

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72004**

This is to certify that: GLEN R KUNAU
1941 MILLER AVE
BURLEY ID 83318
(208)431-4011

And

NANCY KUNAU
468 S 800 W
BURLEY ID 83318
(208)678-1104

And

RICHARD G KUNAU
137 N HWY 77
DECLO ID 83323
(208)654-2747

And

ROBERT J KUNAU
468 S 800 W
BURLEY ID 83318
(208)678-0979

And

DONA KUNAU
1941 MILLER AVE
BURLEY ID 83318
(208)678-5310

And

NORMA KUNAU
137 N HWY 77
DECLO ID 83323
(208)654-2747

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.

SUPPORT DATA

IN FILE # 45-13918

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72004

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>
45-13918	AJC/License	05/21/1962	6.00 cfs	2219.2 af	554.8	4,001.4	GROUND WATER
45-13920	AJC/License	09/11/1967	5.43 cfs	2091.6 af	522.9	4,001.4	GROUND WATER
45-13922	AJC/License	11/24/1981	7.33 cfs	1469.2 af	367.3	4,001.4	GROUND WATER

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

45-13924	AJC/License	12/16/1970	4.33 cfs	1829.1 af	619.4	4,001.4	GROUND WATER
45-13926	AJC/License	09/30/1971	6.16 cfs	2478.9 af	781.5	4,001.4	GROUND WATER
45-13928	AJC/License	06/11/1979	6.00 cfs	1199.6 af	299.9	4,001.4	GROUND WATER
45-13930	AJC/Beneficial Use	06/30/1985	2.36 cfs	N/A	194.9	4,001.4	GROUND WATER
45-13932	AJC/License	09/29/1961	9.61 cfs	2264.0 af	566.0	4,001.4	GROUND WATER
45-13934	AJC/Beneficial Use	06/30/1985	2.30 cfs	N/A	178.1	4,001.4	GROUND WATER
45-13936	AJC/License	09/11/1967	3.46 cfs	790.8 af	197.7	4,001.4	GROUND WATER
45-13938	AJC/License	09/06/1967	4.94 cfs	1102.0 af	275.5	4,001.4	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>
45-13918	YES	YES	YES	YES	YES	YES
45-13920	YES	YES	YES	YES	YES	YES
45-13922	YES	YES	YES	YES	YES	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
45-13918	45-13941	1.01 cfs	236.1 af	N/A	N/A	45-13940	4.99 cfs	1844.4 af	461.1	3,844.4
45-13920	45-13943	0.92 cfs	222.5 af	N/A	N/A	45-13942	4.51 cfs	1738.4 af	434.6	3,844.4
45-13922	45-13945	1.24 cfs	156.2 af	N/A	N/A	45-13944	6.09 cfs	1221.2 af	305.3	3,844.4

COMBINED

TOTALS **1.97 cfs 395.6 af N/A N/A** **9.67 cfs 3090.4 772.6 3,844.4**

Detailed Water Right Description(s) attached

Dated this 19th day of December, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13940
As Modified by Transfer No. 72004

In accordance with the approval of Transfer No. 72004, Water Right No. 45-13940 is now described as follows.

Right Holder: RICHARD G KUNAU And NANCY KUNAU And
137 N HWY 77 ROBERT J KUNAU
DECLO ID 83323 468 S 800 W
 BURLEY ID 83318

Priority Date: May 21, 1962

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	4.99 CFS	1,844.4 AF
			4.99 CFS	1,844.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENW	Sec. 19 Twp 11S	Rge 22E	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	
11S 21E 13		40.3	36.9	21.5	32.9	32.1	31.6	37.9	37.0	28.4	30.5	33.7	23.6	38.9	32.6	29.6	487.5
11S 21E 14	29.8	34.4	33.8	28.3	32.6	33.8	34.2	32.7	32.4	31.6	31.8	32.5	8.9	18.4	34.8	18.8	468.8
11S 21E 15	33.4	33.1	33.7	33.5									33.7	33.2	33.0	33.0	266.6
11S 21E 22	33.8	32.5	31.8	32.6									34.5	33.7	32.4	31.3	262.6
11S 21E 23	33.2	32.9	33.7	33.3	34.3	33.3	33.5	33.4	33.6	33.1	33.0	32.7	33.3	33.1	33.3	32.8	532.5
11S 21E 24	29.2	33.3	3.7				.3	.1	24.7	10.1	34.0	27.7	4.5	36.8	36.1	4.6	245.1
11S 22E 17									33.7	33.3	33.0	33.3	33.2	33.3	33.6	33.3	266.7
11S 22E 18													33.4	33.7	33.7	33.4	134.2
11S 22E 19	39.7	40.4	40.7	39.8	40.5	32.5	33.3	40.7	40.6	34.8	40.4	40.4	38.9	40.6	40.4	40.0	623.7
11S 22E 20	32.5	32.6	32.6	32.5	33.2	33.0	33.1	33.3	40.4	39.8	39.8	40.6	33.2	33.7	33.4	33.0	556.7

