

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71206**

This is to certify that: H & S FARMS LTD PARTNERSHIP
1687 S HWY 27
OAKLEY ID 83346
(208)862-3629

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
45-4270	AJC/Beneficial Use	06/30/1985	1.05 cfs	N/A	106.0	357.0	GROUND WATER
45-2250B	AJC/License	03/29/1948	1.06 cfs	320.0 af	80.0	966.0	GROUND WATER
45-2496	AJC/License	06/22/1955	1.68 cfs	492.0 af	123.0	966.0	GROUND WATER
45-2647	AJC/License	03/27/1961	2.80 cfs	1188.5 af	330.0	966.0	GROUND WATER
45-4100	AJC/Beneficial Use	03/15/1961	1.00 cfs	220.0 af	55.0	966.0	GROUND WATER
45-2250A	AJC/License	03/29/1948	2.63 cfs	800.0 af	200.0	357.0	GROUND WATER
45-2269	AJC/License	08/26/1948	0.89 cfs	204.0 af	50.8	357.0	GROUND WATER
45-13571	AJC/Beneficial Use	06/30/1985	3.10 cfs	N/A	458.0	966.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-4270	YES	NO	YES	YES	NO	NO
45-2250B	NO	NO	YES	NO	NO	NO
45-2496	NO	NO	YES	NO	NO	NO
45-2647	NO	NO	YES	NO	NO	NO
45-4100	NO	NO	YES	NO	NO	NO
45-2250A	YES	NO	YES	YES	NO	NO
45-2269	YES	NO	YES	YES	NO	NO
45-13571	NO	NO	YES	NO	NO	NO

SUPPORT DATA

IN FILE # 45-2250A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71206

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
45-4270	45-13764	0.02 cfs	N/A	1.7	972.0	45-13763	1.03 cfs	N/A	104.3	351.0
45-2250B	45-2250B	1.06 cfs	320.0 af	80.0	972.0		N/A	N/A		N/A
45-2496	45-2496	1.68 cfs	492.0 af	123.0	972.0		N/A	N/A		N/A
45-2647	45-2647	2.80 cfs	1188.5 af	330.0	972.0		N/A	N/A		N/A
45-4100	45-4100	1.00 cfs	220.0 af	55.0	972.0		N/A	N/A		N/A
45-2250A	45-13760	0.04 cfs	13.6 af	3.4	972.0	45-13759	2.59 cfs	786.4 af	196.6	351.0
45-2269	45-13762	0.02 cfs	3.6 af	0.9	972.0	45-13761	0.87 cfs	200.4 af	50.1	351.0
45-13571	45-13571	3.10 cfs	N/A	458.0	972.0		N/A	N/A		N/A
COMBINED TOTALS		6.60 cfs	2049.2 af	972.0	972.0		3.46 cfs	986.8	351.0	351.0

Detailed Water Right Description(s) attached

Dated this 18th day of February, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13759
As Modified by Transfer No. 71206

In accordance with the approval of Transfer No. 71206, Water Right No. 45-13759 is now described as follows.

Right Holder: H & S FARMS LTD PARTNERSHIP
 1687 S HWY 27
 OAKLEY ID 83346

Priority Date: March 29, 1948

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	2.59 CFS	786.4 AF
			2.59 CFS	786.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSWSE	Sec. 16 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SWSESE	Sec. 16 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESESE	Sec. 16 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESWSE	Sec. 21 Twp 13S	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	
13S	22E	16	33.0	33.0	38.0	38.0													276.0
13S	22E	21			22.0												29.0	24.0	75.0

Total Acres: 351

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 196.6 acres within the place of use described above in a single irrigation season.
2. Use of the rights listed below is limited to the irrigation of a combined total of 351 acres in a single irrigation season. Combined Right Nos. 45-13759, 45-13761 & 45-13763.
3. Use of the rights listed below is limited to a total combined diversion rate of 3.46 cfs and to a total combined annual diversion volume of 986.8 af. Combined Right Nos. 45-13759, 45-13761 and 45-13763.
4. This right is a split from former Right 45-2250A.
5. Right No. 45-13763 is an expansion of Right Nos. 45-13759 and 45-13761 pursuant to Section 42-1416B, Idaho Code.
6. Right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

WATER RIGHT NO. 45-13759
As Modified by Transfer No. 71206

CONDITIONS OF APPROVAL

7. Use of this right is combined with water from the Oakley Canal Co.
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 18th day of February, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13760
As Modified by Transfer No. 71206

In accordance with the approval of Transfer No. 71206, Water Right No. 45-13760 is now described as follows.

