

Form 222
1-87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Telford Lands LLC Phone (208) 532-4555
 Applicant's Address: c/o Mike Telford, 1450 W. Hwy. 24, Paul, ID 83347 Applicant's Email: _____
 Attorney Name: Robert L. Harris Attorney Email: rharris@holdenlegal.com Phone (208) 523-0620
 Attorney PO address c/o Holden, Kidwell, Hahn & Crapo, P.L.L.C., PO Box 50130, Idaho Falls, Idaho 83405

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To add additional well to exiting water rights.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
See "Exhibit B" _____ to _____
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 37.03 cubic feet per second and/or 6947.5 acre-feet per annum.
3. Source of water Groundwater Tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
See Exhibit B for existing wells								
	NW	NW	NE	4	4N	26E	Butte	Proposed New Well

5. Lands irrigated or place of use: (Permissible place of use for all water rights)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	25E	12	39	40	40	39	40	40	40	40	31	32	31	32	39	40	36	36	595
	26E	17	11	25			37	39	13	2									130
		18	35	39	36	25	38	26	37	40	17	10				2			305
								Lot 1	Lot 2			Lot 3							
4N	25	35	40	40	40	40									40	40	40	40	320
		36	38	40	40	39	40	40	40	40	40	40	40	40	39	40	40	39	635

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Department of Water Resources
Eastern RegionTotal Acres 1985

74921

6. General Information:

- a. Description of diversion system Wells and pumps
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ☒ No ☐. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
None
- d. Remarks:
This transfer is being filed only to add an additional well to existing water rights. We anticipate a maximum diversion rate of 5.0 cfs out of the new well. PLA
7-1-08

ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 2008.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(ATTACH ONE COPY FOR EACH RIGHT)
SEE TRANSFER NO. 71254**

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____.
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☒ Warranty Deed☐ Other _____

3. Source of Water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purpose:
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No. If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

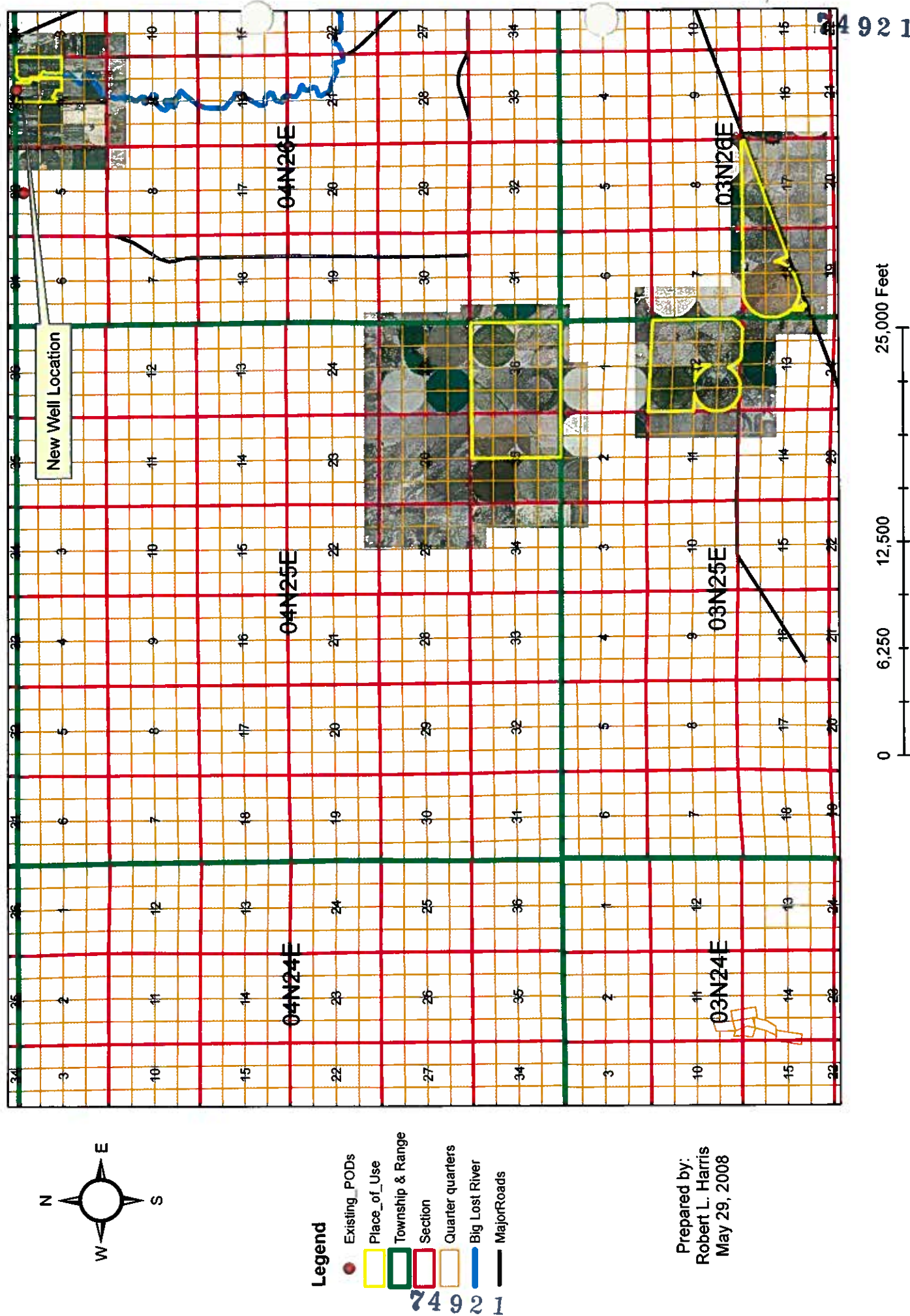
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