Total Acres: 3844.4

WATER RIGHT NO. 45-13940
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 461.1 acres within the place of use described above in a single irrigation season.
2. Rights 45-13940 and 45-13942 when combined shall not exceed a total diversion rate of 9.50 cfs, a total annual maximum diversion volume of 1944.0 af at the field headgate, and the irrigation of 486.0 acres.
3. Rights 45-13940, 45-13942 and 45-13944 when combined shall not exceed a total diversion rate of 9.67 cfs, a total annual maximum diversion volume of 3090.4 af at the field headgate, and the irrigation of 772.6 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-13940, 45-13942, and 45-13944 shall not exceed 44.17 cfs, nor a total combined annual volume of 12754.8 af. for the irrigation of 3822.9 acres in a single irrigation season
5. 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.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of December, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13942
As Modified by Transfer No. 72004

In accordance with the approval of Transfer No. 72004, Water Right No. 45-13942 is now described as follows.

Right Holder: RICHARD G KUNAU And NANCY KUNAU And
 137 N HWY 77 ROBERT J KUNAU
 DECLO ID 83323 468 S 800 W
 BURLEY ID 83318

Priority Date: September 11, 1967

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	4.51 CFS	1,738.4 AF
			4.51 CFS	1,738.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENW	Sec. 19 Twp 11S	Rge 22E	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	
11S 21E 13		40.3	36.9	21.5	32.9	32.1	31.6	37.9	37.0	28.4	30.5	33.7	23.6	38.9	32.6	29.6	487.5
11S 21E 14	29.8	34.4	33.8	28.3	32.6	33.8	34.2	32.7	32.4	31.6	31.8	32.5	8.9	18.4	34.8	18.8	468.8
11S 21E 15	33.4	33.1	33.7	33.5									33.7	33.2	33.0	33.0	266.6
11S 21E 22	33.8	32.5	31.8	32.6									34.5	33.7	32.4	31.3	262.6
11S 21E 23	33.2	32.9	33.7	33.3	34.3	33.3	33.5	33.4	33.6	33.1	33.0	32.7	33.3	33.1	33.3	32.8	532.5
11S 21E 24	29.2	33.3	3.7				.3	.1	24.7	10.1	34.0	27.7	4.5	36.8	36.1	4.6	245.1
11S 22E 17									33.7	33.3	33.0	33.3	33.2	33.3	33.6	33.3	266.7
11S 22E 18													33.4	33.7	33.7	33.4	134.2
11S 22E 19	39.7	40.4	40.7	39.8	40.5	32.5	33.3	40.7	40.6	34.8	40.4	40.4	38.9	40.6	40.4	40.0	623.7
11S 22E 20	32.5	32.6	32.6	32.5	33.2	33.0	33.1	33.3	40.4	39.8	39.8	40.6	33.2	33.7	33.4	33.0	556.7

Total Acres: 3844.4

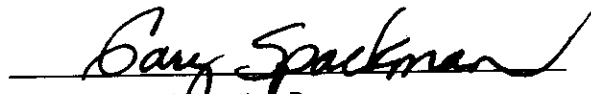
WATER RIGHT NO. 45-13942
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 434.6 acres within the place of use described above in a single irrigation season.
2. Rights 45-13940 and 45-13942 when combined shall not exceed a total diversion rate of 9.50 cfs, a total annual maximum diversion volume of 1944.0 af at the field headgate, and the irrigation of 486.0 acres.
3. Rights 45-13940, 45-13942 and 45-13944 when combined shall not exceed a total diversion rate of 9.67 cfs, a total annual maximum diversion volume of 3090.4 af at the field headgate, and the irrigation of 772.6 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-13940, 45-13942, and 45-13944 shall not exceed 44.17 cfs, nor a total combined annual volume of 12754.8 af. for the irrigation of 3822.9 acres in a single irrigation season
5. 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.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of December, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13944
As Modified by Transfer No. 72004

In accordance with the approval of Transfer No. 72004, Water Right No. 45-13944 is now described as follows.

