

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75043

This is to certify that: IDAHO WATER CO LLC
 C/O DEL KOHTZ
 1135 VALLEY RD S
 EDEN ID 83325
 (208) 825-5617

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>
36-16380	WR/Decreed	09/12/1973	0.11 cfs	21.2 af	5.3	160.0	GROUND WATER
36-16674	WR/Decreed	09/12/1973	0.08 cfs	16 af	4.0	160.0	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

36-16530	WR/Decreed	11/11/1959	0.2 cfs	N/A	9.1	485.0	GROUND WATER
36-16533	WR/Decreed	11/15/1970	0.3 cfs	N/A	13.7	485.0	GROUND WATER
36-16536	WR/Decreed	05/16/1980	0.08 cfs	N/A	3.4	485.0	GROUND WATER
36-16539	WR/Decreed	05/26/1971	0.02 cfs	N/A	1.9	485.0	GROUND WATER
36-16547	WR/Decreed	09/12/1973	1.6 cfs	320 af	80.0	160.0	GROUND WATER
36-16672	WR/Decreed	09/12/1973	0.51 cfs	103.2 af	25.8	160.0	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>
36-16380	NO	YES	YES	YES	NO	NO
36-16674	NO	YES	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

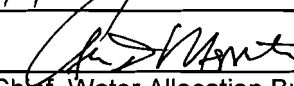
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-16380	36-16380	0.11 cfs	21.2 af	5.3	485.0		N/A	N/A	N/A	N/A
36-16674	36-16674	0.08 cfs	16 af	4.0	485.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.19 cfs	37.2 af	9.3	485		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28th day of April, 2009

SUPPORT DATA

IN FILE # 36-16380

For  Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16674
As Modified by Transfer No. 75043

In accordance with the approval of Transfer No. 75043, Water Right No. 36-16674 is now described as follows.

Right Holder: IDAHO WATER CO LLC
 C/O DEL KOHTZ
 1135 VALLEY RD S
 EDEN ID 83325

Priority Date: September 12, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 10/01	0.08 CFS	16.0 AF
		0.08 CFS	16.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENESW Sec. 24 Twp 08S Rge 21E JEROME County

GROUND WATER NESESW Sec. 24 Twp 08S Rge 21E 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 21E 24									40.0			40.0	40.0	40.0	40.0	40.0	240.0
08S 21E 25	40.0	40.0	26.0	22.0	39.0			15.0									182.0
08S 22E 30						42.0	21.0										63.0
						L 1											

Total Acres: 485

CONDITIONS OF APPROVAL

1. The combination of changes under Transfer approval 75042 as described under right 37-22446 and Transfer approval 75043 as described under rights 36-16380 and 36-16674 provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 75043.

2. This right is limited to the irrigation of 4.0 acres within the place of use described above in a single irrigation season.

WATER RIGHT NO. 36-16674
As Modified by Transfer No. 75043

3. Rights 36-16380, 36-16530, 36-16533, 36-16536, 36-16539, and 36-16674 when combined shall not exceed a total diversion rate of 0.56 cfs, a total annual maximum diversion volume of 149.6 af at the field headgate, and the irrigation of 37.4 acres.
4. Rights 36-16380, 36-16530, 36-16533, 36-16536, 36-16539, and 36-16674 are diverted through the point of diversion described above.
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. 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(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval 75043, 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.
9. 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 4/15 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/27/2001.
10. This right does not grant any right-of-way or easement across the land of another.
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. Prior to diversion of water under this transfer approval the right holder shall submit to the Department a diagram identifying the specific location of the 37.4 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 36-16674
As Modified by Transfer No. 75043

15. 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 28th day of April, 2009



for Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16380
As Modified by Transfer No. 75043

In accordance with the approval of Transfer No. 75043, Water Right No. 36-16380 is now described as follows.

