

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75372**

This is to certify that: SWAN VALLEY FARMS LLC
C/O DOUG NELSON
PO BOX 51630
IDAHO FALLS ID 83405-1630
480-348-1600

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>
23-11A	WR/Decreed	08/15/1893	1.8 cfs	N/A	90.0	173.9	PALISADES CREEK
23-11271	WR/Decreed	04/01/1987	1.68 cfs	N/A	N/A	173.9	PALISADES CREEK
23-74	WR/Decreed	06/01/1898	3.2 cfs	N/A	160.0	295.9	PALISADES CREEK
23-10169	WR/Decreed	08/15/1893	2.6 cfs	N/A	130.0	295.9	PALISADES CREEK
23-11272	WR/Decreed	04/01/1987	0.012 cfs	N/A	N/A	295.9	PALISADES CREEK

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>
23-11A	YES	NO	YES	NO	NO	NO
23-11271	YES	NO	YES	NO	NO	NO
23-74	YES	NO	YES	NO	NO	NO
23-10169	YES	NO	YES	NO	NO	NO
23-11272	NO	NO	YES	NO	NO	NO

SUPPORT DATA

IN FILE # 23-11A

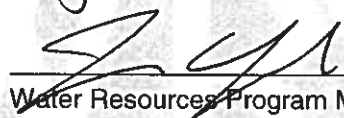
**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75372**

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
23-11A	23-11404	1.68 cfs	N/A	84.1	433.9	23-11403	0.12 cfs	N/A	5.9	11.4
23-11271	23-11406	1.57 cfs	N/A	78.4	433.9	23-11405	0.11 cfs	N/A	5.5	11.4
23-74	23-11408	2.9 cfs	N/A	145.5	433.9	23-11407	0.3 cfs	N/A	14.5	24.5
23-10169	23-11410	2.4 cfs	N/A	120.0	433.9	23-11409	0.2 cfs	N/A	10.0	24.5
23-11272	23-11272	0.01 cfs	N/A	5.9	433.9		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		6.98 cfs	N/A	433.9	433.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of August, 2010



Water Resources Program Manager

WATER RIGHT NO. 23-11403
As Modified by Transfer No. 75372

In accordance with the approval of Transfer No. 75372, Water Right No. 23-11403 is now described as follows.

Right Holder: ROGER H BALL
2235 E 25TH ST
IDAHO FALLS ID 83404

Priority Date: August 15, 1893

Source: PALISADES CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

0.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

PALISADES CREEK SWSWSE Sec. 26 Twp 01N Rge 44E 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	
01N	44E	16					8.5				2.9								11.4

Total Acres: 11.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.9 acres within the authorized place of use in a single irrigation season.
2. Rights 23-11403 and 23-11405 when combined shall not exceed a total diversion rate of 0.12 cfs and the irrigation of 11.4 acres.
3. Right No. 23-11405 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
4. Water is delivered through Palisades Irrigation Canal.
5. Use of this right is combined with water from Palisades Irrigation Co.
6. 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 24th day of August, 2010


Water Resources Program Manager

WATER RIGHT NO. 23-11404
As Modified by Transfer No. 75372

In accordance with the approval of Transfer No. 75372, Water Right No. 23-11404 is now described as follows.

Right Holder: SWAN VALLEY FARMS LLC
 C/O DOUG NELSON
 PO BOX 51630
 IDAHO FALLS ID 83405-1630

Priority Date: August 15, 1893

Source: PALISADES CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

1.68 CFS

LOCATION OF POINT(S) OF DIVERSION:

PALISADES CREEK

SWSWSE

Sec. 26 Twp 01N Rge 44E 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	
01N 44E 15											24.0						24.0
01N 44E 16	30.0	39.0	39.0	39.0	31.0								39.0	40.0	40.0	40.0	337.0
01N 44E 21	34.9	38.0															72.9

Total Acres: 433.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 84.1 acres within the authorized place of use in a single irrigation season.
2. Rights 23-11404 and 23-11406 when combined shall not exceed a total diversion rate of 1.68 cfs and the irrigation of 162.5 acres.
3. Rights 23-11404, 23-11406, 23-11408, 23-11410 and 23-11272 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 433.9 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. 01.
5. 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).
6. Water is delivered through Palisades Irrigation Canal.
7. Right No. 23-11406 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

WATER RIGHT NO. 23-11404
As Modified by Transfer No. 75372

CONDITIONS OF APPROVAL

8. Use of this right is combined with water from Palisades Irrigation Co.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
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 24th day of August, 20 10



Water Resources Program Manager

WATER RIGHT NO. 23-11405
As Modified by Transfer No. 75372

In accordance with the approval of Transfer No. 75372, Water Right No. 23-11405 is now described as follows.

