

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71254

This is to certify that: MICKELSEN PROPERTIES LLC
 C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
 PO BOX 50130
 IDAHO FALLS ID 83405
 (208)523-0620

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>
34-2330B	WR/Decreed	06/01/1977	1.75 cfs	N/A	122.5	2,025.0	GROUND WATER
34-7121B	WR/Decreed	01/09/1976	3.74 cfs	N/A	316.0	2,025.0	GROUND WATER
34-12376	WR/Decreed	06/01/1977	1.25 cfs	N/A	87.5	2,025.0	GROUND WATER
34-618	WR/Decreed	09/01/1884	3.20 cfs	N/A	N/A	139.0	BIG LOST RIVER
34-7077	WR/Decreed	09/05/1974	8.00 cfs	N/A	200.0	2,025.0	GROUND WATER
34-7080B	WR/Decreed	09/23/1974	5.33 cfs	N/A	286.0	2,025.0	GROUND WATER
34-7120	WR/Decreed	12/17/1975	2.00 cfs	N/A	180.0	2,025.0	GROUND WATER
34-7121A	WR/Decreed	01/09/1976	0.46 cfs	N/A	N/A	286.0	GROUND WATER
34-7092	WR/Decreed	01/14/1975	12.00 cfs	N/A	N/A	635.0	GROUND WATER
34-7179	WR/Decreed	04/06/1982	2.78 cfs	N/A	N/A	2,214.0	GROUND WATER
34-13659	WR/Decreed	06/01/1889	0.97 cfs	N/A	N/A	43.0	BIG LOST RIVER
34-13661	WR/Decreed	06/01/1896	1.00 cfs	N/A	N/A	43.0	BIG LOST RIVER
34-13663	WR/Decreed	04/06/1982	1.93 cfs	381.5 af	109.0	2,138.0	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

34-692C	WR/Decreed	07/15/1884	1.60 cfs	N/A	N/A	70.0	BIG LOST RIVER
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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>
34-2330B	NO	YES	YES	NO	NO	NO
34-7121B	NO	YES	YES	YES	NO	NO
34-12376	NO	NO	YES	YES	NO	NO
34-618	NO	YES	NO	NO	NO	NO
34-7077	NO	YES	YES	YES	NO	NO
34-7080B	NO	NO	NO	YES	NO	NO
34-7120	YES	YES	YES	YES	NO	NO
34-7121A	NO	YES	YES	YES	NO	NO

SUPPORT DATA

IN FILE # 34-618

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71254

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>
34-7092	NO	NO	YES	YES	NO	NO
34-7179	NO	NO	YES	YES	NO	NO
34-13659	NO	NO	YES	NO	NO	NO
34-13661	NO	NO	YES	NO	NO	NO
34-13663	YES	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>
34-2330B	34-2330B	1.75 cfs	429.0 af	122.5	1,985.0		N/A	N/A		N/A
34-7121B	34-7121B	3.74 cfs	1106.0 af	316.0	1,985.0		N/A	N/A		N/A
34-12376	34-12376	1.25 cfs	306.3 af	87.5	1,985.0		N/A	N/A		N/A
34-618	34-618	3.20 cfs	N/A	N/A	139.0		N/A	N/A		N/A
34-7077	34-7077	8.00 cfs	700.0 af	200.0	1,985.0		N/A	N/A		N/A
34-7080B	34-7080B	5.33 cfs	1001.0 af	286.0	1,985.0		N/A	N/A		N/A
34-7120	34-13842	0.46 cfs	196.2 af	140.0	1,985.0	34-13841	0.80 cfs	140 af	N/A	40.0
34-7121A	34-7121A	0.46 cfs	169.0 af	286.0	1,985.0		N/A	N/A		N/A
34-7092	34-7092	12.00 cfs	2222.5 af	635.0	1,985.0		N/A	N/A		N/A
34-7179	34-7179	2.78 cfs	1185.5 af	N/A	2,124.0		N/A	N/A		N/A
34-13659	34-13659	0.97 cfs	N/A	43.0	1,985.0		N/A	N/A		N/A
34-13661	34-13661	1.00 cfs	N/A	43.0	1,985.0		N/A	N/A		N/A
34-13663	34-13840	1.26 cfs	248.5 af	71.0	1,985.0	34-13839	0.67 cfs	133 af	38.0	43.0
COMBINED										
TOTALS		42.20 cfs	N/A	2124.0	2124.0		N/A	N/A	N/A	N/A

Rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13839, 34-13840, 34-13841 and 34-13842 are subject to the conditions of the Preliminary Order dated 05-31-2006 which has become final in the matter of Application for Transfer 71254.