Right Holder: IDAHO WATER CO LLC
 C/O DEL KOHTZ
 1135 VALLEY RD S
 EDEN ID 83325

Priority Date: September 12, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/01	0.11 CFS	21.2 AF
			0.11 CFS	21.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENESW Sec. 24 Twp 08S Rge 21E JEROME County

GROUND WATER NESESW Sec. 24 Twp 08S Rge 21E 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 21E 24									40.0			40.0	40.0	40.0	40.0	40.0	240.0
08S 21E 25	40.0	40.0	26.0	22.0	39.0			15.0									182.0
08S 22E 30						42.0	21.0										63.0
						L 1											

Total Acres: 485

CONDITIONS OF APPROVAL

1. The combination of changes under Transfer approval 75042 as described under right 37-22446 and Transfer approval 75043 as described under rights 36-16380 and 36-16674 provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 75043.

2. This right is limited to the irrigation of 5.3 acres within the place of use described above in a single irrigation season.

**WATER RIGHT NO. 36-16380
As Modified by Transfer No. 75043**

3. Rights 36-16380, 36-16530, 36-16533, 36-16536, 36-16539, and 36-16674 when combined shall not exceed a total diversion rate of 0.56 cfs, a total annual maximum diversion volume of 149.6 af at the field headgate, and the irrigation of 37.4 acres.
4. Rights 36-16380, 36-16530, 36-16533, 36-16536, 36-16539, and 36-16674 are also diverted through the point of diversion described above.
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.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 75043, 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. 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 4/15 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/27/2001.
10. Prior to diversion of water under this transfer approval the right holder shall submit to the Department a diagram identifying the specific location of the 37.4 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.
11. This right does not grant any right-of-way or easement across the land of another.
12. 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.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 36-16380
As Modified by Transfer No. 75043

15. 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 28th day of April, 2009


For Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16530
As Modified by Transfer No. 75043

In accordance with the approval of Transfer No. 75043, Water Right No. 36-16530 is now described as follows.

Right Holder:

Priority Date: November 11, 1959

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	0.20 CFS	
			0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESESW	Sec. 24 Twp 08S	Rge 21E	JEROME County
GROUND WATER	NENESE	Sec. 24 Twp 08S	Rge 21E	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 21E 24									40.0			40.0	40.0	40.0	40.0	40.0	240.0
08S 21E 25	40.0	40.0	26.0	22.0	39.0			15.0									182.0
08S 22E 30						42.0	21.0										63.0
						L 1											

Total Acres: 485

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 9.1 acres within the place of use described above in a single irrigation season.
2. Irrigation use under Rights 36-16530, 36-16533, 36-16536 and 36-16539 when combined shall not exceed a total diversion rate of 0.37 cfs, a total annual maximum diversion volume of 112.4 af at the field headgate, and the irrigation of 28.1 acres.
3. Rights 36-16380, 36-16530, 36-16533, 36-16536, 36-16539, and 36-16674 when combined shall not exceed a total diversion rate of 0.56 cfs, a total annual maximum diversion volume of 149.6 af at the field headgate, and the irrigation of 37.4 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. 36-16530
As Modified by Transfer No. 75043

6. Prior to the diversion and use of water under Transfer approval 75043, 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. This right does not grant any right-of-way or easement across the land of another.
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. Prior to diversion of water under transfer 75043 approval the right holder shall submit to the Department a diagram identifying the specific location of the 37.4 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.
11. Right No. 36-16539 is an enlargement of right Nos. 36-16530, 36-16533, and 36-16536 pursuant to Section 42-1426, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one 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 28th day of April, 20 09



FDR Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16533
As Modified by Transfer No. 75043

In accordance with the approval of Transfer No. 75043, Water Right No. 36-16533 is now described as follows.

Right Holder: IDAHO WATER CO LLC
 C/O DEL KOHTZ
 1135 VALLEY RD S
 EDEN ID 83325

Priority Date: November 15, 1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/15	0.30 CFS	
			0.30 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESW Sec. 24 Twp 08S Rge 21E JEROME County

GROUND WATER NENESE Sec. 24 Twp 08S Rge 21E 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 21E 24									40.0			40.0	40.0	40.0	40.0	40.0	240.0
08S 21E 25	40.0	40.0	26.0	22.0	39.0			15.0									182.0
08S 22E 30						42.0	21.0										63.0
						L 1											

Total Acres: 485

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 13.7 acres within the place of use described above in a single irrigation season.
2. Irrigation use under Rights 36-16530, 36-16533, 36-16536 and 36-16539 when combined shall not exceed a total diversion rate of 0.37 cfs, a total annual maximum diversion volume of 112.4 af at the field headgate, and the irrigation of 28.1 acres.
3. Rights 36-16380, 36-16530, 36-16533, 36-16536, 36-16539, and 36-16674 when combined shall not exceed a total diversion rate of 0.56 cfs, a total annual maximum diversion volume of 149.6 af at the field headgate, and the irrigation of 37.4 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.

