

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75725**

This is to certify that: **GARNER LAND LLC**
22 N YALE RD
DECLO ID 83323
(208) 349-5740

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>
43-2511	WR/Decreed	02/08/1961	6.39 cfs	1920 af	480.0	623.7	GROUND WATER
43-4146	WR/Decreed	06/30/1985	1.47 cfs	N/A	143.7	623.7	GROUND WATER
43-13175	WR/Decreed	05/29/1950	0.46 cfs	108 af	27.0	669.7	GROUND WATER
43-13177	WR/Decreed	11/27/1957	0.35 cfs	170.8 af	59.0	669.7	GROUND WATER
43-13179	WR/Decreed	11/30/1957	0.61 cfs	236 af	59.0	669.7	GROUND WATER
43-13641	WR/Decreed	03/18/1960	0.03 cfs	25.2 af	6.3	36.0	GROUND WATER
43-13643	WR/Decreed	06/30/1953	0.68 cfs	144 af		36.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-2511	NO	NO	YES	NO	NO	NO
43-4146	NO	NO	YES	NO	NO	NO
43-13175	NO	NO	YES	NO	NO	NO
43-13177	NO	NO	YES	NO	NO	NO
43-13179	NO	NO	YES	NO	NO	NO
43-13641	NO	NO	YES	NO	NO	NO
43-13643	NO	NO	YES	NO	NO	NO

SUPPORT DATA
IN FILE # 43-2511

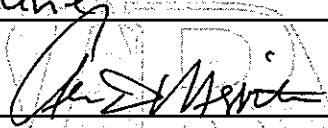
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75725

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
43-2511	43-2511	6.39 cfs	1920 af	480.0	895.9		N/A	N/A	N/A	N/A
43-4146	43-4146	1.47 cfs	N/A	143.7	895.9		N/A	N/A	N/A	N/A
43-13175	43-13175	0.46 cfs	108 af	27.0	895.9		N/A	N/A	N/A	N/A
43-13177	43-13177	0.35 cfs	170.8 af	59.0	895.9		N/A	N/A	N/A	N/A
43-13179	43-13179	0.61 cfs	236 af	59.0	895.9		N/A	N/A	N/A	N/A
43-13641	43-13641	0.03 cfs	25.2 af	6.3	895.9		N/A	N/A	N/A	N/A
43-13643	43-13643	0.68 cfs	144 af	36.0	895.9		N/A	N/A	N/A	N/A
COMBINED TOTALS		8.52 cfs	2408 af	705.7	895.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 2nd day of June, 2010


Southern Region Manager

WATER RIGHT NO. 43-2511
As Modified by Transfer No. 75725

In accordance with the approval of Transfer No. 75725, Water Right No. 43-2511 is now described as follows.

Right Holder: GARNER LAND LLC
 22 N YALE RD
 DECLO ID 83323

Priority Date: February 08, 1961

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	6.39 CFS	1,920.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER SWNWSW Sec. 3 Twp 11S Rge 27E CASSIA 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	
10S	27E	34		9.9	40.0	15.0	20.0	12.0	27.0	40.0	40.0	31.0	33.0	40.0	39.0	40.0	40.0	26.0	452.9
11S	27E	3	39.0	40.0	39.0	18.0	40.0	34.0	35.0	40.0	40.0	34.0	32.0	35.0	17.0				443.0
			L1	L2			L3	L4											

Total Acres: 895.9

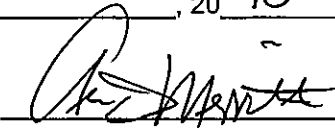
WATER RIGHT NO. 43-2511
As Modified by Transfer No. 75725

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 480 acres within the authorized place of use in a single irrigation season.
2. Rights 42-2511, and 43-4146 when combined shall not exceed a total diversion rate of 6.39 cfs, a total annual maximum diversion volume of 1920 af at the field headgate, and the irrigation of 623.7 acres.
3. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.
5. Right no. 43-4146 is an expansion of this right pursuant to section 42-1416b, Idaho Code.
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. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
11. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 are limited to the irrigation of a specific 705.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 705.7 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 in the geographic information system component of the water rights database maintained by the department. Before changing the 705.7 acres to be irrigated within the 895.9 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.

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 2nd day of June, 20 10


Southern Region Manager

WATER RIGHT NO. 43-4146
As Modified by Transfer No. 75725

In accordance with the approval of Transfer No. 75725, Water Right No. 43-4146 is now described as follows.

