

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 71741

This is to certify that: J R SIMPLOT COMPANY  
PO BOX 27  
BOISE ID 83707  
(208)336-2110

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 33-2054      | WR/Decreed          | 09/02/1951      | 2.32 cfs    | 98.0 af       | 996.0             | 1,928.0            | GROUND WATER  |
| 33-2075      | WR/Decreed          | 03/22/1955      | 10.12 cfs   | 3486.0 af     | 996.0             | 1,928.0            | GROUND WATER  |
| 33-2076A     | WR/Decreed          | 03/22/1955      | 7.50 cfs    | 3183.0 af     | 996.0             | 1,928.0            | GROUND WATER  |
| 33-2076B     | WR/Decreed          | 03/22/1955      | 6.80 cfs    | 1190.0 af     | 340.0             | 1,928.0            | GROUND WATER  |
| 33-2119      | WR/Decreed          | 05/11/1965      | 10.08 cfs   | 1512.0 af     | N/A               | 504.0              | GROUND WATER  |
| 33-2125      | WR/Decreed          | 06/08/1966      | 10.00 cfs   | 1668.0 af     | N/A               | 634.0              | GROUND WATER  |
| 33-7007      | WR/Decreed          | 01/27/1969      | 4.68 cfs    | 1326.0 af     | 442.0             | 1,928.0            | GROUND WATER  |
| 33-7053      | WR/Decreed          | 06/07/1977      | 6.00 cfs    | 2189.8 af     | 388.0             | 1,928.0            | GROUND WATER  |
| 33-7061      | WR/Decreed          | 10/24/1977      | 0.20 cfs    | 73.0 af       | 12.0              | 1,928.0            | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 33-2054               | NO           | YES        | NO         | NO             | NO                   | NO                   |
| 33-2075               | NO           | YES        | NO         | NO             | NO                   | NO                   |
| 33-2076A              | NO           | YES        | NO         | NO             | NO                   | NO                   |
| 33-2076B              | NO           | YES        | NO         | NO             | NO                   | NO                   |
| 33-2119               | NO           | YES        | NO         | NO             | NO                   | NO                   |
| 33-2125               | NO           | YES        | NO         | NO             | NO                   | NO                   |
| 33-7007               | NO           | YES        | NO         | NO             | NO                   | NO                   |
| 33-7053               | NO           | YES        | NO         | NO             | NO                   | NO                   |
| 33-7061               | NO           | YES        | NO         | NO             | NO                   | NO                   |

**SUPPORT DATA**

IN FILE # 33-2654

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 71741

**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 |
|------------------------|---------------------------|------------------|------------------|---------------|---------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 33-2054                | <b>33-2054</b>            | 2.32 cfs         | 985.0 af         | 996.0         | 1,928.0       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 33-2075                | <b>33-2075</b>            | 10.12 cfs        | 3486.0 af        | 996.0         | 1,928.0       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 33-2076A               | <b>33-2076A</b>           | 7.50 cfs         | 3183.0 af        | 996.0         | 1,928.0       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 33-2076B               | <b>33-2076B</b>           | 6.80 cfs         | 1190.0 af        | 340.0         | 1,928.0       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 33-2119                | <b>33-2119</b>            | 10.08 cfs        | 1512.0 af        | N/A           | 504.0         |                             | N/A            | N/A              | N/A                  | N/A                   |
| 33-2125                | <b>33-2125</b>            | 10.00 cfs        | 1668.0 af        | N/A           | 634.0         |                             | N/A            | N/A              | N/A                  | N/A                   |
| 33-7007                | <b>33-7007</b>            | 4.68 cfs         | 1326.0 af        | 442.0         | 1,928.0       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 33-7053                | <b>33-7053</b>            | 6.00 cfs         | 2189.8 af        | 388.0         | 1,928.0       |                             | N/A            | N/A              | N/A                  | N/A                   |
| 33-7061                | <b>33-7061</b>            | 0.20 cfs         | 73.0 af          | 12.0          | 1,928.0       |                             | N/A            | N/A              | N/A                  | N/A                   |
| <b>COMBINED TOTALS</b> |                           | <b>43.68 cfs</b> | <b>9928.0 af</b> | <b>3002.0</b> | <b>3002.0</b> |                             | N/A            | N/A              | N/A                  | N/A                   |