Right Holder: RICHARD G KUNAU And NANCY KUNAU And
 137 N HWY 77 ROBERT J KUNAU
 DECLO ID 83323 468 S 800 W
 BURLEY ID 83318

Priority Date: November 24, 1981

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	6.09 CFS	1,221.2 AF
			6.09 CFS	1,221.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENW	Sec. 19 Twp 11S	Rge 22E	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	
11S 21E 13		40.3	36.9	21.5	32.9	32.1	31.6	37.9	37.0	28.4	30.5	33.7	23.6	38.9	32.6	29.6	487.5
11S 21E 14	29.8	34.4	33.8	28.3	32.6	33.8	34.2	32.7	32.4	31.6	31.8	32.5	8.9	18.4	34.8	18.8	468.8
11S 21E 15	33.4	33.1	33.7	33.5									33.7	33.2	33.0	33.0	266.6
11S 21E 22	33.8	32.5	31.8	32.6									34.5	33.7	32.4	31.3	262.6
11S 21E 23	33.2	32.9	33.7	33.3	34.3	33.3	33.5	33.4	33.6	33.1	33.0	32.7	33.3	33.1	33.3	32.8	532.5
11S 21E 24	29.2	33.3	3.7				.3	.1	24.7	10.1	34.0	27.7	4.5	36.8	36.1	4.6	245.1
11S 22E 17									33.7	33.3	33.0	33.3	33.2	33.3	33.6	33.3	266.7
11S 22E 18													33.4	33.7	33.7	33.4	134.2
11S 22E 19	39.7	40.4	40.7	39.8	40.5	32.5	33.3	40.7	40.6	34.8	40.4	40.4	38.9	40.6	40.4	40.0	623.7
11S 22E 20	32.5	32.6	32.6	32.5	33.2	33.0	33.1	33.3	40.4	39.8	39.8	40.6	33.2	33.7	33.4	33.0	556.7

Total Acres: 3844.4

WATER RIGHT NO. 45-13944
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 305.3 acres within the place of use described above in a single irrigation season.
2. Rights 45-13940, 45-13942 and 45-13944 when combined shall not exceed a total diversion rate of 9.67 cfs, a total annual maximum diversion volume of 3090.4 af at the field headgate, and the irrigation of 772.6 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-13940, 45-13942, and 45-13944 shall not exceed 44.17 cfs, nor a total combined annual volume of 12754.8 af. for the irrigation of 3822.9 acres in a single irrigation season
4. 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.
5. 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. 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.
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.

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 19th day of December, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13924
As Modified by Transfer No. 72004

In accordance with the approval of Transfer No. 72004, Water Right No. 45-13924 is now described as follows.

Right Holder: GLEN R KUNAU
 1941 MILLER AVE
 BURLEY ID 83318

Priority Date: December 16, 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	4.33 CFS	1,829.1 AF
			4.33 CFS	1,829.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESE	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENW	Sec. 19 Twp 11S	Rge 22E	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	
11S 21E 13		40.3	36.9	21.5	32.9	32.1	31.6	37.9	37.0	28.4	30.5	33.7	23.6	38.9	32.6	29.6	487.5
11S 21E 14	29.8	34.4	33.8	28.3	32.6	33.8	34.2	32.7	32.4	31.6	31.8	32.5	8.9	18.4	34.8	18.8	468.8
11S 21E 15	33.4	33.1	33.7	33.5									33.7	33.2	33.0	33.0	266.6
11S 21E 22	33.8	32.5	31.8	32.6									34.5	33.7	32.4	31.3	262.6
11S 21E 23	33.2	32.9	33.7	33.3	34.3	33.3	33.5	33.4	33.6	33.1	33.0	32.7	33.3	33.1	33.3	32.8	532.5
11S 21E 24	29.2	33.3	3.7				.3	.1	24.7	10.1	34.0	27.7	4.5	36.8	36.1	4.6	245.1
11S 22E 17									33.7	33.3	33.0	33.3	33.2	33.3	33.6	33.3	266.7
11S 22E 18													33.4	33.7	33.7	33.4	134.2
11S 22E 19	39.7	40.4	40.7	39.8	40.5	32.5 L 1	33.3 L 2	40.7	40.6	34.8 L 3	40.4 L 4	40.4	38.9	40.6	40.4	40.0	623.7
11S 22E 20	32.5	32.6	32.6	32.5	33.2	33.0	33.1	33.3	40.4	39.8	39.8	40.6	33.2	33.7	33.4	33.0	556.7

Total Acres: 3844.4

WATER RIGHT NO. 45-13924
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 619.4 acres within the place of use described above in a single irrigation season.
2. Rights 45-13924 and 45-13926 when combined shall not exceed a total diversion rate of 10.49 cfs, a total annual maximum diversion volume of 4308.0 af at the field headgate, and the irrigation of 1338.2 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-13940, 45-13942 and 45-13944 shall not exceed 44.17 cfs, nor a total combined annual volume of 12754.8 af. for the irrigation of 3822.9 acres in a single irrigation season.
4. 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.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and 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 before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier 7/13/2004.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of December, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13926
As Modified by Transfer No. 72004

In accordance with the approval of Transfer No. 72004, Water Right No. 45-13926 is now described as follows.