Right Holder: ROGER H BALL
2235 E 25TH ST
IDAHO FALLS ID 83404

Priority Date: April 01, 1987

Source: PALISADES CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

0.11 CFS

LOCATION OF POINT(S) OF DIVERSION:

PALISADES CREEK SWSWSE Sec. 26 Twp 01N Rge 44E 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	
01N	44E	16					8.5				2.9								11.4

Total Acres: 11.4

CONDITIONS OF APPROVAL

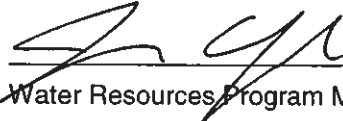
1. This right is for an enlargement of 5.5 acres within the place of use described for this right.
2. Rights 23-11403 and 23-11405 when combined shall not exceed a total diversion rate of 0.12 cfs and the irrigation of 11.4 acres.
3. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
4. This right is based upon an enlargement of Right No. 23-11403 pursuant to Section 42-1426, Idaho Code.
5. Water is delivered through Palisades Irrigation Canal.
6. Use of this right is combined with water from Palisades Irrigation Co.
7. 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.

WATER RIGHT NO. 23-11405
As Modified by Transfer No. 75372

CONDITIONS OF APPROVAL

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 24th day of August, 20 10



Water Resources Program Manager



WATER RIGHT NO. 23-11406
As Modified by Transfer No. 75372

In accordance with the approval of Transfer No. 75372, Water Right No. 23-11406 is now described as follows.

Right Holder: SWAN VALLEY FARMS LLC
 C/O DOUG NELSON
 PO BOX 51630
 IDAHO FALLS ID 83405-1630

Priority Date: April 01, 1987

Source: PALISADES CREEK **Tributary:** SNAKE RIVER

BENEFICIAL USE
 IRRIGATION **From** 04/15 **To** 10/31 **Diversion Rate** 1.57 CFS

LOCATION OF POINT(S) OF DIVERSION:
 PALISADES CREEK SWSWSE Sec. 26 Twp 01N Rge 44E BONNEVILLE County

<u>PLACE OF USE:</u>			IRRIGATION																	
Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			<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>		
01N	44E	15																	24.0	
01N	44E	16	30.0	39.0	39.0	39.0	31.0									39.0	40.0	40.0	40.0	337.0
01N	44E	21	34.9	38.0																72.9

Total Acres: 433.9

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 78.4 acres within the place of use described for this right.
2. Rights 23-11404 and 23-11406 when combined shall not exceed a total diversion rate of 1.68 cfs and the irrigation of 162.5 acres.
3. Rights 23-11404, 23-11406, 23-11408, 23-11410 and 23-11272 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 433.9 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. 01.
5. 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).
6. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

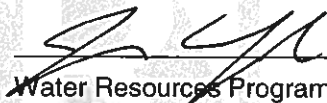
WATER RIGHT NO. 23-11406
As Modified by Transfer No. 75372

CONDITIONS OF APPROVAL

7. This right is based upon an enlargement of Right No. 23-11404 pursuant to Section 42-1426, Idaho Code.
8. Water is delivered through Palisades Irrigation Canal.
9. Use of this right is combined with water from Palisades Irrigation Co.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
13. 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 24th day of August, 20 10


Water Resources Program Manager

WATER RIGHT NO. 23-11407
As Modified by Transfer No. 75372

In accordance with the approval of Transfer No. 75372, Water Right No. 23-11407 is now described as follows.

Right Holder: ROGER H BALL
2235 E 25TH ST
IDAHO FALLS ID 83404

Priority Date: June 01, 1898

Source: PALISADES CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

0.30 CFS

LOCATION OF POINT(S) OF DIVERSION:

PALISADES CREEK SWSWSE Sec. 26 Twp 01N Rge 44E 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	
01N	44E	21	2.5																2.5
01N	44E	22					22.0												22.0

Total Acres: 24.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 14.5 acres within the authorized place of use in a single irrigation season.
2. Rights 23-11407 and 23-11409 when combined shall not exceed a total diversion rate of 0.50 cfs and the irrigation of 24.5 acres.
3. Water is delivered through Palisades Irrigation Canal.
4. Use of this right is combined with water from Palisades Irrigation Co.
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 24th day of August, 2010


Water Resources Program Manager

WATER RIGHT NO. 23-11408
As Modified by Transfer No. 75372

In accordance with the approval of Transfer No. 75372, Water Right No. 23-11408 is now described as follows.

