

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75076

This is to certify that: RICHARD F POTEET And/Or
 SHERMA F POTEET
 788 E 800 N
 RUPERT ID 83350
 (208)531-4090

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>
36-2089	WR/Decreed	03/28/1950	4.84 cfs	1700 af	425.0	499.0	GROUND WATER
36-10852	WR/Decreed	01/01/1968	0.14 cfs	N/A	425.0	499.0	GROUND WATER

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

36-2105A	WR/Decreed	01/19/1951	1.69 cfs	514.4 af	128.6	331.0	GROUND WATER
36-2342A	WR/Decreed	12/20/1957	2.69 cfs	541.6 af	135.4	331.0	GROUND WATER
36-2538A	WR/Decreed	03/15/1962	0.85 cfs	359.1 af	128.6	331.0	GROUND WATER
36-7823A	WR/Decreed	09/08/1978	1.31 cfs	268 af	67.0	331.0	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>
36-2089	NO	NO	NO	YES	NO	NO
36-10852	NO	NO	NO	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>
36-2089	36-2089	4.84 cfs	1700 af	425.0	470.9		N/A	N/A	N/A	N/A
36-10852	36-10852	0.14 cfs	N/A	425.0	470.9		N/A	N/A	N/A	N/A
COMBINED TOTALS		4.98 cfs	1700 af	425	470.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of November, 2008

FOR [Signature] Chief, Water Allocation Bureau

IN FILE # 36-2089 SUPPORT DATA

all 13 pgs
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 SCANNED
 DEC 14 2008

WATER RIGHT NO. 36-2089
As Modified by Transfer No. 75076

In accordance with the approval of Transfer No. 75076, Water Right No. 36-2089 is now described as follows.

Right Holder: TRIANGLE P LLC
788 E 800 N
RUPERT ID 83350

Priority Date: March 28, 1950

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	4.84 CFS	1,700.0 AF
			4.84 CFS	1,700.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNENW	Sec. 16 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	SWNESW	Sec. 16 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	NESWNE	Sec. 17 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	SEWSE	Sec. 17 Twp 08S	Rge 26E	BLAINE 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	26E	16	12.0	14.0	40.0	39.0	33.0	39.0	40.0	40.0	39.0	40.0	8.6	3.3	29.0	37.0	21.0	36.0	470.9

Total Acres: 470.9

CONDITIONS OF APPROVAL

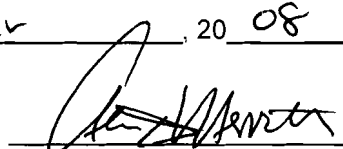
1. Rights 36-2089 and 36-10852 when combined shall not exceed the total instantaneous diversion of water from all points of diversion of 4.98 cfs, nor a total annual maximum diversion volume of 1700.0 af at the field headgate, and the irrigation of 425.0 acres.
2. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A, and 36-7823A when combined shall not exceed a total diversion rate of 11.52 cfs, a total annual maximum diversion volume of 3024.0 af at the field headgate, and the irrigation of 756 acres.
3. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A and 36-7823A are diverted through the point(s) of diversion in the SWNESW of Section 16 and the NESWNE & SENWSE of Section 17, T08S, R26E. The new point of diversion in the NWNENW Section 16, T08S, R26E may only be used under Right Nos. 36-2089 and 36-10852.

WATER RIGHT NO. 36-2089
As Modified by Transfer No. 75076

4. 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.
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. Prior to the diversion and use of water under Transfer approval 75076, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. 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.
8. This right does not grant any right-of-way or easement across the land of another.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 24th day of November, 20 08


FOR Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-10852
As Modified by Transfer No. 75076**

In accordance with the approval of Transfer No. 75076, Water Right No. 36-10852 is now described as follows.

Right Holder: TRIANGLE P LLC
788 E 800 N
RUPERT ID 83350

Priority Date: January 01, 1968

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	0.14 CFS	
			0.14 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNENW	Sec. 16 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	SWNESW	Sec. 16 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	NESWNE	Sec. 17 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	SEWSE	Sec. 17 Twp 08S	Rge 26E	BLAINE 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	26E	16	12.0	14.0	40.0	39.0	33.0	39.0	40.0	40.0	39.0	40.0	8.6	3.3	29.0	37.0	21.0	36.0	470.9

Total Acres: 470.9

CONDITIONS OF APPROVAL

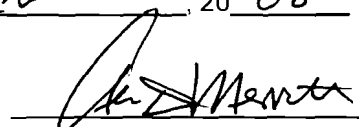
1. Rights 36-2089 and 36-10852 when combined shall not exceed the total instantaneous diversion of water from all points of diversion of 4.98 cfs, nor a total annual maximum diversion volume of 1700.0 af at the field headgate, and the irrigation of 425.0 acres.
2. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A, and 36-7823A when combined shall not exceed a total diversion rate of 11.52 cfs, a total annual maximum diversion volume of 3024.0 af at the field headgate, and the irrigation of 756 acres.
3. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A and 36-7823A are diverted through the point(s) of diversion in the SWNESW of Section 16 and the NESWNE & SENWSE of Section 17, T08S, R26E. The new point of diversion in the NWNENW Section 16, T08S, R26E may only be used under Right Nos. 36-2089 and 36-10852.
4. 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. 36-10852
As Modified by Transfer No. 75076

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. Prior to the diversion and use of water under Transfer approval 75076, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. 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.
8. 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 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
9. This right does not grant any right-of-way or easement across the land of another.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 24th day of November, 20 08


For Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-2105A
As Modified by Transfer No. 75076**

In accordance with the approval of Transfer No. 75076, Water Right No. 36-2105A is now described as follows.

