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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 68557

This is to certify that: ARK PROPERTIES LLC  
RT 1 BOX 451  
GLENN'S FERRY ID 83623  
(208)366-7931

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> |
|--------------|---------------------|-----------------|-------------|---------------|--------------|--------------|---------------|
| 61-281B      | WR/Decreed          | 03/01/1872      | 1.84 cfs    |               |              | 388.2        | BENNETT CREEK |
| 61-282B      | WR/Decreed          | 04/01/1883      | 0.65 cfs    |               |              | 388.2        | BENNETT CREEK |
| 61-358B      | WR/Decreed          | 03/01/1892      | 0.29 cfs    |               |              | 388.2        | BENNETT CREEK |
| 61-361B      | WR/Decreed          | 03/01/1876      | 0.45 cfs    |               |              | 388.2        | BENNETT CREEK |
| 61-362D      | WR/Decreed          | 03/01/1892      | 1.10 cfs    |               |              | 388.2        | BENNETT CREEK |
| 61-2006E     | WR/Decreed          | 01/28/1908      | 3.54 cfs    |               |              | 388.2        | BENNETT CREEK |
| 61-10377B    | WR/Decreed          | 03/01/1867      | 2.68 cfs    |               |              | 388.2        | BENNETT CREEK |
| 61-2208      | WR/Decreed          | 08/23/1966      | 0.90 cfs    | 271.4 af      | 60.0         | 93.2         | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 61-281B               | YES          | NO         | YES        | NO             | NO                   | NO                   |
| 61-282B               | YES          | NO         | YES        | NO             | NO                   | NO                   |
| 61-358B               | YES          | NO         | YES        | NO             | NO                   | NO                   |
| 61-361B               | YES          | NO         | YES        | NO             | NO                   | NO                   |
| 61-362D               | YES          | NO         | YES        | NO             | NO                   | NO                   |
| 61-2006E              | YES          | NO         | YES        | NO             | NO                   | NO                   |
| 61-10377B             | YES          | NO         | YES        | NO             | NO                   | NO                   |
| 61-2208               | NO           | NO         | YES        | NO             | NO                   | NO                   |

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER OF WATER RIGHT  
TRANSFER NO. 68557

Summary of Water Rights After the Approved Change

| Existing Right | New No (changed portion) | Transfer Rate   | Transfer Volume | Acre Limit | Total Acres | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|----------------|--------------------------|-----------------|-----------------|------------|-------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 61-281B        | 61-281D                  | 0.38 cfs        | N/A             | N/A        | 80.0        | 61-281C                     | 1.46 cfs       | N/A              | 308.0                | 308.2                 |
| 61-282B        | 61-282D                  | 0.13 cfs        | N/A             | N/A        | 80.0        | 61-282C                     | 0.52 cfs       | N/A              | 308.0                | 308.2                 |
| 61-358B        | 61-358D                  | 0.06 cfs        | N/A             | N/A        | 80.0        | 61-358C                     | 0.23 cfs       | N/A              | 308.0                | 308.2                 |
| 61-361B        | 61-361D                  | 0.09 cfs        | N/A             | N/A        | 80.0        | 61-361C                     | 0.36 cfs       | N/A              | 308.0                | 308.2                 |
| 61-362D        | 61-362F                  | 0.23 cfs        | N/A             | N/A        | 80.0        | 61-362E                     | 0.87 cfs       | N/A              | 308.0                | 308.2                 |
| 61-2006E       | 61-2006G                 | 0.73 cfs        | N/A             | N/A        | 80.0        | 61-2006F                    | 2.81 cfs       | N/A              | 308.0                | 308.2                 |
| 61-10377B      | 61-10377D                | 0.55 cfs        | N/A             | N/A        | 80.0        | 61-10377C                   | 2.13 cfs       | N/A              | 308.0                | 308.2                 |
| 61-2208        |                          |                 |                 |            |             | 61-2208                     | 0.90 cfs       | 271.4 af         | 60.0                 | 93.2                  |
| <b>TOTALS</b>  |                          | <b>2.17 cfs</b> | <b>320.0 af</b> | <b>N/A</b> | <b>80.0</b> |                             | <b>N/A</b>     | <b>N/A</b>       | <b>308.0</b>         | <b>308.2</b>          |