Detailed Water Right Description(s) attached

Dated this 21st day of July, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13659
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-13659 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: June 01, 1889

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01 to	10/15	0.97 CFS	
			0.97 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0				2.0			305.0
								L 1	L 2				L 3						
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. Rights 34-13659 and 34-13661 when combined shall not exceed the irrigation of 43 acres.
2. The total volume of surface water diverted under water right nos. 34-13659 and 34-13661 shall be limited to 150.5 acre-feet.
3. Whenever water right no 34-13659 is deliverable, fifty-five percent of the flow deliverable (up to 0.53 cfs) shall continue to be delivered into the West Side Canal, and forty-five percent of the flow deliverable (up to 0.44 cfs) can be delivered past the head of the West Side Canal under water right no. 34-13659.
4. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
5. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

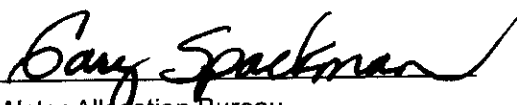
WATER RIGHT NO. 34-13659
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

6. 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. 34.
7. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right prior to or in conjunction with beneficial use of associated ground water rights.
9. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
10. Water delivered through the Moore Diversion, Westside Canal and Timberdome Canal.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. 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 21st day of July, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7080B
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-7080B is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC

PO BOX 438

RIGBY ID 83442

Priority Date: September 23, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	5.33 CFS	1,001.0 AF
		5.33 CFS	1,001.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 29	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 32	Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0					595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0				2.0			305.0
								L1	L2				L3						
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 286 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-7080B
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. Water delivered through the Moore Diversion and Timberdome Canal.
10. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21st day of July, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-618
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-618 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: September 01, 1884

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/15	3.20 CFS	
			3.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE 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	
04N	26E	4	35.0	36.0	36.0	32.0													139.0
			L 1	L 2															

Total Acres: 139

CONDITIONS OF APPROVAL

1. Rights 34-618 and that portion of ground water right no. 34-7179 associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 0.02 cfs per acre, and shall not exceed a total annual maximum diversion volume of 486.5 af at the field headgate.
2. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
3. 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. 34.
4. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right prior to or in conjunction with beneficial use of associated ground water rights.
7. Water delivered through the Moore Diversion.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 34-618
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

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. 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 21ST day of July, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-2330B
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-2330B is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: June 01, 1977

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	1.75 CFS	429.0 AF
			1.75 CFS	429.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 29	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 32	Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
								L 1	L 2			L 3							
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 122.5 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-2330B
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21ST day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13661
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-13661 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: June 01, 1896

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/15	1.00 CFS	
			1.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
							L 1	L 2			L 3								
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. Rights 34-13659 and 34-13661 when combined shall not exceed the irrigation of 43 acres.
2. The total volume of surface water diverted under water right nos. 34-13659 and 34-13661 shall be limited to 150.5 acre-feet.
3. Whenever water right no 34-13661 is deliverable, fifty-five percent of the flow deliverable (up to 0.55 cfs) shall continue to be delivered into the West Side Canal, and forty-five percent of the flow deliverable (up to 0.45 cfs) can be delivered past the head of the West Side Canal under water right no. 34-13661.
4. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
5. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-13661
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

6. 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. 34.
7. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right prior to or in conjunction with beneficial use of associated ground water rights.
9. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
10. Water delivered through the Moore Diversion, Westside Canal and Timberdome Canal.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 21ST day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7121A
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-7121A is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: January 09, 1976

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	0.46 CFS	169.0 AF
			0.46 CFS	169.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 29	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 32	Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
								L 1	L 2			L 3							
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 286 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-7121A
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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 7/15/2002.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. 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.
13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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 21ST day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7121B
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-7121B is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: January 09, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	3.74 CFS	1,106.0 AF
			3.74 CFS	1,106.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 29	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 32	Twp 05N	Rge 26E	BUTTE 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	
03N 25E 12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N 26E 17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N 26E 18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0				2.0			305.0
						L 1	L 2				L 3						
04N 25E 35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N 25E 36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 316 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-7121B
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21ST day of July, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7179
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-7179 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: April 06, 1982

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	2.78 CFS	1,185.5 AF
			2.78 CFS	1,185.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 29 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 32 Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0				2.0			305.0
								L 1	L 2			L 3							
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0
04N	26E	4	35.0	36.0	36.0	32.0													139.0
			L 1	L 2															

Total Acres: 2124

CONDITIONS OF APPROVAL

1. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
2. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
3. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-7179
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

4. 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. 34.
5. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. 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.
9. Water delivered through the Moore Diversion and Timberdome Canal.
10. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 21ST day of July, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-12376
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-12376 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: June 01, 1977

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	1.25 CFS	306.3 AF
			1.25 CFS	306.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 29	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 32	Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
							L 1	L 2			L 3								
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 87.5 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-12376
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21ST day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7092
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-7092 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: January 14, 1975

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	12.00 CFS	2,222.5 AF
			12.00 CFS	2,222.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 29	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 32	Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0				2.0			305.0
								L 1	L 2			L 3							
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 635 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-7092
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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 7/15/2002.
10. 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.
11. The well previously used under Right 34-7092, which will no longer be used, shall be abandoned in a manner which complies with Department well abandonment rules.
12. Water delivered through the Moore Diversion and Timberdome Canal.
13. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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 21st day of July, 2006



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13839
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-13839 is now described as follows.