Right Holder: GLEN R KUNAU
 1941 MILLER AVE
 BURLEY ID 83318

Priority Date: September 30, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/11	10/31	6.16 CFS	2,478.9 AF
			6.16 CFS	2,478.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENW	Sec. 19 Twp 11S	Rge 22E	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	
11S 21E 13		40.3	36.9	21.5	32.9	32.1	31.6	37.9	37.0	28.4	30.5	33.7	23.6	38.9	32.6	29.6	487.5
11S 21E 14	29.8	34.4	33.8	28.3	32.6	33.8	34.2	32.7	32.4	31.6	31.8	32.5	8.9	18.4	34.8	18.8	468.8
11S 21E 15	33.4	33.1	33.7	33.5									33.7	33.2	33.0	33.0	266.6
11S 21E 22	33.8	32.5	31.8	32.6									34.5	33.7	32.4	31.3	262.6
11S 21E 23	33.2	32.9	33.7	33.3	34.3	33.3	33.5	33.4	33.6	33.1	33.0	32.7	33.3	33.1	33.3	32.8	532.5
11S 21E 24	29.2	33.3	3.7				.3	.1	24.7	10.1	34.0	27.7	4.5	36.8	36.1	4.6	245.1
11S 22E 17									33.7	33.3	33.0	33.3	33.2	33.3	33.6	33.3	266.7
11S 22E 18													33.4	33.7	33.7	33.4	134.2
11S 22E 19	39.7	40.4	40.7	39.8	40.5	32.5	33.3	40.7	40.6	34.8	40.4	40.4	38.9	40.6	40.4	40.0	623.7
11S 22E 20	32.5	32.6	32.6	32.5	33.2	33.0	33.1	33.3	40.4	39.8	39.8	40.6	33.2	33.7	33.4	33.0	556.7

Total Acres: 3844.4

WATER RIGHT NO. 45-13926
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 781.5 acres within the place of use described above in a single irrigation season.
2. Rights 45-13924 and 45-13926 when combined shall not exceed a total diversion rate of 10.49 cfs, a total annual maximum diversion volume of 4308.0 af at the field headgate, and the irrigation of 1338.2 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-13940, 45-13942 and 45-13944 shall not exceed 44.17 cfs, nor a total combined annual volume of 12754.8 af. for the irrigation of 3822.9 acres in a single irrigation season.
4. 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.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and 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 before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier 7/13/2004.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of December, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13928
As Modified by Transfer No. 72004

In accordance with the approval of Transfer No. 72004, Water Right No. 45-13928 is now described as follows.

Right Holder: NANCY KUNAU And
 ROBERT J KUNAU
 468 S 800 W
 BURLEY ID 83318

Priority Date: June 11, 1979

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	6.00 CFS	1,199.6 AF
			6.00 CFS	1,199.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENW	Sec. 19 Twp 11S	Rge 22E	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	
11S 21E 13		40.3	36.9	21.5	32.9	32.1	31.6	37.9	37.0	28.4	30.5	33.7	23.6	38.9	32.6	29.6	487.5
11S 21E 14	29.8	34.4	33.8	28.3	32.6	33.8	34.2	32.7	32.4	31.6	31.8	32.5	8.9	18.4	34.8	18.8	468.8
11S 21E 15	33.4	33.1	33.7	33.5									33.7	33.2	33.0	33.0	266.6
11S 21E 22	33.8	32.5	31.8	32.6									34.5	33.7	32.4	31.3	262.6
11S 21E 23	33.2	32.9	33.7	33.3	34.3	33.3	33.5	33.4	33.6	33.1	33.0	32.7	33.3	33.1	33.3	32.8	532.5
11S 21E 24	29.2	33.3	3.7				.3	.1	24.7	10.1	34.0	27.7	4.5	36.8	36.1	4.6	245.1
11S 22E 17									33.7	33.3	33.0	33.3	33.2	33.3	33.6	33.3	266.7
11S 22E 18													33.4	33.7	33.7	33.4	134.2
11S 22E 19	39.7	40.4	40.7	39.8	40.5	32.5	33.3	40.7	40.6	34.8	40.4	40.4	38.9	40.6	40.4	40.0	623.7
11S 22E 20	32.5	32.6	32.6	32.5	33.2	L 1	L 2	33.3	40.4	L 3	L 4	40.6	33.2	33.7	33.4	33.0	556.7