Detailed Water Right Description(s) attached

Dated this 5<sup>th</sup> day of April, 2002

  
Chief, Water Allocation Bureau

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APR 11 2002

**WATER RIGHT NO. 61-281C**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-281C is now described as follows.

**Right Holder:** MICHAEL KENN BECKMAN AND  
 CARLA B BECKMAN  
 156 S 45TH W  
 IDAHO FALLS ID 84303

**Priority Date:** 03/01/1872

**Source:** BENNETT CREEK

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | 11/15     | 1.46 CFS              |               |
|                       |             |           | 1.46 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK                      NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 |        |
| 03S 08E 36  |    |     |      |    | 6.9  | 14.0 | 21.7 | 8.9  | 21.0 | 32.4 | 40.0 | 15.5 |    |    |    |    | 160.4  |
| 04S 08E 1   |    | 7.2 | 11.0 |    | 31.6 | 39.0 | 31.0 | 28.0 |      |      |      |      |    |    |    |    | 147.8  |
|             |    | L2  |      |    | L3   | L4   |      |      |      |      |      |      |    |    |    |    |        |

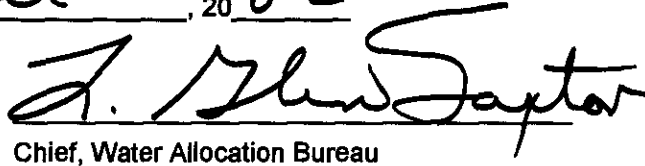
Total Acres: 308.2

**CONDITIONS OF APPROVAL**

1. Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F, 61-2208 and 61-10377C when combined shall not exceed the irrigation of 308.0 acres.
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 5<sup>th</sup> day of April, 2002

  
 Chief, Water Allocation Bureau

MICROFILMED

JUN 11 2002

**WATER RIGHT NO. 61-281D**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-281D is now described as follows.

**Right Holder:** ARK PROPERTIES LLC  
 RT 1 BOX 451  
 GLENN'S FERRY ID 83623

**Priority Date:** 03/01/1872

**Source:** BENNETT CREEK

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15 to    | 11/15     | 0.38 CFS              |               |
|                       |             |           | 0.38 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK                      NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 08E 12  |    | 14.8 | 10.0 |    |    |    |    |      |      |    |    |    |    |    |      |    | 24.8   |
| 04S 08E 13  |    |      | 13.8 |    |    |    |    | 13.8 | 13.8 |    |    |    |    |    | 13.8 |    | 55.2   |

Total Acres: 80

**CONDITIONS OF APPROVAL**

1. Rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G, and 61-10377D when combined shall not exceed a total annual maximum diversion volume of 320.0 af at the field headgate, and the irrigation of 80.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 61-C, Bennett Creek.
3. 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.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right may be affected by an agreement between the protestant and the right holder.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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**JUN 11 2002**

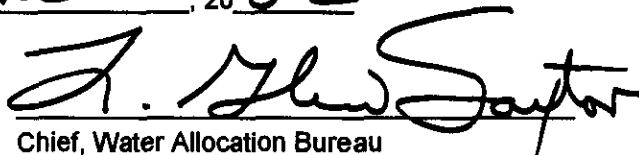
**WATER RIGHT NO. 61-281D**  
**As Modified by Transfer No. 68557**

**CONDITIONS OF 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.
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.

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 5<sup>th</sup> day of April, 2002

  
Chief, Water Allocation Bureau

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JUN 11 2002

**WATER RIGHT NO. 61-282C**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No 68557, Water Right No. 61-282C is now described as follows.

