

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 74545**

This is to certify that: MOUNTAIN VIEW LAND LP

719A E 700 N

RUPERT ID 83350

(208) 531-5104

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 36-16563     | WR/Decreed          | 02/17/1948      | 0.88 cfs    | 281.8 af      | N/A               | 247.0              | GROUND WATER  |
| 36-16569     | WR/Decreed          | 02/08/1977      | 2.89 cfs    | 505.1 af      | N/A               | 247.0              | GROUND WATER  |
| 36-16572     | WR/Decreed          | 08/15/1952      | 0.1 cfs     | 48.2 af       | N/A               | 247.0              | GROUND WATER  |
| 36-16575     | WR/Decreed          | 02/19/1952      | 0.17 cfs    | 81.3 af       | N/A               | 247.0              | GROUND WATER  |
| 36-16578     | WR/License          | 02/20/1990      | 0.42 cfs    | 75.5 af       | N/A               | 247.0              | GROUND WATER  |
| 36-16587     | WR/Decreed          | 03/15/1987      | 0.03 cfs    | N/A           | 3.1               | 247.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 36-16563              | NO           | YES        | YES        | NO             | NO                   | NO                   |
| 36-16569              | NO           | YES        | YES        | NO             | NO                   | NO                   |
| 36-16572              | NO           | YES        | YES        | NO             | NO                   | NO                   |
| 36-16575              | NO           | YES        | YES        | NO             | NO                   | NO                   |
| 36-16578              | NO           | YES        | YES        | NO             | NO                   | NO                   |
| 36-16587              | NO           | YES        | YES        | NO             | NO                   | NO                   |

IN FILE # 36-16563 SUPPORT DATA

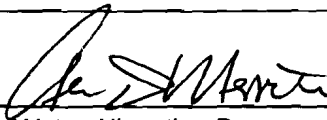
**Summary of Water Rights After the Approved Change**

| <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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 36-16563               | <b>36-16563</b>                  | 0.88 cfs             | 281.8 af               | 247.0             | 308.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 36-16569               | <b>36-16569</b>                  | 2.89 cfs             | 505.1 af               | 247.0             | 308.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 36-16572               | <b>36-16572</b>                  | 0.1 cfs              | 48.2 af                | 247.0             | 308.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 36-16575               | <b>36-16575</b>                  | 0.17 cfs             | 81.3 af                | 247.0             | 308.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 36-16578               | <b>36-16578</b>                  | 0.42 cfs             | 75.5 af                | 247.0             | 308.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 36-16587               | <b>36-16587</b>                  | 0.03 cfs             | N/A                    | 3.1               | 308.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>3.58 cfs</b>      | <b>975.7 af</b>        | <b>247</b>        | <b>308</b>         |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER OF WATER RIGHT  
TRANSFER NO. 74545

Detailed Water Right Description(s) attached

Dated this 11<sup>th</sup> day of May, 2009

For   
Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16563  
As Modified by Transfer No. 74545**

In accordance with the approval of Transfer No. 74545, Water Right No. 36-16563 is now described as follows.

**Right Holder:** MOUNTAIN VIEW LAND LP  
719A E 700 N  
RUPERT ID 83350

**Priority Date:** February 17, 1948

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-----------------------|-----------------------|---------------|
| IRRIGATION            | 03/15 to 11/15        | 0.88 CFS              | 281.8 AF      |
|                       |                       | 0.88 CFS              | 281.8 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      SWSWNE                      Sec. 25 Twp 07S    Rge 22E    LINCOLN 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   |        |
| 07S 22E 25  |    |    |    |    |    |    |    |    | 33.0 | 40.0 | 40.0 | 35.0 |      |      |      |      | 148.0  |
| 07S 22E 26  |    |    |    |    |    |    |    |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |

Total Acres: 308

**CONDITIONS OF APPROVAL**

1. Rights 36-16563 and 36-16569 when combined shall not exceed a total diversion rate of 2.89 cfs, a total annual maximum diversion volume of 786.9 af at the field headgate, and the irrigation of 196.7 acres.
2. Rights 36-16563, 36-16569, 36-16572, 36-16575, and 36-16578 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 243.9 acres.
3. Rights 36-16563, 36-16569, 36-16572, 36-16575, 36-16578, and 36-16587 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 247 acres.
4. 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.
5. 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.

