

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66820

This is to certify that: L & S PARTNERS
 C/O STEVE ASLETT
 PO BOX B
 TWIN FALLS ID 83303-0015
 (208)734-5533

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>
34-4035C	WR/Decreed	08/01/1960	1.31 cfs	229.3 af	N/A	65.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

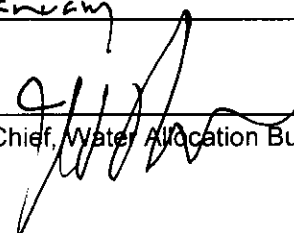
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
34-4035C	NO	YES	YES	NO	NO	NO

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>
34-4035C	~~34-4035C~~	1.31 cfs	229.3 af	N/A	65.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.31 cfs	229.3 af	N/A	65.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of January, 2008


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-4035C
As Modified by Transfer No. 66820

In accordance with the approval of Transfer No. 66820, Water Right No. 34-4035C is now described as follows.

Right Holder: L & S PARTNERS
 C/O STEVE ASLETT
 PO BOX B
 TWIN FALLS ID 83303-0015

Priority Date: August 01, 1960

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	1.31 CFS	229.3 AF
			1.31 CFS	229.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 6 Twp 08N Rge 22E CUSTER 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	
08N 22E 6													20.0			40.0	60.0
08N 22E 7	5.5																5.5
	L 1																

Total Acres: 65.5

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. This approval is specifically conditioned upon the terms and limitations contained in the Stipulation, Settlement, and Joint Motion for Order filed with the Department on October 12, 1999, In the Matter of Application of Permit 34-07591, In the Name of L & S Partners, numerous other captioned matters, and the Preliminary Order of the Department issued on November 18, 1999. This approval is subject to any future modifications resulting from or required by the terms of that Stipulation, the Preliminary Order of the Department, and the actions taken pursuant thereto.
3. Surface water Rights 34-227K and 34-830C have been relinquished through approval of Transfer 66820 to mitigate the use of groundwater as a primary source under Right 34-04035C.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right will be regulated by the watermaster of State Water District No. 34.

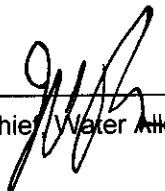
WATER RIGHT NO. 34-4035C
As Modified by Transfer No. 66820

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. 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.
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 11th day of January, 20 08



Chief, Water Allocation Bureau