**Right Holder:** MICHAEL KENN BECKMAN AND  
 CARLA B BECKMAN  
 156 S 45TH W  
 IDAHO FALLS ID 84303

**Priority Date:** 04/01/1883

**Source:** BENNETT CREEK

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.52 CFS              |               |
|                       |             |           | 0.52 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 |        |
| 03S 08E 36  |    |     |      |    | 8.9  | 14.0 | 21.7 | 8.9  | 21.0 | 32.4 | 40.0 | 15.5 |    |    |    |    | 160.4  |
| 04S 08E 1   |    | 7.2 | 11.0 |    | 31.6 | 39.0 | 31.0 | 28.0 |      |      |      |      |    |    |    |    | 147.8  |
|             |    | L2  |      |    |      | L3   | L4   |      |      |      |      |      |    |    |    |    |        |

Total Acres: 308.2

**CONDITIONS OF APPROVAL**

1. Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F, 61-2208 and 61-10377C when combined shall not exceed the irrigation of 308.0 acres.
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 5<sup>th</sup> day of April, 2002

*[Signature]*  
 Chief, Water Allocation Bureau

MICROFILMED

JUN 11 2002

**WATER RIGHT NO. 61-282D**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-282D is now described as follows.

**Right Holder:** ARK PROPERTIES LLC  
 RT 1 BOX 451  
 GLENNS FERRY ID 83623

**Priority Date:** 04/01/1883

**Source:** BENNETT CREEK

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.13 CFS              |               |
|                       |             |           | 0.13 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK                      NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 08E 12  |    | 14.8 | 10.0 |    |    |    |    |      |      |    |    |    |    |      |    |    | 24.8   |
| 04S 08E 13  |    |      | 13.8 |    |    |    |    | 13.8 | 13.8 |    |    |    |    | 13.8 |    |    | 55.2   |

Total Acres: 80

**CONDITIONS OF APPROVAL**

1. Rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G, and 61-10377D when combined shall not exceed a total annual maximum diversion volume of 320.0 af at the field headgate, and the irrigation of 80.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 61-C, Bennett Creek.
3. 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.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right may be affected by an agreement between the protestant and the right holder.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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JUN 11 2002

**WATER RIGHT NO. 61-282D**  
**As Modified by Transfer No. 68557**

**CONDITIONS OF 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.
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.

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 5<sup>th</sup> day of April, 2002

  
Chief, Water Allocation Bureau

MICROFILMED  
JUN 11 2002

**WATER RIGHT NO. 61-358C**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-358C is now described as follows.

**Right Holder:** MICHAEL KENN BECKMAN AND  
 CARLA B BECKMAN  
 156 S 45TH W  
 IDAHO FALLS ID 84303

**Priority Date:** 03/01/1892

**Source:** BENNETT CREEK

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15 to    | 11/15     | 0.23 CFS              |               |
|                       |             |           | 0.23 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK NWNNW Sec. 25 Twp 03S Rge 08E ELMORE 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 |        |
| 03S 08E 36  |    |     |      |    | 6.9  | 14.0 | 21.7 | 8.9  | 21.0 | 32.4 | 40.0 | 15.5 |    |    |    |    | 160.4  |
| 04S 08E 1   |    | 7.2 | 11.0 |    | 31.6 | 39.0 | 31.0 | 28.0 |      |      |      |      |    |    |    |    | 147.8  |
|             |    | L2  |      |    | L3   | L4   |      |      |      |      |      |      |    |    |    |    |        |

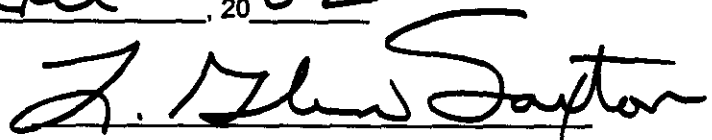
Total Acres: 308.2

**CONDITIONS OF APPROVAL**

1. Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F, 61-2208 and 61-10377C when combined shall not exceed the irrigation of 308.0 acres.
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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 5<sup>th</sup> day of April, 2002

  
 Chief, Water Allocation Bureau

MICROFILMED

JUN 11 2002

**WATER RIGHT NO. 61-358D  
As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-358D is now described as follows.

**Right Holder:** ARK PROPERTIES LLC  
RT 1 BOX 451  
GLENN'S FERRY ID 83623

**Priority Date:** 03/01/1892

**Source:** BENNETT CREEK

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.06 CFS              |               |
|                       |             |           | 0.06 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK                      NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 08E 12  |    | 14.8 | 10.0 |    |    |    |    |      |      |    |    |    |    |      |    |    | 24.8   |
| 04S 08E 13  |    |      | 13.8 |    |    |    |    | 13.8 | 13.8 |    |    |    |    | 13.8 |    |    | 55.2   |

