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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69365

This is to certify that: CAPITAL LENDING INC
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
35-7	AJC/Decreed	05/01/1887	2.06 cfs		103.0	103.0	UNNAMED STREAM
35-7138	AJC/License	04/08/1970	1.08 cfs	216.0 af	81.0	81.0	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>
35-7	YES	YES	YES	NO	YES	YES
35-7138	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>
35-7	35-13324	N/A	88.0 af	N/A	N/A	35-13323	1.62 cfs	324.0 af	N/A	81.0
						35-7138	1.08 cfs	216.0 af	54.0	75.0
TOTALS		N/A	88.0 af	N/A	N/A		1.62 cfs	324.0 af	N/A	81.0

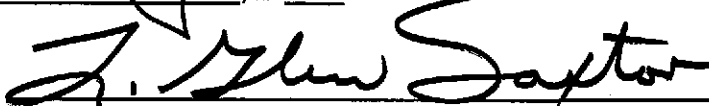
Detailed Water Right Description(s) attached

Dated this

8th

day of

January, 2002


Chief, Water Allocation Bureau

MICROFILMED

JAN 09 2002

WATER RIGHT NO. 35-7138
As Modified by Transfer No. 69365

In accordance with the approval of Transfer No. 69365, Water Right No. 35-7138 is now described as follows.

Right Holder: CAPITAL LENDING INC
 1475 TERMINAL WAY STE E
 RENO NV 89502

Priority Date: 04/08/1970

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	1.08 CFS	216.0 AF
		1.08 CFS	216.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESWNE Sec. 24 Twp 04S Rge 32E BINGHAM County
GROUND WATER (Injection)	SWSENE Sec. 24 Twp 04S Rge 32E BINGHAM County
GROUND WATER (Rediversion)	SWSESW Sec. 24 Twp 04S Rge 32E BINGHAM 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	
04S 32E 24			4.0	1.0					24.0	1.0		21.0	1.0		23.0		75.0

Total Acres: 75.0

CONDITIONS OF APPROVAL

1. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. 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.
4. Right 35-8635 is also diverted through point of diversion described above.
5. Point of injection into and point of rediversion from Unnamed Stream.
6. Use of this right with Right 35-13323 is limited to a total combined diversion rate of 1.62 cfs.

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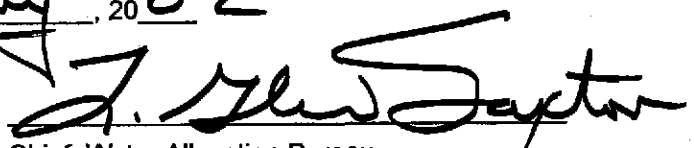
WATER RIGHT NO. 35-7138
As Modified by Transfer No. 69365

CONDITIONS OF APPROVAL

7. Use of this right with Right 35-13323 is limited to the irrigation of a combined total of 81.0 acres in a single irrigation season.
8. This right is limited to the irrigation of 54.0 acres within the place of use described above in a single irrigation season.

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 8th day of January, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 35-13323
As Modified by Transfer No. 69365

In accordance with the approval of Transfer No. 69365, Water Right No. 35-13323 is now described as follows.

Right Holder: CAPITAL LENDING INC
 1475 TERMINAL WAY STE E
 RENO NV 89502

Priority Date: 05/01/1887

Source: UNNAMED STREAM **Tributary:** SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.62 CFS	324.0 AF
			1.62 CFS	324.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SWNE Sec. 24 Twp 04S Rge 32E BINGHAM County

UNNAMED STREAM SESW Sec. 24 Twp 04S Rge 32E BINGHAM 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	
04S	32E	24			4.0	1.0					24.0	7.0		21.0	1.0	23.0		81.0	

Total Acres: 81

CONDITIONS OF APPROVAL

1. Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.
2. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. 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.
5. Source is also known as Boom Creek, Boone Creek.

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WATER RIGHT NO. 35-13323
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6. Use of this right with Right 35-7138 is limited to a total combined diversion rate of 1.62 cfs.
7. Use of this right with Right 35-7138 is limited to the irrigation of a combined total of 81.0 acres in a single irrigation season.

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 8th day of January, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 35-13324
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In accordance with the approval of Transfer No. 69365, Water Right No. 35-13324 is now described as follows.

Right Holder: CAPITAL LENDING INC
 1475 TERMINAL WAY STE E
 RENO NV 89502

Priority Date: 05/01/1887

Source: UNNAMED STREAM **Tributary:** SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
RECREATION STORAGE	01/01	to 12/31		88.0 AF
				88.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NWNWNW Sec. 25 Twp 04S Rge 32E BINGHAM County

PLACE OF USE: RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	32E	24											X						

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01, Snake River.
2. Prior to diversion of water under this approval, the right holder shall provide a means acceptable to the Department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
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. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
5. The surface area of the storage pond shall not exceed 22.0 acres.
6. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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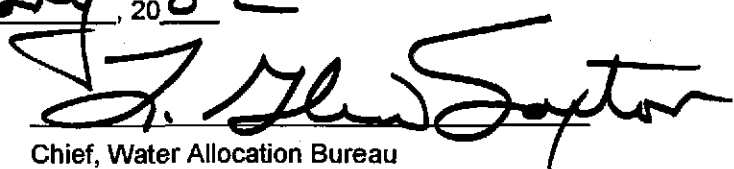
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CONDITIONS OF APPROVAL

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. Source is also known as Boom or Boone Creek.

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 8th day of January, 2002


Chief, Water Allocation Bureau

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JAN 09 2002

MEMORANDUM

TO: FILE 35-13323
FROM: VAULT
RE: TRANSFER # 69365
DATE: 1.8.02

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 35-00007

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