

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 73720**

This is to certify that: CALVARY BAPTIST CHURCH

515 W 27TH ST  
BURLEY ID 83318  
(208)678-0793

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 36-16532     | WR/Decreed          | 11/11/1959      | 0.13 cfs    | N/A           | 5.2               | 485.0              | GROUND WATER  |
| 36-16535     | WR/Decreed          | 11/15/1970      | 0.18 cfs    | N/A           | 7.8               | 485.0              | GROUND WATER  |
| 36-16538     | WR/Decreed          | 05/16/1980      | 0.05 cfs    | N/A           | 1.9               | 485.0              | GROUND WATER  |
| 36-16541     | WR/Decreed          | 05/26/1971      | 0.02 cfs    | N/A           | .1                | 485.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 36-16532              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 36-16535              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 36-16538              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 36-16541              | YES          | YES        | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 36-16532               | <b>45-14171</b>                  | 0.02 cfs             | 2.8 af                 | 0.7               | 2.0                | <b>36-16625</b>                    | 0.11 cfs              | 20.8 af                 | N/A                         | N/A                          |
| 36-16535               | <b>45-14172</b>                  | 0.02 cfs             | 4.0 af                 | 1.0               | 2.0                | <b>36-16627</b>                    | 0.16 cfs              | 31.2 af                 | N/A                         | N/A                          |
| 36-16538               | <b>45-14173</b>                  | 0.01 cfs             | 0.8 af                 | 0.2               | 2.0                | <b>36-16629</b>                    | 0.04 cfs              | 7.6 af                  | N/A                         | N/A                          |
| 36-16541               | <b>45-14174</b>                  | 0.01 cfs             | 0.4 af                 | 0.1               | 2.0                | <b>36-16631</b>                    | 0.01 cfs              | 4.4 af                  | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>0.03 cfs</b>      | <b>8.0 af</b>          | <b>2.0</b>        | <b>2.0</b>         |                                    | <b>0.20 cfs</b>       | <b>64.0 af</b>          | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 31<sup>ST</sup> day of October, 2008

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

**SUPPORT DATA**

**IN FILE #** 36-16532

**WATER RIGHT NO. 36-16625**  
**As Modified by Transfer No. 73720**

In accordance with the approval of Transfer No. 73720, Water Right No. 36-16625 is now described as follows.

**Right Holder:** IDAHO WATER CO LLC  
 C/O DEL KOHTZ  
 1135 VALLEY RD S  
 EDEN ID 83325

**Priority Date:** November 11, 1959

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| MITIGATION            | 03/15       | to 11/15  | 0.11 CFS              |

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

GROUND WATER      NESESW      Sec. 24 Twp 08S   Rge 21E   JEROME County

GROUND WATER      NENESE      Sec. 24 Twp 08S   Rge 21E   JEROME County

**PLACE OF USE:**    MITIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 08S 21E 24  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

**WATER RIGHT NO. 36-16625**  
**As Modified by Transfer No. 73720**

**CONDITIONS OF APPROVAL**

1. Mitigation use under Rights 36-16625, 36-16627, 36-16629 and 36-16631 is associated with Right 35-13521.
2. Rights 36-16625, 36-16627, 36-16629, and 36-16631 when combined shall not exceed a total diversion rate of 0.20 cfs and an annual maximum diversion volume of 64 af.
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. 130.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 72389 the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. Right No. 36-16631 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. The right holder shall accomplish the change authorized by transfer # 72389 within one year of the date of its approval.
9. Failure of the right holder to comply with the conditions of transfer # 72389 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 31<sup>ST</sup> day of October, 20 08

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

**WATER RIGHT NO. 45-14171**  
**As Modified by Transfer No. 73720**

In accordance with the approval of Transfer No. 73720, Water Right No. 45-14171 is now described as follows.

**Right Holder:** CALVARY BAPTIST CHURCH  
515 W 27TH ST  
BURLEY ID 83318

**Priority Date:** November 11, 1959

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.02 CFS              |

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

GROUND WATER      NENWNW      Sec. 32 Twp 10S    Rge 23E    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 |
| 10S 23E 32  |    |    |    |    |    | 2.0 |    |    |    |    |    |    |    |    |    |    | 2.0    |

Total Acres: 2

**WATER RIGHT NO. 45-14171**  
**As Modified by Transfer No. 73720**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 0.7 acres within the place of use described above in a single irrigation season.
2. Rights 45-14171, 45-14172, 45-14173 and 45-14174 when combined shall not exceed a total diversion rate of 0.03 cfs, a total annual maximum diversion volume of 8.0 af at the field headgate, and the irrigation of 2.0 acres.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
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. 140.
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 73720 the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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. Right No. 45-14174 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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 31<sup>ST</sup> day of October, 20 08

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

**WATER RIGHT NO. 36-16627**  
**As Modified by Transfer No. 73720**

In accordance with the approval of Transfer No. 73720, Water Right No. 36-16627 is now described as follows.