Right Holder: H & S FARMS LTD PARTNERSHIP
 1687 S HWY 27
 OAKLEY ID 83346

Priority Date: March 29, 1948

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	0.04 CFS	13.6 AF
			0.04 CFS	13.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWSW	Sec. 15 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 22 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	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	
13S	22E	15									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
13S	22E	22	33.0	33.0	33.0	33.0	33.0	33.0	31.0	31.0	38.0	37.0	4.0	39.0	33.0	33.0			444.0
13S	22E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 972

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.4 acres within the place of use described above in a single irrigation season.
2. Rights 45-13760, 45-13762 and 45-13764 when combined shall not exceed a total diversion rate of 0.06 cfs and a total annual maximum diversion volume of 17.2 af at the field headgate.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-2250B, 45-2496, 45-2647, 45-4100, 45-13760, 45-13762, 45-13764 and 45-13571 shall not exceed 6.60 cfs, nor a total combined annual volume of 2049.2 af.
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. Right No. 45-13764 is an expansion of Right Nos. 45-13760 and 45-13762 pursuant to Section 42-1416B, Idaho Code.

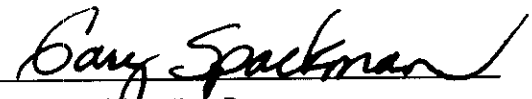
WATER RIGHT NO. 45-13760
As Modified by Transfer No. 71206

CONDITIONS OF APPROVAL

6. Use of this right is combined with water from the Oakley Canal Co.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 18th day of February, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2250B
As Modified by Transfer No. 71206

In accordance with the approval of Transfer No. 71206, Water Right No. 45-2250B is now described as follows.

Right Holder: H & S FARMS LTD PARTNERSHIP
 1687 S HWY 27
 OAKLEY ID 83346

Priority Date: March 29, 1948

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	1.06 CFS	320.0 AF
			1.06 CFS	320.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWSW	Sec. 15 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 22 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	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	
13S	22E	15									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
13S	22E	22	33.0	33.0	33.0	33.0	33.0	33.0	31.0	31.0	38.0	37.0	4.0	39.0	33.0	33.0			444.0
13S	22E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 972

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
2. Rights 45-2250B and 45-2647 when combined shall not exceed a total annual maximum diversion volume of 1320 af at the field headgate, and the irrigation of 330 acres.
3. Rights 45-2250B, 45-2496, 45-2647, 45-4100 and 45-13571 when combined shall not exceed a total diversion rate of 6.54 cfs, a total annual maximum diversion volume of 2032 af at the field headgate, and the irrigation of 966 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 45-2250B, 45-2496, 45-2647, 45-4100, 45-13571, 45-13760, 45-13762 and 45-13764 shall not exceed 6.60 cfs, nor a total combined annual volume of 2049.2 af.
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.

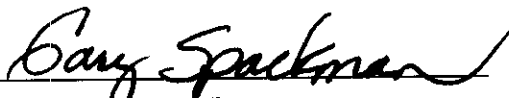
WATER RIGHT NO. 45-2250B
As Modified by Transfer No. 71206

CONDITIONS OF APPROVAL

6. Right No. 45-13571 is an expansion of Right Nos. 45-2250B, 45-2496, 45-2647 and 45-4100 pursuant to Section 42-1416B, Idaho Code.
7. Use of this right is combined with water from the Oakley Canal Co.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
11. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 18th day of February, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13761
As Modified by Transfer No. 71206

In accordance with the approval of Transfer No. 71206, Water Right No. 45-13761 is now described as follows.

