

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76837

This is to certify that: KEN HORISZNY And
 LYNN KELLER
 HKA INC
 639 FRONT ST 3RD FLOOR
 SAN FRANCISCO CA 94111
 (415)990-4047

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>
25-14282	WR/Decreed	02/15/1951	2.43 cfs	1030.2 af	N/A	316.1	GROUND WATER
25-14283	WR/Decreed	02/15/1951	0.54 cfs	227.8 af	N/A	69.9	GROUND WATER
25-14284	WR/Decreed	02/07/1957	1.76 cfs	759.6 af	N/A	316.1	GROUND WATER
25-14285	WR/Decreed	02/07/1957	0.39 cfs	168 af	N/A	69.9	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>
25-14282	YES	YES	YES	NO	NO	NO
25-14283	YES	YES	YES	NO	NO	NO
25-14284	YES	YES	YES	NO	NO	NO
25-14285	YES	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>
25-14282	25-14291	0.02 cfs	6.5 af	2.0	6.0	25-14290	2.41 cfs	1023.7 af	N/A	314.1
25-14283	25-14293	0.03 cfs	12.7 af	4.0	6.0	25-14292	0.51 cfs	214.8 af	N/A	65.9
25-14284	25-14295	0.01 cfs	4.2 af	2.0	6.0	25-14294	1.75 cfs	754.8 af	N/A	314.1
25-14285	25-14297	0.02 cfs	8.5 af	4.0	6.0	25-14296	0.37 cfs	158.4 af	N/A	65.9
COMBINED										
TOTALS		0.08 cfs	24 af	6.0	6.0		N/A	N/A	N/A	N/A

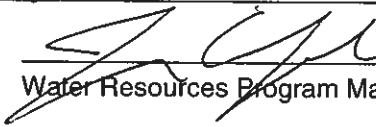
SUPPORT DATA

IN FILE # 25-14282

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76837

Detailed Water Right Description(s) attached

Dated this 10th day of November, 20 10


Water Resources Program Manager



WATER RIGHT NO. 25-14290
As Modified by Transfer No. 76837

In accordance with the approval of Transfer No. 76837, Water Right No. 25-14290 is now described as follows.

Right Holder: HAMILTON LAND & LIVESTOCK LTD
 C/O CLARK HAMILTON
 17122 E OLD RIRIE HWY
 RIRIE ID 83443

Priority Date: February 15, 1951

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	2.41 CFS	1,023.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNE Sec. 7 Twp 03N Rge 41E BONNEVILLE County

PLACE OF USE:

<u>PLACE OF USE:</u>			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	
03N	41E	5											14.5					14.5	
03N	41E	6											39.0			35.0	40.0	114.0	
03N	41E	7	38.0	40.0	7.0	11.0	40.0	37.0		3.0								176.0	
03N	41E	8						7.9	1.7									9.6	

Total Acres: 314.1

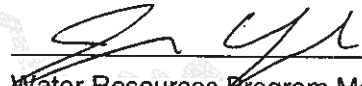
WATER RIGHT NO. 25-14290
As Modified by Transfer No. 76837

CONDITIONS OF APPROVAL

1. Rights 25-14290 and 25-14294 when combined shall not exceed a total annual maximum diversion volume of 1256.4 af at the field headgate, and the irrigation of 314.1 acres.
2. This right when combined with right 25-14294 shall provide no more than .0132 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. Rights 25-14292, 25-14294 & 25-14296 are also diverted through the point(s) of diversion described above.
4. 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 10th day of November, 2010


Water Resources Program Manager

WATER RIGHT NO. 25-14291
As Modified by Transfer No. 76837

In accordance with the approval of Transfer No. 76837, Water Right No. 25-14291 is now described as follows.

Right Holder: LYNN KELLER And
 KEN HORISZNY
 HKA INC
 639 FRONT ST 3RD FLOOR
 SAN FRANCISCO CA 94111

Priority Date: February 15, 1951

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	0.02 CFS	6.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L5 (NWNW) Sec. 8 Twp 03N Rge 41E BONNEVILLE 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	
03N 41E 8						5.8	.2										6.0
						L 5											

Total Acres: 6

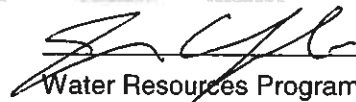
WATER RIGHT NO. 25-14291
As Modified by Transfer No. 76837

