

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76431

This is to certify that: SHURTLEFF RANCHES LTD PARTNERSHIP
 399 HEMLOCK CIR
 IDAHO FALLS ID 83401
 (208)523-5675

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>
23-63	WR/Decreed	06/15/1898	2.4 cfs	N/A	120.0	518.4	RAINEY CREEK
23-10858	WR/Decreed	06/01/1889	5.4 cfs	N/A	270.0	518.4	RAINEY CREEK
23-78	WR/Decreed	05/01/1895	1 cfs	N/A	50.0	518.4	RAINEY CREEK
23-80	WR/Decreed	06/01/1891	2.4 cfs	N/A	120.0	518.4	RAINEY CREEK
23-94	WR/Decreed	01/22/1916	17.6 cfs	N/A	N/A	518.4	RAINEY 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>
23-63	NO	YES	NO	NO	NO	NO
23-10858	NO	YES	NO	NO	NO	NO
23-78	NO	YES	NO	NO	NO	NO
23-80	NO	YES	NO	NO	NO	NO
23-94	NO	YES	NO	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>
23-63	23-63	2.4 cfs	N/A	120.0	518.4		N/A	N/A	N/A	N/A
23-10858	23-10858	5.4 cfs	N/A	270.0	518.4		N/A	N/A	N/A	N/A
23-78	23-78	1 cfs	N/A	50.0	518.4		N/A	N/A	N/A	N/A
23-80	23-80	2.4 cfs	N/A	120.0	518.4		N/A	N/A	N/A	N/A
23-94	23-94	17.6 cfs	N/A	N/A	518.4		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		28.8 cfs	N/A	518.4	518.4		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 23-63

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76431

Detailed Water Right Description(s) attached

Dated this 22nd day of April, 20 10


Water Resources Program Manager



WATER RIGHT NO. 23-63
As Modified by Transfer No. 76431

In accordance with the approval of Transfer No. 76431, Water Right No. 23-63 is now described as follows.

Right Holder: SHURTLEFF RANCHES LTD PARTNERSHIP
 399 HEMLOCK CIR
 IDAHO FALLS ID 83401

Priority Date: June 15, 1898

Source: RAINEY 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:

RAINEY CREEK

SESWSE

Sec. 33 Twp 02N Rge 44E BONNEVILLE County

RAINEY CREEK

SWSWSE

Sec. 33 Twp 02N 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 5						25.0 L 4											25.0
01N 44E 6	22.0 L 1	37.0 L 2	39.0	26.0	39.0 L 3		35.0	7.5					30.0	36.0			271.5
01N 44E 8	38.0	26.0	11.0	39.0													114.0
02N 44E 31								2.9	26.0 L 3	32.0 L 4	36.0			11.0			107.9

Total Acres: 518.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
2. Rights 23-63, 23-78, 23-80, 23-94, 23-10858 and 23-04043 when combined shall not exceed the irrigation of 518.4 acres.
3. 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.
4. 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).
5. Water is delivered through Goetsche Ditch and/or Bills Ditch
6. This right does not grant any right-of-way or easement across the land of another.

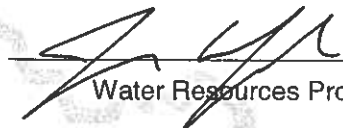
WATER RIGHT NO. 23-63
As Modified by Transfer No. 76431

CONDITIONS OF APPROVAL

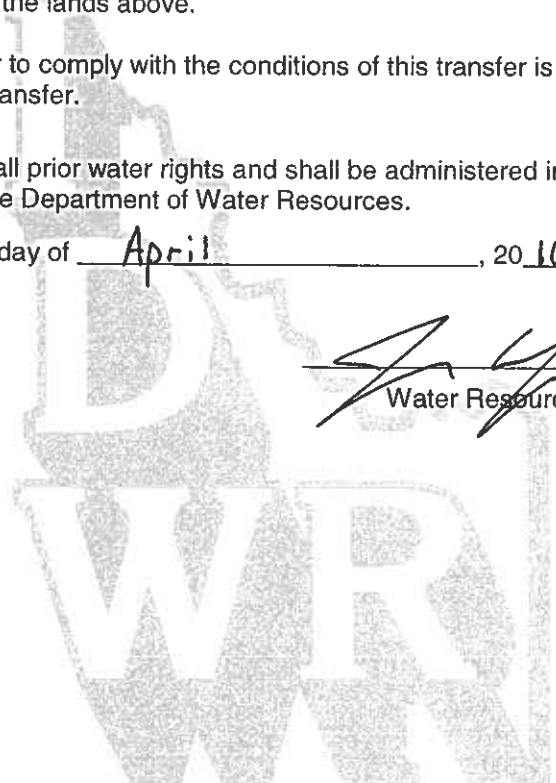
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration 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. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
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.

