

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 70106**

This is to certify that: BOWLER RANCHES INC  
 PO BOX 760  
 AMERICAN FALLS ID 83211  
 (208)226-2611

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 35-8332      | WR/License          | 12/05/1983      | 2.64 cfs    | 528 af        | N/A               | 132.0              | GROUND WATER  |
| 35-13383     | WR/License          | 04/17/1984      | 5.65 cfs    | 1188 af       | N/A               | 297.0              | GROUND WATER  |
| 35-13408     | WR/Decreed          | 03/28/1974      | 4.74 cfs    | 948 af        | N/A               | 237.0              | GROUND WATER  |

**Associated Water Rights Also Included in Transfer Approval (Conditions Updated)**

|          |            |            |          |        |      |       |              |
|----------|------------|------------|----------|--------|------|-------|--------------|
| 35-7402  | WR/Decreed | 03/28/1974 | 1.94 cfs | 388 af | 97.0 | 100.9 | GROUND WATER |
| 35-13381 | WR/License | 08/14/1989 | 1.22 cfs | 244 af | N/A  | 61.0  | GROUND WATER |
| 35-13409 | WR/Decreed | 03/28/1974 | 0.08 cfs | 16 af  | 4.0  | 100.9 | GROUND WATER |

**Purpose of Transfer (Changes Proposed)**

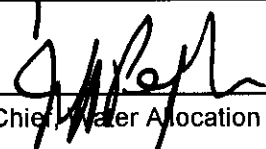
| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 35-8332               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 35-13383              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 35-13408              | YES          | NO         | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 35-8332                | 35-13411                         | 0.14 cfs             | 43.2 af                | 10.8              | 56.5               | 35-13410                           | 2.42 cfs              | 484.8 af                | N/A                         | 121.2                        |
| 35-13383               | 35-13413                         | 0.78 cfs             | 163.2 af               | 40.8              | 56.5               | 35-13412                           | 4.87 cfs              | 1024.8 af               | N/A                         | 256.2                        |
| 35-13408               | 35-13415                         | 0.10 cfs             | 20.0 af                | 5.0               | 56.5               | 35-13414                           | 4.64 cfs              | 928.0 af                | N/A                         | 232.0                        |
| <b>COMBINED TOTALS</b> |                                  | <b>1.02 cfs</b>      | <b>226.0 af</b>        | <b>N/A</b>        | <b>56.5</b>        |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 1<sup>st</sup> day of May, 2003

For  Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-13411**  
**As Modified by Transfer No. 70106**

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13411 is now described as follows.

**Right Holder:** BOWLER RANCHES INC  
 PO BOX 760  
 AMERICAN FALLS ID 83211

**Priority Date:** December 05, 1983

**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        | 0.14 CFS              | 43.2 AF       |
|                       |                       | 0.14 CFS              | 43.2 AF       |

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

GROUND WATER                      NWNENW                      Sec. 23 Twp 08S    Rge 29E    POWER 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> |
| 08S 29E 23  |           |           |           |           |    |           |           | 15.5      | 11.0      |  | 19.0      | 11.0      |           |           |  |           |           |           |           |  | 56.5          |

Total Acres: 56.5

**CONDITIONS OF APPROVAL**

1. Prior to the diversion and use of water under Transfer approval 70106, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
2. This right is limited to the irrigation of 10.8 acres within the place of use described above in a single irrigation season.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. Rights 35-7402, 35-13409, 35-13411, 13413, 35-13414, 35-13415 is also diverted through the point of diversion described above.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this 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 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.120.

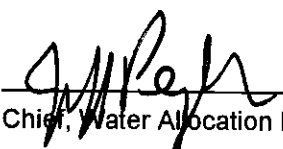
**WATER RIGHT NO. 35-13411**  
**As Modified by Transfer No. 70106**

**CONDITIONS OF APPROVAL**

9. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
10. Rights 35-7401, 35-13410 and 35-13411 when combined shall not exceed a total diversion rate of 5.28 cfs.

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 13<sup>th</sup> day of May, 20 03

  
For Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-13413**  
**As Modified by Transfer No. 70106**

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13413 is now described as follows.

**Right Holder:** BOWLER RANCHES INC  
 PO BOX 760  
 AMERICAN FALLS ID 83211

**Priority Date:** April 17, 1984

**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  | 0.78 CFS              | 163.2 AF      |
|                       |             |           | 0.78 CFS              | 163.2 AF      |

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

GROUND WATER                      NWNENW                      Sec. 23 Twp 08S    Rge 29E    POWER 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 |
| 08S               | 29E | 23  |    |    |    |    |              |    |    |    |              |    |    |    |    |    |    |    |        |
| Total Acres: 56.5 |     |     |    |    |    |    | 15.5    11.0 |    |    |    | 19.0    11.0 |    |    |    |    |    |    |    | 56.5   |

**CONDITIONS OF APPROVAL**

1. Prior to the diversion and use of water under Transfer approval 70106, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
2. This right is limited to the irrigation of 40.8 acres within the place of use described above in a single irrigation season.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. Rights 35-7402, 35-13409, 35-13411, 13413, 35-13414, 35-13415 is also diverted through the point of diversion described above.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this 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 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.120.

