

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75114

This is to certify that: FIVE E GROUP LLLP
3094 S ABIGAIL WAY
BOISE ID 83706
208- 342-4722

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>
73-12124	AJC/Decreed	04/18/1905	1.6 cfs	N/A	N/A	80.0	GOLDBURG CREEK
73-12129	WR/Decreed	06/01/1897	3.954 cfs	N/A	N/A	197.7	PAHSIMEROI RIVER
73-12137	WR/Decreed	04/02/1907	3.284 cfs	N/A	164.0	378.2	GOLDBURG CREEK

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>
73-12124	NO	NO	YES	NO	NO	NO
73-12129	NO	NO	YES	NO	NO	NO
73-12137	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>
73-12124	73-12124	1.6 cfs	N/A	80.0	378.2		N/A	N/A	N/A	N/A
73-12129	73-12129	3.95 cfs	N/A	197.7	378.2		N/A	N/A	N/A	N/A
73-12137	73-12137	3.28 cfs	N/A	164.0	378.2		N/A	N/A	N/A	N/A
COMBINED TOTALS		8.83 cfs	N/A	378.2	378.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18 day of March, 2009



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 73-12124

WATER RIGHT NO. 73-12124
As Modified by Transfer No. 75114

In accordance with the approval of Transfer No. 75114, Water Right No. 73-12124 is now described as follows.

Right Holder: FIVE E GROUP LLLP
 3094 S ABIGAIL WAY
 BOISE ID 83706

Priority Date: April 18, 1905

Source: GOLDBURG CREEK

Tributary: PAHSIMEROI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	1.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

GOLDBURG CREEK L7 (SWSW) Sec. 5 Twp 12N Rge 24E CUSTER 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	
12N	23E	3	21.0	39.0	2.4		28.0	.1											90.5
			L 1	L 2			L 3	L 4											
13N	23E	34									40.0	20.0	20.0	40.0	35.7	40.0	40.0	40.0	275.7
13N	23E	35											12.0						12.0

Total Acres: 378.2

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. Right Nos. 73-12124, 73-12129, 73-12137 and 73-2160 are limited to the irrigation of a combined total of 378.2 acres in a single irrigation season.
3. 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. 73.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

WATER RIGHT NO. 73-12124
As Modified by Transfer No. 75114

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

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 18 day of March, 2009

Ernst Carlson
Chief, Water Allocation Bureau

WATER RIGHT NO. 73-12129
As Modified by Transfer No. 75114

In accordance with the approval of Transfer No. 75114, Water Right No. 73-12129 is now described as follows.

Right Holder: FIVE E GROUP LLLP
 3094 S ABIGAIL WAY
 BOISE ID 83706

Priority Date: June 01, 1897

Source: PAHSIMEROI RIVER **Tributary:** SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	3.95 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER	NENE	Sec. 6	Twp 11N	Rge 24E	CUSTER County
PAHSIMEROI RIVER	NWNW	Sec. 2	Twp 12N	Rge 23E	CUSTER 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	
12N	23E	3	21.0	39.0	2.4		28.0	.1											90.5
			L 1	L 2			L 3	L 4											
13N	23E	34									40.0	20.0	20.0	40.0	35.7	40.0	40.0	40.0	275.7
13N	23E	35											12.0						12.0

Total Acres: 378.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 197.7 acres within the place of use described above in a single irrigation season.
2. Right Nos. 73-12124, 73-12129, 73-12137 and 73-2160 are limited to the irrigation of a combined total of 378.2 acres in a single irrigation season.
3. 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. 73.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Place of use does not include federal public lands.

WATER RIGHT NO. 73-12129
As Modified by Transfer No. 75114

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 18 day of March, 2009



Chief, Water Allocation Bureau

**WATER RIGHT NO. 73-12137
As Modified by Transfer No. 75114**

In accordance with the approval of Transfer No. 75114, Water Right No. 73-12137 is now described as follows.

Right Holder: FIVE E GROUP LLLP
3094 S ABIGAIL WAY
BOISE ID 83706

Priority Date: April 02, 1907

Source: GOLDBURG CREEK

Tributary: PAHSIMEROI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	3.28 CFS

LOCATION OF POINT(S) OF DIVERSION:

GOLDBURG CREEK SESE Sec. 35 Twp 13N Rge 23E CUSTER 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	
12N	23E	3	21.0	39.0	2.4		28.0	.1											90.5
			L 1	L 2			L 3	L 4											
13N	23E	34									40.0	20.0	20.0	40.0	35.7	40.0	40.0	40.0	275.7
13N	23E	35											12.0						12.0

Total Acres: 378.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 164 acres within the place of use described above in a single irrigation season.
2. Right Nos. 73-12124, 73-12129, 73-12137 and 73-2160 are limited to the irrigation of a combined total of 378.2 acres in a single irrigation season.
3. 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. 73.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Place of use does not include federal public lands.
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

WATER RIGHT NO. 73-12137
As Modified by Transfer No. 75114

CONDITIONS OF 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 18 day of March, 2009

Ernest Carlson
Chief, Water Allocation Bureau