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 22nd day of April, 2010



Water Resources Program Manager



WATER RIGHT NO. 23-78
As Modified by Transfer No. 76431

In accordance with the approval of Transfer No. 76431, Water Right No. 23-78 is now described as follows.

Right Holder: SHURTLEFF RANCHES LTD PARTNERSHIP
 399 HEMLOCK CIR
 IDAHO FALLS ID 83401

Priority Date: May 01, 1895

Source: RAINEY CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE
 IRRIGATION

From **To** **Diversion Rate**
 04/15 to 10/31 1.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

RAINEY CREEK SENWSE Sec. 33 Twp 02N Rge 44E BONNEVILLE County
 RAINEY CREEK SWSWSE Sec. 33 Twp 02N 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	5						25.0											25.0
								L 4											
01N	44E	6	22.0	37.0	39.0	26.0	39.0			35.0	7.5				30.0	36.0			271.5
			L 1	L 2			L 3												
01N	44E	8	38.0	26.0	11.0	39.0													114.0
02N	44E	31									2.9	26.0	32.0	36.0			11.0		107.9
											L 3	L 4							

Total Acres: 518.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50 acres within the place of use described above in a single irrigation season.
2. Rights 23-63, 23-78, 23-80, 23-94, 23-10858 and 23-04043 when combined shall not exceed the irrigation of 518.4 acres.
3. 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.
4. 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).
5. This right does not grant any right-of-way or easement across the land of another.
6. Water is delivered through Goetsche Ditch and/or Bills Ditch

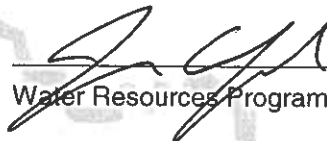
WATER RIGHT NO. 23-78
As Modified by Transfer No. 76431

CONDITIONS OF 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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
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.

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 22nd day of April, 2010


Water Resources Program Manager

WATER RIGHT NO. 23-80
As Modified by Transfer No. 76431

In accordance with the approval of Transfer No. 76431, Water Right No. 23-80 is now described as follows.

Right Holder: SHURTLEFF RANCHES LTD PARTNERSHIP
 399 HEMLOCK CIR
 IDAHO FALLS ID 83401

Priority Date: June 01, 1891

Source: RAINEY 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:

RAINEY CREEK

SENWSE

Sec. 33 Twp 02N Rge 44E BONNEVILLE County

RAINEY CREEK

SWSWSE

Sec. 33 Twp 02N 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	5						25.0 L 4											25.0
01N	44E	6	22.0 L 1	37.0 L 2	39.0	26.0	39.0 L 3		35.0	7.5					30.0	36.0			271.5
01N	44E	8	38.0	26.0	11.0	39.0													114.0
02N	44E	31								2.9	26.0 L 3	32.0 L 4	36.0			11.0			107.9

Total Acres: 518.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
2. Rights 23-63, 23-78, 23-80, 23-94, 23-10858 and 23-04043 when combined shall not exceed the irrigation of 518.4 acres.
3. 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.
4. 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).
5. Water is delivered through Goetsche Ditch and/or Bills Ditch
6. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 23-80
As Modified by Transfer No. 76431

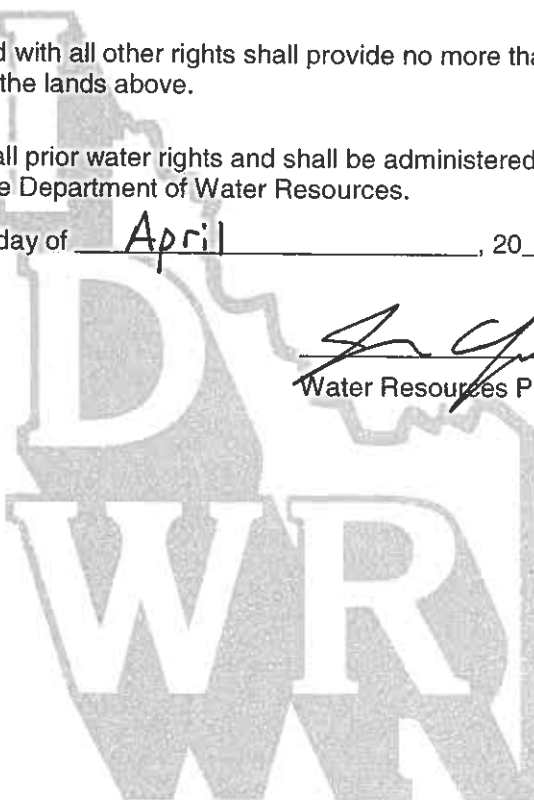
CONDITIONS OF APPROVAL

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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 22nd day of April, 20 10


Water Resources Program Manager



WATER RIGHT NO. 23-94
As Modified by Transfer No. 76431

In accordance with the approval of Transfer No. 76431, Water Right No. 23-94 is now described as follows.

