

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72395

This is to certify that: MART PRODUCE CORP

PO BOX 34
100 E 70 N
RUPERT ID 83350
(208)436-0611

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>
36-16384	WR/Decreed	02/23/1948	0.19 cfs	62 af	N/A	15.5	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>
36-16384	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>
36-16384	36-16384	0.19 cfs	38.8 af	N/A		N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.19 cfs	38.8 af	N/A		N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of October, 2007



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16384
As Modified by Transfer No. 72395

In accordance with the approval of Transfer No. 72395, Water Right No. 36-16384 is now described as follows.

Right Holder: MART PRODUCE CORP
PO BOX 34
100 E 70 N
RUPERT ID 83350

Priority Date: February 23, 1948

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	0.19 CFS	38.8 AF
			0.19 CFS	38.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSENE Sec. 21 Twp 09S Rge 24E MINIDOKA County

PLACE OF USE: COMMERCIAL

[illegible]

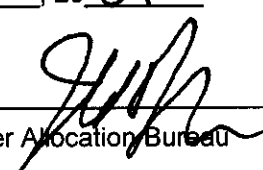
WATER RIGHT NO. 36-16384
As Modified by Transfer No. 72395

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. 130.
2. Prior to the diversion and use of water under Transfer approval 72395, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
3. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. Right 36-8457 is also diverted through the point of diversion described above.
5. Commercial use is for a potato packing plant.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

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 1st day of October, 20 07



Chief, Water Allocation Bureau