

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77080

This is to certify that: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442
 (208)745-6626

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>
27-2133	WR/Decreed	04/11/1963	2.82 cfs	493.5 af	141.0	236.0	GROUND WATER
27-7263	WR/Decreed	03/23/1981	0.68 cfs	85 af	N/A	34.0	GROUND WATER
27-7262	WR/Decreed	03/23/1981	0.72 cfs	144 af	36.0	36.0	GROUND WATER
27-7141	WR/Decreed	07/05/1979	0.8 cfs	140 af	N/A	40.0	GROUND WATER
27-10395	WR/Decreed	01/29/1969	1.9 cfs	451 af	N/A	236.0	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>
27-2133	YES	YES	YES	YES	NO	NO
27-7263	YES	YES	YES	YES	NO	NO
27-7262	YES	YES	YES	YES	NO	NO
27-7141	YES	YES	YES	YES	NO	NO
27-10395	YES	YES	YES	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>
27-2133	27-12228	0.48 cfs	83.7 af	23.9	51.5	27-12227	2.34 cfs	409.8 af	117.1	196.0
27-7263	27-12220	0.07 cfs	8.2 af	3.3	51.5	27-12219	0.61 cfs	76.8 af	N/A	30.7
27-7262	27-12222	0.06 cfs	12.8 af	3.2	51.5	27-12221	0.66 cfs	131.2 af	N/A	32.8
27-7141	27-12224	0.1 cfs	17.5 af	5.0	51.5	27-12223	0.7 cfs	122.5 af	N/A	35.0
27-10395	27-12226	0.32 cfs	76.4 af	40.0	51.5	27-12225	1.58 cfs	374.6 af	N/A	196.0
COMBINED										
TOTALS		1.02 cfs	198.6 af	51.5	51.5		N/A	N/A	N/A	N/A

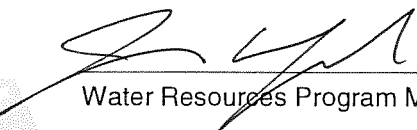
SUPPORT DATA

IN FILE # 27-2133

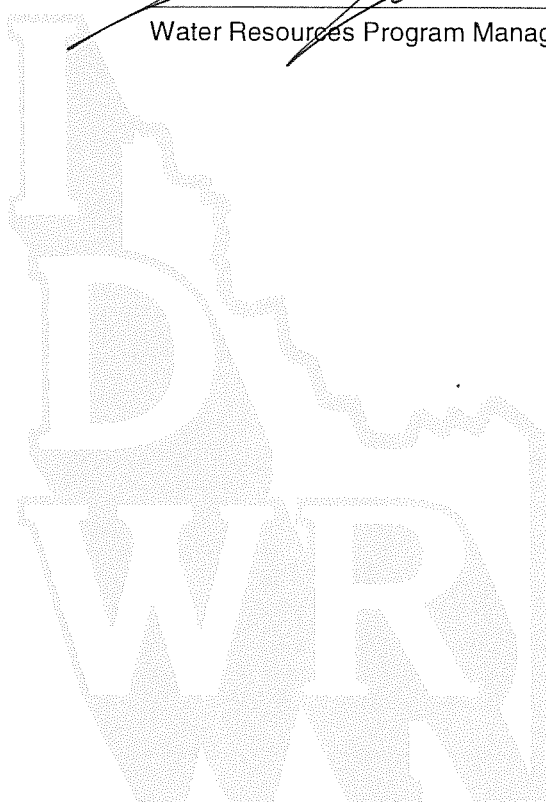
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77080

Detailed Water Right Description(s) attached

Dated this 6th day of April, 2011



Water Resources Program Manager



WATER RIGHT NO. 27-12219
As Modified by Transfer No. 77080

In accordance with the approval of Transfer No. 77080, Water Right No. 27-12219 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: March 23, 1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/15	0.61 CFS	76.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 13 Twp 02S Rge 36E BINGHAM 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	
02S	36E	13																	30.7

Total Acres: 30.7

CONDITIONS OF APPROVAL

1. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 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 6th day of April, 20 11



 Water Resources Program Manager

WATER RIGHT NO. 27-12220
As Modified by Transfer No. 77080

In accordance with the approval of Transfer No. 77080, Water Right No. 27-12220 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: March 23, 1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/15	0.07 CFS	8.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSE	Sec. 13 Twp 02S	Rge 36E	BINGHAM County
GROUND WATER	SWSE	Sec. 13 Twp 02S	Rge 36E	BINGHAM 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				
02S	36E	13																	12.9	34.0	4.6	51.5

Total Acres: 51.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.3 acres within the authorized place of use in a single irrigation season.
2. Rights 27-12220, 27-12222, 27-12224, 27-12226 and 27-12228 when combined shall not exceed a total diversion rate of 1.02 cfs, and the irrigation of 51.5 acres.
3. 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. 120.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 77080, 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.
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.