Detailed Water Right Description(s) attached

Dated this 3<sup>rd</sup> day of March, 2005

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 33-2054**  
**As Modified by Transfer No. 71741**

In accordance with the approval of Transfer No. 71741, Water Right No. 33-2054 is now described as follows.

**Right Holder:** J R SIMPLOT CO  
 C/O RON GRAVES  
 999 MAIN ST STE 1300  
 PO BOX 27  
 BOISE ID 83707

**Priority Date:** September 02, 1951

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-----------------------|-----------------------|---------------|
| IRRIGATION            | 04/01 to 10/31        | 2.32 CFS              | 985.0 AF      |
|                       |                       | 2.32 CFS              | 985.0 AF      |

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

|              |           |                                      |
|--------------|-----------|--------------------------------------|
| GROUND WATER | SWNW      | Sec. 5 Twp 05N Rge 30E BUTTE County  |
| GROUND WATER | SENE      | Sec. 6 Twp 05N Rge 30E BUTTE County  |
| GROUND WATER | SESE      | Sec. 35 Twp 06N Rge 29E BUTTE County |
| GROUND WATER | NENE      | Sec. 31 Twp 06N Rge 30E BUTTE County |
| GROUND WATER | L1 (SESE) | Sec. 32 Twp 06N Rge 30E BUTTE 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   |        |
| 05N 29E     | 1 |  | 42.0 | 42.0 | 40.0 | 40.0 | 43.0 | 37.0 | 39.0 | 40.0 | 40.0 | 39.0 | 38.0 | 36.0 | 40.0 | 40.0 | 36.0 | 37.0 | 629.0  |
|             |   |  | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 5 |  | 42.0 | 43.0 | 39.0 | 38.0 | 42.0 | 42.0 | 39.0 | 39.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 41.0 | 40.0 | 39.0 | 645.0  |
|             |   |  | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 6 |  | 42.0 | 41.0 | 36.0 | 41.0 | 42.0 | 49.0 | 48.0 | 41.0 | 37.0 | 46.0 | 45.0 | 41.0 | 38.0 | 25.0 | 41.0 | 41.0 | 654.0  |
|             |   |  | L1   | L2   |      |      | L3   | L4   | L5   |      |      | L6   | L7   |      |      |      |      |      |        |

Total Acres: 1928

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 996.0 acres within the place of use described above in a single irrigation season.
2. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
3. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.

**WATER RIGHT NO. 33-2054**  
**As Modified by Transfer No. 71741**

**CONDITIONS OF APPROVAL**

5. 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.
6. 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.
7. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 3<sup>rd</sup> day of March, 20 05

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 33-2075**  
**As Modified by Transfer No. 71741**

In accordance with the approval of Transfer No. 71741, Water Right No. 33-2075 is now described as follows.

**Right Holder:** J R SIMPLOT CO  
 C/O RON GRAVES  
 999 MAIN ST STE 1300  
 PO BOX 27  
 BOISE ID 83707

**Priority Date:** March 22, 1955

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 10/31  | 10.12 CFS             | 3,486.0 AF    |
|                       |             |           | 10.12 CFS             | 3,486.0 AF    |