Right Holder: GARNER LAND LLC
 22 N YALE RD
 DECLO ID 83323

Priority Date: June 30, 1985

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 04/01 **To** 10/31 **Diversion Rate** 1.47 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER SWNWSW Sec. 3 Twp 11S Rge 27E CASSIA 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	
10S 27E 34		9.9	40.0	15.0	20.0	12.0	27.0	40.0	40.0	31.0	33.0	40.0	39.0	40.0	40.0	26.0	452.9
11S 27E 3	39.0	40.0	39.0	18.0	40.0	34.0	35.0	40.0	40.0	34.0	32.0	35.0		17.0			443.0
	L 1	L 2			L 3	L 4											

Total Acres: 895.9

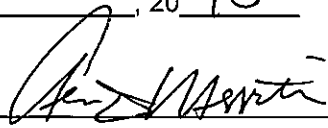
WATER RIGHT NO. 43-4146
As Modified by Transfer No. 75725

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 143.7 acres within the authorized place of use in a single irrigation season.
2. Rights 42-2511, and 43-4146 when combined shall not exceed a total diversion rate of 6.39 cfs, a total annual maximum diversion volume of 1920 af at the field headgate, and the irrigation of 623.7 acres.
3. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.
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. 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.
7. This right is an expansion of right no. 43-2511 pursuant to section 42-1416b, Idaho Code.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
11. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 are limited to the irrigation of a specific 705.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 705.7 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 in the geographic information system component of the water rights database maintained by the department. Before changing the 705.7 acres to be irrigated within the 895.9 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.

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 2nd day of June, 20 10



Southern Region Manager

WATER RIGHT NO. 43-13175
As Modified by Transfer No. 75725

In accordance with the approval of Transfer No. 75725, Water Right No. 43-13175 is now described as follows.

Right Holder: GARNER LAND LLC
 22 N YALE RD
 DECLO ID 83323

Priority Date: May 29, 1950

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	0.46 CFS	108.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER SWNWSW Sec. 3 Twp 11S Rge 27E CASSIA 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	
10S	27E	34		9.9	40.0	15.0	20.0	12.0	27.0	40.0	40.0	31.0	33.0	40.0	39.0	40.0	40.0	26.0	452.9
11S	27E	3	39.0	40.0	39.0	18.0	40.0	34.0	35.0	40.0	40.0	34.0	32.0	35.0		17.0			443.0
			L 1	L 2			L 3	L 4											

Total Acres: 895.9

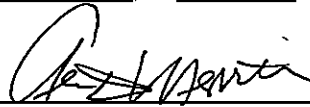
**WATER RIGHT NO. 43-13175
As Modified by Transfer No. 75725**

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 27.0 acres within the place of use described above in a single irrigation season.
2. Rights 43-13175, 43-13177, and 43-13179 when combined shall not exceed a total diversion rate of 1.42 cfs, a total annual maximum diversion volume of 344.0 af at the field headgate, and the irrigation of 86 acres.
3. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 are limited to the irrigation of a specific 705.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 705.7 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 in the geographic information system component of the water rights database maintained by the department. Before changing the 705.7 acres to be irrigated within the 895.9 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.

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 2nd day of June, 20 10



Southern Region Manager

WATER RIGHT NO. 43-13177
As Modified by Transfer No. 75725

In accordance with the approval of Transfer No. 75725, Water Right No. 43-13177 is now described as follows.

Right Holder: GARNER LAND LLC
 22 N YALE RD
 DECLO ID 83323

Priority Date: November 27, 1957

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	0.35 CFS	170.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER SWNWSW Sec. 3 Twp 11S Rge 27E CASSIA 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	
10S	27E	34		9.9	40.0	15.0	20.0	12.0	27.0	40.0	40.0	31.0	33.0	40.0	39.0	40.0	40.0	26.0	452.9
11S	27E	3	39.0	40.0	39.0	18.0	40.0	34.0	35.0	40.0	40.0	34.0	32.0	35.0	17.0				443.0
			L1	L2			L3	L4											

Total Acres: 895.9

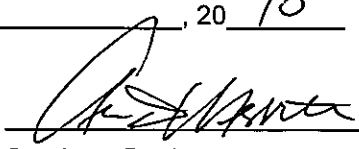
WATER RIGHT NO. 43-13177
As Modified by Transfer No. 75725

CONDITIONS OF APPROVAL

1. Rights 43-13177 and 43-13179 when combined shall not exceed a total annual maximum diversion volume of 236.0 af at the field headgate, and the irrigation of 59.0 acres.
2. Rights 43-13175, 43-13177, and 43-13179 when combined shall not exceed a total diversion rate of 1.42 cfs, a total annual maximum diversion volume of 344.0 af at the field headgate, and the irrigation of 86 acres.
3. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 are limited to the irrigation of a specific 705.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 705.7 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 in the geographic information system component of the water rights database maintained by the department. Before changing the 705.7 acres to be irrigated within the 895.9 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.