CONDITIONS OF APPROVAL

1. Point of diversion and place of use are located within Lot 1, Blk. 1, Horseshoe Bend Subdivision.
2. Rights 25-14291 and 25-14295 when combined shall not exceed a total annual maximum diversion volume of 8.0 af at the field headgate, and the irrigation of 2.0 acres.
3. Rights 25-14291, 25-14293, 25-14295 and 25-14297 when combined shall not exceed a total annual maximum diversion volume of 24.0 af at the field headgate, and the irrigation of 6.0 acres.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
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 lands above.
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(s) 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. 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 10th day of November, 20 10


Water Resources Program Manager

WATER RIGHT NO. 25-14292
As Modified by Transfer No. 76837

In accordance with the approval of Transfer No. 76837, Water Right No. 25-14292 is now described as follows.

Right Holder: KATHLEEN M SHOUP And
 ALLEN C SHOUP
 25 NW CHERRY LOOP THE HIGHLANDS
 SEATTLE WA 98177

Priority Date: February 15, 1951

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	0.51 CFS	214.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNE Sec. 7 Twp 03N Rge 41E BONNEVILLE 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	
03N	41E	5											25.5						25.5
03N	41E	8					28.3	12.1											40.4

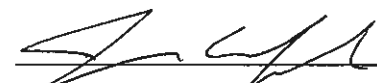
Total Acres: 65.9

CONDITIONS OF APPROVAL

1. Rights 25-14292 and 25-14296 when combined a total annual maximum diversion volume of 263.6 af at the field headgate, and the irrigation of 65.9 acres.
2. Rights 25-14290, 25-14294 & 25-14296 are also diverted through the point(s) of diversion described above.
3. This right when combined with right 25-14296 shall provide no more than .0132 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. 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 10th day of November, 20 10



 Water Resources Program Manager

WATER RIGHT NO. 25-14293
As Modified by Transfer No. 76837

In accordance with the approval of Transfer No. 76837, Water Right No. 25-14293 is now described as follows.

Right Holder: KEN HORISZNY And
 LYNN KELLER
 HKA INC
 639 FRONT ST 3RD FLOOR
 SAN FRANCISCO CA 94111

Priority Date: February 15, 1951

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	0.03 CFS	12.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L5 (NWNW) Sec. 8 Twp 03N Rge 41E BONNEVILLE 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	
03N	41E	8						5.8	.2										6.0
								L 5											

Total Acres: 6

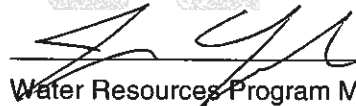
WATER RIGHT NO. 25-14293
As Modified by Transfer No. 76837

CONDITIONS OF APPROVAL

1. Point of diversion and place of use are located within Lot 1, Blk. 1, Horseshoe Bend Subdivision.
2. Rights 25-14293 and 25-14297 when combined shall not exceed a total annual maximum diversion volume of 16.0 af at the field headgate, and the irrigation of 4.0 acres.
3. Rights 25-14291, 25-14293, 25-14295 and 25-14297 when combined shall not exceed a total annual maximum diversion volume of 24.0 af at the field headgate, and the irrigation of 6.0 acres.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
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 lands above.
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(s) 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. 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 10th day of November, 20 10


Water Resources Program Manager

WATER RIGHT NO. 25-14294
As Modified by Transfer No. 76837

In accordance with the approval of Transfer No. 76837, Water Right No. 25-14294 is now described as follows.

Right Holder: HAMILTON LAND & LIVESTOCK LTD
 C/O CLARK HAMILTON
 17122 E OLD RIRIE HWY
 RIRIE ID 83443

Priority Date: February 07, 1957

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	1.75 CFS	754.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNE Sec. 7 Twp 03N Rge 41E BONNEVILLE 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	
03N 41E 5											14.5						14.5
03N 41E 6										39.0				35.0	40.0		114.0
03N 41E 7	38.0	40.0	7.0	11.0	40.0	37.0		3.0									176.0
03N 41E 8						7.9	1.7										9.6

Total Acres: 314.1

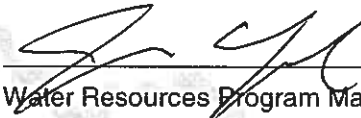
WATER RIGHT NO. 25-14294
As Modified by Transfer No. 76837

CONDITIONS OF APPROVAL

1. Rights 25-14290 and 25-14294 when combined shall not exceed a total annual maximum diversion volume of 1256.4 af at the field headgate, and the irrigation of 314.1 acres.
2. This right when combined with right 25-14290 shall provide no more than .0132 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. Rights 25-14290, 25-14292 & 25-14296 are also diverted through the point(s) of diversion described above.
4. 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 10th day of November, 20 10



Water Resources Program Manager

WATER RIGHT NO. 25-14295
As Modified by Transfer No. 76837

In accordance with the approval of Transfer No. 76837, Water Right No. 25-14295 is now described as follows.