Total Acres: 3844.4

WATER RIGHT NO. 45-13928
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 299.9 acres within the place of use described above in a single irrigation season.
2. Rights 45-13928 and 45-13930 when combined shall not exceed a total diversion rate of 6.0 cfs, a total annual maximum diversion volume of 1199.6 af at the field headgate, and the irrigation of 494.8 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-13940, 45-13942 and 45-13944 shall not exceed 44.17 cfs, nor a total combined annual volume of 12754.8 af. for the irrigation of 3822.9 acres in a single irrigation season.
4. 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.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and 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 before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier 7/13/2004.
6. Right No. 45-13930 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
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. This right does not grant any right-of-way or easement across the land of another.
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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.

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 19th day of December, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13930
As Modified by Transfer No. 72004

In accordance with the approval of Transfer No. 72004, Water Right No. 45-13930 is now described as follows.

Right Holder: ROBERT J KUNAU And
 NANCY KUNAU
 468 S 800 W
 BURLEY ID 83318

Priority Date: June 30, 1985

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	2.36 CFS	
			2.36 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENW	Sec. 19 Twp 11S	Rge 22E	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	
11S 21E 13		40.3	36.9	21.5	32.9	32.1	31.6	37.9	37.0	28.4	30.5	33.7	23.6	38.9	32.6	29.6	487.5
11S 21E 14	29.8	34.4	33.8	28.3	32.6	33.8	34.2	32.7	32.4	31.6	31.8	32.5	8.9	18.4	34.8	18.8	468.8
11S 21E 15	33.4	33.1	33.7	33.5									33.7	33.2	33.0	33.0	266.6
11S 21E 22	33.8	32.5	31.8	32.6									34.5	33.7	32.4	31.3	262.6
11S 21E 23	33.2	32.9	33.7	33.3	34.3	33.3	33.5	33.4	33.6	33.1	33.0	32.7	33.3	33.1	33.3	32.8	532.5
11S 21E 24	29.2	33.3	3.7				.3	.1	24.7	10.1	34.0	27.7	4.5	36.8	36.1	4.6	245.1
11S 22E 17									33.7	33.3	33.0	33.3	33.2	33.3	33.6	33.3	266.7
11S 22E 18													33.4	33.7	33.7	33.4	134.2
11S 22E 19	39.7	40.4	40.7	39.8	40.5	32.5	33.3	40.7	40.6	34.8	40.4	40.4	38.9	40.6	40.4	40.0	623.7
11S 22E 20	32.5	32.6	32.6	32.5	33.2	33.0	33.1	33.3	40.4	39.8	39.8	40.6	33.2	33.7	33.4	33.0	556.7

Total Acres: 3844.4

WATER RIGHT NO. 45-13930
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 194.9 acres within the place of use described above in a single irrigation season.
2. Rights 45-13928 and 45-13930 when combined shall not exceed a total diversion rate of 6.0 cfs, a total annual maximum diversion volume of 1199.6 af at the field headgate, and the irrigation of 494.8 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-13940, 45-13942 and 45-13944 shall not exceed 44.17 cfs, nor a total combined annual volume of 12754.8 af. for the irrigation of 3822.9 acres in a single irrigation season.
4. 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.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and 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 before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier 7/13/2004.
6. This right is an expansion of Right No. 45-13928 pursuant to Section 42-1416B, Idaho Code.
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. This right does not grant any right-of-way or easement across the land of another.
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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.

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 19th day of December, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13932
As Modified by Transfer No. 72004

In accordance with the approval of Transfer No. 72004, Water Right No. 45-13932 is now described as follows.

Right Holder: MAX W BINGHAM
 450 S 50 W
 BURLEY ID 83318

Priority Date: September 29, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	9.61 CFS	2,264.0 AF
			9.61 CFS	2,264.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENW	Sec. 19 Twp 11S	Rge 22E	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	
11S 21E 13		40.3	36.9	21.5	32.9	32.1	31.6	37.9	37.0	28.4	30.5	33.7	23.6	38.9	32.6	29.6	487.5
11S 21E 14	29.8	34.4	33.8	28.3	32.6	33.8	34.2	32.7	32.4	31.6	31.8	32.5	8.9	18.4	34.8	18.8	468.8
11S 21E 15	33.4	33.1	33.7	33.5									33.7	33.2	33.0	33.0	266.6
11S 21E 22	33.8	32.5	31.8	32.6									34.5	33.7	32.4	31.3	262.6
11S 21E 23	33.2	32.9	33.7	33.3	34.3	33.3	33.5	33.4	33.6	33.1	33.0	32.7	33.3	33.1	33.3	32.8	532.5
11S 21E 24	29.2	33.3	3.7				.3	.1	24.7	10.1	34.0	27.7	4.5	36.8	36.1	4.6	245.1
11S 22E 17									33.7	33.3	33.0	33.3	33.2	33.3	33.6	33.3	266.7
11S 22E 18													33.4	33.7	33.7	33.4	134.2
11S 22E 19	39.7	40.4	40.7	39.8	40.5	32.5	33.3	40.7	40.6	34.8	40.4	40.4	38.9	40.6	40.4	40.0	623.7
11S 22E 20	32.5	32.6	32.6	32.5	33.2	33.0	33.1	33.3	40.4	39.8	39.8	40.6	33.2	33.7	33.4	33.0	556.7