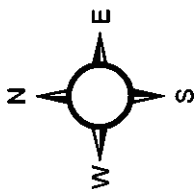
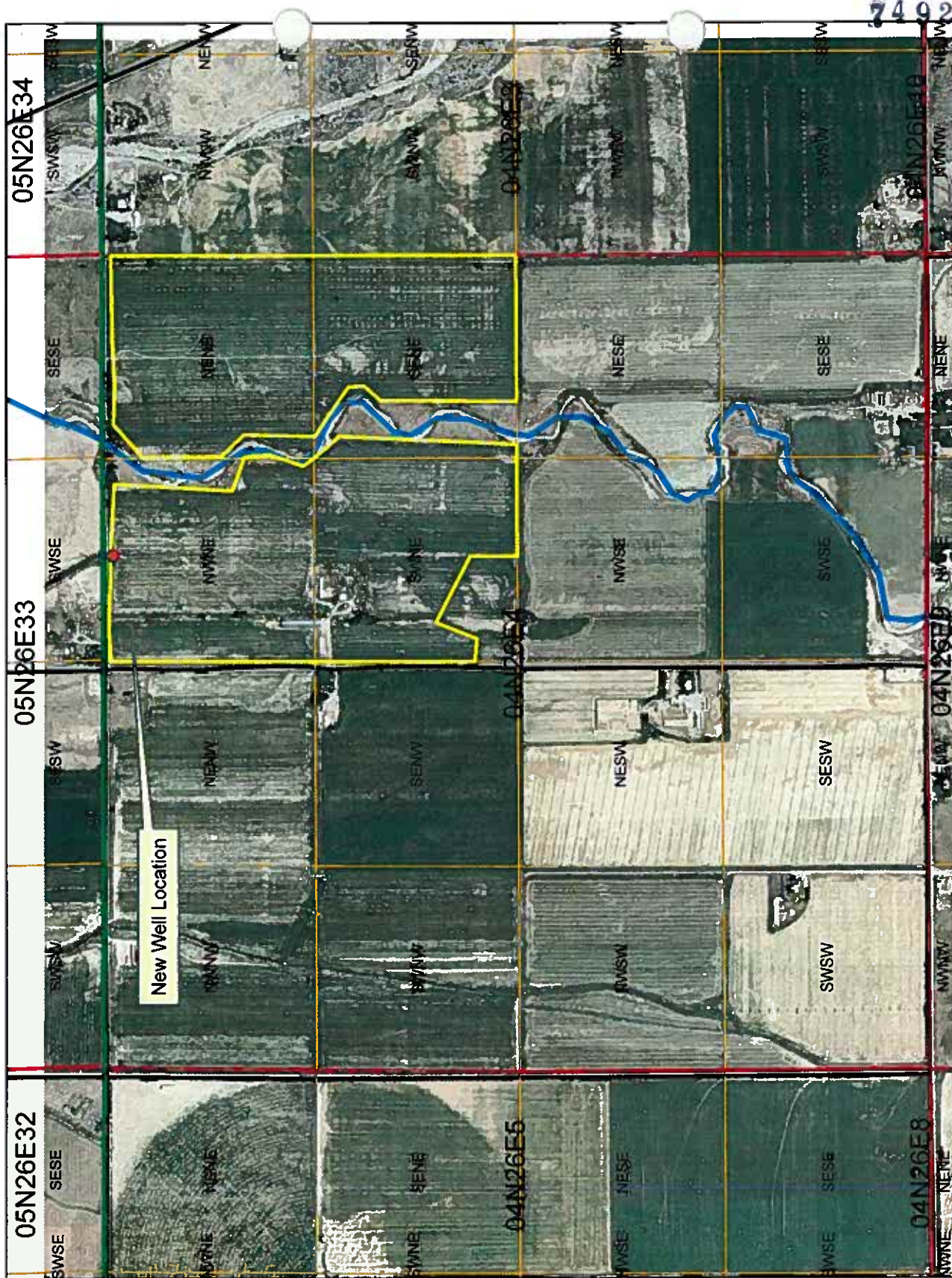
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

TELFORD TRANSFER



TELFORD TRANSFER



Legend

- Existing_PODs
- Place_of_Use
- Township & Range
- Section
- Quarter quarters
- Big Lost River
- Major Roads

Prepared by:
Robert L. Harris
May 29, 2008

B. CHANGES IN NATURE OF USE

- | <u>New Nature of Use</u> | <u>Amount</u>
(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|--------------------------|------------------------------|-----------------------------|--|
| <u>N/A</u> | <u> </u> | <u> </u> | <u> </u> to <u> </u>
<u> </u> to <u> </u> |
- Quantity and quality of return flows and location of discharge:
N/A
- Describe effects on other water uses resulting from the proposed change:
N/A

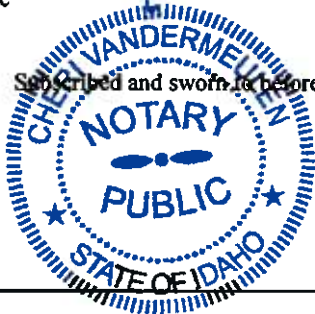
I hereby asset that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Robert L. Harris
Signature

ROBERT L. HARRIS, ATTORNEY
Print Name, including title

Subscribed and sworn to before me this 30th day of June, 2008.



Cheri Vandermeulen
Notary Public for Idaho
Residing at: Albino Forks, ID
My Commission Expires July 7, 2009

FOR DEPARTMENT USE ONLY

Transfer contains pages and attachments

Received by Date 7/1/08 Protest filed by

Prelim. check by Fee 410.00

Received by Date 7/1/08 E034201

Published in Arvo Advertiser Copies of protest forwarded by

Pub. dates Sept 11 & 18, 08 Hearing held by Date

Watermaster recommendation requested on Recommended for ☐ approval ☐ denial

 rec'd by

Copy of transfer sent to lien holder

Exhibit A

WARRANTY DEED

NO. 0045246
RECORDED

DEC 21 2007

A.M. 1:13 P.M.
BUTTE COUNTY RECORDER

Teddy S. McJannet

For Valuable Consideration Received:

MICKELSEN PROPERTIES, LLC

the Grantor does hereby grant, bargain, sell, convey and warrant unto

TELFORD LANDS LLC

the Grantee whose current address is:

1450 W. Highway 24, Paul, ID 83347

the following described premises, to-wit:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 4: Lots 1 and 2; and the S1/2NE1/4

EXCEPTING THEREFROM the county road right-of-way.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

MICKELSEN PROPERTIES, LLC

Mark Mickelsen

By Mark Mickelsen

20 Dec 2007
Date

STATE OF IDAHO)

)ss.

