

Should questions arise during the processing of this application please contact:
Steve Hannula ERO Resources Corp. (208) 373-7983

RECEIVED

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 13 2008

WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Broken Arrow Farms Inc. c/o Jim Blanksma

Phone (208) 587-7939

Post Office address 2014 Onati, Mountain Home, ID 83647

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. Properly designed wells are needed for the dairy. A new primary and backup dairy well is needed. One of the irrigation wells has failed and needs replacement. An additional irrigation well is needed to divert the authorized amount of water. An additional site is identified in the event that well interference reduces production.

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
61-2186	2/3/1966	1.39cfs/192.1afa	stockwater	1/1 to 12/31
61-2186	2/3/1966	0.57cfs/78.4afa	commercial	1/1 to 12/31
61-2186	2/3/1966	1.2cfs/240afa	irrigation	4/1 to 10/31
61-2220	4/10/1967	6.4cfs/1280afa	irrigation	4/1 to 10/31
61-7060	6/20/1969	6.4cfs/1280afa	irrigation	4/1 to 10/31
61-7222	4/14/1975	0.03cfs/3.9afa	stockwater	1/1 to 12/31
61-7222	4/14/1975	0.01cfs/1.6afa	commercial	1/1 to 12/31

NO CHANGE

2. Total amount of water being transferred 16 cubic feet per second and/or 3076 acre-feet per annum.

3. Source of water Groundwater tributary to N/A

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	6	5S	6E	ELMORE	Existing irrigation well
		NW	SE	6	5S	6E	ELMORE	Existing irrigation well
		NW	SE	6	5S	6E	ELMORE	Replacement for failed well
		NW	SE	6	5S	6E	ELMORE	Proposed well
		NE	SE	6	5S	6E	ELMORE	Proposed well
		SE	SE	6	5S	6E	ELMORE	Proposed well
		NE	SE	6	5S	6E	ELMORE	Proposed well

5. Lands irrigated or place of use: **NO CHANGE**

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	5E	12	38	39	38	39													154
5S	6E	6									40	40	39	39	38	38	38	38	310
5S	6E	7	39	39	32	39	39	39	38	39									304
5S	6E	8	39	39	39	35	S/C	S/C	S/C	S/C									152

Total acres 920

PART 1**6. General Information:**

- a. Description of diversion system There are 3 existing wells, one of which pumps sand and has now failed. The two good wells will remain for irrigation, with one serving the dairy in a dual role. Four new wells are proposed. One of the proposed wells will be for irrigation. Two of the proposed wells will be dedicated to the dairy. One site will be reserved in the event that well interference or problems come up in the future.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ___ Yes XX 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer: No Change
- d. Remarks: SEE ATTACHED

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 _____, 20 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each night)

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. 61-2186 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 returns and other documents which show ownership. Label documents **See Attached Copy of Transfer 71617** tenant or other documents

See Attached Copy of Transfer 71617

☐ 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 _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion: _____

[illegible]

8. Lands irrigated or place of use:

[illegible]

9. Describe any other water rights used for the same purpose as described above 61-2220, 61-7060, 61-7222

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 _____

(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)

2. Points of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

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)

- ## 2. Points of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

	Total acres
--	-------------

(Attach one copy for each right)

9. Describe any other water rights used for the same purpose as described above 61-2186, 61-7060, 61-7222

PART 2 (61-2220)

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)

NO CHANGE

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

(Attach one copy for each right)

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. 61-7060 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 do **See Attached Copy of Transfer 71617**

See Attached Copy of Transfer 71617

☐ 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 _____
(cfs/ac-ft)

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

7. **Point(s) of Diversion:**

[illegible]

8. Lands irrigated or place of use:

[illegible]

9. Describe any other water rights used for the same purpose as described above 61-2220, 61-2186, 61-7222

PART 2 (61-7060)

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)

NO CHANGE

2. Points 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 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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)

2. Points 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 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 61-2220, 61-7060, 61-2186

PART 2 (61-7222)

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)

NO CHANGE

2. Points 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 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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)

2. Points 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 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use _____ Amount (cfs/ac-ft) _____ Hours/days/year _____ Period of Use _____ to _____
_____ to _____
2. Quantity and quality of return flows and location of discharge: _____
3. Describe effects on other water uses resulting from the proposed change: _____

I hereby assert 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.

Broken Arrow Farms, Inc. by
James A. Blanton

(Signature of Applicant)

Subscribed and sworn before me this 10th day of October, 20 07.

Frances M. Hick

(Notary Public)

My commission expires 2-01-11

FOR DEPARTMENT USE ONLY

Transfer contains 11 pages and 3 attachments (A-C)
 Received by SB Date 12/10/07 Protest filed by _____
 Prelim. check by FL Fee * _____
 Receipted by * Date * _____
 Published in _____ Copies of protest forwarded by _____
 Pub. Dates _____ Hearing held by _____ Date _____
 Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial
 _____ rec'd. _____ by _____
 Copy of transfer sent to lien holder _____

* SEE original e fee receipt 2/23/06 into:
pg. 1 of that original limits new pld(s) to 7 cfs

Additional fee paid 1/16/08 allows new pld(s)
without that limitation.

