

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 75445

This is to certify that: CASA DEL NORTE LP  
11204 N BAR 21 DR  
GLENNS FERRY ID 83623  
(208)366-7931

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 37-7081      | WR/Decreed          | 12/08/1970      | 1.67 cfs    | 404 af        |                   | 101.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 37-7081               | NO           | YES        | NO         | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 37-7081               | <b>37-7081</b>                   | 1.67 cfs             | 404 af                 | N/A               | 101.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>1.67 cfs</b>      | <b>404 af</b>          |                   | <b>101</b>         |                                    | N/A                   | N/A                     | N/A                         | N/A                          |

Detailed Water Right Description(s) attached

Dated this 21<sup>st</sup> day of April, 20 09

  
For Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-7081**  
**As Modified by Transfer No. 75445**

In accordance with the approval of Transfer No. 75445, Water Right No. 37-7081 is now described as follows.

**Right Holder:** CASA DEL NORTE LP  
 11204 N BAR 21 DR  
 GLENN'S FERRY ID 83623

**Priority Date:** December 08, 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 10/01        | 1.67 CFS              | 404.0 AF      |
|                       |                       | 1.67 CFS              | 404.0 AF      |

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

GROUND WATER                      NENESW                      Sec. 8   Twp 05S   Rge 12E   GOODING 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 |        |
| 05S | 12E | 8   |    | 16.0 | 9.6 |    |      |    | 2.6 |    | 17.0 |    |    | 22.0 |    | 8.6 | .3 |    | 76.1   |
| 05S | 12E | 17  |    | .9   |     |    | 24.0 |    |     |    |      |    |    |      |    |     |    |    | 24.9   |

Total Acres: 101

**CONDITIONS OF APPROVAL**

1. 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 10/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the SRBA partial decree date.
2. 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 130.
3. Prior to the diversion and use of water under Transfer approval 75445, 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. 37-7081**  
**As Modified by Transfer No. 75445**

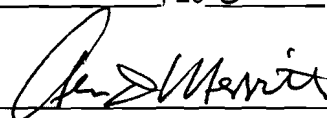
**CONDITIONS OF APPROVAL**

4. 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.
5. 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).
6. Use of this right is combined with water from Clover Creek and Pioneer reservoir.
7. Rights 37-826, 37-827, 37-828, and 37-7081 are limited to the irrigation of a combined total of 147.9 acres in a single irrigation season.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 21<sup>st</sup> day of April, 2009

for

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