COUNTY OF BUTTE)

On this 20th day of December, 2007, before me, the undersigned, a Notary Public, in and for said State, personally appeared Mark Mickelsen, known to me, and/or identified to me to be the managing member of the limited liability company that executed the within instrument and acknowledged to me that such company executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Shirley B. Beyer
74921 Notary Public, State of Idaho

Order No: 5767LRT

NO. 0045245

RECORDED

DEC 21 2007

WARRANTY DEED

A.M. 1:13 P.M.
BUTTE COUNTY RECORDER

Tally S. McElfer

For Valuable Consideration Received:

MICKELSEN PROPERTIES, LLC, AN IDAHO LIMITED LIABILITY COMPANY

the Grantor does hereby grant, bargain, sell, convey and warrant unto.

TELFORD LANDS LLC

the Grantee whose current address is:

1450 W. Highway 24, Paul, ID 83347

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Mickelsen Properties, LLC, An Idaho Limited Liability Company

Mark Mickelsen
By

Date 20 Dec 2007

STATE OF IDAHO)
)ss.
COUNTY OF BUTTE)

On this 20th day of December, 2007, before me, the undersigned, a Notary Public, in and for said State, personally appeared Mark Mickelsen, known to me, and/or identified to me to be the managing member of the limited liability company that executed the within instrument and acknowledged to me that such company executed the same.

WITNESS MY HAND AND OFFICIAL SEAL



Lyle B. Boyer
Residing at: Arco, Idaho
Commission Expires: 06/05/2009

74921

DEC 21 2007

WARRANTY DEED

AM 1:13 PM
BUTTE COUNTY RECORDER

Tully S. McPherson

For Valuable Consideration Received:

MICKELSEN PROPERTIES, LLC, AN IDAHO LIMITED LIABILITY COMPANY

the Grantor does hereby grant, bargain, sell, convey and warrant unto

TELFORD LANDS LLC

the Grantee whose current address is:

1450 W. Highway 24, Paul, ID 83347

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Mickelsen Properties, LLC, An Idaho Limited Liability Company

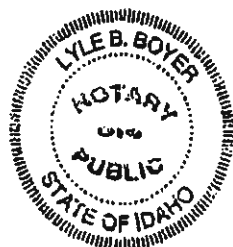
Mark Mickelsen
By

Date 20 Dec 2007

STATE OF IDAHO)
) ss.
COUNTY OF BUTTE)

On this 20th day of December, 2007, before me, the undersigned, a Notary Public, in and for said State, personally appeared Mark Mickelsen, known to me, and/or identified to me to be the managing member of the limited liability company that executed the within instrument and acknowledged to me that such company executed the same.

WITNESS MY HAND AND OFFICIAL SEAL



Lyle B. Boyer
Residing at: Arco, Idaho
Commission Expires: 06/05/2009

EXHIBIT "A"

TRACT 1:

Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 2: S1/2SW1/4; NW1/4SW1/4; W1/2NE1/4SW1/4; W1/2SE1/4NE1/4SW1/4

Section 3: E1/2SE1/4

Section 10: NE1/4NE1/4

Section 11: NW1/4 lying North of the State Highway

EXCEPTING THEREFROM: Beginning at a point on the North section line 254.5 feet East of the N1/4 corner of said Section 11, which is the Point Of Beginning; running thence South 89°50' West 400 feet; thence South 826.6 feet to the Northerly boundary line of State Highway 93; thence in a Northeasterly direction along a one degree curve on said Highway right-of-way 437.5 feet; thence North 649.1 feet to the Point Of Beginning.

TRACT 2:

Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

That portion of Section 17 and 18 lying North of the Arco-Carey Highway.

TRACT 3:

Township 3 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 12: ALL

TRACT 4:

Township 4 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 36: ALL, EXCEPT the North 32 feet

TRACT 5:

A parcel of land generally described as a portion of the SE1/4SE1/4, Section 25, Township 4 North, Range 25 East of the Boise Meridian, Butte County, Idaho, being more particularly described as follows:

Beginning at the Southeast corner of said Section 25, thence North 0°30'04" East, along the East boundary of said Section 25, a distance of 205.17 feet; thence North 89°39'08" West, parallel to the South boundary of said Section 25, a distance of 529.88 feet; thence South 56°00'23" West 363.69 feet to the South boundary of said Section 25; thence South 89°39'08" East, along the South boundary of said Section 25, a distance of 829.63 feet to the Point Of Beginning.

SUBJECT TO a 43 feet wide county road Right-of-Way Easement parallel to and along the East boundary thereof.

TRACT 6:

Township 4 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 35: N1/2NE1/4; SW1/4NE1/4; SE1/4NE1/4; SE1/4; EXCEPTING THEREFROM a road easement across the North 32 feet of said NE1/4.