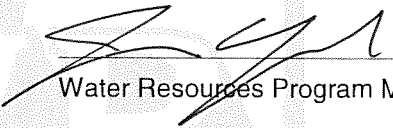
WATER RIGHT NO. 27-12220
As Modified by Transfer No. 77080

CONDITIONS OF APPROVAL

7. 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.
8. The period of use for the irrigation described in this approval may be extended to 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 after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/06/2010.
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 6th day of April, 2011


Water Resources Program Manager

WATER RIGHT NO. 27-12221
As Modified by Transfer No. 77080

In accordance with the approval of Transfer No. 77080, Water Right No. 27-12221 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
PO BOX 438
RIGBY ID 83442

Priority Date: March 23, 1981

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	0.66 CFS	131.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENW Sec. 13 Twp 02S Rge 36E BINGHAM 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	
02S	36E	13		4.4			28.2			.2									32.8

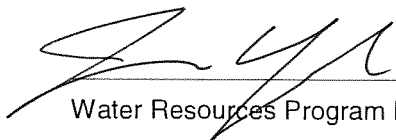
Total Acres: 32.8

CONDITIONS OF APPROVAL

1. 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 lands above.
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 6th day of April, 2011


Water Resources Program Manager

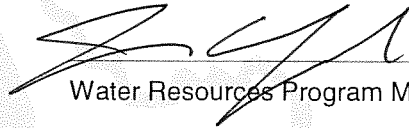
WATER RIGHT NO. 27-12222
As Modified by Transfer No. 77080

CONDITIONS OF APPROVAL

7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year 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 6th day of April, 20 11



Water Resources Program Manager

WR

WATER RIGHT NO. 27-12223
As Modified by Transfer No. 77080

In accordance with the approval of Transfer No. 77080, Water Right No. 27-12223 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
PO BOX 438
RIGBY ID 83442

Priority Date: July 05, 1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.70 CFS	122.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESE Sec. 14 Twp 02S Rge 36E BINGHAM 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	
02S	36E	14													35.0				35.0

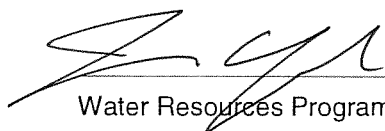
Total Acres: 35

CONDITIONS OF APPROVAL

1. 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 6th day of April, 2011


Water Resources Program Manager

WATER RIGHT NO. 27-12224
As Modified by Transfer No. 77080

In accordance with the approval of Transfer No. 77080, Water Right No. 27-12224 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
PO BOX 438
RIGBY ID 83442

Priority Date: July 05, 1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.10 CFS	17.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSE	Sec. 13 Twp 02S	Rge 36E	BINGHAM County
GROUND WATER	SWSE	Sec. 13 Twp 02S	Rge 36E	BINGHAM 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		
02S	36E	13															12.9	34.0	4.6	51.5

Total Acres: 51.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.0 acres within the authorized place of use in a single irrigation season.
2. Rights 27-12220, 27-12222, 27-12224, 27-12226 and 27-12228 when combined shall not exceed a total diversion rate of 1.02 cfs, and the irrigation of 51.5 acres.
3. 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. 120.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 77080, 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.
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.

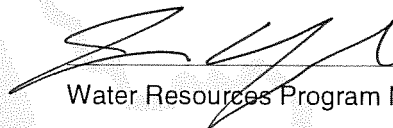
WATER RIGHT NO. 27-12224
As Modified by Transfer No. 77080

CONDITIONS OF APPROVAL

7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year 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 6th day of April, 2011



Water Resources Program Manager

WR

WATER RIGHT NO. 27-12225
As Modified by Transfer No. 77080

In accordance with the approval of Transfer No. 77080, Water Right No. 27-12225 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: January 29, 1969