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

|              |           |                 |         |              |
|--------------|-----------|-----------------|---------|--------------|
| GROUND WATER | SWNW      | Sec. 5 Twp 05N  | Rge 30E | BUTTE County |
| GROUND WATER | SENE      | Sec. 6 Twp 05N  | Rge 30E | BUTTE County |
| GROUND WATER | SESE      | Sec. 35 Twp 06N | Rge 29E | BUTTE County |
| GROUND WATER | NENE      | Sec. 31 Twp 06N | Rge 30E | BUTTE County |
| GROUND WATER | L1 (SESE) | Sec. 32 Twp 06N | Rge 30E | BUTTE 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   |        |
| 05N 29E     | 1 | 42.0 | 42.0 | 40.0 | 40.0 | 43.0 | 37.0 | 39.0 | 40.0 | 40.0 | 39.0 | 38.0 | 36.0 | 40.0 | 40.0 | 36.0 | 37.0 | 629.0  |
|             |   | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 5 | 42.0 | 43.0 | 39.0 | 38.0 | 42.0 | 42.0 | 39.0 | 39.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 41.0 | 40.0 | 39.0 | 645.0  |
|             |   | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 6 | 42.0 | 41.0 | 36.0 | 41.0 | 42.0 | 49.0 | 48.0 | 41.0 | 37.0 | 46.0 | 45.0 | 41.0 | 38.0 | 25.0 | 41.0 | 41.0 | 654.0  |
|             |   | L1   | L2   |      |      | L3   | L4   | L5   |      |      | L6   | L7   |      |      |      |      |      |        |

Total Acres: 1928

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 996.0 acres within the place of use described above in a single irrigation season.
2. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
3. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.

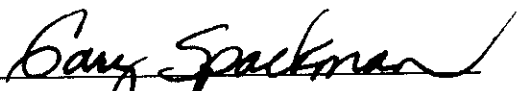
**WATER RIGHT NO. 33-2075**  
**As Modified by Transfer No. 71741**

**CONDITIONS OF APPROVAL**

5. 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.
6. 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.
7. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 3<sup>rd</sup> day of March, 20 05

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 33-2076A**  
**As Modified by Transfer No. 71741**

In accordance with the approval of Transfer No. 71741, Water Right No. 33-2076A is now described as follows.

**Right Holder:** J R SIMPLOT CO  
 C/O RON GRAVES  
 999 MAIN ST STE 1300  
 PO BOX 27  
 BOISE ID 83707

**Priority Date:** March 22, 1955

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 7.50 CFS              | 3,183.0 AF    |
|                       |             |           | 7.50 CFS              | 3,183.0 AF    |

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

|              |           |                 |         |              |
|--------------|-----------|-----------------|---------|--------------|
| GROUND WATER | SWNW      | Sec. 5 Twp 05N  | Rge 30E | BUTTE County |
| GROUND WATER | SENE      | Sec. 6 Twp 05N  | Rge 30E | BUTTE County |
| GROUND WATER | SESE      | Sec. 35 Twp 06N | Rge 29E | BUTTE County |
| GROUND WATER | NENE      | Sec. 31 Twp 06N | Rge 30E | BUTTE County |
| GROUND WATER | L1 (SESE) | Sec. 32 Twp 06N | Rge 30E | BUTTE 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   |        |
| 05N 29E     | 1 | 42.0 | 42.0 | 40.0 | 40.0 | 43.0 | 37.0 | 39.0 | 40.0 | 40.0 | 39.0 | 38.0 | 36.0 | 40.0 | 40.0 | 36.0 | 37.0 | 629.0  |
|             |   | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 5 | 42.0 | 43.0 | 39.0 | 38.0 | 42.0 | 42.0 | 39.0 | 39.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 41.0 | 40.0 | 39.0 | 645.0  |
|             |   | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 6 | 42.0 | 41.0 | 36.0 | 41.0 | 42.0 | 49.0 | 48.0 | 41.0 | 37.0 | 46.0 | 45.0 | 41.0 | 38.0 | 25.0 | 41.0 | 41.0 | 654.0  |
|             |   | L1   | L2   |      |      | L3   | L4   | L5   |      |      | L6   | L7   |      |      |      |      |      |        |

Total Acres: 1928

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 996.0 acres within the place of use described above in a single irrigation season.
2. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
3. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.

