

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75265

This is to certify that: ARK PROPERTIES LLC
C/O JOHN MC CALLUM
11204 N BAR 21 DR
GLENN'S FERRY ID 83623-5033
(208)336-7931

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
61-11807	WR/Decreed	04/30/1952	0.34 cfs	N/A	N/A	17.0	HENLEY SPRINGS, UNNAMED STREAM
61-328	WR/Decreed	05/01/1877	1.4 cfs	N/A	N/A	183.5	COLD SPRINGS CREEK
61-10578	WR/Decreed	05/01/1883	2.27 cfs	N/A	N/A	183.5	COLD SPRINGS CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
61-11807	NO	NO	YES	NO	NO	NO
61-328	NO	NO	YES	NO	NO	NO
61-10578	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

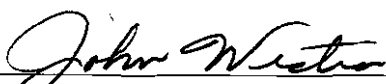
Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
61-11807	61-11807	0.34 cfs	N/A	17.0	500		N/A	N/A	N/A	N/A
61-328	61-328	1.4 cfs	N/A	183.5	500		N/A	N/A	N/A	N/A
61-10578	61-10578	2.27 cfs	N/A	183.5	500		N/A	N/A	N/A	N/A
COMBINED TOTALS		4.01 cfs		200.5	500		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of November, 2010

SUPPORT DATA

IN FILE # 61-328


John Westra, Western Regional Manager

WATER RIGHT NO. 61-328
As Modified by Transfer No. 75265

In accordance with the approval of Transfer No. 75265, Water Right No. 61-328 is now described as follows.

Right Holder: ARK PROPERTIES LLC
 C/O JOHN MC CALLUM
 11204 N BAR 21 DR
 GLENN'S FERRY ID 83623-5033

Priority Date: May 01, 1877

Source: COLD SPRINGS CREEK **Tributary:** SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	to 11/15	1.40 CFS	N/A
			1.40 CFS	N/A

LOCATION OF POINT(S) OF DIVERSION:

COLD SPRINGS CREEK NWSE Sec. 32 Twp 04S Rge 09E ELMORE County

COLD SPRINGS CREEK NWSE Sec. 32 Twp 04S Rge 09E ELMORE 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	
04S 09E 32												20.0			40.0	40.0	100.0
04S 09E 33												22.0					22.0
05S 09E 4							10.0										10.0
05S 09E 5	40.0	40.0	40.0	40.0	23.0		40.0	38.0	40.0	20.0			10.0	37.0			368.0
	L 1	L 2			L 3												

Total Acres: 500

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. This right is limited to the irrigation of 183.5 acres within the place of use described above in a single irrigation season.

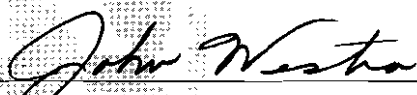
WATER RIGHT NO. 61-328
As Modified by Transfer No. 75265

CONDITIONS OF APPROVAL

5. Rights 61-328 and 61-10578 when combined shall not exceed the irrigation of 183.5 acres.
6. Rights 61-328, 61-10578 and 61-11807 are limited to the irrigation of a specific 200.5 acres within the 500 acre place of use authorized by this right in a single irrigation season. The specific 200.5 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. Before changing the 200.5 acres to be irrigated within the 500 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. 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.
8. 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. 61C Bennett and Cold Springs Creeks.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
10. Rights 61-328 and 61-10578 are diverted through points of diversion described above.

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 November, 20 10


John Westra, Western Regional Manager

WATER RIGHT NO. 61-10578
As Modified by Transfer No. 75265

In accordance with the approval of Transfer No. 75265, Water Right No. 61-10578 is now described as follows.

Right Holder: ARK PROPERTIES LLC
 C/O JOHN MC CALLUM
 11204 N BAR 21 DR
 GLENN FERRY ID 83623-5033

Priority Date: May 01, 1883

Source: COLD SPRINGS CREEK **Tributary:** SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	to 11/15	2.27 CFS	N/A
			2.27 CFS	N/A

LOCATION OF POINT(S) OF DIVERSION:

COLD SPRINGS CREEK NWSE Sec. 32 Twp 04S Rge 09E ELMORE County

COLD SPRINGS CREEK NWSE Sec. 32 Twp 04S Rge 09E ELMORE 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	
04S 09E 32												20.0			40.0	40.0	100.0
04S 09E 33												22.0					22.0
05S 09E 4							10.0										10.0
05S 09E 5	40.0	40.0	40.0	40.0	23.0		40.0	38.0	40.0	20.0			10.0	37.0			368.0
	L 1	L 2			L 3												

Total Acres: 500

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. This right is limited to the irrigation of 183.5 acres within the place of use described above in a single irrigation season.

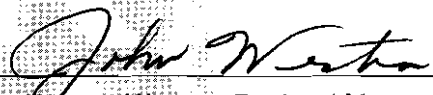
WATER RIGHT NO. 61-10578
As Modified by Transfer No. 75265

CONDITIONS OF APPROVAL

5. Rights 61-328 and 61-10578 when combined shall not exceed the irrigation of 183.5 acres.
6. Rights 61-328, 61-10578 and 61-11807 are limited to the irrigation of a specific 200.5 acres within the 500 acre place of use authorized by this right in a single irrigation season. The specific 200.5 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. Before changing the 200.5 acres to be irrigated within the 500 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. 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.
8. 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. 61C Bennett and Cold Springs Creeks.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
10. Rights 61-328 and 61-10578 are diverted through points of diversion described above.

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 November, 2010


John Westra, Western Regional Manager

WATER RIGHT NO. 61-11807
As Modified by Transfer No. 75265

In accordance with the approval of Transfer No. 75265, Water Right No. 61-11807 is now described as follows.

Right Holder: ARK PROPERTIES LLC
 C/O JOHN MC CALLUM
 11204 N BAR 21 DR
 GLENN FERRY ID 83623-5033

Priority Date: April 30, 1952

Source: HENLEY SPRINGS **Tributary:** COLD SPRINGS CREEK
 UNNAMED STREAM COLD SPRINGS CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	to 11/15	0.34 CFS	N/A
			0.34 CFS	N/A

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NENWSE Sec. 5 Twp 05S Rge 09E ELMORE County

HENLEY SPRINGS NENWSE Sec. 5 Twp 05S Rge 09E ELMORE 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	
04S 09E 32												20.0			40.0	40.0	100.0
04S 09E 33											22.0						22.0
05S 09E 4						10.0											10.0
05S 09E 5	40.0	40.0	40.0	40.0	23.0		40.0	38.0	40.0	20.0			10.0	37.0			368.0
	L 1	L 2			L 3												

Total Acres: 500

CONDITIONS OF APPROVAL

- The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 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 right is limited to the irrigation of 17 acres within the place of use described above in a single irrigation season.

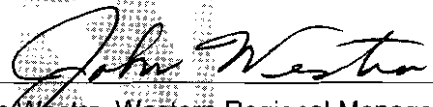
WATER RIGHT NO. 61-11807
As Modified by Transfer No. 75265

CONDITIONS OF APPROVAL

5. Rights 61-328, 61-10578 and 61-11807 are limited to the irrigation of a specific 200.5 acres within the 500 acre place of use authorized by this right in a single irrigation season. The specific 200.5 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. Before changing the 200.5 acres to be irrigated within the 500 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.
6. 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.
7. 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. 610 Bennett and Cold Springs Creeks.
8. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
9. Right 61-10659 is diverted through one of the points of diversion described above.

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 November, 20 10


John Westra, Western Regional Manager