Exhibit B

Telford Lands LLC Water Rights

Water Right No.	Current Name on Water Right	Basin	Priority Date	Source	Beneficial Use	Period of Use	Individual Diversion Rate Limitation (cfs)	Combined Diversion Rate Limitation (cfs)	Individual Volume Limitation (AFY)	Combined Volume Limitation (AFY)	Individual Acre Limitation	Total Place of Use	Point of Diversion	Notes
34-7179* (portion)	Michelsen Properties LLC	Partial Decree	Apr. 6, 1962	Ground Water	Irrigation	04/01 to 11/01	2.78	n/a	n/a		none			Delivered through Moore Diversion and Timberdome Canal
34-7178 (portion)	Michelsen Properties LLC	Partial Decree	Apr. 6, 1962	Ground Water	Irrigation				1185.5		none			Delivered through Moore Diversion and Timberdome Canal
34-23308	Michelsen Properties LLC	Partial Decree	June 1, 1977	Ground Water	Irrigation	04/01 to 10/2	1.75		429		122.5			Delivered through Moore Diversion and Timberdome Canal
34-7077	Michelsen Properties LLC	Partial Decree	Sept. 5, 1974	Ground Water	Irrigation	04/01 to 11/0	6		700		200			Delivered through Moore Diversion and Timberdome Canal
34-70808	Michelsen Properties LLC	Partial Decree	Sept. 23, 1974	Ground Water	Irrigation	04/01 to 10/2	5.33		1001		286			Delivered through Moore Diversion and Timberdome Canal
34-7082	Michelsen Properties LLC	Partial Decree	Jan. 14, 1975	Ground Water	Irrigation	04/15 to 10/1	12	37.23	2222.5	6847.5	635	1985		Delivered through Moore Diversion and Timberdome Canal
34-7121A	Michelsen Properties LLC	Partial Decree	Jan. 8, 1976	Ground Water	Irrigation	04/15 to 10/1	0.46		169		286			Delivered through Moore Diversion and Timberdome Canal
34-7121B	Michelsen Properties LLC	Partial Decree	Jan. 8, 1976	Ground Water	Irrigation	04/01 to 11/0	3.74		1106		316			Delivered through Moore Diversion and Timberdome Canal
34-12376	Michelsen Properties LLC	Partial Decree	June 1, 1977	Ground Water	Irrigation	04/01 to 10/2	1.25		306.3		87.5			Delivered through Moore Diversion and Timberdome Canal
34-13840	Michelsen Properties LLC	Partial Decree	Apr. 6, 1982	Ground Water	Irrigation	04/01 to 10/2	1.26		248.5		71			Delivered through Moore Diversion and Timberdome Canal
34-13842	Michelsen Properties LLC	Partial Decree	Dec. 17, 1975	Ground Water	Irrigation	04/01 to 11/0	0.46		196.2		140			Delivered through Moore Diversion and Timberdome Canal
					TOTALS		37.03	37.03	7564	5947.5	2144	1985		

*There is a portion of 34-7179 tied to water right no. 34-618, which states that a portion of the right along with 34-618 was not to exceed a total annual diversion volume of 486.5 af at the field headgate. It is unclear what portion of 34-7179 this is.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71254

This is to certify that: MICKELSEN PROPERTIES LLC
 C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
 PO BOX 50130
 IDAHO FALLS ID 83405
 (208)523-0620

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>
34-2330B	WR/Decreed	06/01/1977	1.75 cfs	N/A	122.5	2,025.0	GROUND WATER
34-7121B	WR/Decreed	01/09/1976	3.74 cfs	N/A	316.0	2,025.0	GROUND WATER
34-12376	WR/Decreed	06/01/1977	1.25 cfs	N/A	87.5	2,025.0	GROUND WATER
34-618	WR/Decreed	09/01/1884	3.20 cfs	N/A	N/A	139.0	BIG LOST RIVER
34-7077	WR/Decreed	09/05/1974	8.00 cfs	N/A	200.0	2,025.0	GROUND WATER
34-7080B	WR/Decreed	09/23/1974	5.33 cfs	N/A	286.0	2,025.0	GROUND WATER
34-7120	WR/Decreed	12/17/1975	2.00 cfs	N/A	180.0	2,025.0	GROUND WATER
34-7121A	WR/Decreed	01/09/1976	0.46 cfs	N/A	N/A	286.0	GROUND WATER
34-7092	WR/Decreed	01/14/1975	12.00 cfs	N/A	N/A	635.0	GROUND WATER
34-7179	WR/Decreed	04/06/1982	2.78 cfs	N/A	N/A	2,214.0	GROUND WATER
34-13659	WR/Decreed	06/01/1889	0.97 cfs	N/A	N/A	43.0	BIG LOST RIVER
34-13661	WR/Decreed	06/01/1896	1.00 cfs	N/A	N/A	43.0	BIG LOST RIVER
34-13663	WR/Decreed	04/06/1982	1.93 cfs	381.5 af	109.0	2,138.0	GROUND WATER

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

34-692C	WR/Decreed	07/15/1884	1.60 cfs	N/A	N/A	70.0	BIG LOST RIVER
---------	------------	------------	----------	-----	-----	------	----------------

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>
34-2330B	NO	YES	YES	NO	NO	NO
34-7121B	NO	YES	YES	YES	NO	NO
34-12376	NO	NO	YES	YES	NO	NO
34-618	NO	YES	NO	NO	NO	NO
34-7077	NO	YES	YES	YES	NO	NO
34-7080B	NO	NO	NO	YES	NO	NO
34-7120	YES	YES	YES	YES	NO	NO
34-7121A	NO	YES	YES	YES	NO	NO

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JUL 01 2008

SUPPORT DATA

IN FILE # 34-618

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71254

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>
34-7092	NO	NO	YES	YES	NO	NO
34-7179	NO	NO	YES	YES	NO	NO
34-13659	NO	NO	YES	NO	NO	NO
34-13661	NO	NO	YES	NO	NO	NO
34-13663	YES	YES	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>
34-2330B	34-2330B	1.75 cfs	429.0 af	122.5	1,985.0		N/A	N/A		N/A
34-7121B	34-7121B	3.74 cfs	1106.0 af	316.0	1,985.0		N/A	N/A		N/A
34-12376	34-12376	1.25 cfs	306.3 af	87.5	1,985.0		N/A	N/A		N/A
34-618	34-618	3.20 cfs	N/A	N/A	139.0		N/A	N/A		N/A
34-7077	34-7077	8.00 cfs	700.0 af	200.0	1,985.0		N/A	N/A		N/A
34-7080B	34-7080B	5.33 cfs	1001.0 af	286.0	1,985.0		N/A	N/A		N/A
34-7120	34-13842	0.46 cfs	196.2 af	140.0	1,985.0	34-13841	0.80 cfs	140 af	N/A	40.0
34-7121A	34-7121A	0.46 cfs	169.0 af	286.0	1,985.0		N/A	N/A		N/A
34-7092	34-7092	12.00 cfs	2222.5 af	635.0	1,985.0		N/A	N/A		N/A
34-7179	34-7179	2.78 cfs	1185.5 af	N/A	2,124.0		N/A	N/A		N/A
34-13659	34-13659	0.97 cfs	N/A	43.0	1,985.0		N/A	N/A		N/A
34-13661	34-13661	1.00 cfs	N/A	43.0	1,985.0		N/A	N/A		N/A
34-13663	34-13840	1.26 cfs	248.5 af	71.0	1,985.0	34-13839	0.67 cfs	133 af	38.0	43.0
COMBINED										
TOTALS		42.20 cfs	N/A	2124.0	2124.0		N/A	N/A	N/A	N/A

Rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13839, 34-13840, 34-13841 and 34-13842 are subject to the conditions of the Preliminary Order dated 05-31-2006 which has become final in the matter of Application for Transfer 71254.

Detailed Water Right Description(s) attached

Dated this 21st day of July, 2006


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13659
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-13659 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: June 01, 1889

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01 to	10/15	0.97 CFS	
			0.97 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE 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	
03N 25E 12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N 26E 17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N 26E 18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0				2.0			305.0
						L 1	L 2			L 3							
04N 25E 35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N 25E 36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. Rights 34-13659 and 34-13661 when combined shall not exceed the irrigation of 43 acres.
2. The total volume of surface water diverted under water right nos. 34-13659 and 34-13661 shall be limited to 150.5 acre-feet.
3. Whenever water right no 34-13659 is deliverable, fifty-five percent of the flow deliverable (up to 0.53 cfs) shall continue to be delivered into the West Side Canal, and forty-five percent of the flow deliverable (up to 0.44 cfs) can be delivered past the head of the West Side Canal under water right no. 34-13659.
4. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
5. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-13659
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

6. 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. 34.
7. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. 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 prior to or in conjunction with beneficial use of associated ground water rights.
9. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
10. Water delivered through the Moore Diversion, Westside Canal and Timberdome Canal.
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. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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 21st day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7080B
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-7080B is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC

PO BOX 438

RIGBY ID 83442

Priority Date: September 23, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	5.33 CFS	1,001.0 AF
			5.33 CFS	1,001.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4 Twp 04N	Rge 26E	BUTTE County	Adj
GROUND WATER	L3 (NENENW)	Sec. 5 Twp 04N	Rge 26E	BUTTE County	Adj
GROUND WATER	SWNWNW	Sec. 21 Twp 05N	Rge 26E	BUTTE County	Adj
GROUND WATER	SEWSE	Sec. 29 Twp 05N	Rge 26E	BUTTE County	Adj
GROUND WATER	SESWNE	Sec. 32 Twp 05N	Rge 26E	BUTTE County	Adj
GROUND WATER	SEWSE	Sec. 32 Twp 05N	Rge 26E	BUTTE County	Adj

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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
								L1	L2				L3						
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 286 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-7080B
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
8. If the surface water right(s) appurtenant to the place of use is 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.
9. Water delivered through the Moore Diversion and Timberdome Canal.
10. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21st day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-618
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-618 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: September 01, 1884

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/15	3.20 CFS	
			3.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE 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	
04N	26E	4	35.0	36.0	36.0	32.0													139.0
			L 1	L 2															

Total Acres: 139

CONDITIONS OF APPROVAL

1. Rights 34-618 and that portion of ground water right no. 34-7179 associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 0.02 cfs per acre, and shall not exceed a total annual maximum diversion volume of 486.5 af at the field headgate.
2. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
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. 34.
4. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
6. 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 prior to or in conjunction with beneficial use of associated ground water rights.
7. Water delivered through the Moore Diversion.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 34-618
As Modified by Transfer No. 71254

CONDITIONS OF 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 21ST day of July, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-2330B
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-2330B is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC

PO BOX 438

RIGBY ID 83442

Priority Date: June 01, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.75 CFS	429.0 AF
			1.75 CFS	429.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 29 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 32 Twp 05N	Rge 26E	BUTTE 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	
03N 25E 12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N 26E 17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N 26E 18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0				2.0			305.0
						L1	L2										
04N 25E 35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N 25E 36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 122.5 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-2330B
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
8. If the surface water right(s) appurtenant to the place of use is 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.
9. 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.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21st day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13661
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-13661 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC

PO BOX 438

RIGBY ID 83442

Priority Date: June 01, 1896

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/15	1.00 CFS	
			1.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
							L1	L2			L3								
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0		635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. Rights 34-13659 and 34-13661 when combined shall not exceed the irrigation of 43 acres.
2. The total volume of surface water diverted under water right nos. 34-13659 and 34-13661 shall be limited to 150.5 acre-feet.
3. Whenever water right no 34-13661 is deliverable, fifty-five percent of the flow deliverable (up to 0.55 cfs) shall continue to be delivered into the West Side Canal, and forty-five percent of the flow deliverable (up to 0.45 cfs) can be delivered past the head of the West Side Canal under water right no. 34-13661.
4. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
5. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-13661
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

6. 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. 34.
7. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. 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 prior to or in conjunction with beneficial use of associated ground water rights.
9. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
10. Water delivered through the Moore Diversion, Westside Canal and Timberdome Canal.
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 21ST day of July, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7121A
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-7121A is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: January 09, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.46 CFS	169.0 AF
			0.46 CFS	169.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 29 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 32 Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
							L1	L2			L3								
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 286 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-7121A
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
8. If the surface water right(s) appurtenant to the place of use is 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.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and 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 before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/15/2002.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. 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.
13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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 21ST day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7121B
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-7121B is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: January 09, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	3.74 CFS	1,106.0 AF
			3.74 CFS	1,106.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 29	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 32	Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
								L 1	L 2				L 3						
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 316 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-7121B
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
8. If the surface water right(s) appurtenant to the place of use is 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.
9. 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.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21ST day of July, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7179
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-7179 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: April 06, 1982