**WATER RIGHT NO. 33-2076A**  
**As Modified by Transfer No. 71741**

**CONDITIONS OF APPROVAL**

5. 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.
6. 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.
7. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 3<sup>rd</sup> day of March, 20 05

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 33-2076B**  
**As Modified by Transfer No. 71741**

In accordance with the approval of Transfer No. 71741, Water Right No. 33-2076B is now described as follows.

**Right Holder:** J R SIMPLOT CO  
 C/O RON GRAVES  
 999 MAIN ST STE 1300  
 PO BOX 27  
 BOISE ID 83707

**Priority Date:** March 22, 1955

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 10/31  | 6.80 CFS              | 1,190.0 AF    |
|                       |             |           | 6.80 CFS              | 1,190.0 AF    |

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

|              |           |         |         |         |              |
|--------------|-----------|---------|---------|---------|--------------|
| GROUND WATER | SWNW      | Sec. 5  | Twp 05N | Rge 30E | BUTTE County |
| GROUND WATER | SENW      | Sec. 6  | Twp 05N | Rge 30E | BUTTE County |
| GROUND WATER | SESE      | Sec. 35 | Twp 06N | Rge 29E | BUTTE County |
| GROUND WATER | NENE      | Sec. 31 | Twp 06N | Rge 30E | BUTTE County |
| GROUND WATER | L1 (SESE) | Sec. 32 | Twp 06N | Rge 30E | BUTTE 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   |        |
| 05N 29E     | 1 | 42.0 | 42.0 | 40.0 | 40.0 | 43.0 | 37.0 | 39.0 | 40.0 | 40.0 | 39.0 | 38.0 | 36.0 | 40.0 | 40.0 | 36.0 | 37.0 | 629.0  |
|             |   | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 5 | 42.0 | 43.0 | 39.0 | 38.0 | 42.0 | 42.0 | 39.0 | 39.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 41.0 | 40.0 | 39.0 | 645.0  |
|             |   | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 6 | 42.0 | 41.0 | 36.0 | 41.0 | 42.0 | 49.0 | 48.0 | 41.0 | 37.0 | 46.0 | 45.0 | 41.0 | 38.0 | 25.0 | 41.0 | 41.0 | 654.0  |
|             |   | L1   | L2   |      |      | L3   | L4   | L5   |      |      | L6   | L7   |      |      |      |      |      |        |

Total Acres: 1928

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 340.0 acres within the place of use described above in a single irrigation season.
2. Rights 33-02076B and 33-07007 when combined shall not exceed a total diversion rate of 10.84 cfs, a total annual maximum diversion volume of 1897.0 af at the field headgate, and the irrigation of 542.0 acres.
3. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
4. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.

**WATER RIGHT NO. 33-2076B**  
**As Modified by Transfer No. 71741**

**CONDITIONS OF APPROVAL**

5. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.
6. 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.
7. 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.
8. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 3<sup>rd</sup> day of March, 20 05

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 33-2119**  
**As Modified by Transfer No. 71741**

In accordance with the approval of Transfer No. 71741, Water Right No. 33-2119 is now described as follows.

**Right Holder:** J R SIMPLOT CO  
 C/O RON GRAVES  
 999 MAIN ST STE 1300  
 PO BOX 27  
 BOISE ID 83707

**Priority Date:** May 11, 1965

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15       | to 09/15  | 10.08 CFS             | 1,512.0 AF    |
|                       |             |           | 10.08 CFS             | 1,512.0 AF    |