**WATER RIGHT NO. 35-13413**  
**As Modified by Transfer No. 70106**

**CONDITIONS OF APPROVAL**

9. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
10. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 1<sup>ST</sup> day of May, 20 03

  
For Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-13415**  
**As Modified by Transfer No. 70106**

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13415 is now described as follows.

**Right Holder:** BOWLER RANCHES INC  
 PO BOX 760  
 AMERICAN FALLS ID 83211

**Priority Date:** March 28, 1974

**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              | 20.0 AF       |
|                       |                       | 0.10 CFS              | 20.0 AF       |

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

GROUND WATER                      NWNENW                      Sec. 23 Twp 08S    Rge 29E    POWER 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 | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | Totals |    |  |  |  |    |  |  |      |  |
| 08S 29E 23        |                   |                   |                   |                   | 15.5              | 11.0              | 19.0              | 11.0   |    |  |  |  |    |  |  | 56.5 |  |

Total Acres: 56.5

**CONDITIONS OF APPROVAL**

1. Prior to the diversion and use of water under Transfer approval 70106, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
2. This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season.
3. Rights 35-07402, 35-13409, 35-13411, 35-13413, 35-13414, and 35-13415 are also diverted through the point 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.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this 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 lands above.

**WATER RIGHT NO. 35-13415**  
**As Modified by Transfer No. 70106**

**CONDITIONS OF APPROVAL**

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. 120.
9. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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 15<sup>th</sup> day of May, 20 03

  
For Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-13410**  
**As Modified by Transfer No. 70106**

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13410 is now described as follows.

**Right Holder:** BOWLER RANCHES INC  
 PO BOX 760  
 AMERICAN FALLS ID 83211

**Priority Date:** December 05, 1983

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 2.42 CFS              | 484.8 AF      |
|                       |             |           | 2.42 CFS              | 484.8 AF      |

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

GROUND WATER      SESW      Sec. 13 Twp 08S   Rge 29E   POWER County

**PLACE OF USE:** IRRIGATION

| Twp          | Rge | Sec | NE    | NW   | SW   | SE   | Totals |
|--------------|-----|-----|-------|------|------|------|--------|
| 08S          | 30E | 18  | 30.3  | 30.3 | 30.3 | 30.3 | 121.2  |
| Total Acres: |     |     | 121.2 |      |      |      |        |

**CONDITIONS OF APPROVAL**

1. Rights 35-07401 and 35-13410, 35-13411 when combined shall not exceed a total diversion rate of 5.28 cfs.
2. Right 35-07401 is also diverted through the point of diversion described above.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. Approval of this transfer does not confirm the validity of this water right.

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 1<sup>st</sup> day of May, 20 03

for   
 Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-13412**  
**As Modified by Transfer No. 70106**

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13412 is now described as follows.

**Right Holder:** BOWLER RANCHES INC  
 PO BOX 760  
 AMERICAN FALLS ID 83211

**Priority Date:** April 17, 1984

**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        | 4.87 CFS              | 1,024.8 AF    |
|                       |                       | 4.87 CFS              | 1,024.8 AF    |

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

GROUND WATER                      NENW                      Sec. 19 Twp 08S    Rge 30E    POWER 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 |        |
| 08S          | 30E | 19  |       |    |    |    | 30.5 | 28.9 | 30.2 | 31.2 | 31.2 | 30.2 | 37.0 | 37.0 |    |    |    |    | 256.2  |
| Total Acres: |     |     | 256.2 |    |    |    |      |      |      |      |      |      |      |      |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. Approval of this transfer does not confirm the validity of this water right.
5. Rights 35-13381 and 35-13412 when combined shall not exceed a total diversion rate of 4.91 cfs.

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 1<sup>st</sup> day of May, 20 03

For Chief Water Allocation Bureau

**WATER RIGHT NO. 35-13414**  
**As Modified by Transfer No. 70106**

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13414 is now described as follows.