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	2.78 CFS	1,185.5 AF
			2.78 CFS	1,185.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 29 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 32 Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
							L1	L2			L3								
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0
04N	26E	4	35.0	36.0	36.0	32.0													139.0
			L1	L2															

Total Acres: 2124

CONDITIONS OF APPROVAL

1. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
2. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
3. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-7179
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

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. 34.
5. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. 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.
7. If the surface water right(s) appurtenant to the place of use is 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.
8. 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.
9. Water delivered through the Moore Diversion and Timberdome Canal.
10. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
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 21st day of July, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-12376
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-12376 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: June 01, 1977

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	1.25 CFS	306.3 AF
			1.25 CFS	306.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 29 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 32 Twp 05N	Rge 26E	BUTTE 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	
03N 25E 12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N 26E 17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N 26E 18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0				2.0			305.0
						L 1	L 2				L 3						
04N 25E 35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N 25E 36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 87.5 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-12376
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
8. If the surface water right(s) appurtenant to the place of use is 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.
9. 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.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21ST day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7092
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-7092 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: January 14, 1975

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	12.00 CFS	2,222.5 AF
			12.00 CFS	2,222.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 29 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 32 Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0				2.0			305.0
								L1	L2				L3						
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 635 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-7092
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
8. If the surface water right(s) appurtenant to the place of use is 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.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and 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 before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/15/2002.
10. 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.
11. The well previously used under Right 34-7092, which will no longer be used, shall be abandoned in a manner which complies with Department well abandonment rules.
12. Water delivered through the Moore Diversion and Timberdome Canal.
13. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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 21ST day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13839
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-13839 is now described as follows.

Right Holder: EVERETT T ACOR JR
 3196 N YELLOWSTONE HWY
 IDAHO FALLS ID 83401

And

LE ANNE WADDOUPS And
 WADE WADDOUPS
 3221 W 3300 N
 MOORE ID 83255

Priority Date: April 06, 1982

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	0.67 CFS	133.0 AF
			0.67 CFS	133.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWSW Sec. 28 Twp 05N Rge 26E BUTTE 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					
05N 26E 28												7.0	36.0			43.0	

Total Acres: 43

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.
2. 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 21ST day of July, 2006


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13840
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-13840 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: April 06, 1982

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		1.26 CFS	248.5 AF
			1.26 CFS	248.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 29	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 32	Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
								L1	L2			L3							
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-13840
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
8. If the surface water right(s) appurtenant to the place of use is 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.
9. 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.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21st day of July, 2006



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7077
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-7077 is now described as follows

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: September 05, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	8.00 CFS	700.0 AF
			8.00 CFS	700.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4 Twp 04N Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5 Twp 04N Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21 Twp 05N Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 29 Twp 05N Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32 Twp 05N Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 32 Twp 05N Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
							L1	L2			L3								
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

- This right is limited to the irrigation of 200 acres within the place of use described above in a single irrigation season.
- Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
- Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
- Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-7077
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
8. If the surface water right(s) appurtenant to the place of use is 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.
9. 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.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21st day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13841
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-13841 is now described as follows.

Right Holder: KURT P ACOR
 PO BOX 63C
 MOORE ID 83255

Priority Date: December 17, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.80 CFS	140.0 AF
			0.80 CFS	140.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 21 Twp 05N Rge 26E BUTTE 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	
04N 25E 35									20.0				20.0				40.0

Total Acres: 40

CONDITIONS OF APPROVAL

1. Water delivered through the Timberdome Canal.
2. 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 21ST day of July, 2006


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13842
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-13842 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: December 17, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.46 CFS	196.2 AF
			0.46 CFS	196.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 29 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 32 Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
								L1	L2			L3							
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-13842
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. If the surface water right(s) appurtenant to the place of use is 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.
8. 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.
9. 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.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21st day of July, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-692C
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-692C is now described as follows.

Right Holder: EVERETT T ACOR JR
 3196 N YELLOWSTONE HWY
 IDAHO FALLS ID 83401

Priority Date: July 15, 1884

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	to 10/15	1.60 CFS	
			1.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NESESE Sec. 4 Twp 05N Rge 26E BUTTE 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					
04N	26E	9					35.0	35.0									70.0		

Total Acres: 70

CONDITIONS OF APPROVAL

1. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
2. Water delivered through the Moore Diversion, Westside Ditch.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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 21ST day of July, 2006


 Chief, Water Allocation Bureau



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

1000 Riverwalk Drive, Suite 200
PO Box 50150
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

E-MAIL rharris@holdenlegal.com

June 30, 2008

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

COPY

Re: Notice of Change of Water Right Ownership
Mickelsen Properties LLC - Located in Butte County, Idaho

Dear Ladies & Gentlemen:

We represent Telford Lands LLC, which recently acquired a farm formerly owned by Mickelsen Properties LLC. Enclosed is a Notice of Change of Water Right Ownership for all of the water rights associated with the farm and the recorded deeds evidencing that transaction. We have also enclosed maps with the location of the place of use and points of diversion. Lastly, we have enclosed the filing fee of \$375.00 for the processing of this Notice of Change of Water Right Ownership. If you have any questions, please feel free to contact us.

We request that the Department move forward quickly on processing this Notice of Change of Ownership. As of the time of the filing of this Notice of change of Water Right Ownership, Mr. Telford has also filed an Application for Transfer involving a number of the water rights in order to add a new well to those water rights. We are providing a copy of this letter and Notice of Change of Water Right Ownership to the Eastern Region office of IDWR, where we have filed the transfer application. We suspect there will be some coordination between your office and the Eastern Region office. If you have any questions regarding the transfer, please let us know.