**WATER RIGHT NO. 36-16563**  
**As Modified by Transfer No. 74545**

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 74545, the right holder shall install and maintain an acceptable measuring device at the authorized point 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. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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.
11. 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 11<sup>th</sup> day of May, 2009

  
FOR Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16569**  
**As Modified by Transfer No. 74545**

In accordance with the approval of Transfer No. 74545, Water Right No. 36-16569 is now described as follows.

**Right Holder:** MOUNTAIN VIEW LAND LP  
 719A E 700 N  
 RUPERT ID 83350

**Priority Date:** February 08, 1977

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 2.89 CFS              | 505.1 AF      |
|                       |             |           | 2.89 CFS              | 505.1 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER      SWSWNE      Sec. 25 Twp 07S    Rge 22E    LINCOLN 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   |        |
| 07S 22E 25  |    |    |    |    |    |    |    |    | 33.0 | 40.0 | 40.0 | 35.0 |      |      |      |      | 148.0  |
| 07S 22E 26  |    |    |    |    |    |    |    |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |

Total Acres: 308

**CONDITIONS OF APPROVAL**

1. Rights 36-16563 and 36-16569 when combined shall not exceed a total diversion rate of 2.89 cfs, a total annual maximum diversion volume of 786.9 af at the field headgate, and the irrigation of 196.7 acres.
2. Rights 36-16563, 36-16569, 36-16572, 36-16575, and 36-16578 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 243.9 acres.
3. Rights 36-16563, 36-16569, 36-16572, 36-16575, 36-16578, and 36-16587 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 247 acres.
4. 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.
5. 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.

**WATER RIGHT NO. 36-16569**  
**As Modified by Transfer No. 74545**

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 74545, the right holder shall install and maintain an acceptable measuring device at the authorized point 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. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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.
11. 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 11<sup>th</sup> day of May, 2009

  
\_\_\_\_\_  
FOR Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16572  
As Modified by Transfer No. 74545**

In accordance with the approval of Transfer No. 74545, Water Right No. 36-16572 is now described as follows.

**Right Holder:** MOUNTAIN VIEW LAND LP  
719A E 700 N  
RUPERT ID 83350

**Priority Date:** August 15, 1952

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.10 CFS              | 48.2 AF       |
|                       |             |           | 0.10 CFS              | 48.2 AF       |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER      SWSWNE      Sec. 25 Twp 07S    Rge 22E    LINCOLN 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   |        |
| 07S 22E 25  |    |    |    |    |    |    |    |    | 33.0 | 40.0 | 40.0 | 35.0 |      |      |      |      | 148.0  |
| 07S 22E 26  |    |    |    |    |    |    |    |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |

Total Acres: 308

**CONDITIONS OF APPROVAL**

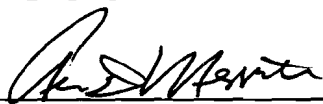
1. Rights 36-16572 and 36-16575 when combined shall not exceed a total annual maximum diversion volume of 113.4 af at the field headgate, and the irrigation of 47 acres.
2. Rights 36-16572, 36-16575, and 36-16578 when combined shall not exceed the irrigation of 47.2 acres.
3. Rights 36-16563, 36-16569, 36-16572, 36-16575, and 36-16578 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 243.9 acres.
4. Rights 36-16563, 36-16569, 36-16572, 36-16575, 36-16578, and 36-16587 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 247 acres.
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.

**WATER RIGHT NO. 36-16572**  
**As Modified by Transfer No. 74545**

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. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval 74545, the right holder shall install and maintain an acceptable measuring device at the authorized point 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.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. 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 11<sup>th</sup> day of May, 2009

  
FOR Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16575**  
**As Modified by Transfer No. 74545**

In accordance with the approval of Transfer No. 74545, Water Right No. 36-16575 is now described as follows.

**Right Holder:** MOUNTAIN VIEW LAND LP  
 719A E 700 N  
 RUPERT ID 83350

**Priority Date:** February 19, 1952

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.17 CFS              | 81.3 AF       |
|                       |             |           | 0.17 CFS              | 81.3 AF       |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      SWSWNE                      Sec. 25 Twp 07S    Rge 22E    LINCOLN 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   |        |
| 07S | 22E | 25  |    |    |    |    |    |    |    |    | 33.0 | 40.0 | 40.0 | 35.0 |      |      |      |      | 148.0  |
| 07S | 22E | 26  |    |    |    |    |    |    |    |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |

Total Acres: 308

**CONDITIONS OF APPROVAL**

1. Rights 36-16572 and 36-16575 when combined shall not exceed a total annual maximum diversion volume of 113.4 af at the field headgate, and the irrigation of 47 acres.
2. Rights 36-16572, 36-16575, and 36-16578 when combined shall not exceed the irrigation of 47.2 acres.
3. Rights 36-16575 and 36-16587 when combined shall not exceed a total diversion rate of 0.17 cfs and the irrigation of 50.1 acres.
4. Rights 36-16563, 36-16569, 36-16572, 36-16575, and 36-16578 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 243.9 acres.
5. Rights 36-16563, 36-16569, 36-16572, 36-16575, 36-16578, and 36-16587 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 247 acres.