Total Acres: 3844.4

WATER RIGHT NO. 45-13932
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 566 acres within the place of use described above in a single irrigation season.
2. Rights 45-13932 and 45-13934 when combined shall not exceed a total diversion rate of 9.61 cfs, a total annual maximum diversion volume of 2264.0 af at the field headgate, and the irrigation of 744.1 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-13940, 45-13942 and 45-13944 shall not exceed 44.17 cfs, nor a total combined annual volume of 12754.8 af. for the irrigation of 3822.9 acres in a single irrigation season.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and 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 before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier 7/13/2004.
5. 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.
6. Right No. 45-13934 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
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. This right does not grant any right-of-way or easement across the land of another.
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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.

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 19th day of December, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13934
As Modified by Transfer No. 72004

In accordance with the approval of Transfer No. 72004, Water Right No. 45-13934 is now described as follows.

Right Holder: MAX W BINGHAM & SONS
 450 S 50 W
 BURLEY ID 83318

Priority Date: June 30, 1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.30 CFS	
			2.30 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENW	Sec. 19 Twp 11S	Rge 22E	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	
11S 21E 13		40.3	36.9	21.5	32.9	32.1	31.6	37.9	37.0	28.4	30.5	33.7	23.6	38.9	32.6	29.6	487.5
11S 21E 14	29.8	34.4	33.8	28.3	32.6	33.8	34.2	32.7	32.4	31.6	31.8	32.5	8.9	18.4	34.8	18.8	468.8
11S 21E 15	33.4	33.1	33.7	33.5									33.7	33.2	33.0	33.0	266.6
11S 21E 22	33.8	32.5	31.8	32.6									34.5	33.7	32.4	31.3	262.6
11S 21E 23	33.2	32.9	33.7	33.3	34.3	33.3	33.5	33.4	33.6	33.1	33.0	32.7	33.3	33.1	33.3	32.8	532.5
11S 21E 24	29.2	33.3	3.7				.3	.1	24.7	10.1	34.0	27.7	4.5	36.8	36.1	4.6	245.1
11S 22E 17									33.7	33.3	33.0	33.3	33.2	33.3	33.6	33.3	266.7
11S 22E 18													33.4	33.7	33.7	33.4	134.2
11S 22E 19	39.7	40.4	40.7	39.8	40.5	32.5 L 1	33.3 L 2	40.7	40.6	34.8 L 3	40.4 L 4	40.4	38.9	40.6	40.4	40.0	623.7
11S 22E 20	32.5	32.6	32.6	32.5	33.2	33.0	33.1	33.3	40.4	39.8	39.8	40.6	33.2	33.7	33.4	33.0	556.7

Total Acres: 3844.4

WATER RIGHT NO. 45-13934
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 178.1 acres within the place of use described above in a single irrigation season.
2. Rights 45-13932 and 45-13934 when combined shall not exceed a total diversion rate of 9.61 cfs, a total annual maximum diversion volume of 2264.0 af at the field headgate, and the irrigation of 744.1 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-13940, 45-13942 and 45-13944 shall not exceed 44.17 cfs, nor a total combined annual volume of 12754.8 af. for the irrigation of 3822.9 acres in a single irrigation season.
4. 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.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and 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 before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier 7/13/2004.
6. This right is an expansion of Right No. 45-13932 pursuant to Section 42-1416B, Idaho Code.
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. This right does not grant any right-of-way or easement across the land of another.
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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.

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 19th day of December, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13936
As Modified by Transfer No. 72004

In accordance with the approval of Transfer No. 72004, Water Right No. 45-13936 is now described as follows.