Best Regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

c: Telford Lands LLC
Idaho Department of Water Resources - Eastern Region

RECEIVED
JUL 01 2008

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Water Right No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
34-618	34-7092		34-13842		
34-7179	34-7121A		34-13659		
34-2330B	34-7121B		34-13661		
34-7077	34-12376		34-10028		
37-7080B	34-13840		34-10896		

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **\$375.00 Filing Fee**
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights(s) or claims(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use your water rights(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county.)
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Mickelsen Properties LLC
c/o Holden, Kidwell, Hahn & Crapo, PLLC
4. New Owner/Claimant(s) Telford Lands LLC
 Name connector (check one): [] and [] or, [] and/or
 New Mailing Address c/o Mike Telford, 1450 W. Hwy. 24
 City, State and ZIP Code Paul, ID 83347
 New Telephone Number 208-532-4555
5. Date you acquired the property December 20, 2007

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock,
Water right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attached a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

7. Signature of New Owner(s) Or Claimant(s) Ted L. Harris - ATTORNEY
(include title if applicable)

For IDWR Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ Date _____ WR _____ Date _____

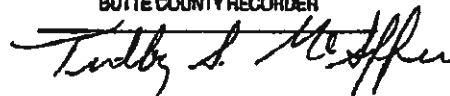
Order No: 5767LRT

WARRANTY DEED

NO. 0045246

RECORDED

DEC 21 2007

A.M. 1:13 P.M.
BUTTE COUNTY RECORDER

For Valuable Consideration Received:

MICKELSEN PROPERTIES, LLC

the Grantor does hereby grant, bargain, sell, convey and warrant unto

TELFORD LANDS LLC

the Grantee whose current address is:

1450 W. Highway 24, Paul, ID 83347

the following described premises, to-wit:

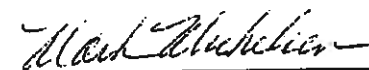
Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 4: Lots 1 and 2; and the S1/2NE1/4

EXCEPTING THEREFROM the county road right-of-way.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

MICKELSEN PROPERTIES, LLC



By Mark Mickelsen

20 Dec 2007

Date

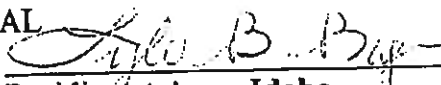
STATE OF IDAHO)

)ss.

COUNTY OF BUTTE)

On this 20th day of December, 2007, before me, the undersigned, a Notary Public, in and for said State, personally appeared Mark Mickelsen, known to me, and/or identified to me to be the managing member of the limited liability company that executed the within instrument and acknowledged to me that such company executed the same.

WITNESS MY HAND AND OFFICIAL SEAL


Notary Public, Idaho

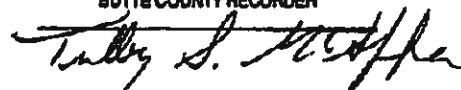
Order No: 5767LRT

NO. 0045245

RECORDED

DEC 2 1 2007

WARRANTY DEED

A.M. 1:13 P.M.
BUTTE COUNTY RECORDER

For Valuable Consideration Received:

MICKELSEN PROPERTIES, LLC, AN IDAHO LIMITED LIABILITY COMPANY

the Grantor does hereby grant, bargain, sell, convey and warrant unto.

TELFORD LANDS LLC

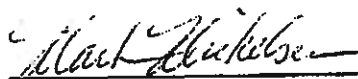
the Grantee whose current address is:

1450 W. Highway 24, Paul, ID 83347

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Mickelsen Properties, LLC, An Idaho Limited Liability Company
By _____

Date

20 Dec 2007STATE OF IDAHO)
)ss.
COUNTY OF BUTTE)

On this 20th day of December, 2007, before me, the undersigned, a Notary Public, in and for said State, personally appeared Mark Mickelsen, known to me, and/or identified to me to be the managing member of the limited liability company that executed the within instrument and acknowledged to me that such company executed the same.

WITNESS MY HAND AND OFFICIAL SEAL


Residing at: Arco, Idaho
Commission Expires: 06/05/2009

74021

Order No: 5767

NC 0045245
RECORDED

DEC 8 12007

A.M. 1:13 P.M.
BUTTE COUNTY RECORDER*Toby S. Medffia*

WARRANTY DEED

For Valuable Consideration Received:

MICKELSEN PROPERTIES, LLC, AN IDAHO LIMITED LIABILITY COMPANY

the Grantor does hereby grant, bargain, sell, convey and warrant unto

TELFORD LANDS LLC

the Grantee whose current address is:

1450 W. Highway 24, Paul, ID 83347

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Mickelsen Properties, LLC, An Idaho Limited Liability Company

Mark Mickelsen
By _____

Date

20 Dec 2007

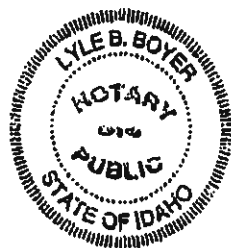
STATE OF IDAHO)

)ss.

COUNTY OF BUTTE)

On this 20th day of December, 2007, before me, the undersigned, a Notary Public, in and for said State, personally appeared Mark Mickelsen, known to me, and/or identified to me to be the managing member of the limited liability company that executed the within instrument and acknowledged to me that such company executed the same.

WITNESS MY HAND AND OFFICIAL SEAL



Lyle B. Boyer
Residing at: Arco, Idaho
Commission Expires: 06/05/2009

EXHIBIT "A"**TRACT 1:**

Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 2: S1/2SW1/4; NW1/4SW1/4; W1/2NE1/4SW1/4; W1/2SE1/4NE1/4SW1/4

Section 3: E1/2SE1/4

Section 10: NE1/4NE1/4

Section 11: NW1/4 lying North of the State Highway

EXCEPTING THEREFROM: Beginning at a point on the North section line 254.5 feet East of the N1/4 corner of said Section 11, which is the Point Of Beginning; running thence South 89°50' West 400 feet; thence South 826.6 feet to the Northerly boundary line of State Highway 93; thence in a Northeasterly direction along a one degree curve on said Highway right-of-way 437.5 feet; thence North 649.1 feet to the Point Of Beginning.

TRACT 2:

Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

That portion of Section 17 and 18 lying North of the Arco-Carey Highway.

TRACT 3:

Township 3 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 12: ALL

TRACT 4:

Township 4 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 36: ALL, EXCEPT the North 32 feet.