Right Holder: SHURTLEFF RANCHES LTD PARTNERSHIP
 399 HEMLOCK CIR
 IDAHO FALLS ID 83401

Priority Date: January 22, 1916

Source: RAINEY CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

17.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

RAINEY CREEK SENWSE Sec. 33 Twp 02N Rge 44E BONNEVILLE County
 RAINEY CREEK SWSWSE Sec. 33 Twp 02N 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	5						25.0 L 4											25.0
01N	44E	6	22.0 L 1	37.0 L 2	39.0	26.0	39.0 L 3		35.0	7.5					30.0	36.0			271.5
01N	44E	8	38.0	26.0	11.0	39.0													114.0
02N	44E	31								2.9	26.0 L 3	32.0 L 4	36.0			11.0			107.9

Total Acres: 518.4

CONDITIONS OF APPROVAL

1. Rights 23-63, 23-78, 23-80, 23-94, 23-10858 and 23-04043 when combined shall not exceed the irrigation of 518.4 acres.
2. 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.
3. 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).
4. Water is delivered through Goetsche Ditch and/or Bills Ditch
5. This right does not grant any right-of-way or easement across the land of another.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 23-94
As Modified by Transfer No. 76431

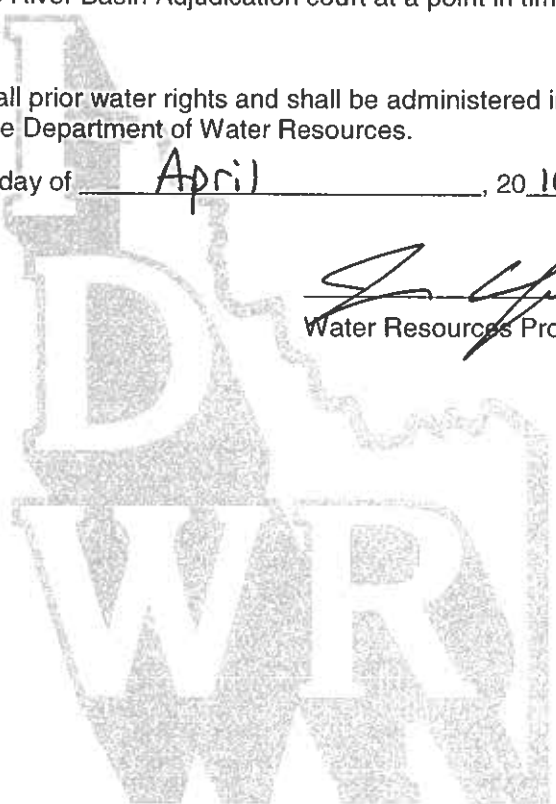
CONDITIONS OF APPROVAL

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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 22nd day of April, 20 10


Water Resources Program Manager



WATER RIGHT NO. 23-10858
As Modified by Transfer No. 76431

In accordance with the approval of Transfer No. 76431, Water Right No. 23-10858 is now described as follows.

Right Holder: SHURTLEFF RANCHES LTD PARTNERSHIP
 399 HEMLOCK CIR
 IDAHO FALLS ID 83401

Priority Date: June 01, 1889

Source: RAINEY CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

5.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

RAINEY CREEK

SESWSE

Sec. 33 Twp 02N Rge 44E BONNEVILLE County

RAINEY CREEK

SWSWSE

Sec. 33 Twp 02N 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	5						25.0 L 4											25.0
01N	44E	6	22.0 L 1	37.0 L 2	39.0	26.0	39.0 L 3			35.0	7.5				30.0	36.0			271.5
01N	44E	8	38.0	26.0	11.0	39.0													114.0
02N	44E	31								2.9	26.0 L 3	32.0 L 4	36.0			11.0			107.9

Total Acres: 518.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 270 acres within the place of use described above in a single irrigation season.
2. Rights 23-63, 23-78, 23-80, 23-94, 23-10858 and 23-04043 when combined shall not exceed the irrigation of 518.4 acres.
3. 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.
4. 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).
5. Water is delivered through Goetsche Ditch and/or Bills Ditch
6. This right does not grant any right-of-way or easement across the land of another.

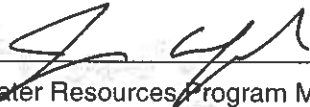
WATER RIGHT NO. 23-10858
As Modified by Transfer No. 76431

CONDITIONS OF 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. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this 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 22nd day of April, 20 10



Water Resources Program Manager