Right Holder: GLEN R KUNAU
 1941 MILLER AVE
 BURLEY ID 83318

Priority Date: September 11, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	3.46 CFS	790.8 AF
			3.46 CFS	790.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENW	Sec. 19 Twp 11S	Rge 22E	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	
11S 21E 13		40.3	36.9	21.5	32.9	32.1	31.6	37.9	37.0	28.4	30.5	33.7	23.6	38.9	32.6	29.6	487.5
11S 21E 14	29.8	34.4	33.8	28.3	32.6	33.8	34.2	32.7	32.4	31.6	31.8	32.5	8.9	18.4	34.8	18.8	468.8
11S 21E 15	33.4	33.1	33.7	33.5									33.7	33.2	33.0	33.0	266.6
11S 21E 22	33.8	32.5	31.8	32.6									34.5	33.7	32.4	31.3	262.6
11S 21E 23	33.2	32.9	33.7	33.3	34.3	33.3	33.5	33.4	33.6	33.1	33.0	32.7	33.3	33.1	33.3	32.8	532.5
11S 21E 24	29.2	33.3	3.7				.3	.1	24.7	10.1	34.0	27.7	4.5	36.8	36.1	4.6	245.1
11S 22E 17									33.7	33.3	33.0	33.3	33.2	33.3	33.6	33.3	266.7
11S 22E 18													33.4	33.7	33.7	33.4	134.2
11S 22E 19	39.7	40.4	40.7	39.8	40.5	32.5 L 1	33.3 L 2	40.7	40.6	34.8 L 3	40.4 L 4	40.4	38.9	40.6	40.4	40.0	623.7
11S 22E 20	32.5	32.6	32.6	32.5	33.2	33.0	33.1	33.3	40.4	39.8	39.8	40.6	33.2	33.7	33.4	33.0	556.7

Total Acres: 3844.4

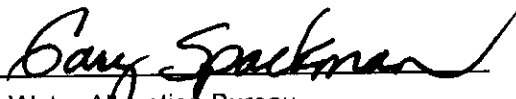
WATER RIGHT NO. 45-13936
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 197.7 acres within the place of use described above in a single irrigation season.
2. Rights 45-13936 and 45-13938 when combined shall not exceed the irrigation of 455.1 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-13940, 45-13942, and 45-13944 shall not exceed 44.17 cfs, nor a total combined annual volume of 12754.8 af. for the irrigation of 3822.9 acres in a single irrigation season
4. 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.
5. 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. 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.
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.

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 19th day of December, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13938
As Modified by Transfer No. 72004

In accordance with the approval of Transfer No. 72004, Water Right No. 45-13938 is now described as follows.

Right Holder: GLEN R KUNAU
 1941 MILLER AVE
 BURLEY ID 83318

Priority Date: September 06, 1967

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	4.94 CFS	1,102.0 AF
			4.94 CFS	1,102.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENENW	Sec. 14 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NENESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	SESESW	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NWNWSW	Sec. 17 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENE	Sec. 19 Twp 11S	Rge 22E	CASSIA County
GROUND WATER	NENENW	Sec. 19 Twp 11S	Rge 22E	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	
11S 21E 13		40.3	36.9	21.5	32.9	32.1	31.6	37.9	37.0	28.4	30.5	33.7	23.6	38.9	32.6	29.6	487.5
11S 21E 14	29.8	34.4	33.8	28.3	32.6	33.8	34.2	32.7	32.4	31.6	31.8	32.5	8.9	18.4	34.8	18.8	468.8
11S 21E 15	33.4	33.1	33.7	33.5									33.7	33.2	33.0	33.0	266.6
11S 21E 22	33.8	32.5	31.8	32.6									34.5	33.7	32.4	31.3	262.6
11S 21E 23	33.2	32.9	33.7	33.3	34.3	33.3	33.5	33.4	33.6	33.1	33.0	32.7	33.3	33.1	33.3	32.8	532.5
11S 21E 24	29.2	33.3	3.7				.3	.1	24.7	10.1	34.0	27.7	4.5	36.8	36.1	4.6	245.1
11S 22E 17									33.7	33.3	33.0	33.3	33.2	33.3	33.6	33.3	266.7
11S 22E 18													33.4	33.7	33.7	33.4	134.2
11S 22E 19	39.7	40.4	40.7	39.8	40.5	32.5	33.3	40.7	40.6	34.8	40.4	40.4	38.9	40.6	40.4	40.0	623.7
11S 22E 20	32.5	32.6	32.6	32.5	33.2	L 1 33.0	L 2 33.1	33.3	40.4	L 3 39.8	L 4 39.8	40.6	33.2	33.7	33.4	33.0	556.7

Total Acres: 3844.4

WATER RIGHT NO. 45-13938
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 275.5 acres within the place of use described above in a single irrigation season.
2. Rights 45-13936 and 45-13938 when combined shall not exceed the irrigation of 455.1 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-13924, 45-13926, 45-13928, 45-13930, 45-13932, 45-13934, 45-13936, 45-13938, 45-13940, 45-13942, and 45-13944 shall not exceed 44.17 cfs, nor a total combined annual volume of 12754.8 af. for the irrigation of 3822.9 acres in a single irrigation season
4. 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.
5. 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. 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.
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.

