

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73911

This is to certify that: DOWNEY PROPERTIES LLC
 3064 HIGHLAND DR
 SALT LAKE CITY UT 84108

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>
29-2426C	WR/Decreed	03/02/1960	1.07 cfs	280 af	N/A	80.0	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>
29-2426C	NO	YES	YES	YES	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>
29-2426C	29-2426C	1.07 cfs	280 af	N/A	80.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.07 cfs	280 af	N/A	80.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of September, 2007

 Chief, Water Allocation Bureau

WATER RIGHT NO. 29-2426C
As Modified by Transfer No. 73911

In accordance with the approval of Transfer No. 73911, Water Right No. 29-2426C is now described as follows.

Right Holder: DOWNEY PROPERTIES LLC
 3064 HIGHLAND DR
 SALT LAKE CITY UT 84108

Priority Date: March 02, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.07 CFS	
IRRIGATION	04/01 to	10/31	1.07 CFS	280.0 AF
			1.07 CFS	280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESE	Sec. 32 Twp 11S	Rge 37E	BANNOCK County
GROUND WATER	NWSE	Sec. 32 Twp 11S	Rge 37E	BANNOCK County
GROUND WATER	SESE	Sec. 32 Twp 11S	Rge 37E	BANNOCK 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	
11S	37E	32														40.0	40.0		80.0

Total Acres: 80

CONDITIONS OF APPROVAL

1. 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.
2. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. After specific notification by the Department, the right holder shall install a suitable measuring device 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 29-2426C
As Modified by Transfer No. 73911

CONDITIONS OF APPROVAL

7. 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.
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.

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 18th day of September, 20 07



Chief, Water Allocation Bureau