

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73088

This is to certify that: IDAHO PROPERTIES LLC
 23539 365TH AVE
 KIMBALL SD 57355
 (605)778-6714

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>
31-2357	WR/Decreed	11/13/1956	4.60 cfs	1246 af	356.0	461.0	GROUND WATER
31-2395	WR/Decreed	10/09/1961	3.65 cfs	1134 af	324.0	672.9	GROUND WATER
31-7311	WR/Decreed	04/23/1979	4.62 cfs	N/A	N/A	461.0	GROUND WATER
31-11845	WR/Decreed	04/23/1979	4.99 cfs	N/A	N/A	672.9	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>
31-2357	NO	NO	YES	NO	NO	NO
31-2395	NO	NO	YES	NO	NO	NO
31-7311	NO	NO	YES	NO	NO	NO
31-11845	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
31-2357	31-2357	4.60 cfs	1246.0 af	356.0	1,134.4		N/A	N/A	N/A	N/A
31-2395	31-2395	3.65 cfs	1134.0 af	324.0	1,134.4		N/A	N/A	N/A	N/A
31-7311	31-7311	4.62 cfs	1613.5 af	461.0	1,134.4		N/A	N/A	N/A	N/A
31-11845	31-11845	4.99 cfs	1135.8 af	324.5	1,134.4		N/A	N/A	N/A	N/A
COMBINED TOTALS		17.86 cfs	2749.3 af	785.5	1134.4		N/A	N/A	N/A	N/A

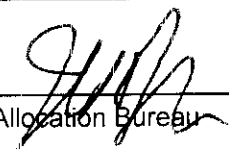
SUPPORT DATA

IN FILE # 32-2357

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73088

Detailed Water Right Description(s) attached

Dated this 11th day of January, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 31-2357
As Modified by Transfer No. 73088

In accordance with the approval of Transfer No. 73088, Water Right No. 31-2357 is now described as follows.

Right Holder: IDAHO PROPERTIES LLC
 23539 365TH AVE
 KIMBALL SD 57355

Priority Date: November 13, 1956

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	4.60 CFS	1,246.0 AF
			4.60 CFS	1,246.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSESW	Sec. 10 Twp 07N	Rge 34E	JEFFERSON County
GROUND WATER	SESESW	Sec. 10 Twp 07N	Rge 34E	JEFFERSON 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	
07N	34E	9											33.0	33.0	26.0		39.0	25.0	156.0
07N	34E	10									4.4	29.0							33.4
07N	34E	15						40.0	32.0										72.0
07N	34E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	32.0	35.0	29.0	36.0	17.0	30.0	40.0	14.0	553.0
07N	34E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									320.0

Total Acres: 1134.4

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. 110.
2. Prior to the diversion and use of water under Transfer approval 73088, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 31-2357
As Modified by Transfer No. 73088

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 356 acres within the place of use described above in a single irrigation season.
6. Rights 31-2357 and 31-7311 when combined shall not exceed a total annual maximum diversion volume of 1613.5 af at the field headgate, and the irrigation of 461 acres.
7. Rights 31-2357, 31-2395, 31-7311 and 31-11845 when combined shall not exceed a total annual maximum diversion volume of 2749.3 af at the field headgate, and the irrigation of 785.5 acres.
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 accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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 11th day of January, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 31-2395
As Modified by Transfer No. 73088

In accordance with the approval of Transfer No. 73088, Water Right No. 31-2395 is now described as follows.

Right Holder: IDAHO PROPERTIES LLC
 23539 365TH AVE
 KIMBALL SD 57355

Priority Date: October 09, 1961

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	3.65 CFS	1,134.0 AF
			3.65 CFS	1,134.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSESW	Sec. 10 Twp 07N	Rge 34E	JEFFERSON County
GROUND WATER	SESESW	Sec. 10 Twp 07N	Rge 34E	JEFFERSON 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	
07N	34E	9											33.0	33.0	26.0		39.0	25.0	156.0
07N	34E	10									4.4	29.0							33.4
07N	34E	15						40.0	32.0										72.0
07N	34E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	32.0	35.0	29.0	36.0	17.0	30.0	40.0	14.0	553.0
07N	34E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									320.0