Right Holder: EVERETT T ACOR JR
 3196 N YELLOWSTONE HWY
 IDAHO FALLS ID 83401

And

LE ANNE WADDOUPS And
 WADE WADDOUPS
 3221 W 3300 N
 MOORE ID 83255

Priority Date: April 06, 1982

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	0.67 CFS	133.0 AF
			0.67 CFS	133.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWSW Sec. 28 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

<u>Twp Rge Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
05N 26E 28											7.0	36.0					43.0

Total Acres: 43

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.
2. 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 21ST day of July, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13840
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-13840 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: April 06, 1982

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	1.26 CFS	248.5 AF
			1.26 CFS	248.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 29 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 32 Twp 05N	Rge 26E	BUTTE 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	
03N 25E 12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N 26E 17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N 26E 18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0				2.0			305.0
						L 1	L 2				L 3						
04N 25E 35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N 25E 36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-13840
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21st day of July, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-7077
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-7077 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: September 05, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	8.00 CFS	700.0 AF
			8.00 CFS	700.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 29	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32	Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SENWSE	Sec. 32	Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0				2.0			305.0
								L 1	L 2			L 3							
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 200 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-7077
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 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.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21ST day of July, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13841
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-13841 is now described as follows.

Right Holder: KURT P ACOR
 PO BOX 63C
 MOORE ID 83255

Priority Date: December 17, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.80 CFS	140.0 AF
			0.80 CFS	140.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 21 Twp 05N Rge 26E BUTTE 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	
04N 25E 35									20.0				20.0				40.0

Total Acres: 40

CONDITIONS OF APPROVAL

1. Water delivered through the Timberdome Canal.
2. 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 21ST day of July, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13842
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-13842 is now described as follows.

Right Holder: MICKELSEN PROPERTIES LLC
 PO BOX 438
 RIGBY ID 83442

Priority Date: December 17, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.46 CFS	196.2 AF
			0.46 CFS	196.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L2 (NENWNE)	Sec. 4 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	L3 (NENENW)	Sec. 5 Twp 04N	Rge 26E	BUTTE County
GROUND WATER	SWNWNW	Sec. 21 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 29 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SESWNE	Sec. 32 Twp 05N	Rge 26E	BUTTE County
GROUND WATER	SEWSE	Sec. 32 Twp 05N	Rge 26E	BUTTE 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	
03N	25E	12	39.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	31.0	32.0	31.0	32.0	39.0	40.0	36.0	36.0	595.0
03N	26E	17	11.0	25.0			37.0	39.0	13.0	5.0									130.0
03N	26E	18	35.0	39.0	36.0	25.0	38.0	26.0	37.0	40.0	17.0	10.0			2.0				305.0
							L1	L2			L3								
04N	25E	35	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
04N	25E	36	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	39.0	635.0

Total Acres: 1985

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140 acres within the place of use described above in a single irrigation season.
2. Rights 34-2330B, 34-07077, 34-07080B, 34-07092, 34-07121A, 34-07121B, 34-12376, 34-13840, 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined, shall not exceed a total diversion rate of 37.03 cfs, and shall not exceed a total annual maximum diversion volume of 6,947.5 af at the field headgate.
3. Rights 34-618, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07077, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840 and 34-13842 when combined shall not exceed the irrigation of 2124 acres.
4. Should all or any portion of water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-7179, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, 34-13842 (all describing a place of use of 1985 acres) and water right no. 34-7179 (2124 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.

WATER RIGHT NO. 34-13842
As Modified by Transfer No. 71254

CONDITIONS OF APPROVAL

5. 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. 34.
6. The right holder shall maintain a measuring device, or other suitable method of measurement, and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. 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.
10. Water delivered through the Moore Diversion and Timberdome Canal.
11. Construction of new wells at the location of existing points of diversion is not authorized unless the water right holder obtains approval through an application for transfer, and the Department determines, by considering the transfer, whether the construction of and pumping from new wells will injure other water rights.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 21st day of July, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-692C
As Modified by Transfer No. 71254

In accordance with the approval of Transfer No. 71254, Water Right No. 34-692C is now described as follows.

Right Holder: EVERETT T ACOR JR
 3196 N YELLOWSTONE HWY
 IDAHO FALLS ID 83401

Priority Date: July 15, 1884

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01 to	10/15	1.60 CFS	
			1.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NESESE Sec. 4 Twp 05N Rge 26E BUTTE 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	
04N	26E	9					35.0	35.0											70.0

Total Acres: 70

CONDITIONS OF APPROVAL

1. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
2. Water delivered through the Moore Diversion, Westside Ditch.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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 21ST day of July, 2006


 Chief, Water Allocation Bureau