Right Holder: TERRY D MILLER
1175 E 800 N
RUPERT ID 83350

And/Or

JOLENE R MILLER
1175 E 800 N
RUPERT ID 83350

Priority Date: January 19, 1951

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	1.69 CFS	514.4 AF
			1.69 CFS	514.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESW	Sec. 16 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	NESWNE	Sec. 17 Twp 08S	Rge 26E	BLAINE County
GROUND WATER	SENWSE	Sec. 17 Twp 08S	Rge 26E	BLAINE 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 26E 17	31.0	33.0	35.0	32.0	33.0			33.0					35.0	33.0	33.0	33.0	331.0

Total Acres: 331

CONDITIONS OF APPROVAL

1. Rights 36-2105A and 36-2538A when combined shall not exceed a total annual maximum diversion volume of 514.4 af at the field headgate, and the irrigation of 128.6 acres.
2. Rights 36-2105A, 36-2342A, 36-2538A, and 36-7823A when combined shall not exceed the total instantaneous diversion of water from all points of diversion of 6.54 cfs, nor a total annual maximum diversion volume of 1324.0 af at the field headgate, and the irrigation of 331.0 acres.
3. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A, and 36-7823A when combined shall not exceed a total diversion rate of 11.52 cfs, a total annual maximum diversion volume of 3024.0 af at the field headgate, and the irrigation of 756 acres.

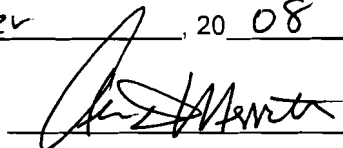
WATER RIGHT NO. 36-2105A
As Modified by Transfer No. 75076

4. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A and 36-7823A are diverted through the point(s) of diversion in the SWNESW of Section 16 and the NESWNE & SENWSE of Section 17, T08S, R26E.
5. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. 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.
7. 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 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 01-30-2001.
8. Approval of Transfer 69570 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
9. The right holder shall accomplish the change authorized by transfer 69570 within one (1) year of the date of approval.
10. Failure of the right holder to comply with the conditions of transfer 69570 is cause for the Director to rescind approval of the transfer.
11. 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 24th day of November, 20 08

FOR



Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-2342A
As Modified by Transfer No. 75076**

In accordance with the approval of Transfer No. 75076, Water Right No. 36-2342A is now described as follows.

Right Holder: JOLENE R MILLER
1175 E 800 N
RUPERT ID 83350

And/Or

TERRY D MILLER
1175 E 800 N
RUPERT ID 83350

Priority Date: December 20, 1957

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	2.69 CFS	541.6 AF
			2.69 CFS	541.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNESW Sec. 16 Twp 08S Rge 26E BLAINE County

GROUND WATER NESWNE Sec. 17 Twp 08S Rge 26E BLAINE County

GROUND WATER SENWSE Sec. 17 Twp 08S Rge 26E BLAINE 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 26E 17	31.0	33.0	35.0	32.0	33.0			33.0					35.0	33.0	33.0	33.0	331.0

Total Acres: 331

CONDITIONS OF APPROVAL

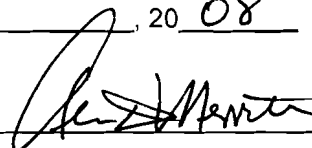
1. Right 36-2342A is limited to the irrigation of 135.4 acres within the place of use described above in a single irrigation season.
2. Rights 36-2105A, 36-2342A, 36-2538A, and 36-7823A when combined shall not exceed the total instantaneous diversion of water from all points of diversion of 6.54 cfs, nor a total annual maximum diversion volume of 1324.0 af at the field headgate, and the irrigation of 331.0 acres.
3. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A, and 36-7823A when combined shall not exceed a total diversion rate of 11.52 cfs, a total annual maximum diversion volume of 3024.0 af at the field headgate, and the irrigation of 756 acres.

WATER RIGHT NO. 36-2342A
As Modified by Transfer No. 75076

4. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A and 36-7823A are diverted through the point(s) of diversion in the SWNESW of Section 16 and the NESWNE & SENWSE of Section 17, T08S, R26E.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. 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.
7. 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 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12-13-2000.
8. Approval of Transfer 69570 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
9. The right holder shall accomplish the change authorized by transfer 69570 within one (1) year of the date of approval.
10. Failure of the right holder to comply with the conditions of transfer 69570 is cause for the Director to rescind approval of the transfer.
11. 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 24th day of November, 20 08


FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2538A
As Modified by Transfer No. 75076

In accordance with the approval of Transfer No. 75076, Water Right No. 36-2538A is now described as follows.

