

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 77057**

This is to certify that: FED AGRIBUSINESS LLC

568 W 1650 S  
 OAKLEY ID 83346  
 (208)862-3482

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 45-2626      | WR/Decreed          | 08/22/1960      | 1.54 cfs    | 576 af        |                   | 144.0              | GROUND WATER  |
| 45-2374      | WR/Decreed          | 04/23/1951      | 1.18 cfs    | 498.5 af      |                   | 144.0              | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

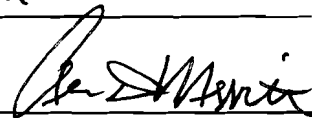
| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 45-2626               | NO           | YES        | YES        | NO             | NO                   | NO                   |
| 45-2374               | NO           | YES        | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 45-2626                | <b>45-2626</b>                   | 1.54 cfs             | 576 af                 | N/A               | 144.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-2374                | <b>45-2374</b>                   | 1.18 cfs             | 498.5 af               | N/A               | 144.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>2.72 cfs</b>      | <b>576 af</b>          | <b>144</b>        | <b>144</b>         |                                    | N/A                   | N/A                     | N/A                         | N/A                          |

Detailed Water Right Description(s) attached

Dated this 16<sup>th</sup> day of March, 20 11

  
 Southern Region Manager

SUPPORT DATA

IN FILE # 45-2374

**WATER RIGHT NO. 45-2626**  
**As Modified by Transfer No. 77057**

In accordance with the approval of Transfer No. 77057, Water Right No. 45-2626 is now described as follows.

**Right Holder:** FED AGRIBUSINESS LLC  
568 W 1650 S  
OAKLEY ID 83346

**Priority Date:** August 22, 1960

**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  | 1.54 CFS              | 576.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      SENE                      Sec. 34 Twp 11S    Rge 20E    TWIN FALLS  
County

GROUND WATER                      SESE                      Sec. 34 Twp 11S    Rge 20E    TWIN FALLS  
County

**PLACE OF USE:**    IRRIGATION

| Twp | Rge | Sec | NE        |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           |               |
|-----|-----|-----|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|---------------|
|     |     |     | <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> | <u>Totals</u> |
| 11S | 20E | 34  | 32.0      | 34.0      | 39.0      | 39.0      |           |           |           |           |           |           |           |           |           |           |           |           | 144.0         |

Total Acres: 144

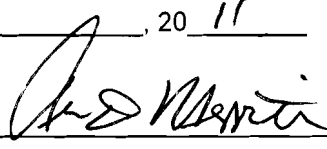
**WATER RIGHT NO. 45-2626**  
**As Modified by Transfer No. 77057**

**CONDITIONS OF APPROVAL**

1. Rights 45-2374 and 45-2626 when combined shall not exceed a total annual maximum diversion volume of 576.0 af at the field headgate, and the irrigation of 144 acres.
2. 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.
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. 140.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 77057, 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.
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 16<sup>th</sup> day of March, 20 11

  
Southern Region Manager

**WATER RIGHT NO. 45-2374**  
**As Modified by Transfer No. 77057**

In accordance with the approval of Transfer No. 77057, Water Right No. 45-2374 is now described as follows.

**Right Holder:** FED AGRIBUSINESS LLC  
568 W 1650 S  
OAKLEY ID 83346

**Priority Date:** April 23, 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  | 1.18 CFS              | 498.5 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER          SENE          Sec. 34 Twp 11S   Rge 20E   TWIN FALLS  
County

GROUND WATER          SESE          Sec. 34 Twp 11S   Rge 20E   TWIN FALLS  
County

**PLACE OF USE:**    IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|------|------|------|------|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 11S | 20E | 34  | 32.0 | 34.0 | 39.0 | 39.0 |    |    |    |    |    |    |    |    |    |    |    |    | 144.0  |

Total Acres: 144

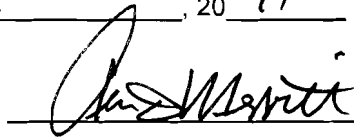
**WATER RIGHT NO. 45-2374**  
**As Modified by Transfer No. 77057**

**CONDITIONS OF APPROVAL**

1. Rights 45-2374 and 45-2626 when combined shall not exceed a total annual maximum diversion volume of 576.0 af at the field headgate, and the irrigation of 144 acres.
2. 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.
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Dated this 16<sup>th</sup> day of March, 2011

