

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74125

This is to certify that: GRAND VISTA DEVELOPMENT LLC
 C/O TIMOTHY J SLEDZ
 40 E SHUMAN BLVD
 SUITE 270
 NAPERVILLE IL 60563

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>
22-13897	WR/Decreed	07/18/1978	0.56 cfs	198 af	N/A	66.0	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>
22-13897	YES	YES	YES	YES	YES	YES

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>
22-13897	22-13924	0.02 cfs	3.6 af	N/A	N/A	22-13923	0.54 cfs	192 af	N/A	64.0
COMBINED										
TOTALS		0.02 cfs	3.6 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30 day of Sept., 2009

Ernest Carlson
 for _____
 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 22-13897

WATER RIGHT NO. 22-13923
As Modified by Transfer No. 74125

In accordance with the approval of Transfer No. 74125, Water Right No. 22-13923 is now described as follows.

Right Holder: GUIOMAR W HUFSMITH
 PO BOX 388
 DRIGGS ID 83422

Priority Date: July 18, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.54 CFS	192.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSENW Sec. 25 Twp 05N Rge 44E TETON 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	
05N	44E	25																	
																			64.0

Total Acres: 64

CONDITIONS OF APPROVAL

- 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 right is a split from former right 22-7282 .

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 30 day of Sept, 2009

Ernest Carlson
 for Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13924
As Modified by Transfer No. 74125

In accordance with the approval of Transfer No. 74125, Water Right No. 22-13924 is now described as follows.

Right Holder: GUIOMAR W HUFSMITH
 PO BOX 388
 DRIGGS ID 83422

Priority Date: July 18, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	01/01 to	12/31	0.02 CFS	3.6 AF
FIRE PROTECTION STORAGE	01/01 to	12/31		3.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENWNW	Sec. 11 Twp 06N	Rge 45E	TETON County
GROUND WATER	SWNWNW	Sec. 11 Twp 06N	Rge 45E	TETON County

PLACE OF USE: FIRE PROTECTION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	11																	
									X										

CONDITIONS OF APPROVAL

- Right 22-13924 authorize the diversion of an annual total of 3.56 acre-feet to be used for the initial filling of the ponds and for the replacement of losses caused by evaporation.
- The 2 ponds established by the storage of water under this right shall not exceed a total capacity of 2.2 acre-feet or a total surface area of 0.55 acres.
- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- 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.
- The right holder shall install and maintain an impermeable liner in the ponds to eliminate seepage losses.
- The diversion and use of water described in Transfer 74125 may be subject to the terms stated in the Settlement Agreement for Application for Transfer No. 74125, recorded in Teton County on September 17, 2009 at instrument #207108.
- 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.

WATER RIGHT NO. 22-13924
As Modified by Transfer No. 74125

CONDITIONS OF 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. 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. Place of use and point of diversion is located within Reserve at Badger Creek Subdivision for the north pond.
12. Place of use is located within Lots 10-11, Reserve at Badger Creek Subdivision for the south pond.
13. Point of diversion is located within Lot 11, Reserve at Badger Creek Subdivision for the south pond.

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 30 day of Sept., 20 09

Ernest Carlson
for, Chief, Water Allocation Bureau