Right Holder: SWAN VALLEY FARMS LLC
 C/O DOUG NELSON
 PO BOX 51630
 IDAHO FALLS ID 83405-1630

Priority Date: June 01, 1898

Source: PALISADES CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

2.90 CFS

LOCATION OF POINT(S) OF DIVERSION:

PALISADES CREEK SWSWSE Sec. 26 Twp 01N Rge 44E 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	
01N 44E 15											24.0						24.0
01N 44E 16	30.0	39.0	39.0	39.0	31.0								39.0	40.0	40.0	40.0	337.0
01N 44E 21	34.9	38.0															72.9

Total Acres: 433.9

WATER RIGHT NO. 23-11408
As Modified by Transfer No. 75372

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 145.5 acres within the authorized place of use in a single irrigation season.
2. Rights 23-11272, 23-11408 and 23-11410 when combined shall not exceed a total diversion rate of 5.3 cfs and the irrigation of 271.4 acres.
3. Rights 23-11404, 23-11406, 23-11408, 23-11410 and 23-11272 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 433.9 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. 01.
5. 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).
6. Right No. 23-11272 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
7. Water is delivered through Palisades Irrigation Canal.
8. Use of this right is combined with water from Palisades Irrigation Co.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
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 24th day of August, 20 10



Water Resources Program Manager

WATER RIGHT NO. 23-11409
As Modified by Transfer No. 75372

In accordance with the approval of Transfer No. 75372, Water Right No. 23-11409 is now described as follows.

Right Holder: ROGER H BALL
 2235 E 25TH ST
 IDAHO FALLS ID 83404

Priority Date: August 15, 1893

Source: PALISADES CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

PALISADES CREEK SWSWSE Sec. 26 Twp 01N Rge 44E BONNEVILLE County

PLACE OF USE:

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01N	44E	21	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	2.5
01N	44E	22							22.0										22.0

Total Acres: 24.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10 acres within the authorized place of use in a single irrigation season.
2. Rights 23-11407 and 23-11409 when combined shall not exceed a total diversion rate of 0.50 cfs and the irrigation of 24.5 acres.
3. Water is delivered through Palisades Irrigation Canal.
4. Use of this right is combined with water from Palisades Irrigation Co.
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 24th day of August, 20 10


 Water Resources Program Manager

WATER RIGHT NO. 23-11410
As Modified by Transfer No. 75372

In accordance with the approval of Transfer No. 75372, Water Right No. 23-11410 is now described as follows.

Right Holder: SWAN VALLEY FARMS LLC
 C/O DOUG NELSON
 PO BOX 51630
 IDAHO FALLS ID 83405-1630

Priority Date: August 15, 1893

Source: PALISADES CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

2.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

PALISADES CREEK SWSWSE Sec. 26 Twp 01N Rge 44E 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	
01N 44E 15											24.0						24.0
01N 44E 16	30.0	39.0	39.0	39.0	31.0								39.0	40.0	40.0	40.0	337.0
01N 44E 21	34.9	38.0															72.9

Total Acres: 433.9

WATER RIGHT NO. 23-11410
As Modified by Transfer No. 75372

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120 acres within the authorized place of use in a single irrigation season.
2. Rights 23-11272, 23-11408 and 23-11410 when combined shall not exceed a total diversion rate of 5.3 cfs and the irrigation of 271.4 acres.
3. Rights 23-11404, 23-11406, 23-11408, 23-11410 and 23-11272 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 433.9 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. 01.
5. 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).
6. Right No. 23-11272 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
7. Water is delivered through Palisades Irrigation Canal.
8. Use of this right is combined with water from Palisades Irrigation Co.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
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 24th day of August, 20 10


Water Resources Program Manager

WATER RIGHT NO. 23-11272
As Modified by Transfer No. 75372

In accordance with the approval of Transfer No. 75372, Water Right No. 23-11272 is now described as follows.

Right Holder: SWAN VALLEY FARMS LLC
 C/O DOUG NELSON
 PO BOX 51630
 IDAHO FALLS ID 83405-1630

Priority Date: April 01, 1987

Source: PALISADES CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

0.01 CFS

LOCATION OF POINT(S) OF DIVERSION:

PALISADES CREEK SWSWSE Sec. 26 Twp 01N Rge 44E 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	
01N 44E 15											24.0						24.0
01N 44E 16	30.0	39.0	39.0	39.0	31.0								39.0	40.0	40.0	40.0	337.0
01N 44E 21	34.9	38.0															72.9

Total Acres: 433.9

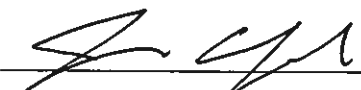
WATER RIGHT NO. 23-11272
As Modified by Transfer No. 75372

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 5.9 acres within the place of use described for this right.
2. Rights 23-11272, 23-11408 and 23-11410 when combined shall not exceed a total diversion rate of 5.3 cfs and the irrigation of 271.4 acres.
3. Rights 23-11404, 23-11406, 23-11408, 23-11410 and 23-11272 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 433.9 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. 01.
5. 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).
6. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
7. Water is delivered through Palisades Irrigation Canal.
8. Use of this right is combined with water from Palisades Irrigation Co.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
12. This right is based upon an enlargement of Right No. 23-11408, 23-11410 pursuant to Section 42-1426, Idaho Code.
13. 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 24th day of August, 20 10



Water Resources Program Manager