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 2nd day of June, 20 10


Southern Region Manager

WATER RIGHT NO. 43-13179
As Modified by Transfer No. 75725

In accordance with the approval of Transfer No. 75725, Water Right No. 43-13179 is now described as follows.

Right Holder: GARNER LAND LLC
 22 N YALE RD
 DECLO ID 83323

Priority Date: November 30, 1957

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	0.61 CFS	236.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER SWNWSW Sec. 3 Twp 11S Rge 27E CASSIA 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	
10S	27E	34		9.9	40.0	15.0	20.0	12.0	27.0	40.0	40.0	31.0	33.0	40.0	39.0	40.0	40.0	26.0	452.9
11S	27E	3	39.0	40.0	39.0	18.0	40.0	34.0	35.0	40.0	40.0	34.0	32.0	35.0		17.0			443.0
			L1	L2			L3	L4											

Total Acres: 895.9

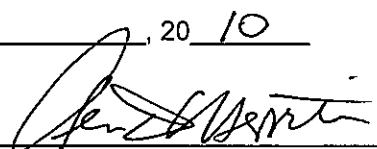
WATER RIGHT NO. 43-13179
As Modified by Transfer No. 75725

CONDITIONS OF APPROVAL

1. Rights 43-13177 and 43-13179 when combined shall not exceed a total annual maximum diversion volume of 236.0 af at the field headgate, and the irrigation of 59.0 acres.
2. Rights 43-13175, 43-13177, and 43-13179 when combined shall not exceed a total diversion rate of 1.42 cfs, a total annual maximum diversion volume of 344.0 af at the field headgate, and the irrigation of 86 acres.
3. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 are limited to the irrigation of a specific 705.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 705.7 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 in the geographic information system component of the water rights database maintained by the department. Before changing the 705.7 acres to be irrigated within the 895.9 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.

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 2nd day of June, 2010


Southern Region Manager

WATER RIGHT NO. 43-13641
As Modified by Transfer No. 75725

In accordance with the approval of Transfer No. 75725, Water Right No. 43-13641 is now described as follows.

Right Holder: GARNER LAND LLC
 22 N YALE RD
 DECLO ID 83323

Priority Date: March 18, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.03 CFS	25.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER SWNWSW Sec. 3 Twp 11S Rge 27E CASSIA 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	
10S	27E	34		9.9	40.0	15.0	20.0	12.0	27.0	40.0	40.0	31.0	33.0	40.0	39.0	40.0	40.0	26.0	452.9
11S	27E	3	39.0	40.0	39.0	18.0	40.0	34.0	35.0	40.0	40.0	34.0	32.0	35.0	17.0				443.0
			L1	L2			L3	L4											

Total Acres: 895.9

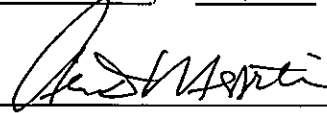
WATER RIGHT NO. 43-13641
As Modified by Transfer No. 75725

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6.3 acres within the place of use described above in a single irrigation season.
2. Rights 43-13641 and 43-13643 when combined shall not exceed a total diversion rate of 0.71 cfs, a total annual maximum diversion volume of 144 af at the field headgate, and the irrigation of 36 acres.
3. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 are limited to the irrigation of a specific 705.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 705.7 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 in the geographic information system component of the water rights database maintained by the department. Before changing the 705.7 acres to be irrigated within the 895.9 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.

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 2nd day of June, 20 10


Southern Region Manager

WATER RIGHT NO. 43-13643
As Modified by Transfer No. 75725

In accordance with the approval of Transfer No. 75725, Water Right No. 43-13643 is now described as follows.

Right Holder: GARNER LAND LLC
 22 N YALE RD
 DECLO ID 83323

Priority Date: June 30, 1953

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	0.68 CFS	144.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER SWNWSW Sec. 3 Twp 11S Rge 27E CASSIA 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	
10S 27E 34		9.9	40.0	15.0	20.0	12.0	27.0	40.0	40.0	31.0	33.0	40.0	39.0	40.0	40.0	26.0	452.9
11S 27E 3	39.0	40.0	39.0	18.0	40.0	34.0	35.0	40.0	40.0	34.0	32.0	35.0	17.0				443.0
	L 1	L 2			L 3	L 4											