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

|              |           |                 |         |              |
|--------------|-----------|-----------------|---------|--------------|
| GROUND WATER | SESE      | Sec. 35 Twp 06N | Rge 29E | BUTTE County |
| GROUND WATER | NENE      | Sec. 31 Twp 06N | Rge 30E | BUTTE County |
| GROUND WATER | L1 (SESE) | Sec. 32 Twp 06N | Rge 30E | BUTTE 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 |        |
| 06N | 30E | 32  |      |      |      |      |      |    |      |      |      |      |      |      | 32.0 |    |    |    | 64.0   |
| 06N | 30E | 33  | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 |    | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 |      |    |    |    | 440.0  |

Total Acres: 504

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 504.0 acres within the place of use described above in a single irrigation season.
2. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
3. Rights 33-02119, and 33-02125 when combined shall not exceed a total diversion rate of 12.90 cfs, a total annual maximum diversion volume of 3180.0 af at the field headgate, and the irrigation of 1074.0 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.
5. 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.

**WATER RIGHT NO. 33-2119**  
**As Modified by Transfer No. 71741**

**CONDITIONS OF APPROVAL**

6. 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.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/11/2000.
8. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 3<sup>rd</sup> day of March, 20 05

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 33-2125**  
**As Modified by Transfer No. 71741**

In accordance with the approval of Transfer No. 71741, Water Right No. 33-2125 is now described as follows.

**Right Holder:** J R SIMPLOT CO  
 C/O RON GRAVES  
 999 MAIN ST STE 1300  
 PO BOX 27  
 BOISE ID 83707

**Priority Date:** June 08, 1966

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15       | to 09/15  | 10.00 CFS             | 1,668.0 AF    |
|                       |             |           | 10.00 CFS             | 1,668.0 AF    |

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

|              |           |                 |         |              |
|--------------|-----------|-----------------|---------|--------------|
| GROUND WATER | SESE      | Sec. 35 Twp 06N | Rge 29E | BUTTE County |
| GROUND WATER | NENE      | Sec. 31 Twp 06N | Rge 30E | BUTTE County |
| GROUND WATER | L1 (SESE) | Sec. 32 Twp 06N | Rge 30E | BUTTE 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   |        |
| 06N | 29E | 35  |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 122.0  |
| 06N | 30E | 31  | 32.0 | 32.0 | 32.0 | 32.0 | 32.0 | 32.0 | 32.0 | 32.0 |      |      |      |      |      |      |      |      | 256.0  |
| 06N | 30E | 32  |      |      |      |      |      |      |      |      | 32.0 | 32.0 | 32.0 | 32.0 | 32.0 | 32.0 | 32.0 | 32.0 | 256.0  |

Total Acres: 634

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 634.0 acres within the place of use described above in a single irrigation season.
2. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
3. Rights 33-02119, and 33-02125 when combined shall not exceed a total diversion rate of 12.90 cfs, a total annual maximum diversion volume of 3180.0 af at the field headgate, and the irrigation of 1074.0 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.

**WATER RIGHT NO. 33-2125**  
**As Modified by Transfer No. 71741**

**CONDITIONS OF APPROVAL**

5. 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.
6. 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.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/11/2000.
8. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 3<sup>rd</sup> day of March, 20 05

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 33-7007**  
**As Modified by Transfer No. 71741**

In accordance with the approval of Transfer No. 71741, Water Right No. 33-7007 is now described as follows.

**Right Holder:** J R SIMPLOT CO  
 C/O RON GRAVES  
 999 MAIN ST STE 1300  
 PO BOX 27  
 BOISE ID 83707

**Priority Date:** January 27, 1969

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-----------------------|-----------------------|---------------|
| IRRIGATION            | 04/15 to 09/15        | 4.68 CFS              | 1,326.0 AF    |
|                       |                       | 4.68 CFS              | 1,326.0 AF    |