WATER RIGHT NO. 36-16533
As Modified by Transfer No. 75043

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.
6. Prior to the diversion and use of water under Transfer approval 75043, 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. This right does not grant any right-of-way or easement across the land of another.
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. Prior to diversion of water under transfer 75043 approval the right holder shall submit to the Department a diagram identifying the specific location of the 37.4 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.
11. Right No. 36-16539 is an enlargement of right Nos. 36-16530, 36-16533, and 36-16536 pursuant to Section 42-1426, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one 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 28th day of April, 2009

For



Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16536
As Modified by Transfer No. 75043**

In accordance with the approval of Transfer No. 75043, Water Right No. 36-16536 is now described as follows.

Right Holder: IDAHO WATER CO LLC
C/O DEL KOHTZ
1135 VALLEY RD S
EDEN ID 83325

Priority Date: May 16, 1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.08 CFS	
			0.08 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESW Sec. 24 Twp 08S Rge 21E JEROME County

GROUND WATER NENESE Sec. 24 Twp 08S Rge 21E 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 21E 24									40.0			40.0	40.0	40.0	40.0	40.0	240.0
08S 21E 25	40.0	40.0	26.0	22.0	39.0			15.0									182.0
08S 22E 30						42.0	21.0										63.0
						L 1											

Total Acres: 485

CONDITIONS OF APPROVAL

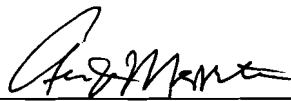
1. This right is limited to the irrigation of 3.4 acres within the place of use described above in a single irrigation season.
2. Irrigation use under Rights 36-16530, 36-16533, 36-16536 and 36-16539 when combined shall not exceed a total diversion rate of 0.37 cfs, a total annual maximum diversion volume of 112.4 af at the field headgate, and the irrigation of 28.1 acres.
3. Rights 36-16380, 36-16530, 36-16533, 36-16536, 36-16539, and 36-16674 when combined shall not exceed a total diversion rate of 0.56 cfs, a total annual maximum diversion volume of 149.6 af at the field headgate, and the irrigation of 37.4 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. 36-16536
As Modified by Transfer No. 75043

6. Prior to the diversion and use of water under Transfer approval 75043, 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. This right does not grant any right-of-way or easement across the land of another.
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. Prior to diversion of water under transfer 75043 approval the right holder shall submit to the Department a diagram identifying the specific location of the 37.4 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.
11. Right No. 36-16539 is an enlargement of right Nos. 36-16530, 36-16533, and 36-16536 pursuant to Section 42-1426, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one 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 28th day of April, 20 09


for Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16539
As Modified by Transfer No. 75043

In accordance with the approval of Transfer No. 75043, Water Right No. 36-16539 is now described as follows.

Right Holder: IDAHO WATER CO LLC
 C/O DEL KOHTZ
 1135 VALLEY RD S
 EDEN ID 83325

Priority Date: May 26, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.02 CFS	
			0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESW Sec. 24 Twp 08S Rge 21E JEROME County

GROUND WATER NENESE Sec. 24 Twp 08S Rge 21E 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 21E 24									40.0			40.0	40.0	40.0	40.0	40.0	240.0
08S 21E 25	40.0	40.0	26.0	22.0	39.0			15.0									182.0
08S 22E 30						42.0	21.0										63.0
						L 1											

