

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71652

This is to certify that: CROY CREEK PROPERTIES LLC
 PO BOX 1330
 HAILEY ID 83333
 (208)788-9300

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>
37-7319	AJC/License	01/17/1974	1.09 cfs	N/A		222.0	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>
37-7319	NO	NO	YES	YES	NO	NO

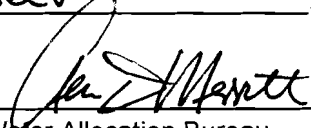
Summary of Water Rights After the Approved Change

<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>
37-7319	37-7319	1.09 cfs	395.7 af	222.0	474.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.09 cfs	395.7 af	222	474		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of October, 2008

For


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7319
As Modified by Transfer No. 71652

In accordance with the approval of Transfer No. 71652, Water Right No. 37-7319 is now described as follows.

Right Holder: CROY CREEK RANCH LIMITED PARTNERSHIP
 PO BOX 744
 HAILEY ID 83333

Priority Date: January 17, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	1.09 CFS	395.7 AF
			1.09 CFS	395.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNE	Sec. 35 Twp 02N Rge 17E	BLAINE County
GROUND WATER	SWNE	Sec. 35 Twp 02N Rge 17E	BLAINE County
GROUND WATER	SWNE	Sec. 35 Twp 02N Rge 17E	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	
02N 17E 25											39.0	20.0		5.0	27.0	4.0	95.0
02N 17E 26																39.0	39.0
02N 17E 35	40.0			37.0													77.0
02N 17E 36		27.0	39.0		40.0	40.0	39.0	38.0					40.0				263.0

Total Acres: 474

CONDITIONS OF APPROVAL

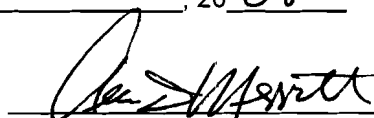
1. This right is limited to the irrigation of 222 acres within the place of use described above in a single irrigation season.
2. This right is limited to a specific 222 acres within the 474 acre place of use authorized through approval of Transfer 71652. The specific 222 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or map sufficient to allow creation of an electronic shape file to be associated with this right in the Department's Geographic Information System database. Prior to any material change to the 222 acres to be irrigated within the 474 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to IDWR. Notification of the change shall be accomplished prior to the irrigation season in which the change will occur.

3. This right when combined with Rights 37-22065, 37-22067 and 37-22069 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
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 rights appurtenant to the place of use are sold, transferred, leased or used on any other place of use, this right to divert groundwater 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. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated late irrigation use and a priority date earlier than the date of this approval.
8. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
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. 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.
11. The right holder shall accomplish the change authorized by this transfer within five years 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.

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 October, 2008

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Chief, Water Allocation Bureau