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

|              |           |                                      |
|--------------|-----------|--------------------------------------|
| GROUND WATER | SWNW      | Sec. 5 Twp 05N Rge 30E BUTTE County  |
| GROUND WATER | SENE      | Sec. 6 Twp 05N Rge 30E BUTTE County  |
| GROUND WATER | SESE      | Sec. 35 Twp 06N Rge 29E BUTTE County |
| GROUND WATER | NENE      | Sec. 31 Twp 06N Rge 30E BUTTE County |
| GROUND WATER | L1 (SESE) | Sec. 32 Twp 06N Rge 30E BUTTE 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   |        |
| 05N 29E     | 1 |  | 42.0 | 42.0 | 40.0 | 40.0 | 43.0 | 37.0 | 39.0 | 40.0 | 40.0 | 39.0 | 38.0 | 36.0 | 40.0 | 40.0 | 36.0 | 37.0 | 629.0  |
|             |   |  | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 5 |  | 42.0 | 43.0 | 39.0 | 38.0 | 42.0 | 42.0 | 39.0 | 39.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 41.0 | 40.0 | 39.0 | 645.0  |
|             |   |  | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 6 |  | 42.0 | 41.0 | 36.0 | 41.0 | 42.0 | 49.0 | 48.0 | 41.0 | 37.0 | 46.0 | 45.0 | 41.0 | 38.0 | 25.0 | 41.0 | 41.0 | 654.0  |
|             |   |  | L1   | L2   |      |      | L3   | L4   | L5   |      |      | L6   | L7   |      |      |      |      |      |        |

Total Acres: 1928

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 442.0 acres within the place of use described above in a single irrigation season.
2. Rights 33-02076B and 33-07007 when combined shall not exceed a total diversion rate of 10.84 cfs, a total annual maximum diversion volume of 1897.0 af at the field headgate, and the irrigation of 542.0 acres.
3. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
4. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.

**WATER RIGHT NO. 33-7007**  
**As Modified by Transfer No. 71741**

**CONDITIONS OF APPROVAL**

5. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.
6. 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.
7. 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.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/11/2000.
9. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 3<sup>rd</sup> day of March, 2005

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 33-7061**  
**As Modified by Transfer No. 71741**

In accordance with the approval of Transfer No. 71741, Water Right No. 33-7061 is now described as follows.

**Right Holder:** J R SIMPLOT CO  
 C/O RON GRAVES  
 999 MAIN ST STE 1300  
 PO BOX 27  
 BOISE ID 83707

**Priority Date:** October 24, 1977

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15       | to 10/15  | 0.20 CFS              | 73.0 AF       |
|                       |             |           | 0.20 CFS              | 73.0 AF       |

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

|              |           |                                      |
|--------------|-----------|--------------------------------------|
| GROUND WATER | SWNW      | Sec. 5 Twp 05N Rge 30E BUTTE County  |
| GROUND WATER | SENW      | Sec. 6 Twp 05N Rge 30E BUTTE County  |
| GROUND WATER | SESE      | Sec. 35 Twp 06N Rge 29E BUTTE County |
| GROUND WATER | NENE      | Sec. 31 Twp 06N Rge 30E BUTTE County |
| GROUND WATER | L1 (SESE) | Sec. 32 Twp 06N Rge 30E BUTTE 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   |        |
| 05N 29E     | 1 | 42.0 | 42.0 | 40.0 | 40.0 | 43.0 | 37.0 | 39.0 | 40.0 | 40.0 | 39.0 | 38.0 | 36.0 | 40.0 | 40.0 | 36.0 | 37.0 | 629.0  |
|             |   | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 5 | 42.0 | 43.0 | 39.0 | 38.0 | 42.0 | 42.0 | 39.0 | 39.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 41.0 | 40.0 | 39.0 | 645.0  |
|             |   | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 6 | 42.0 | 41.0 | 36.0 | 41.0 | 42.0 | 49.0 | 48.0 | 41.0 | 37.0 | 46.0 | 45.0 | 41.0 | 38.0 | 25.0 | 41.0 | 41.0 | 654.0  |
|             |   | L1   | L2   |      |      | L3   | L4   | L5   |      |      | L6   | L7   |      |      |      |      |      |        |

Total Acres: 1928

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 12.0 acres within the place of use described above in a single irrigation season.
2. Rights 33-7053 and 33-7061 when combined shall not exceed the irrigation of 388.0 acres.
3. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
4. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.