TRACT 5:

A parcel of land generally described as a portion of the SE1/4SE1/4, Section 25, Township 4 North, Range 25 East of the Boise Meridian, Butte County, Idaho, being more particularly described as follows:

Beginning at the Southeast corner of said Section 25, thence North 0°30'04" East, along the East boundary of said Section 25, a distance of 205.17 feet; thence North 89°39'08" West, parallel to the South boundary of said Section 25, a distance of 529.88 feet; thence South 56°00'23" West 363.69 feet to the South boundary of said Section 25; thence South 89°39'08" East, along the South boundary of said Section 25, a distance of 829.63 feet to the Point Of Beginning.

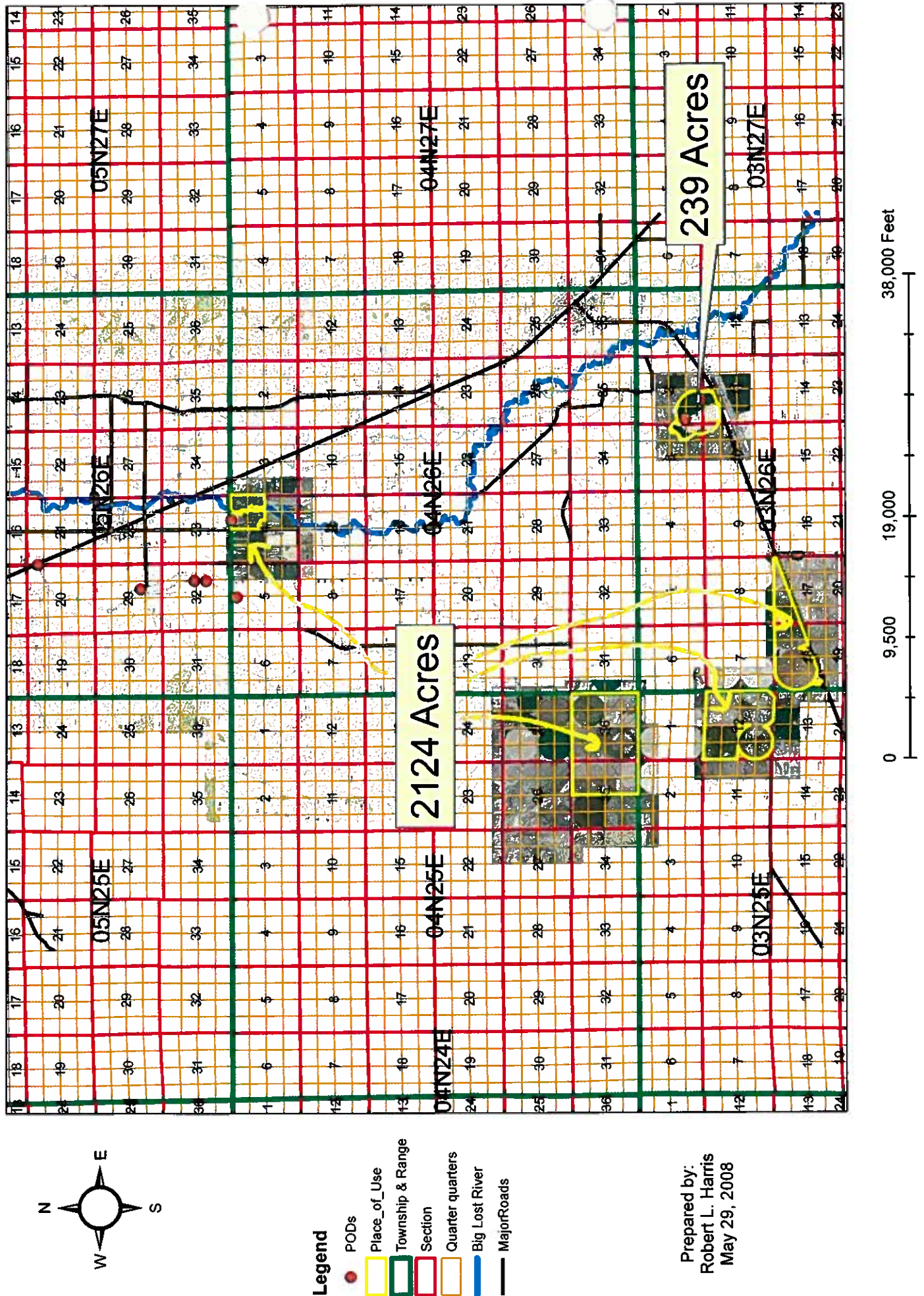
SUBJECT TO a 43 feet wide county road Right-of-Way Easement parallel to and along the East boundary thereof.

TRACT 6:

Township 4 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 35: N1/2NE1/4; SW1/4NE1/4; SE1/4NE1/4; SE1/4; EXCEPTING THEREFROM a road easement across the North 32 feet of said NE1/4.

TELFORD WATER RIGHTS



74921

No. W 23489

Due no later than April 30, 2008

Annual Report Form

Return to:

SECRETARY OF STATE
450 NORTH FOURTH STREET
PO BOX 83720
BOISE, ID 83720-0080

1. Mailing Address - Correct in this box, if applicable

TELFORD LANDS LLC
MICHAEL TELFORD
1450 W HIGHWAY 24
PAUL, ID 83347

2. Registered Agent and Office NO PO BOX

MICHAEL TELFORD
1450 W HIGHWAY 24
PAUL, ID 83347

NO FILING FEE IF
RECEIVED BY DUE DATE

3. New Registered Agent Signature

4. Limited Liability Companies: Enter Names and Addresses of Managers.

Office held	Name	Street or P.O. Address	City	State	Zip
Managing Member	Michael Telford	1450 West Hwy 24	Paul	Idaho	83347

5. Organized Under the Laws of:

IDAHO
W 23489

6.

Signature

Michael Telford

Date 2-14-08

Name (Typed or Printed)

Michael Telford

Title Managing Member

Issued 02/01/2008

Do Not Tape or Staple

200804006117