Total Acres: 1134.4

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. 110.
2. Prior to the diversion and use of water under Transfer approval 73088, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 31-2395
As Modified by Transfer No. 73088

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 324 acres within the place of use described above in a single irrigation season.
6. Rights 31-2395 and 31-11845 when combined shall not exceed a total annual maximum diversion volume of 1135.8 af at the field headgate, and the irrigation of 324.5 acres.
7. Rights 31-2357, 31-2395, 31-7311 and 31-11845 when combined shall not exceed a total annual maximum diversion volume of 2749.3 af at the field headgate, and the irrigation of 785.5 acres.
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 accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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 11th day of January, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 31-7311
As Modified by Transfer No. 73088

In accordance with the approval of Transfer No. 73088, Water Right No. 31-7311 is now described as follows.

Right Holder: IDAHO PROPERTIES LLC
 23539 365TH AVE
 KIMBALL SD 57355

Priority Date: April 23, 1979

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	4.62 CFS	1,613.5 AF
			4.62 CFS	1,613.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSESW	Sec. 10 Twp 07N	Rge 34E	JEFFERSON County
GROUND WATER	SESESW	Sec. 10 Twp 07N	Rge 34E	JEFFERSON 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	
07N	34E	9											33.0	33.0	26.0		39.0	25.0	156.0
07N	34E	10									4.4	29.0							33.4
07N	34E	15						40.0	32.0										72.0
07N	34E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	32.0	35.0	29.0	36.0	17.0	30.0	40.0	14.0	553.0
07N	34E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									320.0

Total Acres: 1134.4

CONDITIONS OF APPROVAL

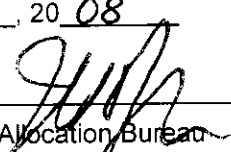
1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.
2. Prior to the diversion and use of water under Transfer approval 73088, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 31-7311
As Modified by Transfer No. 73088

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 461 acres within the place of use described above in a single irrigation season.
6. Rights 31-2357 and 31-7311 when combined shall not exceed a total annual maximum diversion volume of 1613.5 af at the field headgate, and the irrigation of 461 acres.
7. Rights 31-2357, 31-2395, 31-7311 and 31-11845 when combined shall not exceed a total annual maximum diversion volume of 2749.3 af at the field headgate, and the irrigation of 785.5 acres.
8. 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 3/15/2004.
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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of January, 20 08


Chief, Water Allocation Bureau

WATER RIGHT NO. 31-11845
As Modified by Transfer No. 73088

In accordance with the approval of Transfer No. 73088, Water Right No. 31-11845 is now described as follows.

Right Holder: IDAHO PROPERTIES LLC
 23539 365TH AVE
 KIMBALL SD 57355

Priority Date: April 23, 1979

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	4.99 CFS	1,135.8 AF
			4.99 CFS	1,135.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSESW	Sec. 10 Twp 07N	Rge 34E	JEFFERSON County
GROUND WATER	SESESW	Sec. 10 Twp 07N	Rge 34E	JEFFERSON 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	
07N	34E	9									33.0	33.0		26.0			39.0	25.0	156.0
07N	34E	10									4.4	29.0							33.4
07N	34E	15						40.0	32.0										72.0
07N	34E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	32.0	35.0	29.0	36.0	17.0	30.0	40.0	14.0	553.0
07N	34E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									320.0

Total Acres: 1134.4

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. 110.
2. Prior to the diversion and use of water under Transfer approval 73088, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

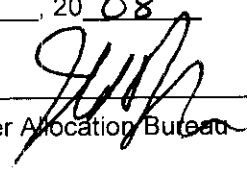
WATER RIGHT NO. 31-11845
As Modified by Transfer No. 73088

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 324.5 acres within the place of use described above in a single irrigation season.
6. Rights 31-2395 and 31-11845 when combined shall not exceed a total annual maximum diversion volume of 1135.8 af at the field headgate, and the irrigation of 324.5 acres.
7. Rights 31-2357, 31-2395, 31-7311 and 31-11845 when combined shall not exceed a total annual maximum diversion volume of 2749.3 af at the field headgate, and the irrigation of 785.5 acres.
8. 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 6/28/2007.
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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of January, 20 08



Chief, Water Allocation Bureau