Total Acres: 80

**CONDITIONS OF APPROVAL**

1. Rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G, and 61-10377D when combined shall not exceed a total annual maximum diversion volume of 320.0 af at the field headgate, and the irrigation of 80.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 61-C, Bennett Creek.
3. 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.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right may be affected by an agreement between the protestant and the right holder.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

JUN 11 2002

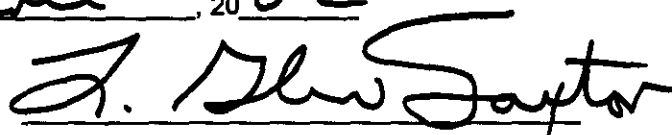
**WATER RIGHT NO. 61-358D**  
**As Modified by Transfer No. 68557**

**CONDITIONS OF 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.
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.

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 5<sup>th</sup> day of April, 2002

  
Chief, Water Allocation Bureau

MICROFILMED

JUN 11 2002

**WATER RIGHT NO. 61-361C**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-361C is now described as follows.

**Right Holder:** CARLA B BECKMAN AND  
 MICHAEL KENN BECKMAN  
 156 S 45TH W  
 IDAHO FALLS ID 84303

**Priority Date:** 03/01/1876

**Source:** BENNETT CREEK

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.36 CFS              |               |
|                       |             |           | 0.36 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 |        |
| 03S 08E 36  |    |     |      |    | 6.9  | 14.0 | 21.7 | 8.9  | 21.0 | 32.4 | 40.0 | 15.5 |    |    |    |    | 160.4  |
| 04S 08E 1   |    | 7.2 | 11.0 |    | 31.6 | 39.0 | 31.0 | 28.0 |      |      |      |      |    |    |    |    | 147.8  |
|             |    | L2  |      |    | L3   | L4   |      |      |      |      |      |      |    |    |    |    |        |

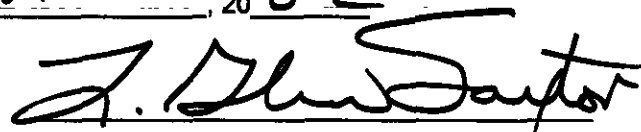
Total Acres: 308.2

**CONDITIONS OF APPROVAL**

1. Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F, 61-2208 and 61-10377C when combined shall not exceed the irrigation of 308.0 acres.
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 5<sup>th</sup> day of April, 2002



Chief, Water Allocation Bureau

MICROFILMED

JUN 11 2002

**WATER RIGHT NO. 61-361D**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-361D is now described as follows.

**Right Holder:** ARK PROPERTIES LLC  
 RT 1 BOX 451  
 GLENN'S FERRY ID 83623

**Priority Date:** 03/01/1876

**Source:** BENNETT CREEK      **Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.09 CFS              |               |
|                       |             |           | 0.09 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK      NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 08E 12  |    | 14.8 | 10.0 |    |    |    |    |      |      |    |    |    |    |      |    |    | 24.8   |
| 04S 08E 13  |    |      | 13.8 |    |    |    |    | 13.8 | 13.8 |    |    |    |    | 13.8 |    |    | 55.2   |

Total Acres: 80

**CONDITIONS OF APPROVAL**

1. Rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G, and 61-10377D when combined shall not exceed a total annual maximum diversion volume of 320.0 af at the field headgate, and the irrigation of 80.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 61-C, Bennett Creek.
3. 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.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right may be affected by an agreement between the protestant and the right holder.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

**MICROFILMED**

**JUN 11 2002**

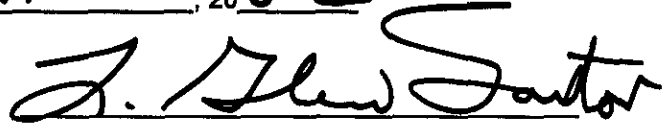
**WATER RIGHT NO. 61-361D**  
**As Modified by Transfer No. 68557**

**CONDITIONS OF 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.
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.

