

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72508

This is to certify that: SIX S RANCH LLC
 1354 E SIX S RANCH RD
 DECLO ID 83323
 (208)654-2564

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>
45-263	WR/Decreed	04/16/1881	1.20 cfs	N/A	98.0	258.0	MARSH CREEK
45-264	WR/Decreed	07/21/1884	1.20 cfs	N/A	160.0	258.0	MARSH CREEK
45-265	WR/Decreed	06/25/1887	9.60 cfs	N/A	N/A	258.0	MARSH CREEK
45-2454	WR/Decreed	08/18/1953	1.48 cfs	721 af	216.0	258.0	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>
45-263	NO	NO	YES	NO	NO	NO
45-264	NO	NO	YES	NO	NO	NO
45-265	NO	NO	YES	NO	NO	NO
45-2454	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>
45-263	45-263	1.20 cfs	N/A	98.0	263.3		N/A	N/A	N/A	N/A
45-264	45-264	1.20 cfs	N/A	160.0	263.3		N/A	N/A	N/A	N/A
45-265	45-265	9.60 cfs	N/A	258.0	263.3		N/A	N/A	N/A	N/A
45-2454	45-2454	1.48 cfs	721 af	216.0	263.3		N/A	N/A	N/A	N/A
COMBINED TOTALS		13.48cfs	N/A	258.0	263.3		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of May, 2006

SUPPORT DATA

IN FILE # 45-263


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-263
As Modified by Transfer No. 72508

In accordance with the approval of Transfer No. 72508, Water Right No. 45-263 is now described as follows.

Right Holder: SIX S RANCH LLC
 1354 E SIX S RANCH RD
 DECLO ID 83323

Priority Date: April 16, 1881

Source: MARSH CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	1.20 CFS
			1.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

MARSH CREEK SENESE Sec. 30 Twp 10S Rge 25E CASSIA 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	
10S 25E 29							9.0	3.0	26.0	33.0	40.0	14.0					125.0
10S 25E 30				3.6									32.0	8.5		26.0	70.1
10S 25E 31	32.0	14.0															46.0
10S 25E 32					.2	22.0											22.2

Total Acres: 263.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 98 acres within the place of use described above in a single irrigation season.
2. Rights 45-263, 45-264, 45-265, and 45-2454 when combined shall not exceed a total diversion rate of 13.48 cfs and the irrigation of 258 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 45-264 and 45-265 are also diverted through the point of diversion described above.
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. 45F.

WATER RIGHT NO. 45-263
As Modified by Transfer No. 72508

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
9. 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 4th day of May, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-264
As Modified by Transfer No. 72508

In accordance with the approval of Transfer No. 72508, Water Right No. 45-264 is now described as follows.

Right Holder: SIX S RANCH LLC
 1354 E SIX S RANCH RD
 DECLO ID 83323

Priority Date: July 21, 1884

Source: MARSH CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	1.20 CFS
			1.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

MARSH CREEK SENESE Sec. 30 Twp 10S Rge 25E CASSIA 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	
10S 25E 29							9.0	3.0	26.0	33.0	40.0	14.0					125.0
10S 25E 30				3.6									32.0	8.5		26.0	70.1
10S 25E 31	32.0	14.0															46.0
10S 25E 32					.2	22.0											22.2

Total Acres: 263.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
2. Rights 45-263, 45-264, 45-265, and 45-2454 when combined shall not exceed a total diversion rate of 13.48 cfs and the irrigation of 258 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 45-263 and 45-265 are also diverted through the point of diversion described above.
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. 45F.

WATER RIGHT NO. 45-264
As Modified by Transfer No. 72508

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
9. 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 4th day of May, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-265
As Modified by Transfer No. 72508

In accordance with the approval of Transfer No. 72508, Water Right No. 45-265 is now described as follows.

Right Holder: SIX S RANCH LLC
 1354 E SIX S RANCH RD
 DECLO ID 83323

Priority Date: June 25, 1887

Source: MARSH CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	01/01	to 07/01	9.60 CFS
			9.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

MARSH CREEK SENESE Sec. 30 Twp 10S Rge 25E CASSIA 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	
10S 25E 29							9.0	3.0	26.0	33.0	40.0	14.0					125.0
10S 25E 30				3.6									32.0	8.5		26.0	70.1
10S 25E 31	32.0	14.0															46.0
10S 25E 32					.2	22.0											22.2

Total Acres: 263.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 258 acres within the place of use described above in a single irrigation season.
2. Rights 45-263, 45-264, 45-265, and 45-2454 when combined shall not exceed a total diversion rate of 13.48 cfs and the irrigation of 258 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 45-263 and 45-264 are also diverted through the point of diversion described above.
5. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 07/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than July 5, 2005.

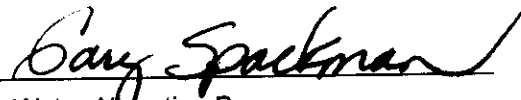
WATER RIGHT NO. 45-265
As Modified by Transfer No. 72508

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. 45F.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this 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 4th day of May, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2454
As Modified by Transfer No. 72508

In accordance with the approval of Transfer No. 72508, Water Right No. 45-2454 is now described as follows.

Right Holder: SIX S RANCH LLC
 1354 E SIX S RANCH RD
 DECLO ID 83323

Priority Date: August 18, 1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	1.48 CFS	721.0 AF
		1.48 CFS	721.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNESE Sec. 30 Twp 10S Rge 25E CASSIA 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	
10S 25E 29							9.0	3.0	26.0	33.0	40.0	14.0					125.0
10S 25E 30				3.6									32.0	8.5		26.0	70.1
10S 25E 31	32.0	14.0															46.0
10S 25E 32					.2	22.0											22.2

Total Acres: 263.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 216 acres within the place of use described above in a single irrigation season.
2. Rights 45-263, 45-264, 45-265, and 45-2454 when combined shall not exceed a total diversion rate of 13.48 cfs and the irrigation of 258 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. 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.

WATER RIGHT NO. 45-2454
As Modified by Transfer No. 72508

CONDITIONS OF APPROVAL

5. 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.
6. Prior to the diversion and use of water under Transfer approval 72508, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this 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 4th day of May, 2006


Chief, Water Allocation Bureau