Right Holder: H & S FARMS LTD PARTNERSHIP
 1687 S HWY 27
 OAKLEY ID 83346

Priority Date: August 26, 1948

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	0.87 CFS	200.4 AF
		0.87 CFS	200.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSWSE	Sec. 16 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SWSESE	Sec. 16 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESESE	Sec. 16 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESWSE	Sec. 21 Twp 13S	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					
13S	22E	16	33.0	33.0	38.0	38.0												276.0	
13S	22E	21			22.0										29.0	24.0		75.0	

Total Acres: 351

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50.1 acres within the place of use described above in a single irrigation season.
2. Use of the rights listed below is limited to the irrigation of a combined total of 351 acres in a single irrigation season. Combined Right Nos. 45-13759, 45-13761 & 45-13763.
3. Use of the rights listed below is limited to a total combined diversion rate of 3.46 cfs and to a total combined annual diversion volume of 986.8 af. Combined Right Nos. 45-13759, 45-13761 and 45-13763.
4. This right is a split from former Right 45-2269.
5. Right No. 45-13763 is an expansion of Right Nos. 45-13759 and 45-13761 pursuant to Section 42-1416B, Idaho Code.
6. Right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

WATER RIGHT NO. 45-13761
As Modified by Transfer No. 71206

CONDITIONS OF APPROVAL

7. Use of this right is combined with water from the Oakley Canal Co.
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 18th day of February, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13762
As Modified by Transfer No. 71206

In accordance with the approval of Transfer No. 71206, Water Right No. 45-13762 is now described as follows.

Right Holder: H & S FARMS LTD PARTNERSHIP
 1687 S HWY 27
 OAKLEY ID 83346

Priority Date: August 26, 1948

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	0.02 CFS	3.6 AF
		0.02 CFS	3.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWSW	Sec. 15 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 22 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	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	
13S	22E	15									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
13S	22E	22	33.0	33.0	33.0	33.0	33.0	33.0	31.0	31.0	38.0	37.0	4.0	39.0	33.0	33.0			444.0
13S	22E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 972

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.9 acres within the place of use described above in a single irrigation season.
2. Rights 45-13760, 45-13762 and 45-13764 when combined shall not exceed a total diversion rate of 0.06 cfs and a total annual maximum diversion volume of 17.2 af at the field headgate.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-2250B, 45-2496, 45-2647, 45-4100, 45-13760, 45-13762, 45-13764 and 45-13571 shall not exceed 6.60 cfs, nor a total combined annual volume of 2049.2 af.
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. Right No. 45-13764 is an expansion of Right Nos. 45-13760 and 45-13762 pursuant to Section 42-1416B, Idaho Code.

WATER RIGHT NO. 45-13762
As Modified by Transfer No. 71206

CONDITIONS OF APPROVAL

6. Use of this right is combined with water from the Oakley Canal Co.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 18th day of February, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2496
As Modified by Transfer No. 71206

In accordance with the approval of Transfer No. 71206, Water Right No. 45-2496 is now described as follows.

Right Holder: H & S FARMS LTD PARTNERSHIP
 1687 S HWY 27
 OAKLEY ID 83346

Priority Date: June 22, 1955

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	1.68 CFS	492.0 AF
			1.68 CFS	492.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWSW	Sec. 15 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 22 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	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	
13S	22E	15									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
13S	22E	22	33.0	33.0	33.0	33.0	33.0	33.0	31.0	31.0	38.0	37.0	4.0	39.0	33.0	33.0			444.0
13S	22E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 972

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 123 acres within the place of use described above in a single irrigation season.
2. Rights 45-2250B, 45-2496, 45-2647, 45-4100 and 45-13571 when combined shall not exceed a total diversion rate of 6.54 cfs, a total annual maximum diversion volume of 2032 af at the field headgate, and the irrigation of 966 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-2250B, 45-2496, 45-2647, 45-4100, 45-13571, 45-13760, 45-13762 and 45-13764 shall not exceed 6.60 cfs, nor a total combined annual volume of 2049.2 af.
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. Right No. 45-13571 is an expansion of Right Nos. 45-2250B, 45-2496, 45-2647 and 45-4100 pursuant to Section 42-1416B, Idaho Code.