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 5<sup>th</sup> day of April, 2002

  
Chief, Water Allocation Bureau

MICROFILMED  
JUN 11 2002

**WATER RIGHT NO. 61-362E**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-362E is now described as follows.

**Right Holder:** MICHAEL KENN BECKMAN AND  
 CARLA B BECKMAN  
 156 S 45TH W  
 IDAHO FALLS ID 84303

**Priority Date:** 03/01/1892

**Source:** BENNETT CREEK

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15 to    | 11/15     | 0.87 CFS              |               |
|                       |             |           | 0.87 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 |        |
| 03S 08E 36  |    |     |      |    | 6.9  | 14.0 | 21.7 | 8.9  | 21.0 | 32.4 | 40.0 | 15.5 |    |    |    |    | 160.4  |
| 04S 08E 1   |    | 7.2 | 11.0 |    | 31.6 | 39.0 | 31.0 | 28.0 |      |      |      |      |    |    |    |    | 147.8  |
|             |    | L2  |      |    |      | L3   | L4   |      |      |      |      |      |    |    |    |    |        |

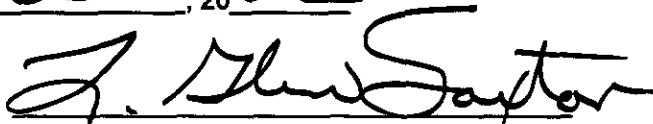
Total Acres: 308.2

**CONDITIONS OF APPROVAL**

1. Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F, 61-2208 and 61-10377C when combined shall not exceed the irrigation of 308.0 acres.
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 5<sup>th</sup> day of April, 2002

  
 Chief, Water Allocation Bureau

MICROFILMED

JUN 11 2002

**WATER RIGHT NO. 61-362F**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-362F is now described as follows.

**Right Holder:** ARK PROPERTIES LLC  
 RT 1 BOX 451  
 GLENN'S FERRY ID 83623

**Priority Date:** 03/01/1892

**Source:** BENNETT CREEK

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-----------------------|-----------------------|---------------|
| IRRIGATION            | 03/15 to 11/15        | 0.23 CFS              |               |
|                       |                       | 0.23 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK                      NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 | 08E | 12  |    | 14.8 | 10.0 |    |    |    |    |      |      |    |    |    |    |      |    |    | 24.8   |
| 04S | 08E | 13  |    |      | 13.8 |    |    |    |    | 13.8 | 13.8 |    |    |    |    | 13.8 |    |    | 55.2   |

Total Acres: 80

**CONDITIONS OF APPROVAL**

1. Rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G, and 61-10377D when combined shall not exceed a total annual maximum diversion volume of 320.0 af at the field headgate, and the irrigation of 80.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 61-C, Bennett Creek.
3. 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.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right may be affected by an agreement between the protestant and the right holder.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

JUN 11 2002

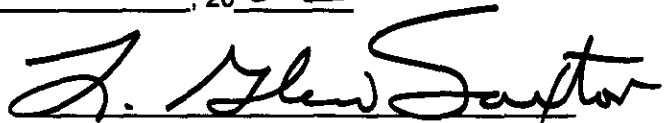
**WATER RIGHT NO. 61-362F**  
**As Modified by Transfer No. 68557**

**CONDITIONS OF 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.
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.

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 5<sup>th</sup> day of April, 2002

  
Chief, Water Allocation Bureau

MICROFILMED

JUN 11 2002

**WATER RIGHT NO. 61-2006F**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-2006F is now described as follows.

**Right Holder:** MICHAEL KENN BECKMAN AND  
 CARLA B BECKMAN  
 156 S 45TH W  
 IDAHO FALLS ID 84303

**Priority Date:** 01/28/1908

**Source:** BENNETT CREEK

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 2.81 CFS              |               |
|                       |             |           | 2.81 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 |        |
| 03S 08E 36  |    |     |      |    | 6.9  | 14.0 | 21.7 | 8.9  | 21.0 | 32.4 | 40.0 | 15.5 |    |    |    |    | 160.4  |
| 04S 08E 1   |    | 7.2 | 11.0 |    | 31.6 | 39.0 | 31.0 | 28.0 |      |      |      |      |    |    |    |    | 147.8  |
|             |    | L 2 |      |    | L 3  | L 4  |      |      |      |      |      |      |    |    |    |    |        |