Result: 2/23/06 \$530 W033885
1/16/08 \$320 W036089
 TOTAL \$850 = covers full 16.0 cfs

**Remarks
for Application for Transfer
Broken Arrow Farms Inc**

This Application for Transfer seeks to add four points of diversion (POD). Currently, one of the three authorized PODs serves both the dairy operation and irrigation. The other two authorized PODs serves irrigation demand. However, one of the irrigation wells has failed in 2007 and is being abandoned; a replacement well is being coordinated through IDWR.

The Application for Transfer seeks a series of four new wells. Two of the new wells will be dedicated to the dairy as a primary and backup. The third location will be for a new irrigation well, and the fourth location will be reserved in the event that a well fails or has low production.

This transfer application does not increase diversion rate or annual volume. No change is sought except to add new wells.

This change in the POD does not affect nearby water users because the transfer does not change the demand on the aquifer. The separation distance between the new wells and the neighbors is large and is not encroaching on others.

The closest neighboring well is approximately ½ mile north of the existing wells. The location of the proposed wells is greater than ½ mile from the nearest neighboring well.

There will be no change the agricultural base to the area as a result of this transfer.

There will be no change in impact to the water resource, other than pumping less sand out of the aquifer.

T. 73771 ATTACHMENT A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED*****TRANSFER NO. 71617**

This is to certify that: BROKEN ARROW FARMS INC

C/O JIM BLANKSMA

HC 85 BOX 23A

MOUNTAIN HOME ID 83647

(208)587-7939

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>
61-2186	WR/Decreed	02/03/1966	3.16 cfs	N/A	158.0	1,075.0	GROUND WATER
61-2220	WR/Decreed	04/10/1967	6.40 cfs	N/A	320.0	1,075.0	GROUND WATER
61-7060	WR/Decreed	06/20/1969	6.40 cfs	N/A	320.0	1,075.0	GROUND WATER
61-7222	WR/Decreed	04/14/1975	3.20 cfs	N/A	160.0	1,075.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
61-2186	NO	YES	YES	NO	YES	YES
61-2220	NO	YES	YES	NO	NO	NO
61-7060	NO	YES	YES	NO	NO	NO
61-7222	NO	YES	YES	NO	YES	YES

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>
61-2186	61-2186	3.16 cfs	510.5 af	60.0	920.0		N/A	N/A	N/A	N/A
61-2220	61-2220	6.40 cfs	1280.0 af	320.0	920.0		N/A	N/A	N/A	N/A
61-7060	61-7060	6.40 cfs	1280.0 af	320.0	920.0		N/A	N/A	N/A	N/A
61-7222	61-7222	0.04 cfs	5.5 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		16.00 cfs	3076.0 af	700.0	920.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of March, 20 05



Chief, Water Allocation Bureau

T. 73771 ATTACHMENT B (9 pgs.)

WATER RIGHT NO. 61-2186
As Modified by Transfer No. 71617

In accordance with the approval of Transfer No. 71617, Water Right No. 61-2186 is now described as follows.

Right Holder: BROKEN ARROW FARMS INC
 C/O JIM BLANKSMA
 HC 85 BOX 23A
 MOUNTAIN HOME ID 83647

Priority Date: February 03, 1966

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	1.20 CFS	240.0 AF
STOCKWATER	01/01 to	12/31	1.39 CFS	192.1 AF
COMMERCIAL	01/01 to	12/31	0.57 CFS	78.4 AF
			3.16 CFS	510.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENESE	Sec. 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	NENWSE	Sec. 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	SEWSE	Sec. 6	Twp 05S	Rge 06E	ELMORE 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	
05S	05E	12	38.0	39.0	38.0	39.0													154.0
05S	06E	6									40.0	40.0	39.0	39.0	38.0	38.0	38.0	38.0	310.0
05S	06E	7	39.0	39.0	32.0	39.0	39.0	39.0	38.0	39.0									304.0
05S	06E	8	39.0	39.0	39.0	35.0													152.0

Total Acres: 920

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	06E	8					X	X	X	X									

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	06E	8					X	X	X	X									

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 61-2186
As Modified by Transfer No. 71617

CONDITIONS OF APPROVAL

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. Prior to use of water under this right, the right holder shall install a measuring device to the dairy mainline to measure the amount of water diverted to the dairy and shall annually report the diversion to the department. The right holder shall obtain prior approval from the department of the type of measuring device to install.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted for all uses or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The total instantaneous diversion of water from all points of diversion under Rights 61-2186, 61-2220, 61-7060 and 61-7222 shall not exceed 16.0 cfs, nor a total combined annual volume of 3,076.0 af.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season.
12. Rights 61-2186, 61-2220 and 61-7060 when combined shall not exceed the irrigation of 700 acres within the place of use described above in a single irrigation season.
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
14. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
15. Commercial use is for a dairy.
16. Rights 61-2220, 61-7060 and 61-7222 are also diverted through the points of diversion described 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 24th day of March, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 61-2220
As Modified by Transfer No. 71617

In accordance with the approval of Transfer No. 71617, Water Right No. 61-2220 is now described as follows.