**WATER RIGHT NO. 33-7061**  
**As Modified by Transfer No. 71741**

**CONDITIONS OF APPROVAL**

5. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.
6. 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.
7. 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.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/11/2000.
9. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 3<sup>rd</sup> day of March, 20 05

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 33-7053**  
**As Modified by Transfer No. 71741**

In accordance with the approval of Transfer No. 71741, Water Right No. 33-7053 is now described as follows.

**Right Holder:** J R SIMPLOT CO  
 C/O RON GRAVES  
 999 MAIN ST STE 1300  
 PO BOX 27  
 BOISE ID 83707

**Priority Date:** June 07, 1977

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15       | to 10/15  | 6.00 CFS              | 2,189.8 AF    |
|                       |             |           | 6.00 CFS              | 2,189.8 AF    |

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

|              |           |                                      |
|--------------|-----------|--------------------------------------|
| GROUND WATER | SWNW      | Sec. 5 Twp 05N Rge 30E BUTTE County  |
| GROUND WATER | SENE      | Sec. 6 Twp 05N Rge 30E BUTTE County  |
| GROUND WATER | SESE      | Sec. 35 Twp 06N Rge 29E BUTTE County |
| GROUND WATER | NENE      | Sec. 31 Twp 06N Rge 30E BUTTE County |
| GROUND WATER | L1 (SESE) | Sec. 32 Twp 06N Rge 30E BUTTE 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   |        |
| 05N 29E     | 1 | 42.0 | 42.0 | 40.0 | 40.0 | 43.0 | 37.0 | 39.0 | 40.0 | 40.0 | 39.0 | 38.0 | 36.0 | 40.0 | 40.0 | 36.0 | 37.0 | 629.0  |
|             |   | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 5 | 42.0 | 43.0 | 39.0 | 38.0 | 42.0 | 42.0 | 39.0 | 39.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 41.0 | 40.0 | 39.0 | 645.0  |
|             |   | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 05N 30E     | 6 | 42.0 | 41.0 | 36.0 | 41.0 | 42.0 | 49.0 | 48.0 | 41.0 | 37.0 | 46.0 | 45.0 | 41.0 | 38.0 | 25.0 | 41.0 | 41.0 | 654.0  |
|             |   | L1   | L2   |      |      | L3   | L4   | L5   |      |      | L6   | L7   |      |      |      |      |      |        |

Total Acres: 1928

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 388.0 acres within the place of use described above in a single irrigation season.
2. Rights 33-7053 and 33-7061 when combined shall not exceed the irrigation of 388.0 acres.
3. The point of diversion located in the SESE, S35, T6N, R29E is limited to a maximum diversion rate of 8.02 cfs.
4. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-07007, 33-07053 and 33-07061 when combined shall not exceed a total diversion rate of 30.78 cfs, a total annual maximum diversion volume of 6748.0 af at the field headgate, and the irrigation of 1928.0 acres.

**WATER RIGHT NO. 33-7053**  
**As Modified by Transfer No. 71741**

**CONDITIONS OF APPROVAL**

5. The total instantaneous diversion of water from all points of diversion under Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 shall not exceed 43.68 cfs, nor a total combined annual volume of 9928.0 af for the irrigation of 3002.0 acres.
6. 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.
7. 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.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/11/2000.
9. Rights 33-2054, 33-02075, 33-02076A, 33-02076B, 33-02119, 33-02125, 33-07007, 33-07053 and 33-07061 are diverted through the point(s) of diversion described above.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 3<sup>rd</sup> day of March, 20 05

  
Chief, Water Allocation Bureau