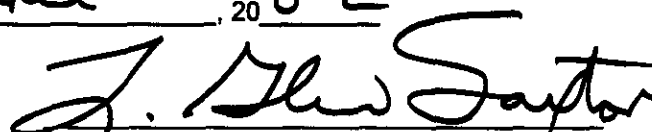
Total Acres. 308.2

**CONDITIONS OF APPROVAL**

1. Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F, 61-2208 and 61-10377C when combined shall not exceed the irrigation of 308.0 acres.
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 5<sup>th</sup> day of April, 2002

  
 Chief, Water Allocation Bureau

MICROFILMED

JUN 11 2002

**WATER RIGHT NO. 61-2006G**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-2006G is now described as follows.

**Right Holder:** ARK PROPERTIES LLC  
 RT 1 BOX 451  
 GLENN'S FERRY ID 83623

**Priority Date:** 01/28/1908

**Source:** BENNETT CREEK

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.73 CFS              |               |
|                       |             |           | 0.73 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 08E 12  |    | 14.8 | 10.0 |    |    |    |      |    |      |    |    |    |    |      |    |    | 24.8   |
| 04S 08E 13  |    |      | 13.8 |    |    |    | 13.8 |    | 13.8 |    |    |    |    | 13.8 |    |    | 55.2   |

Total Acres: 80

**CONDITIONS OF APPROVAL**

1. Rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G, and 61-10377D when combined shall not exceed a total annual maximum diversion volume of 320.0 af at the field headgate, and the irrigation of 80.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 61-C, Bennett Creek.
3. 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.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right may be affected by an agreement between the protestant and the right holder.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

**MICROFILMED**

**JUN 11 2002**

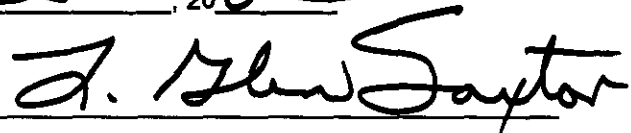
**WATER RIGHT NO. 61-2006G**  
**As Modified by Transfer No. 68557**

**CONDITIONS OF 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.
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.

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 5<sup>th</sup> day of April, 2002



Chief, Water Allocation Bureau

MICROFILM

JUN 11 2002

**WATER RIGHT NO. 61-2208**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-2208 is now described as follows.

**Right Holder:** MICHAEL KENN BECKMAN AND  
 CARLA B BECKMAN  
 156 S 45TH W  
 IDAHO FALLS ID 84303

**Priority Date:** 08/23/1966

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| DOMESTIC              | 01/01 to    | 12/31     | 0.02 CFS              | 1.4 AF        |
| IRRIGATION            | 04/01 to    | 11/01     | 0.90 CFS              | 270.0 AF      |
|                       |             |           | 0.90 CFS              | 271.4 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER NESESW Sec. 36 Twp 03S Rge 08E ELMORE County

**PLACE OF USE:** DOMESTIC

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03S 08E 36  |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |        |

**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 |        |
| 03S 08E 36  |     |      |    |    |      |    |      |      |    |    |    | 13.0 |    |    |    |    | 13.0   |
| 04S 08E 1   | 7.2 | 11.0 |    |    | 26.0 |    | 21.0 | 15.0 |    |    |    |      |    |    |    |    | 80.2   |

Total Acres: 93.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 60.0 acres within the place of use described above in a single irrigation season.
2. Right 61-2208 when combined with Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F and 61-10377C shall not exceed the irrigation of 78.2 acres within the place of use described above in a single irrigation season.

MICROFILMED

JUN 11 2002

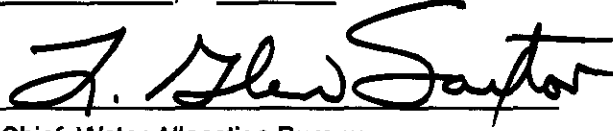
**WATER RIGHT NO. 61-2208**  
**As Modified by Transfer No. 68557**

**CONDITIONS OF APPROVAL**

3. 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 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10-26-2000.
4. The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. 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 5<sup>th</sup> day of April, 20 02