Right Holder: LYNN KELLER And
 KEN HORISZNY
 HKA INC
 639 FRONT ST 3RD FLOOR
 SAN FRANCISCO CA 94111

Priority Date: February 07, 1957

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	0.01 CFS	4.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L5 (NWNW) Sec. 8 Twp 03N Rge 41E BONNEVILLE 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	
03N	41E	8						5.8	.2										6.0
								L 5											

Total Acres: 6

WATER RIGHT NO. 25-14295
As Modified by Transfer No. 76837

CONDITIONS OF APPROVAL

1. Point of diversion and place of use are located within Lot 1, Blk. 1, Horseshoe Bend Subdivision.
2. Rights 25-14291 and 25-14295 when combined shall not exceed a total annual maximum diversion volume of 8.0 af at the field headgate, and the irrigation of 2.0 acres.
3. Rights 25-14291, 25-14293, 25-14295 and 25-14297 when combined shall not exceed a total annual maximum diversion volume of 24.0 af at the field headgate, and the irrigation of 6.0 acres.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
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 lands above.
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(s) 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. 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 10th day of November, 20 10


Water Resources Program Manager

WATER RIGHT NO. 25-14296
As Modified by Transfer No. 76837

In accordance with the approval of Transfer No. 76837, Water Right No. 25-14296 is now described as follows.

Right Holder: ALLEN C SHOUP And
 KATHLEEN M SHOUP
 25 NW CHERRY LOOP THE HIGHLANDS
 SEATTLE WA 98177

Priority Date: February 07, 1957

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	0.37 CFS	158.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNE Sec. 7 Twp 03N Rge 41E BONNEVILLE 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	
03N	41E	5											25.5						25.5
03N	41E	8					28.3	12.1											40.4

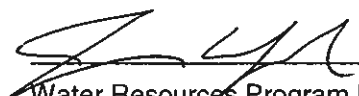
Total Acres: 65.9

CONDITIONS OF APPROVAL

1. Rights 25-14292 and 25-14296 when combined a total annual maximum diversion volume of 263.6 af at the field headgate, and the irrigation of 65.9 acres.
2. Rights 25-14290, 25-14292 & 25-14294 are also diverted through the point(s) of diversion described above.
3. This right when combined with right 25-14292 shall provide no more than .0132 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. 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 10th day of November, 2010



 Water Resources Program Manager

WATER RIGHT NO. 25-14297
As Modified by Transfer No. 76837

In accordance with the approval of Transfer No. 76837, Water Right No. 25-14297 is now described as follows.

Right Holder: KEN HORISZNY And
 LYNN KELLER
 HKA INC
 639 FRONT ST 3RD FLOOR
 SAN FRANCISCO CA 94111

Priority Date: February 07, 1957

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	0.02 CFS	8.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L5 (NWNW) Sec. 8 Twp 03N Rge 41E BONNEVILLE 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	
03N 41E 8					5.8		.2										6.0
					L 5												

Total Acres: 6

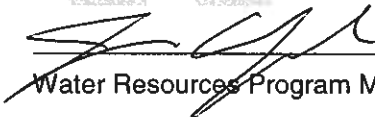
WATER RIGHT NO. 25-14297
As Modified by Transfer No. 76837

CONDITIONS OF APPROVAL

1. Point of diversion and place of use are located within Lot 1, Blk. 1, Horseshoe Bend Subdivision.
2. Rights 25-14293 and 25-14297 when combined shall not exceed a total annual maximum diversion volume of 16.0 af at the field headgate, and the irrigation of 4.0 acres.
3. Rights 25-14291, 25-14293, 25-14295 and 25-14297 when combined shall not exceed a total annual maximum diversion volume of 24.0 af at the field headgate, and the irrigation of 6.0 acres.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
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 lands above.
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(s) 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. 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 10th day of November, 20 10


Water Resources Program Manager