

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74870

This is to certify that: MOUNTAIN WEST FARMS L L C
 601 CARLSON PARKWAY, STE 400
 MINNETONKA MN 55305
 (208)678-8481

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>
43-12936	WR/Decreed	08/13/1956	0.69 cfs	134.75 af	N/A	38.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

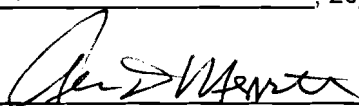
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-12936	YES	NO	NO	NO	YES	YES

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>
43-12936	43-13600	0.34 cfs	64.6 af	N/A	N/A	43-13599	0.35 cfs	68.3 af	N/A	19.5
COMBINED TOTALS		0.34 cfs	64.6 af	N/A	N/A		0.35 cfs	68.3 af	N/A	19.5

Detailed Water Right Description(s) attached

Dated this 22nd day of December, 2008

FOR 
 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 43-12936

WATER RIGHT NO. 43-13599
As Modified by Transfer No. 74870

In accordance with the approval of Transfer No. 74870, Water Right No. 43-13599 is now described as follows.

Right Holder: MOUNTAIN WEST FARMS L L C
601 CARLSON PARKWAY, STE 400
MINNETONKA MN 55305

Priority Date: August 13, 1956

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	0.35 CFS	68.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWSW Sec. 24 Twp 12S Rge 26E CASSIA County

GROUND WATER NESESW Sec. 24 Twp 12S Rge 26E CASSIA 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
12S 26E 24												19.5					19.5

Total Acres: 19.5

WATER RIGHT NO. 43-13599
As Modified by Transfer No. 74870

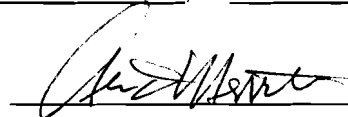
CONDITIONS OF APPROVAL

1. 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.
2. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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 22nd day of December, 20 08

For


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13600
As Modified by Transfer No. 74870

In accordance with the approval of Transfer No. 74870, Water Right No. 43-13600 is now described as follows.

Right Holder: MOUNTAIN WEST FARMS L L C
 601 CARLSON PARKWAY, STE 400
 MINNETONKA MN 55305

Priority Date: August 13, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.34 CFS	64.6 AF
COMMERCIAL	01/01 to	12/31	0.34 CFS	64.6 AF
			0.34 CFS	64.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWSW Sec. 24 Twp 12S Rge 26E CASSIA County

GROUND WATER NESESW Sec. 24 Twp 12S Rge 26E CASSIA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
12S 26E 24	<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>	
											X						

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
12S 26E 24	<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>	
											X						

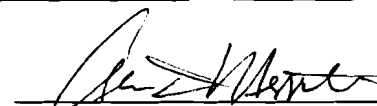
WATER RIGHT NO. 43-13600
As Modified by Transfer No. 74870

CONDITIONS OF APPROVAL

1. 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.
2. This right does not grant any right-of-way or easement across the land of another.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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 22nd day of December, 20 08


FOR _____
Chief, Water Allocation Bureau