**Right Holder:** IDAHO WATER CO LLC  
 C/O DEL KOHTZ  
 1135 VALLEY RD S  
 EDEN ID 83325

**Priority Date:** November 15, 1970

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| MITIGATION            | 04/01 to    | 10/15     | 0.16 CFS              |

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

GROUND WATER                      NESESW                      Sec. 24 Twp 08S    Rge 21E    JEROME County

GROUND WATER                      NENESE                      Sec. 24 Twp 08S    Rge 21E    JEROME County

**PLACE OF USE:**    MITIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 08S 21E 24  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

**WATER RIGHT NO. 36-16627**  
**As Modified by Transfer No. 73720**

**CONDITIONS OF APPROVAL**

1. Mitigation use under Rights 36-16625, 36-16627, 36-16629 and 36-16631 is associated with Right 35-13521.
2. Rights 36-16625, 36-16627, 36-16629, and 36-16631 when combined shall not exceed a total diversion rate of 0.20 cfs and an annual maximum diversion volume of 64 af.
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. 130.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 72389 the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. Right No. 36-16631 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. The right holder shall accomplish the change authorized by transfer # 72389 within one year of the date of its approval.
9. Failure of the right holder to comply with the conditions of transfer # 72389 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 31<sup>st</sup> day of October, 2008

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

**WATER RIGHT NO. 45-14172**  
**As Modified by Transfer No. 73720**

In accordance with the approval of Transfer No. 73720, Water Right No. 45-14172 is now described as follows.

**Right Holder:** CALVARY BAPTIST CHURCH  
 515 W 27TH ST  
 BURLEY ID 83318

**Priority Date:** November 15, 1970

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 04/01 to    | 10/15     | 0.02 CFS              |

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

GROUND WATER                      NENWNW                      Sec. 32 Twp 10S    Rge 23E    CASSIA 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 |        |
| 10S 23E 32  |    |    |    |    |    | 2.0 |    |    |    |    |    |    |    |    |    |    | 2.0    |

Total Acres: 2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 1.0 acres within the place of use described above in a single irrigation season.
2. Rights 45-14171, 45-14172, 45-14173 and 45-14174 when combined shall not exceed a total diversion rate of 0.03 cfs, a total annual maximum diversion volume of 8.0 af at the field headgate, and the irrigation of 2.0 acres.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
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. 140.
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.

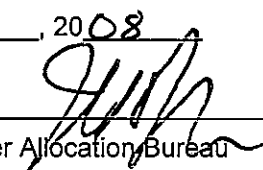
**WATER RIGHT NO. 45-14172**  
**As Modified by Transfer No. 73720**

**CONDITIONS OF APPROVAL**

6. Prior to the diversion and use of water under Transfer approval 73720 the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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. Right No. 45-14174 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than September 10, 2004.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer 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 31<sup>st</sup> day of October, 2008

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

**WATER RIGHT NO. 36-16629**  
**As Modified by Transfer No. 73720**

In accordance with the approval of Transfer No. 73720, Water Right No. 36-16629 is now described as follows.

**Right Holder:** IDAHO WATER CO LLC  
 C/O DEL KOHTZ  
 1135 VALLEY RD S  
 EDEN ID 83325

**Priority Date:** May 16, 1980

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| MITIGATION            | 03/15       | to 11/15  | 0.04 CFS              |

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

GROUND WATER      NESESW      Sec. 24 Twp 08S    Rge 21E    JEROME County

GROUND WATER      NENESE      Sec. 24 Twp 08S    Rge 21E    JEROME County

**PLACE OF USE:**    MITIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 08S 21E 24  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

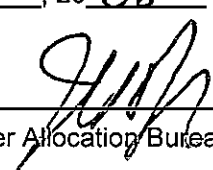
**WATER RIGHT NO. 36-16629**  
**As Modified by Transfer No. 73720**

**CONDITIONS OF APPROVAL**

1. Mitigation use under Rights 36-16625, 36-16627, 36-16629 and 36-16631 is associated with Right 35-13521.
2. Rights 36-16625, 36-16627, 36-16629, and 36-16631 when combined shall not exceed a total diversion rate of 0.20 cfs and an annual maximum diversion volume of 64 af.
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. 130.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 72389 the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. Right No. 36-16631 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. The right holder shall accomplish the change authorized by transfer # 72389 within one year of the date of its approval.
9. Failure of the right holder to comply with the conditions of transfer # 72389 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 31<sup>st</sup> day of October, 20 08

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

**WATER RIGHT NO. 45-14173**  
**As Modified by Transfer No. 73720**

In accordance with the approval of Transfer No. 73720, Water Right No. 45-14173 is now described as follows.