**WATER RIGHT NO. 36-16575**  
**As Modified by Transfer No. 74545**

6. Right No. 36-16587 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
7. 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.
8. 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.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point of diversion in accordance with Department specifications.
10. Prior to the diversion and use of water under Transfer approval 74545, the right holder shall install and maintain an acceptable measuring device at the authorized point 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.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 11<sup>th</sup> day of May, 20 09

  
for Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16578  
As Modified by Transfer No. 74545**

In accordance with the approval of Transfer No. 74545, Water Right No. 36-16578 is now described as follows.

**Right Holder:** MOUNTAIN VIEW LAND LP  
719A E 700 N  
RUPERT ID 83350

**Priority Date:** February 20, 1990

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.42 CFS              | 75.5 AF       |
|                       |             |           | 0.42 CFS              | 75.5 AF       |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      SWSWNE                      Sec. 25 Twp 07S    Rge 22E    LINCOLN 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   |        |
| 07S 22E 25  |    |    |    |    |    |    |    |    | 33.0 | 40.0 | 40.0 | 35.0 |      |      |      |      | 148.0  |
| 07S 22E 26  |    |    |    |    |    |    |    |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |

Total Acres: 308

**CONDITIONS OF APPROVAL**

1. Rights 36-16572, 36-16575, and 36-16578 when combined shall not exceed the irrigation of 47.2 acres.
2. Rights 36-16563, 36-16569, 36-16572, 36-16575, and 36-16578 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 243.9 acres.
3. Rights 36-16563, 36-16569, 36-16572, 36-16575, 36-16578, and 36-16587 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 247 acres.
4. 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.
5. 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.

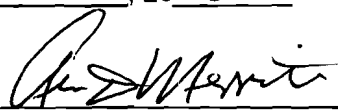
**WATER RIGHT NO. 36-16578**  
**As Modified by Transfer No. 74545**

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 74545, the right holder shall install and maintain an acceptable measuring device at the authorized point 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. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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 11<sup>th</sup> day of May, 20 09

For

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16587**  
**As Modified by Transfer No. 74545**

In accordance with the approval of Transfer No. 74545, Water Right No. 36-16587 is now described as follows.

**Right Holder:** MOUNTAIN VIEW LAND LP  
 719A E 700 N  
 RUPERT ID 83350

**Priority Date:** March 15, 1987

**Source:** GROUND WATER

|                              |                    |                  |                              |
|------------------------------|--------------------|------------------|------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> |
| IRRIGATION                   | 03/15              | to 11/15         | 0.03 CFS                     |
|                              |                    |                  | 0.03 CFS                     |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      SWSWNE                      Sec. 25 Twp 07S    Rge 22E    LINCOLN 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   |        |
| 07S 22E 25  |    |    |    |    |    |    |    |    | 33.0 | 40.0 | 40.0 | 35.0 |      |      |      |      | 148.0  |
| 07S 22E 26  |    |    |    |    |    |    |    |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |

Total Acres: 308

**CONDITIONS OF APPROVAL**

1. Rights 36-16575 and 36-16587 when combined shall not exceed a total diversion rate of 0.17 cfs and the irrigation of 50.1 acres.
2. Rights 36-16563, 36-16569, 36-16572, 36-16575, 36-16578, and 36-16587 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 247 acres.
3. This right is based upon an enlargement of Right No. 36-16575 pursuant to Section 42-1426, Idaho Code.
4. 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.
5. 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.

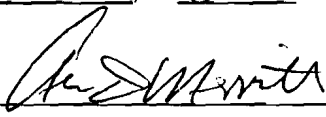
**WATER RIGHT NO. 36-16587**  
**As Modified by Transfer No. 74545**

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point of diversion in accordance with Department specifications.
7. Prior to the diversion and use of water under Transfer approval 74545, the right holder shall install and maintain an acceptable measuring device at the authorized point 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. 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.
9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. 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 11<sup>th</sup> day of May, 2009

FOR

  
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Chief, Water Allocation Bureau