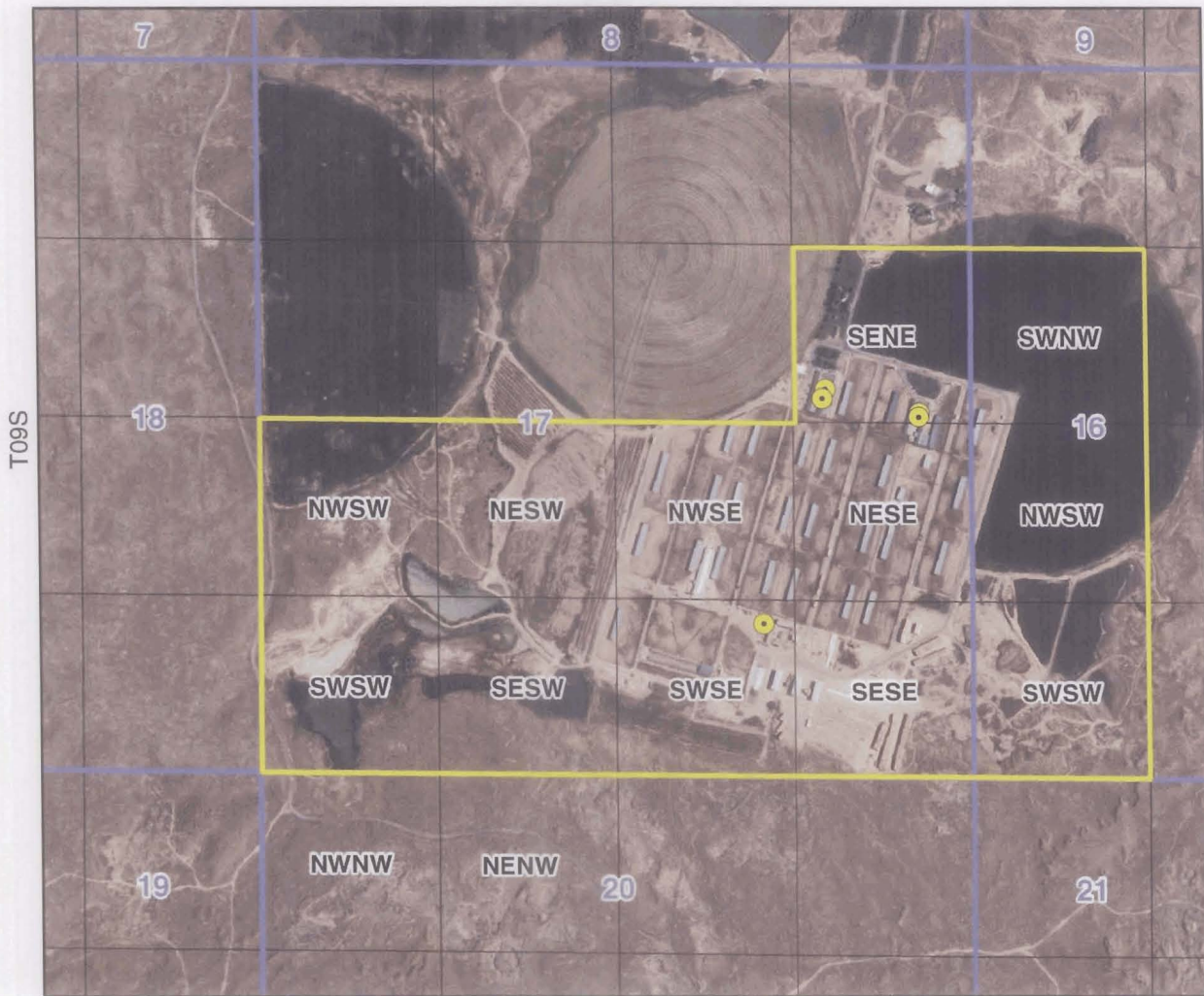
Attachment To Transfer Of Water Right

Transfer No. 76184

Rights: 36-2264D, 36-2264F, 36-2539B, 36-16859, 36-16862,
36-16887

This map depicts the COMMERCIAL 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.

R18E



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. 76184

Right: 36-13968

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.

R18E

T09S



Legend

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

0 0.05 0.1 0.2 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer Of Water Right
Transfer No. 75184

Right: 36-16861

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

0 0.125 0.25 0.5 Miles