Total Acres: 895.9

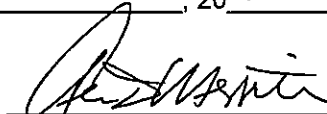
WATER RIGHT NO. 43-13643
As Modified by Transfer No. 75725

CONDITIONS OF APPROVAL

1. Rights 43-13641 and 43-13643 when combined shall not exceed a total diversion rate of 0.71 cfs, a total annual maximum diversion volume of 144 af at the field headgate, and the irrigation of 36 acres.
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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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.
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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 2nd day of June, 20 10

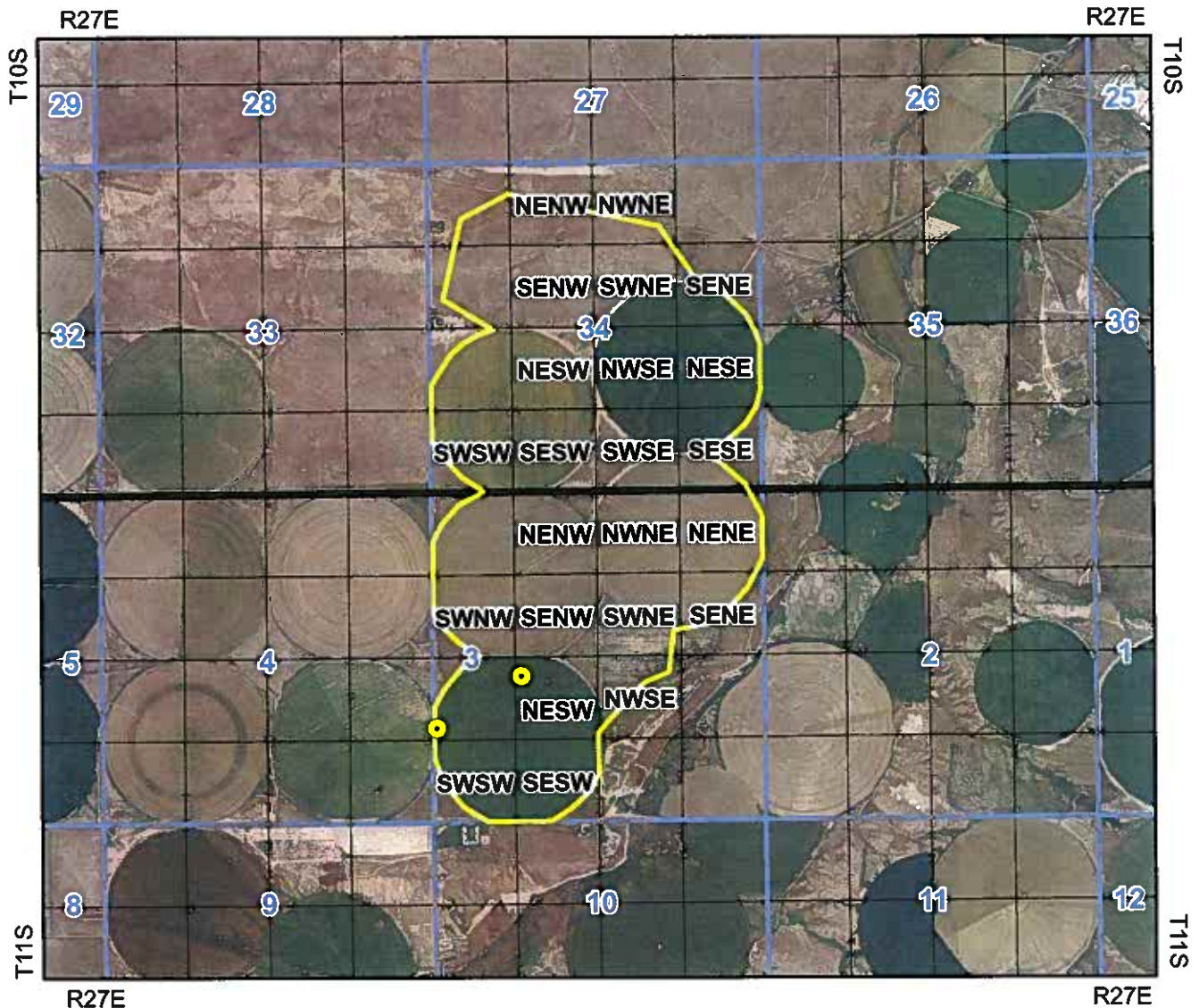

Southern Region Manager

State of Idaho
Department of Water Resources
Transfer Of Water Right

Transfer No. 75725

Water Service Area Boundary for Garner Land Llc

Rights: 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, 43-13643



Legend

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.35 0.7 1.4 Miles

