

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73596

This is to certify that: SHURTLEFF RANCHES LTD PARTNERSHIP
 399 HEMLOCK CIR
 IDAHO FALLS ID 83401
 (208)523-5675

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>
23-10858	WR/Decreed	06/01/1889	5.4 cfs	N/A	270.0	518.4	RAINEY CREEK
23-94	WR/Decreed	01/22/1916	17.6 cfs	N/A	N/A	518.4	RAINEY CREEK
23-80	WR/Decreed	06/01/1891	2.4 cfs	N/A	120.0	223.0	RAINEY CREEK
23-78	WR/Decreed	05/01/1895	1.0 cfs	N/A	50.0	518.4	RAINEY CREEK
23-63	WR/Decreed	06/15/1898	2.4 cfs	N/A	120.0	518.4	RAINEY CREEK

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>
23-10858	NO	YES	NO	NO	NO	NO
23-94	NO	YES	NO	NO	NO	NO
23-80	NO	YES	YES	NO	NO	NO
23-78	NO	YES	NO	NO	NO	NO
23-63	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
23-10858	23-10858	5.4 cfs	N/A	270.0	518.4		N/A	N/A	N/A	N/A
23-94	23-94	17.6 cfs	N/A	N/A	518.4		N/A	N/A	N/A	N/A
23-80	23-80	2.4 cfs	N/A	120.0	518.4		N/A	N/A	N/A	N/A
23-78	23-78	1.0 cfs	N/A	50.0	518.4		N/A	N/A	N/A	N/A
23-63	23-63	2.4 cfs	N/A	120.0	518.4		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		28.8 cfs	N/A	518.4	518.4		N/A	N/A	N/A	N/A

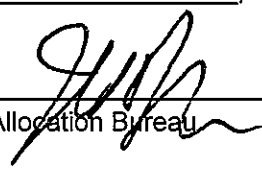
SUPPORT DATA

IN FILE # 23-63

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73596

Detailed Water Right Description(s) attached

Dated this 30th day of May, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 23-63
As Modified by Transfer No. 73596

In accordance with the approval of Transfer No. 73596, Water Right No. 23-63 is now described as follows.

Right Holder: SHURTLEFF RANCHES LTD PARTNERSHIP
 399 HEMLOCK CIR
 IDAHO FALLS ID 83401

Priority Date: June 15, 1898

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	2.40 CFS	
			2.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:

RAINEY CREEK	SESESW	Sec. 33 Twp 02N	Rge 44E	BONNEVILLE County
RAINEY CREEK	SESWSE	Sec. 33 Twp 02N	Rge 44E	BONNEVILLE 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	
01N	44E	5						25.0 L 4											25.0
01N	44E	6	22.0 L 1	37.0 L 2	39.0	26.0	39.0 L 3		35.0	7.5					30.0	36.0			271.5
01N	44E	8	38.0	26.0	11.0	39.0													114.0
02N	44E	31								2.9	26.0 L 3	32.0 L 4	36.0			11.0			107.9

Total Acres: 518.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
2. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 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.
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. 01.

WATER RIGHT NO. 23-63
As Modified by Transfer No. 73596

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. Rights 23-63, 23-78, 23-80, 23-94, 23-10858 and 23-04043 when combined shall not exceed the irrigation of 518.4 acres.
9. This right does not grant any right-of-way or easement across the land of another.
10. Water is delivered through Goetsche Ditch and/or WBills Ditch

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 30th day of May, 20 08

Chief, Water Allocation Bureau

WATER RIGHT NO. 23-10858
As Modified by Transfer No. 73596

In accordance with the approval of Transfer No. 73596, Water Right No. 23-10858 is now described as follows.

Right Holder: SHURTLEFF RANCHES LTD PARTNERSHIP
 399 HEMLOCK CIR
 IDAHO FALLS ID 83401

Priority Date: June 01, 1889

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	5.40 CFS	
			5.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:

RAINEY CREEK	SESESW	Sec. 33 Twp 02N	Rge 44E	BONNEVILLE County
RAINEY CREEK	SENWSE	Sec. 33 Twp 02N	Rge 44E	BONNEVILLE 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	
01N	44E	5						25.0											25.0
								L 4											
01N	44E	6	22.0	37.0	39.0	26.0	39.0			35.0	7.5				30.0	36.0			271.5
			L 1	L 2			L 3												
01N	44E	8	38.0	26.0	11.0	39.0													114.0
02N	44E	31									2.9	26.0	32.0	36.0			11.0		107.9
											L 3	L 4							

Total Acres: 518.4

CONDITIONS OF APPROVAL

- 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.
- 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. 01.
- Water is delivered through Goetsche Ditch and/or WBills Ditch
- Rights 23-63, 23-78, 23-80, 23-94, 23-10858 and 23-04043 when combined shall not exceed the irrigation of 518.4 acres.
- This right is limited to the irrigation of 270 acres within the place of use described above in a single irrigation season.