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 19th day of December, 20 05


Chief, Water Allocation Bureau

Right Holder: RICHARD G KUNAU And ROBERT J KUNAU And GLEN R KUNAU
NORMA KUNAU NANCY KUNAU DONA KUNAU
137 N HWY 77 468 S 800 W 1941 MILLER AVE
DECLO ID 83323 BURLEY ID 83318 BURLEY ID 83318

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	1.01 CFS	236.1 AF
STOCKWATER	01/01	to 12/31	1.01 CFS	236.1 AF
			1.01 CFS	236.1 AF

GROUND WATER	NWSWNE	Sec. 13 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	L3 (SWNWSW)	Sec. 19 Twp 11S	Rge 22E	CASSIA County

[illegible][illegible]

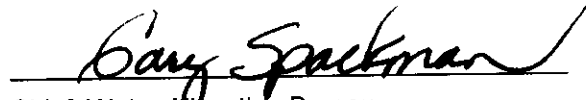
WATER RIGHT NO. 45-13941
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. Rights 45-13941 and 45-13943 when combined shall not exceed a total diversion rate of 1.93 cfs, a total annual maximum diversion volume of 248.9 af at the field headgate.
2. Rights 45-13941, 45-13943 and 45-13945 when combined shall not exceed a total diversion rate of 1.97 cfs, a total annual maximum diversion volume of 395.6 af.
3. Prior to the diversion and use of water under Transfer approval 72004, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Commercial use is for a dairy.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
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. 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 19th day of December, 2005


Chief, Water Allocation Bureau

Right Holder: RICHARD G KUNAU And ROBERT J KUNAU And GLEN R KUNAU
NORMA KUNAU NANCY KUNAU DONA KUNAU
137 N HWY 77 468 S 800 W 1941 MILLER AVE
DECLO ID 83323 BURLEY ID 83318 BURLEY ID 83318

Source: GROUND WATER

LOCATION OF POINT(S) OF DIVERSION:

LOCATION OF POINT(S) OF INTEREST				
GROUND WATER	NWSWNE	Sec. 13 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	L3 (SWNWSW)	Sec. 19 Twp 11S	Rge 22E	CASSIA County

PLACE OF USE: COMMERCIAL

[illegible]

PLACE OF USE: STOCKWATER

[illegible]

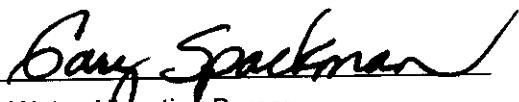
WATER RIGHT NO. 45-13943
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. Rights 45-13941 and 45-13943 when combined shall not exceed a total diversion rate of 1.93 cfs, a total annual maximum diversion volume of 248.9 af at the field headgate.
2. Rights 45-13941, 45-13943 and 45-13945 when combined shall not exceed a total diversion rate of 1.97 cfs, a total annual maximum diversion volume of 395.6 af.
3. Prior to the diversion and use of water under Transfer approval 72004, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
4. 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.
5. Commercial use is for a dairy.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
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. 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 19th day of December, 20 05


Chief, Water Allocation Bureau

Right Holder: RICHARD G KUNAU And ROBERT J KUNAU And GLEN R KUNAU
NORMA KUNAU NANCY KUNAU DONA KUNAU
137 N HWY 77 468 S 800 W 1941 MILLER AVE
DECLO ID 83323 BURLEY ID 83318 BURLEY ID 83318

Source: GROUND WATER

LOCATION OF POINT(S) OF DIVERSION:

LOCATION OF POINT(S) OF DIVERSION:				
GROUND WATER	NWSWNE	Sec. 13 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec. 23 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	NWNWNW	Sec. 24 Twp 11S	Rge 21E	CASSIA County
GROUND WATER	L3 (SWNWSW)	Sec. 19 Twp 11S	Rge 22E	CASSIA County

PLACE OF USE: COMMERCIAL

[illegible]

PLACE OF USE: STOCKWATER

[illegible]

WATER RIGHT NO. 45-13945
As Modified by Transfer No. 72004

CONDITIONS OF APPROVAL

1. Rights 45-13941, 45-13943 and 45-13945 when combined shall not exceed a total diversion rate of 1.97 cfs, a total annual maximum diversion volume of 395.6 af.
2. Prior to the diversion and use of water under Transfer approval 72004, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Commercial use is for a dairy.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 19th day of December, 2005


Chief, Water Allocation Bureau