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	1.58 CFS	374.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 (NWSW) Sec. 17 Twp 02S Rge 37E BINGHAM 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	
02S	37E	17					32.0	38.0			15.7	2.0							87.7
							L 2				L 3								
02S	37E	18	30.0			36.0									34.0			8.3	108.3
																		L 5	

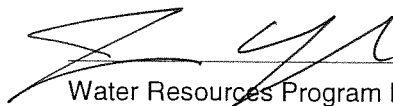
Total Acres: 196

CONDITIONS OF APPROVAL

1. Rights 27-12225 and 27-12227 when combined shall not exceed a total diversion rate of 3.89 cfs, and the irrigation of 196.0 acres.
2. 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 lands above.
3. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
4. Right 27-12227 is also diverted through the point of diversion described above.
5. 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 6th day of April, 2011


 Water Resources Program Manager

WATER RIGHT NO. 27-12226
As Modified by Transfer No. 77080

In accordance with the approval of Transfer No. 77080, Water Right No. 27-12226 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: January 29, 1969

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	0.32 CFS	76.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSE	Sec. 13 Twp 02S	Rge 36E	BINGHAM County
GROUND WATER	SWSE	Sec. 13 Twp 02S	Rge 36E	BINGHAM 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				
02S	36E	13																	12.9	34.0	4.6	51.5

Total Acres: 51.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40.0 acres within the authorized place of use in a single irrigation season.
2. Rights 27-12226 and 27-12228 when combined shall not exceed a total diversion rate of 0.79 cfs, and the irrigation of 40.0 acres.
3. Rights 27-12220, 27-12222, 27-12224, 27-12226 and 27-12228 when combined shall not exceed a total diversion rate of 1.02 cfs, and the irrigation of 51.5 acres.
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. 120.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 77080, 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.

WATER RIGHT NO. 27-12226
As Modified by Transfer No. 77080

CONDITIONS OF APPROVAL

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. 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.
9. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
10. The right holder shall accomplish the change authorized by this transfer within one year 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 6th day of April, 20 11



Water Resources Program Manager

WATER RIGHT NO. 27-12227
As Modified by Transfer No. 77080

In accordance with the approval of Transfer No. 77080, Water Right No. 27-12227 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: April 11, 1963

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	2.34 CFS	409.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 (NWSW) Sec. 17 Twp 02S Rge 37E BINGHAM 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	
02S	37E	17					32.0	38.0			15.7	2.0							87.7
								L 2				L 3							
02S	37E	18	30.0			36.0								34.0				8.3	108.3
																		L 5	

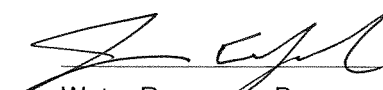
Total Acres: 196

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 117.1 acres within the place of use described above in a single irrigation season.
2. Rights 27-12225 and 27-12227 when combined shall not exceed a total diversion rate of 3.89 cfs, and the irrigation of 196.0 acres.
3. 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 lands above.
4. Right 27-12225 is also diverted through the point of diversion described above.
5. 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 6th day of April, 20 11


 Water Resources Program Manager

WATER RIGHT NO. 27-12228
As Modified by Transfer No. 77080

In accordance with the approval of Transfer No. 77080, Water Right No. 27-12228 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: April 11, 1963

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	0.48 CFS	83.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSE	Sec. 13 Twp 02S	Rge 36E	BINGHAM County
GROUND WATER	SWSE	Sec. 13 Twp 02S	Rge 36E	BINGHAM 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				
02S	36E	13																	12.9	34.0	4.6	51.5

Total Acres: 51.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 23.9 acres within the authorized place of use in a single irrigation season.
2. Rights 27-12226 and 27-12228 when combined shall not exceed a total diversion rate of 0.79 cfs, and the irrigation of 40.0 acres.
3. Rights 27-12220, 27-12222, 27-12224, 27-12226 and 27-12228 when combined shall not exceed a total diversion rate of 1.02 cfs, and the irrigation of 51.5 acres.
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. 120.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 77080, 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.

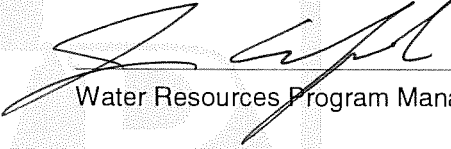
WATER RIGHT NO. 27-12228
As Modified by Transfer No. 77080

CONDITIONS OF APPROVAL

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. 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.
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 6th day of April, 20 11


Water Resources Program Manager