

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75191

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>
36-16683	WR/License	02/26/1980	18.39 cfs	3953.2 af	N/A	988.3	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>
36-16683	NO	NO	YES	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>
36-16683	36-16683	18.39 cfs	3953.2 af	988.3	1,151.5		N/A	N/A	N/A	N/A
COMBINED TOTALS		18.38 cfs	3953.2 af	988.3	1,151.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 5th day of June, 2009

[Signature]
 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16683
As Modified by Transfer No. 75191

In accordance with the approval of Transfer No. 75191, Water Right No. 36-16683 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>
IRRIGATION	04/01 to	10/31	18.39 CFS	3,953.2 AF
			18.39 CFS	3,953.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNW	Sec. 11 Twp 08S Rge 17E JEROME County
GROUND WATER	NWNE	Sec. 15 Twp 08S Rge 17E JEROME County
GROUND WATER	SWNW	Sec. 15 Twp 08S Rge 17E JEROME 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	
08S 17E 2									38.0		40.0	38.0					116.0
08S 17E 10	39.5	39.5	39.6	39.5									39.6	39.6	39.6	39.5	316.4
08S 17E 11					32.2	39.8	39.9	23.0	6.4	10.0	23.1	2.2					176.6
08S 17E 14						33.1	23.3			13.6							70.0
08S 17E 15	39.5	39.5	39.4	39.4	39.5	39.5	39.5	39.5	39.8	37.7			39.6	39.6			472.5

Total Acres: 1151.5

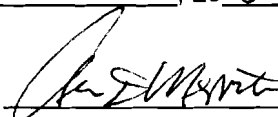
WATER RIGHT NO. 36-16683
As Modified by Transfer No. 75191

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 988.3 acres within the place of use described above in a single irrigation season.
2. 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 the date of this approval.
3. 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.
4. 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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 75191 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.
7. 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.
8. Right 36-16639 is also diverted through the point(s) of diversion described above.
9. The right holder shall accomplish the change authorized by this transfer within one year 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.

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 5th day of June, 2009


FOR Chief, Water Allocation Bureau