WATER RIGHT NO. 45-2496
As Modified by Transfer No. 71206

CONDITIONS OF APPROVAL

6. Use of this right is combined with water from the Oakley Canal Co.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 18th day of February, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2647
As Modified by Transfer No. 71206

In accordance with the approval of Transfer No. 71206, Water Right No. 45-2647 is now described as follows.

Right Holder: H & S FARMS LTD PARTNERSHIP
 1687 S HWY 27
 OAKLEY ID 83346

Priority Date: March 27, 1961

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	2.80 CFS	1,188.5 AF
			2.80 CFS	1,188.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWSW	Sec. 15 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 22 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	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	
13S	22E	15									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
13S	22E	22	33.0	33.0	33.0	33.0	33.0	33.0	31.0	31.0	38.0	37.0	4.0	39.0	33.0	33.0			444.0
13S	22E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 972

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 330 acres within the place of use described above in a single irrigation season.
2. Rights 45-2250B and 45-2647 when combined shall not exceed a total annual maximum diversion volume of 1320 af at the field headgate, and the irrigation of 330 acres.
3. Rights 45-2250B, 45-2496, 45-2647, 45-4100 and 45-13571 when combined shall not exceed a total diversion rate of 6.54 cfs, a total annual maximum diversion volume of 2032 af at the field headgate, and the irrigation of 966 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 45-2250B, 45-2496, 45-2647, 45-4100, 45-13571, 45-13760, 45-13762 and 45-13764 shall not exceed 6.60 cfs, nor a total combined annual volume of 2049.2 af.
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.

WATER RIGHT NO. 45-2647
As Modified by Transfer No. 71206

CONDITIONS OF APPROVAL

6. Right No. 45-13571 is an expansion of Right Nos. 45-2250B, 45-2496, 45-2647 and 45-4100 pursuant to Section 42-1416B, Idaho Code.
7. Use of this right is combined with water from the Oakley Canal Co.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
11. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 18th day of February, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-4100
As Modified by Transfer No. 71206

In accordance with the approval of Transfer No. 71206, Water Right No. 45-4100 is now described as follows.

Right Holder: H & S FARMS LTD PARTNERSHIP
 1687 S HWY 27
 OAKLEY ID 83346

Priority Date: March 15, 1961

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	1.00 CFS	220.0 AF
			1.00 CFS	220.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWSW	Sec. 15 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 22 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	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	
13S	22E	15									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
13S	22E	22	33.0	33.0	33.0	33.0	33.0	33.0	31.0	31.0	38.0	37.0	4.0	39.0	33.0	33.0			444.0
13S	22E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 972

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season.
2. Rights 45-2250B, 45-2496, 45-2647, 45-4100 and 45-13571 when combined shall not exceed a total diversion rate of 6.54 cfs, a total annual maximum diversion volume of 2032 af at the field headgate, and the irrigation of 966 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-2250B, 45-2496, 45-2647, 45-4100, 45-13571, 45-13760, 45-13762 and 45-13764 shall not exceed 6.60 cfs, nor a total combined annual volume of 2049.2 af.
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. Right No. 45-13571 is an expansion of Right Nos. 45-2250B, 45-2496, 45-2647 and 45-4100 pursuant to Section 42-1416B, Idaho Code.

WATER RIGHT NO. 45-4100
As Modified by Transfer No. 71206

CONDITIONS OF APPROVAL

6. Use of this right is combined with water from the Oakley Canal Co.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 18th day of February, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13763
As Modified by Transfer No. 71206

In accordance with the approval of Transfer No. 71206, Water Right No. 45-13763 is now described as follows.