  
Chief, Water Allocation Bureau

**MICROFILMED**

11/11/2002

**WATER RIGHT NO. 61-10377C**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-10377C is now described as follows.

**Right Holder:** MICHAEL KENN BECKMAN AND  
 CARLA B BECKMAN  
 156 S 45TH W  
 IDAHO FALLS ID 84303

**Priority Date:** 03/01/1867

**Source:** BENNETT CREEK

**Tributary:** SNAKE RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 2.13 CFS              |               |
|                       |             |           | 2.13 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 |        |
| 03S 08E 36  |    |     |      |    | 6.9  | 14.0 | 21.7 | 8.9  | 21.0 | 32.4 | 40.0 | 15.5 |    |    |    |    | 160.4  |
| 04S 08E 1   |    | 7.2 | 11.0 |    | 31.6 | 39.0 | 31.0 | 28.0 |      |      |      |      |    |    |    |    | 147.8  |
|             |    | L2  |      |    |      | L3   | L4   |      |      |      |      |      |    |    |    |    |        |

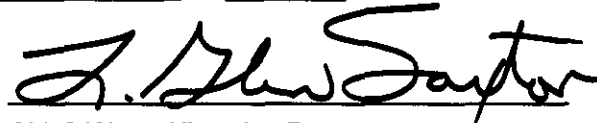
Total Acres: 308.2

**CONDITIONS OF APPROVAL**

1. Rights 61-281C, 61-282C, 61-358C, 61-361C, 61-362E, 61-2006F, 61-2208 and 61-10377C when combined shall not exceed the irrigation of 308.0 acres.
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 5<sup>th</sup> day of April, 2002

  
 Chief, Water Allocation Bureau

**MICROFILMED**

**JUN 11 2002**

**WATER RIGHT NO. 61-10377D**  
**As Modified by Transfer No. 68557**

In accordance with the approval of Transfer No. 68557, Water Right No. 61-10377D is now described as follows.

**Right Holder:** ARK PROPERTIES LLC  
 RT 1 BOX 451  
 GLENN'S FERRY ID 83623

**Priority Date:** 03/01/1867

**Source:** BENNETT CREEK      **Tributary:** SNAKE RIVER

|                              |                    |                  |                              |                      |
|------------------------------|--------------------|------------------|------------------------------|----------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 03/15              | to 11/15         | 0.55 CFS                     |                      |
|                              |                    |                  | 0.55 CFS                     |                      |

**LOCATION OF POINT(S) OF DIVERSION:**

BENNETT CREEK      NWNWNW Sec. 25 Twp 03S Rge 08E ELMORE 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 | 08E | 12  |    | 14.8 | 10.0 |    |    |    |      |      |    |    |    |    |    |    |      |    | 24.8   |
| 04S | 08E | 13  |    |      | 13.8 |    |    |    | 13.8 | 13.8 |    |    |    |    |    |    | 13.8 |    | 55.2   |

Total Acres: 80

**CONDITIONS OF APPROVAL**

1. Rights 61-281D, 61-282D, 61-358D, 61-361D, 61-362F, 61-2006G, and 61-10377D when combined shall not exceed a total annual maximum diversion volume of 320.0 af at the field headgate, and the irrigation of 80.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 61-C, Bennett Creek.
3. 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.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right may be affected by an agreement between the protestant and the right holder.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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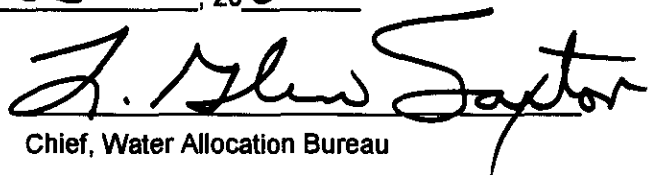
**WATER RIGHT NO. 61-10377D**  
**As Modified by Transfer No. 68557**

**CONDITIONS OF 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.
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.

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 5<sup>th</sup> day of April, 2002

  
Chief, Water Allocation Bureau

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**JUN 11 2002**

**MEMORANDUM**

**TO:** FILE 61-00362E  
**FROM:** VAULT  
**RE:** TRANSFER # 68557  
**DATE:** 4.5.02

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

**FILE #** 61-00281B

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**JUN 11 2002**