  
Southern Region Manager

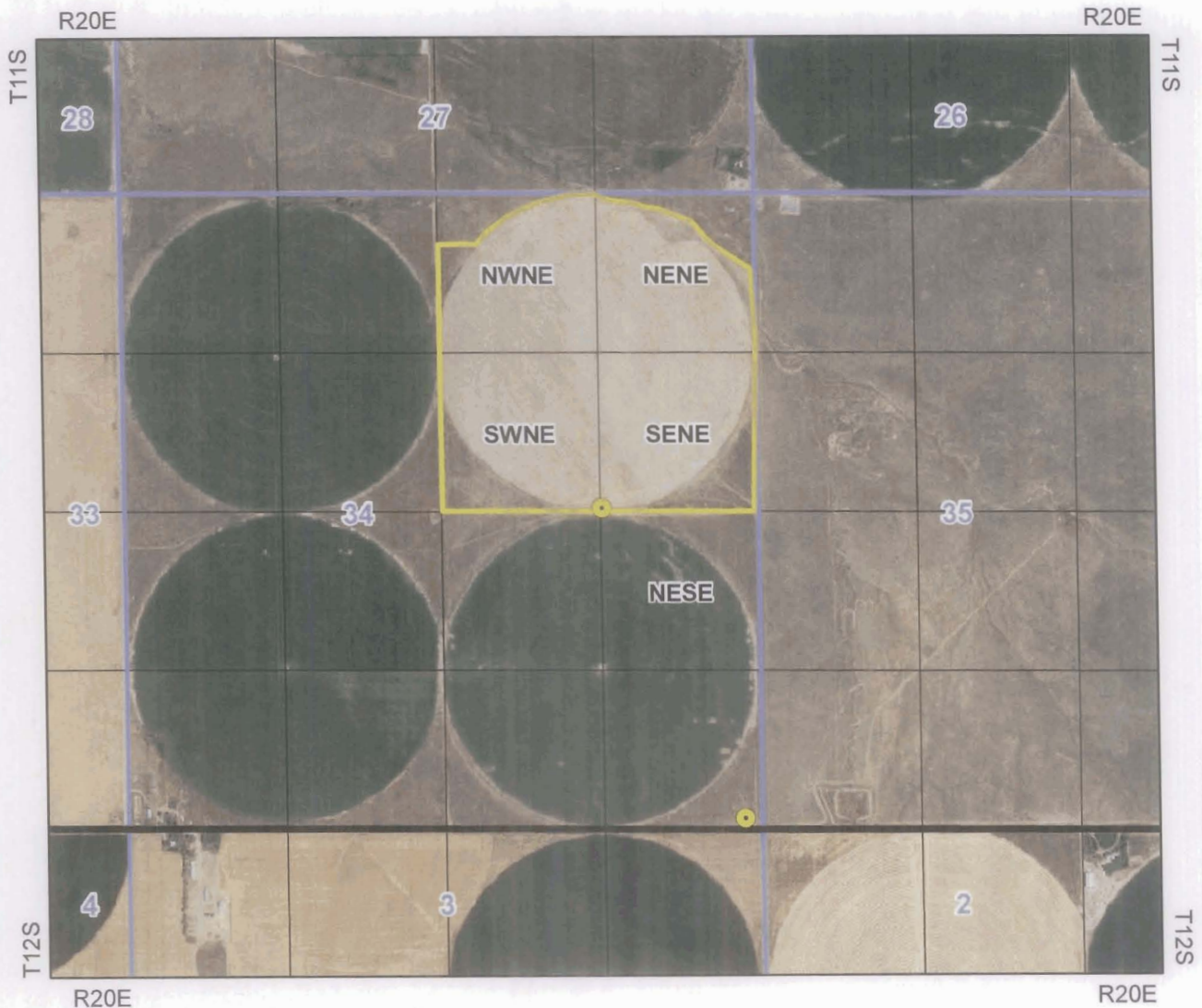
State of Idaho  
Department of Water Resources

# Attachment To Transfer Of Water Right

Transfer No. 77057

Rights: 45-2374, 45-2626

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 0.15 0.3 0.6 Miles