Right Holder: H & S FARMS LTD PARTNERSHIP
 1687 S HWY 27
 OAKLEY ID 83346

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	1.03 CFS	
			1.03 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSWSE	Sec. 16 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SWSESE	Sec. 16 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESESE	Sec. 16 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESWSE	Sec. 21 Twp 13S	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				
13S	22E	16	33.0	33.0	38.0	38.0												38.0	31.0	33.0	32.0	276.0
13S	22E	21			22.0														29.0	24.0		75.0

Total Acres: 351

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 104.3 acres within the place of use described above in a single irrigation season.
2. Use of the rights listed below is limited to the irrigation of a combined total of 351 acres in a single irrigation season. Combined Right Nos. 45-13759, 45-13761 & 45-13763.
3. Use of the rights listed below is limited to a total combined diversion rate of 3.46 cfs and to a total combined annual diversion volume of 986.8 af. Combined Right Nos. 45-13759, 45-13761 and 45-13763.
4. This right is a split from former Right 45-4270.
5. Right No. 45-13763 is an expansion of Right Nos. 45-13759 and 45-13761 pursuant to Section 42-1416B, Idaho Code.
6. Right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

WATER RIGHT NO. 45-13763
As Modified by Transfer No. 71206

CONDITIONS OF APPROVAL

7. Use of this right is combined with water from the Oakley Canal Co.
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 18th day of February, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13764
As Modified by Transfer No. 71206

In accordance with the approval of Transfer No. 71206, Water Right No. 45-13764 is now described as follows.

Right Holder: H & S FARMS LTD PARTNERSHIP
 1687 S HWY 27
 OAKLEY ID 83346

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	0.02 CFS	0.0 AF
			0.02 CFS	0.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWSW	Sec. 15 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 22 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	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	
13S	22E	15									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
13S	22E	22	33.0	33.0	33.0	33.0	33.0	33.0	31.0	31.0	38.0	37.0	4.0	39.0	33.0	33.0			444.0
13S	22E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 972

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.7 acres within the place of use described above in a single irrigation season.
2. Rights 45-13760, 45-13762 and 45-13764 when combined shall not exceed a total diversion rate of 0.06 cfs and a total annual maximum diversion volume of 17.2 af at the field headgate.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-2250B, 45-2496, 45-2647, 45-4100, 45-13760, 45-13762, 45-13764 and 45-13571 shall not exceed 6.60 cfs, nor a total combined annual volume of 2049.2 af.
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. Right Nos. 45-13763 and 45-13764 are an expansion of Right Nos. 45-13759, 45-13760 45-13761 and 45-13762 pursuant to Section 42-1416B, Idaho Code.

WATER RIGHT NO. 45-13764
As Modified by Transfer No. 71206

CONDITIONS OF APPROVAL

6. Use of this right is combined with water from the Oakley Canal Co.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 18th day of February, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13571
As Modified by Transfer No. 71206

In accordance with the approval of Transfer No. 71206, Water Right No. 45-13571 is now described as follows.

Right Holder: H & S FARMS LTD PARTNERSHIP
 1687 S HWY 27
 OAKLEY ID 83346

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	3.10 CFS	
			3.10 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWSW	Sec. 15 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 22 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 27 Twp 13S	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	
13S	22E	15									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
13S	22E	22	33.0	33.0	33.0	33.0	33.0	33.0	31.0	31.0	38.0	37.0	4.0	39.0	33.0	33.0			444.0
13S	22E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 972

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 458 acres within the place of use described above in a single irrigation season.
2. Rights 45-2250B, 45-2496, 45-2647, 45-4100 and 45-13571 when combined shall not exceed a total diversion rate of 6.54 cfs, a total annual maximum diversion volume of 2032 af at the field headgate, and the irrigation of 966 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-2250B, 45-2496, 45-2647, 45-4100, 45-13571, 45-13760, 45-13762 and 45-13764 shall not exceed 6.60 cfs, nor a total combined annual volume of 2049.2 af.
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. Right No. 45-13571 is an expansion of Right Nos. 45-2250B, 45-2496, 45-2647 and 45-4100 pursuant to Section 42-1416B, Idaho Code.

WATER RIGHT NO. 45-13571
As Modified by Transfer No. 71206

CONDITIONS OF APPROVAL

6. Use of this right is combined with water from the Oakley Canal Co.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 18th day of February, 2005



Chief, Water Allocation Bureau