Right Holder: JOLENE R MILLER
 1175 E 800 N
 RUPERT ID 83350

And/Or

TERRY D MILLER
 1175 E 800 N
 RUPERT ID 83350

Priority Date: March 15, 1962

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	0.85 CFS	359.1 AF
			0.85 CFS	359.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESW	Sec. 16 Twp 08S Rge 26E	BLAINE County
GROUND WATER	NESWNE	Sec. 17 Twp 08S Rge 26E	BLAINE County
GROUND WATER	SENWSE	Sec. 17 Twp 08S Rge 26E	BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
08S 26E 17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	331.0
	31.0	33.0	35.0	32.0	33.0			33.0					35.0	33.0	33.0	33.0	

Total Acres: 331

CONDITIONS OF APPROVAL

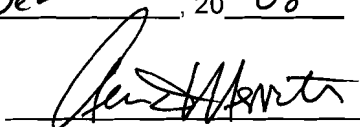
1. Rights 36-2105A and 36-2538A when combined shall not exceed a total annual maximum diversion volume of 514.4 af at the field headgate, and the irrigation of 128.6 acres.
2. Rights 36-2105A, 36-2342A, 36-2538A, and 36-7823A when combined shall not exceed the total instantaneous diversion of water from all points of diversion of 6.54 cfs, nor a total annual maximum diversion volume of 1324.0 af at the field headgate, and the irrigation of 331.0 acres.
3. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A, and 36-7823A when combined shall not exceed a total diversion rate of 11.52 cfs, a total annual maximum diversion volume of 3024.0 af at the field headgate, and the irrigation of 756 acres.

WATER RIGHT NO. 36-2538A
As Modified by Transfer No. 75076

4. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A and 36-7823A are diverted through the point(s) of diversion in the SWNESW of Section 16 and the NESWNE & SENWSE of Section 17, T08S, R26E.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. 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.
7. 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 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. Approval of Transfer 69570 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
9. The right holder shall accomplish the change authorized by transfer 69570 within one (1) year of the date of approval.
10. Failure of the right holder to comply with the conditions of transfer 69570 is cause for the Director to rescind approval of the transfer.
11. 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 24th day of November, 20 08



FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 36-7823A
As Modified by Transfer No. 75076

In accordance with the approval of Transfer No. 75076, Water Right No. 36-7823A is now described as follows.

Right Holder: TERRY D MILLER
 1175 E 800 N
 RUPERT ID 83350

And/Or

JOLENE R MILLER
 1175 E 800 N
 RUPERT ID 83350

Priority Date: September 08, 1978

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	1.31 CFS	268.0 AF
			1.31 CFS	268.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNESW Sec. 16 Twp 08S Rge 26E BLAINE County

GROUND WATER NESWNE Sec. 17 Twp 08S Rge 26E BLAINE County

GROUND WATER SENWSE Sec. 17 Twp 08S Rge 26E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
08S	26E	17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	331.0
			31.0	33.0	35.0	32.0	33.0			33.0					35.0	33.0	33.0	33.0	

Total Acres: 331

CONDITIONS OF APPROVAL

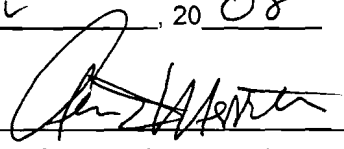
1. Right 36-7823A is limited to the irrigation of 67.0 acres within the place of use described above in a single irrigation season.
2. Rights 36-2105A, 36-2342A, 36-2538A, and 36-7823A when combined shall not exceed the total instantaneous diversion of water from all points of diversion of 6.54 cfs, nor a total annual maximum diversion volume of 1324.0 af at the field headgate, and the irrigation of 331.0 acres.
3. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A, and 36-7823A when combined shall not exceed a total diversion rate of 11.52 cfs, a total annual maximum diversion volume of 3024.0 af at the field headgate, and the irrigation of 756 acres.

WATER RIGHT NO. 36-7823A
As Modified by Transfer No. 75076

4. Rights 36-2089, 36-10852, 36-2105A, 36-2342A, 36-2538A and 36-7823A are diverted through the point(s) of diversion in the SWNESW of Section 16 and the NESWNE & SENWSE of Section 17, T08S, R26E.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. 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.
7. 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 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12-13-2000.
8. Approval of Transfer 69570 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
9. The right holder shall accomplish the change authorized by transfer 69570 within one (1) year of the date of approval.
10. Failure of the right holder to comply with the conditions of transfer 69570 is cause for the Director to rescind approval of the transfer.
11. 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 24th day of November, 20 08

For 
Chief, Water Allocation Bureau