**Right Holder:** CALVARY BAPTIST CHURCH  
515 W 27TH ST  
BURLEY ID 83318

**Priority Date:** May 16, 1980

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.01 CFS              |

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

GROUND WATER      NENWNW      Sec. 32 Twp 10S   Rge 23E   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 |
| 10S 23E 32  |    |    |    |    |    | 2.0 |    |    |    |    |    |    |    |    |    |    | 2.0    |

Total Acres: 2

**WATER RIGHT NO. 45-14173**  
**As Modified by Transfer No. 73720**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 0.2 acres within the place of use described above in a single irrigation season.
2. Rights 45-14171, 45-14172, 45-14173 and 45-14174 when combined shall not exceed a total diversion rate of 0.03 cfs, a total annual maximum diversion volume of 8.0 af at the field headgate, and the irrigation of 2.0 acres.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
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. 140.
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 73720 the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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. Right No. 45-14174 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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 31<sup>st</sup> day of October, 2008

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

**WATER RIGHT NO. 36-16631**  
**As Modified by Transfer No. 73720**

In accordance with the approval of Transfer No. 73720, Water Right No. 36-16631 is now described as follows.

**Right Holder:** IDAHO WATER CO LLC  
C/O DEL KOHTZ  
1135 VALLEY RD S  
EDEN ID 83325

**Priority Date:** May 26, 1971

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| MITIGATION            | 03/15       | to 11/15  | 0.01 CFS              |

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

GROUND WATER      NESESW      Sec. 24 Twp 08S    Rge 21E    JEROME County

GROUND WATER      NENESE      Sec. 24 Twp 08S    Rge 21E    JEROME County

**PLACE OF USE:**    MITIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 08S | 21E | 24  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

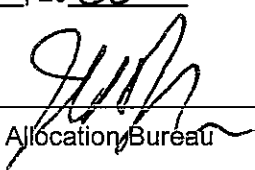
**WATER RIGHT NO. 36-16631**  
**As Modified by Transfer No. 73720**

**CONDITIONS OF APPROVAL**

1. Mitigation use under Rights 36-16625, 36-16627, 36-16629 and 36-16631 is associated with Right 35-13521.
2. Rights 36-16625, 36-16627, 36-16629, and 36-16631 when combined shall not exceed a total diversion rate of 0.20 cfs and an annual maximum diversion volume of 64 af.
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. 130.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 72389 the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. This right is based upon an enlargement of Right Nos. 36-16625, 36-16627, and 36-16629 pursuant to Section 42-1426, Idaho Code.
8. The right holder shall accomplish the change authorized by transfer # 72389 within one year of the date of its approval.
9. Failure of the right holder to comply with the conditions of transfer # 72389 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 31<sup>st</sup> day of October, 2008

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

**WATER RIGHT NO. 45-14174**  
**As Modified by Transfer No. 73720**

In accordance with the approval of Transfer No. 73720, Water Right No. 45-14174 is now described as follows.

**Right Holder:** CALVARY BAPTIST CHURCH  
515 W 27TH ST  
BURLEY ID 83318

**Priority Date:** May 26, 1971

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.01 CFS              |

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

GROUND WATER      NENWNW      Sec. 32 Twp 10S   Rge 23E   CASSIA County

**PLACE OF USE:**    IRRIGATION

| Twp Rge Sec | NE        |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           | Totals |
|-------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--------|
|             | <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> |        |
| 10S 23E 32  |           |           |           |           |           | 2.0       |           |           |           |           |           |           |           |           |           |           | 2.0    |

Total Acres: 2

**WATER RIGHT NO. 45-14174**  
**As Modified by Transfer No. 73720**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 0.1 acres within the place of use described above in a single irrigation season.
2. Rights 45-14171, 45-14172, 45-14173 and 45-14174 when combined shall not exceed a total diversion rate of 0.03 cfs, a total annual maximum diversion volume of 8.0 af at the field headgate, and the irrigation of 2.0 acres.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
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. 140.
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 73720 the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points 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 is based upon an enlargement of Right Nos. 45-14171, 45-14172, 45-14173 pursuant to Section 42-1426, Idaho Code.
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 31<sup>st</sup> day of October, 20 08

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