

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75154

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>
73-2160	WR/Decreed	08/24/1966	2.62 cfs	717.5 af	N/A	205.0	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>
73-2160	NO	NO	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>
73-2160	73-2160	2.62 cfs	717.5 af	N/A	205.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.62 cfs	717.5 af	N/A	205.0		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 # 73-2160

WATER RIGHT NO. 73-2160
As Modified by Transfer No. 75154

In accordance with the approval of Transfer No. 75154, Water Right No. 73-2160 is now described as follows.

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

Priority Date: August 24, 1966

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	2.62 CFS	717.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L1 (SENE)NE	Sec. 3	Twp 12N	Rge 23E	CUSTER County
GROUND WATER	NWSWSW	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	36.0	.5		3.7											61.2	
13N	23E	34	L 1	L 2			L 3												
								18.0				22.0	32.0	22.7	36.1	13.0		143.8	

Total Acres: 205

WATER RIGHT NO. 73-2160
As Modified by Transfer No. 75154

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. Place of use does not include federal public lands.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 18 day of March, 2009



Chief, Water Allocation Bureau