WATER RIGHT NO. 23-10858
As Modified by Transfer No. 73596

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
8. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
9. This right does not grant any right-of-way or easement across the land of another.
10. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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 30th day of May, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 23-78
As Modified by Transfer No. 73596

In accordance with the approval of Transfer No. 73596, Water Right No. 23-78 is now described as follows.

Right Holder: SHURTLEFF RANCHES LTD PARTNERSHIP
 399 HEMLOCK CIR
 IDAHO FALLS ID 83401

Priority Date: May 01, 1895

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	1.00 CFS	
			1.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

RAINEY CREEK	SESESW	Sec. 33 Twp 02N	Rge 44E	BONNEVILLE County
RAINEY CREEK	SESWSE	Sec. 33 Twp 02N	Rge 44E	BONNEVILLE 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	
01N	44E	5							25.0 L 4										25.0
01N	44E	6	22.0 L 1	37.0 L 2	39.0	26.0	39.0 L 3			35.0	7.5				30.0	36.0			271.5
01N	44E	8	38.0	26.0	11.0	39.0													114.0
02N	44E	31									2.9 L 3	26.0 L 4	32.0	36.0			11.0		107.9

Total Acres: 518.4

CONDITIONS OF APPROVAL

1. 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. 01.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 23-78
As Modified by Transfer No. 73596

CONDITIONS OF APPROVAL

6. 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.
7. Rights 23-63, 23-78, 23-80, 23-94, 23-10858 and 23-04043 when combined shall not exceed the irrigation of 518.4 acres.
8. This right is limited to the irrigation of 50 acres within the place of use described above in a single irrigation season.
9. Water is delivered through Goetsche Ditch and/or WBills Ditch
10. This right does not grant any right-of-way or easement across the land of another.

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 30th day of May, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 23-80
As Modified by Transfer No. 73596

In accordance with the approval of Transfer No. 73596, Water Right No. 23-80 is now described as follows.

Right Holder: SHURTLEFF RANCHES LTD PARTNERSHIP
 399 HEMLOCK CIR
 IDAHO FALLS ID 83401

Priority Date: June 01, 1891

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to	10/31	2.40 CFS	
			2.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:

RAINEY CREEK	SESESW	Sec. 33 Twp 02N	Rge 44E	BONNEVILLE County
RAINEY CREEK	SESWSE	Sec. 33 Twp 02N	Rge 44E	BONNEVILLE 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	
01N	44E	5						25.0											25.0
							L 4												
01N	44E	6	22.0	37.0	39.0	26.0	39.0			35.0	7.5				30.0	36.0			271.5
			L 1	L 2			L 3												
01N	44E	8	38.0	26.0	11.0	39.0													114.0
02N	44E	31									2.9	26.0	32.0	36.0			11.0		107.9
											L 3	L 4							

Total Acres: 518.4

CONDITIONS OF APPROVAL

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.
3. This right does not grant any right-of-way or easement across the land of another.
4. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
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. 01.

WATER RIGHT NO. 23-80
As Modified by Transfer No. 73596

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
8. Rights 23-63, 23-78, 23-80, 23-94, 23-10858 and 23-04043 when combined shall not exceed the irrigation of 518.4 acres.
9. Water is delivered through Goetsche Ditch and/or WBills Ditch
10. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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 30th day of May, 20 08

Chief, Water Allocation Bureau

WATER RIGHT NO. 23-94
As Modified by Transfer No. 73596

In accordance with the approval of Transfer No. 73596, Water Right No. 23-94 is now described as follows.

Right Holder: SHURTLEFF RANCHES LTD PARTNERSHIP
 399 HEMLOCK CIR
 IDAHO FALLS ID 83401

Priority Date: January 22, 1916

Source: RAINEY CREEK

Tributary: SOUTH FORK SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	17.60 CFS	
			17.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

RAINEY CREEK	SESESW	Sec. 33 Twp 02N	Rge 44E	BONNEVILLE County
RAINEY CREEK	SESW	Sec. 33 Twp 02N	Rge 44E	BONNEVILLE 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	
01N	44E	5						25.0											25.0
								L 4											
01N	44E	6	22.0	37.0	39.0	26.0	39.0			35.0	7.5				30.0	36.0			271.5
			L 1	L 2			L 3												
01N	44E	8	38.0	26.0	11.0	39.0													114.0
02N	44E	31									2.9	26.0	32.0	36.0		11.0			107.9
											L 3	L 4							

Total Acres: 518.4

CONDITIONS OF APPROVAL

1. Water is delivered through Goetsche Ditch and/or WBills Ditch
2. Rights 23-63, 23-78, 23-80, 23-94, 23-10858 and 23-04043 when combined shall not exceed the irrigation of 518.4 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. 01.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. This right does not grant any right-of-way or easement across the land of another.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

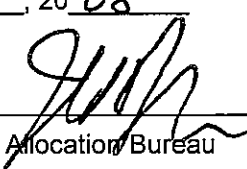
WATER RIGHT NO. 23-94
As Modified by Transfer No. 73596

CONDITIONS OF APPROVAL

7. 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.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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 30th day of May, 20 08



Chief, Water Allocation Bureau