

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73816

This is to certify that: JACA FAMILY PROPERTIES LLC
817 W BLAINE AVE
NAMPA ID 83651
(208) 466-8801

has requested a change to the water right listed below. This change in water right 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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
2-10442	WR/Decreed	03/15/1965	0.19 cfs	N/A		13.5	SNAKE RIVER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
2-10442	NO	NO	YES	NO	NO	NO

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
2-10442	2-10442	0.19 cfs	42.8 af	N/A	9.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.19 cfs	42.8 af	N/A	9.5		N/A	N/A	N/A	N/A

Detailed Water Right Description attached

Dated this 31st day of December, 2009


John Westra, Western Regional Manager

WATER RIGHT NO. 2-10442
As Modified by Transfer No. 73816

In accordance with the approval of Transfer No. 73816, Water Right No. 2-10442 is now described as follows.

Right Holder: JACA FAMILY PROPERTIES LLC
817 W BLAINE AVE
NAMPA ID 83651

Priority Date: March 15, 1965

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	0.19 CFS	42.8 AF
			0.19 CFS	42.8 AF

LOCATION OF POINT OF DIVERSION:

SNAKE RIVER L2 (SESWNE) Sec. 27 Twp 01N Rge 03W OWYHEE 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	03W	27							4.0	5.5									9.5

Total Acres: 9.5

CONDITIONS OF APPROVAL

1. The portion of Right 2-10442 in excess of this transfer approval in the amount of 0.19 cfs and 9.5 acres shall be considered forfeited through approval of Transfer 73816.
2. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
3. 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.
4. Place of use is within the area served by Opaline Irrigation District.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
6. The following rights are also diverted through point of diversion described above: 2-2266, 2-10406, 2-10407 & 2-10443

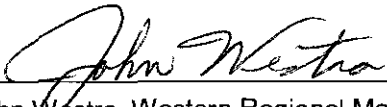
WATER RIGHT NO. 2-10442
As Modified by Transfer No. 73816

CONDITIONS OF APPROVAL

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

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

Dated this 31st day of December, 2009



John Westra, Western Regional Manager