

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75193

This is to certify that: ROTH INVESTMENTS LLC
 PO BOX 634
 JEROME ID 83338
 (208)324-9721

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>
36-7894B	WR/License	02/26/1980	0.31 cfs	150 af			GROUND WATER
36-14759	WR/Decreed	07/15/1955	0.04 cfs	N/A			GROUND WATER
36-16684	WR/License	02/26/1980	0.37 cfs	78.8 af		19.7	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>
36-7894B	NO	NO	YES	YES	NO	NO
36-14759	NO	NO	NO	YES	NO	NO
36-16684	NO	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>
36-7894B	36-7894B	0.31 cfs	150 af	N/A			N/A	N/A	N/A	N/A
36-14759	36-14759	0.04 cfs	N/A	N/A			N/A	N/A	N/A	N/A
36-16684	36-16684	0.37 cfs	68 af	N/A			N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.72 cfs					N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of June, 2009

SUPPORT DATA

IN FILE # 36-7894B

F-R


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16684
As Modified by Transfer No. 75193

In accordance with the approval of Transfer No. 75193, Water Right No. 36-16684 is now described as follows.

Right Holder: ROTH INVESTMENTS LLC
 PO BOX 634
 JEROME ID 83338

Priority Date: February 26, 1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.37 CFS	68.0 AF
COMMERCIAL	01/01 to	12/31	0.37 CFS	68.0 AF
			0.37 CFS	68.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 11 Twp 08S Rge 17E JEROME County
GROUND WATER	NESW	Sec. 11 Twp 08S Rge 17E JEROME County
GROUND WATER	SESW	Sec. 11 Twp 08S Rge 17E JEROME County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 17E 11									X	X	X						

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 17E 2									X		X	X					
08S 17E 10	X	X	X	X										X	X	X	X
08S 17E 11					X	X	X	X	X	X	X	X					
08S 17E 14						X	X			X							
08S 17E 15	X	X	X	X	X	X	X	X	X	X				X	X		

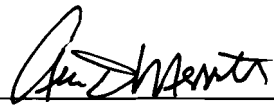
WATER RIGHT NO. 36-16684
As Modified by Transfer No. 75193

CONDITIONS OF APPROVAL

1. Rights 36-16684, and 36-7894B when combined shall not exceed a total diversion rate of 0.68 cfs, a total annual maximum diversion volume of 218.0 af.
2. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water right. The place of commercial use for the dairy barn and related facilities is located within the SW Section 11, T08S, R17E.
3. The following rights are diverted through point(s) of diversion described above: 36-16684, 36-7894B, and 36-14759 .
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
6. 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. 130.
7. Prior to the diversion and use of water under Transfer approval 75193 the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. The right holder shall accomplish the change authorized by this transfer within one year 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 10th day of June, 20 09



For Chief, Water Allocation Bureau

WATER RIGHT NO. 36-7894B
As Modified by Transfer No. 75193

In accordance with the approval of Transfer No. 75193, Water Right No. 36-7894B is now described as follows.

Right Holder: ROTH INVESTMENTS LLC
 PO BOX 634
 JEROME ID 83338

Priority Date: February 26, 1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.28 CFS	135.5 AF
COMMERCIAL	01/01 to	12/31	0.03 CFS	14.5 AF
			0.31 CFS	150.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 11 Twp 08S Rge 17E JEROME County
GROUND WATER	NESW	Sec. 11 Twp 08S Rge 17E JEROME County
GROUND WATER	SESW	Sec. 11 Twp 08S Rge 17E JEROME County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 17E 11									X	X	X						

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 17E 2									X		X	X					
08S 17E 10	X	X	X	X										X	X	X	X
08S 17E 11					X	X	X	X	X	X	X	X					
08S 17E 14						X	X			X							
08S 17E 15	X	X	X	X	X	X	X	X	X	X				X	X		

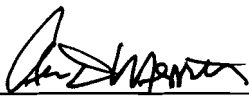
WATER RIGHT NO. 36-7894B
As Modified by Transfer No. 75193

CONDITIONS OF APPROVAL

1. Rights 36-16684, and 36-7894B when combined shall not exceed a total diversion rate of 0.68 cfs, a total annual maximum diversion volume of 218.0 af.
2. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water right. The place of commercial use for the dairy barn and related facilities is located within the SW Section 11, T08S, R17E.
3. The following rights are diverted through point(s) of diversion described above: 36-16684, 36-7894B, and 36-14759 .
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
6. 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. 130.
7. Prior to the diversion and use of water under Transfer approval 75193 the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. The right holder shall accomplish the change authorized by this transfer within one year 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 10th day of June, 20 09



FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 36-14759
As Modified by Transfer No. 75193

In accordance with the approval of Transfer No. 75193, Water Right No. 36-14759 is now described as follows.

Right Holder: ROTH INVESTMENTS LLC
 PO BOX 634
 JEROME ID 83338

Priority Date: July 15, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
DOMESTIC	01/01 to	12/31	0.04 CFS
STOCKWATER	01/01 to	12/31	0.02 CFS
			0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESW	Sec. 11 Twp 08S Rge 17E JEROME County
GROUND WATER	SWNESW	Sec. 11 Twp 08S Rge 17E JEROME County
GROUND WATER	SESW	Sec. 11 Twp 08S Rge 17E JEROME County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
08S 17E 11	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
												X					

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
08S 17E 11	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
												X					

WATER RIGHT NO. 36-14759
As Modified by Transfer No. 75193

CONDITIONS OF APPROVAL

1. Right 36-14759 authorizes diversion of water for domestic in-house use and related irrigation use not to exceed one-half acre, and stockwater use within the SESW of Section 11, T08S, R17E.
2. The quantity of water under this right shall not exceed 13,000 gallons per day.
3. The quantity of water decreed for this water right is not a determination of historical beneficial use.
4. The following rights are diverted through point(s) of diversion described above: 36-16684, 36-7894B, and 36-14759 .
5. Use of water under this right may 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. 130.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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 10th day of June, 20 09


for Chief, Water Allocation Bureau