**Right Holder:** BOWLER RANCHES INC  
 PO BOX 760  
 AMERICAN FALLS ID 83211

**Priority Date:** March 28, 1974

**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        | 4.64 CFS              | 928.0 AF      |
|                       |                       | 4.64 CFS              | 928.0 AF      |

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

GROUND WATER      NWNENW      Sec. 23 Twp 08S   Rge 29E   POWER 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 |
| 08S          | 29E | 23  | 20.0 | 36.0 | 40.0 | 35.0 | 24.0 |    |    |    | 31.0 | 9.0 |    |    | 11.0 | 26.0 |    |    | 232.0  |
| Total Acres: |     |     | 232  |      |      |      |      |    |    |    |      |     |    |    |      |      |    |    |        |

**CONDITIONS OF APPROVAL**

1. Rights 35-07402, 35-13409, 35-13411, 35-13413, 35-13414, and 35-13415 are also diverted through the point of diversion described 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 1<sup>st</sup> day of May, 20 03

For   
 Chief Water Allocation Bureau

**WATER RIGHT NO. 35-7402**  
**As Modified by Transfer No. 70106**

In accordance with the approval of Transfer No. 70106, Water Right No. 35-7402 is now described as follows.

**Right Holder:** BOWLER RANCHES INC  
 PO BOX 760  
 AMERICAN FALLS ID 83211

**Priority Date:** March 28, 1974

**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        | 1.94 CFS              | 388.0 AF      |
|                       |                       | 1.94 CFS              | 388.0 AF      |

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

GROUND WATER                      NWNENW                      Sec. 23 Twp 08S    Rge 29E    POWER 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 | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | Totals |                                                                       |
| 08S 29E 14        |                   |                   |                   |                   |                   |                   |                   |                   |                   |                   |                   |                   |                   |                   |                   |        | .5                      19.0   2.4    10.0    39.0    30.0      100.9 |

Total Acres: 100.9

**CONDITIONS OF APPROVAL**

1. Prior to the diversion and use of water under Transfer approval 70093, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
2. This right is limited to the irrigation of 97 acres within the place of use described above in a single irrigation season.
3. Rights 35-07402, 35-13409, 35-13411, 35-13413, 35-13414, and 35-13415 are also diverted through the point 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.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this 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 lands above.

**WATER RIGHT NO. 35-7402**

**As Modified by Transfer No. 70106**

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. 120.
9. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- 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 1<sup>st</sup> day of May, 20 03

For  Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-13381**  
**As Modified by Transfer No. 70106**

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13381 is now described as follows.

**Right Holder:** BOWLER RANCHES INC  
 PO BOX 760  
 AMERICAN FALLS ID 83211

**Priority Date:** August 14, 1989

**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  | 1.22 CFS              | 244.0 AF      |
|                       |             |           | 1.22 CFS              | 244.0 AF      |

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

GROUND WATER      NWNENW      Sec. 19 Twp 08S    Rge 30E    POWER 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 |        |
| 08S | 30E | 30  |    |    |    |    | 30.5 | 30.5 |    |    |    |    |    |    |    |    |    |    | 61.0   |

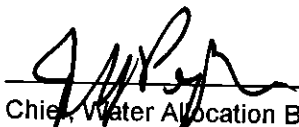
Total Acres: 61

**CONDITIONS OF APPROVAL**

1. Rights 35-13381 and 35-13412 when combined shall not exceed a total diversion rate of 4.91 cfs.
2. Approval of this transfer does not confirm the validity of this water right.
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. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 1<sup>st</sup> day of May, 20 03

For   
 Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-13409**  
**As Modified by Transfer No. 70106**

In accordance with the approval of Transfer No. 70106, Water Right No. 35-13409 is now described as follows.

**Right Holder:** BOWLER RANCHES INC  
 PO BOX 760  
 AMERICAN FALLS ID 83211

**Priority Date:** March 28, 1974

**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  | 0.08 CFS              | 16.0 AF       |
|                       |             |           | 0.08 CFS              | 16.0 AF       |

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

GROUND WATER      NWNENW      Sec. 23 Twp 08S    Rge 29E    POWER 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 |       |
| 08S 29E 14  |    |    |    |    |    |    |    |    | .5 |    |    |    | 19.0 | 2.4 | 10.0 | 39.0 | 30.0   | 100.9 |

Total Acres: 100.9

**CONDITIONS OF APPROVAL**

1. Prior to the diversion and use of water under Transfer approval 70093, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
2. This right is limited to the irrigation of 4 acres within the place of use described above in a single irrigation season.
3. Rights 35-07402, 35-13409, 35-13411, 35-13413, 35-13414, and 35-13415 are also diverted through the point 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.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this 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 lands above.

**WATER RIGHT NO. 35-13409**

**As Modified by Transfer No. 70106**

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.120.
  9. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- 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 15<sup>th</sup> day of May, 20 03

For   
Chief, Water Allocation Bureau