Total Acres: 485

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.9 acres within the place of use described above in a single irrigation season.
2. Irrigation use under Rights 36-16530, 36-16533, 36-16536 and 36-16539 when combined shall not exceed a total diversion rate of 0.37 cfs, a total annual maximum diversion volume of 112.4 af at the field headgate, and the irrigation of 28.1 acres.
3. Rights 36-16380, 36-16530, 36-16533, 36-16536, 36-16539, and 36-16674 when combined shall not exceed a total diversion rate of 0.56 cfs, a total annual maximum diversion volume of 149.6 af at the field headgate, and the irrigation of 37.4 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. 36-16539
As Modified by Transfer No. 75043

6. Prior to the diversion and use of water under Transfer approval 75043, 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. This right does not grant any right-of-way or easement across the land of another.
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. Prior to diversion of water under transfer 75043 approval the right holder shall submit to the Department a diagram identifying the specific location of the 37.4 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.
11. This right is based upon an enlargement of Right Nos. 36-16530, 36-16533, and 36-16536 pursuant to Section 42-1426, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one 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 28th day of April, 2009

FOR 
Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16672
As Modified by Transfer No. 75043**

In accordance with the approval of Transfer No. 75043, Water Right No. 36-16672 is now described as follows.

Right Holder: IDAHO WATER CO LLC
C/O DEL KOHTZ
1135 VALLEY RD S
EDEN ID 83325

Priority Date: September 12, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 10/01	0.51 CFS	103.2 AF
		0.51 CFS	103.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWNW Sec. 24 Twp 09S Rge 20E JEROME County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
09S 20E 24							40.0	40.0	40.0	40.0							160.0

Total Acres: 160

CONDITIONS OF APPROVAL

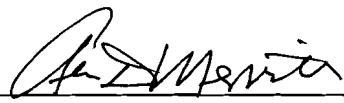
1. This right is limited to the irrigation of 25.8 acres within the place of use described above in a single irrigation season.
2. Rights 36-16672 and 36-16547 when combined shall not exceed a total diversion rate of 2.11 cfs, a total annual maximum diversion volume of 423.2 af at the field headgate, and the irrigation of 105.8 acres.
3. Rights 36-8559, 36-16672, and 36-16547 are also diverted through the point of diversion described above.
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.
6. Prior to the diversion and use of water under Transfer approval 75043, 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.

WATER RIGHT NO. 36-16672
As Modified by Transfer No. 75043

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. This right does not grant any right-of-way or easement across the land of another.
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. Prior to diversion of water under transfer approval 75043 the right holder shall submit to the Department a diagram identifying the specific location of the 105.8 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.
11. 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 4/15 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/27/2001.
12. The right holder shall accomplish the change authorized by this transfer within one 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 28th day of April, 2009



FOR Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16547
As Modified by Transfer No. 75043**

In accordance with the approval of Transfer No. 75043, Water Right No. 36-16547 is now described as follows.

Right Holder: ROBERT MESSNER
1236 FREEMONT DR
TWIN FALLS ID 83301

And

SHIRLENE MESSNER
1236 FREEMONT DR
TWIN FALLS ID 83301

Priority Date: September 12, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 10/01	1.60 CFS	320.0 AF
		1.60 CFS	320.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWNW Sec. 24 Twp 09S Rge 20E JEROME County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S 20E 24							40.0	40.0	40.0	40.0							160.0

Total Acres: 160

CONDITIONS OF APPROVAL

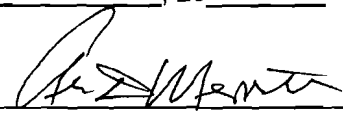
1. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
2. Rights 36-16672 and 36-16547 when combined shall not exceed a total diversion rate of 2.11 cfs, a total annual maximum diversion volume of 423.2 af at the field headgate, and the irrigation of 105.8 acres.
3. Rights 36-8559, 36-16672, and 36-16547 are also diverted through the point of diversion described above.
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. 36-16547
As Modified by Transfer No. 75043

6. Prior to the diversion and use of water under Transfer approval 75043, 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. This right does not grant any right-of-way or easement across the land of another.
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. Prior to diversion of water under transfer approval 75043 the right holder shall submit to the Department a diagram identifying the specific location of the 105.8 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.
11. 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 4/15 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/27/2001.
12. The right holder shall accomplish the change authorized by this transfer within one 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 28th day of April, 2009



for Chief, Water Allocation Bureau