Right Holder: BROKEN ARROW FARMS INC
 C/O JIM BLANKSMA
 HC 85 BOX 23A
 MOUNTAIN HOME ID 83647

Priority Date: April 10, 1967

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	6.40 CFS	1,280.0 AF
			6.40 CFS	1,280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENESE	Sec. 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	NENWSE	Sec. 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	SENWSE	Sec. 6	Twp 05S	Rge 06E	ELMORE 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	
05S	05E	12	38.0	39.0	38.0	39.0													154.0
05S	06E	6								40.0	40.0	39.0	39.0	38.0	38.0	38.0	38.0		310.0
05S	06E	7	39.0	39.0	32.0	39.0	39.0	39.0	38.0	39.0									304.0
05S	06E	8	39.0	39.0	39.0	35.0													152.0

Total Acres: 920

CONDITIONS OF APPROVAL

- The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 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.
- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- The total instantaneous diversion of water from all points of diversion under Rights 61-2186, 61-2220, 61-7060 and 61-7222 shall not exceed 16.0 cfs, nor a total combined annual volume of 3,076.0 af.

WATER RIGHT NO. 61-2220
As Modified by Transfer No. 71617

CONDITIONS OF APPROVAL

6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
9. Rights 61-2186, 61-2220 and 61-7060 when combined shall not exceed the irrigation of 700 acres within the place of use described above in a single irrigation season.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
12. Rights 61-2186, 61-7060 and 61-7222 are also diverted through the points of diversion described 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 24th day of March, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-7060
As Modified by Transfer No. 71617

In accordance with the approval of Transfer No. 71617, Water Right No. 61-7060 is now described as follows.

Right Holder: BROKEN ARROW FARMS INC
 C/O JIM BLANKSMA
 HC 85 BOX 23A
 MOUNTAIN HOME ID 83647

Priority Date: June 20, 1969

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	6.40 CFS	1,280.0 AF
			6.40 CFS	1,280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENESE	Sec. 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	NENWSE	Sec. 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	SENWSE	Sec. 6	Twp 05S	Rge 06E	ELMORE 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	
05S	05E	12	38.0	39.0	38.0	39.0													154.0
05S	06E	6								40.0	40.0	39.0	39.0	38.0	38.0	38.0	38.0		310.0
05S	06E	7	39.0	39.0	32.0	39.0	39.0	39.0	38.0	39.0									304.0
05S	06E	8	39.0	39.0	39.0	35.0													152.0

Total Acres: 920

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The total instantaneous diversion of water from all points of diversion under Rights 61-2186, 61-2220, 61-7060 and 61-7222 shall not exceed 16.0 cfs, nor a total combined annual volume of 3,076.0 af.

WATER RIGHT NO. 61-7060
As Modified by Transfer No. 71617

CONDITIONS OF APPROVAL

6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
9. Rights 61-2186, 61-2220 and 61-7060 when combined shall not exceed the irrigation of 700 acres within the place of use described above in a single irrigation season.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
12. Rights 61-2186, 61-2220 and 61-7222 are also diverted through the points of diversion described 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 24th day of March, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-7222
As Modified by Transfer No. 71617

In accordance with the approval of Transfer No. 71617, Water Right No. 61-7222 is now described as follows.

Right Holder: BROKEN ARROW FARMS INC
 C/O JIM BLANKSMA
 HC 85 BOX 23A
 MOUNTAIN HOME ID 83647

Priority Date: April 14, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.01 CFS	1.6 AF
STOCKWATER	01/01	to 12/31	0.03 CFS	3.9 AF
			0.04 CFS	5.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENESE	Sec. 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	NENWSE	Sec. 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	SENWSE	Sec. 6	Twp 05S	Rge 06E	ELMORE County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05S 06E 8					X	X	X	X									

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05S 06E 8					X	X	X	X									

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 61-7222
As Modified by Transfer No. 71617

CONDITIONS OF APPROVAL

5. Prior to use of water under this right, the right holder shall install a measuring device to the dairy mainline to measure the amount of water diverted to the dairy and shall annually report the diversion to the department. The right holder shall obtain prior approval from the department of the type of measuring device to install.
6. The total instantaneous diversion of water from all points of diversion under Rights 61-2186, 61-2220, 61-7060 and 61-7222 shall not exceed 16.0 cfs, nor a total combined annual volume of 3,076.0 af.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
9. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
10. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
11. Commercial use is for a dairy.
12. Rights 61-2186, 61-2220 and 61-7060 are also diverted through the points of diversion described 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 24th day of March, 20 05



Chief, Water Allocation Bureau

T. 73771 END ATTACHMENT B

**Figure 1 Broken Arrow Farms Points of Diversion
(T5S, R6E, Sections 6, 7, and 8, Elmore County)**



- Proposed Well
- Existing Wells
- ▭ Property
- ▭ Townships
- ▭ Sections



WATER RESOURCES
WESTERN REGION

JAN 03 2008

Amended map
RECEIVED

T. 73771 Attachment