

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71550

This is to certify that: MDC LLC
 4042 W CHINDEN BLVD
 MERIDIAN ID 83642
 (208)887-6897

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>
63-10792	WR/License	04/28/1989	0.11 cfs	54.3 af	N/A	14.0	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>
63-10792	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-10792	63-10792	0.11 cfs	53.7 af	N/A	14.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.11 cfs	53.7 af	N/A	14.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of February, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 63-10792
As Modified by Transfer No. 71550

In accordance with the approval of Transfer No 71550, Water Right No 63-10792 is now described as follows.

Right Holder: MDC LLC
 4042 W CHINDEN BLVD
 MERIDIAN ID 83642

Priority Date: April 28, 1989

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	0.11 CFS	53.7 AF
		0.11 CFS	53.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENE Sec 28 Twp 05N Rge 02W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE			NW			SW			SE			Totals
	NE	NW	SW	NE	NW	SW	SE	NE	NW	SW	SE		
05N 02W 28												14.0	

Total Acres: 14

CONDITIONS OF APPROVAL

- 1 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval
- 2 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
- 3 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.
- 4 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required
- 5 After specific notification by the Department, the right holder shall install a suitable measuring device 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.

WATER RIGHT NO. 63-10792
As Modified by Transfer No. 71550

CONDITIONS OF APPROVAL

6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above

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 23rd day of February, 20 05


Chief, Water Allocation Bureau