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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70111

This is to certify that: MOUNTAIN VIEW LAND LP
700 N 719 E
RUPERT ID 83350
(208)531- 5104

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

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
36-7460L	WR/Decreed	03/25/1974	0.55 cfs	122.3 af			GROUND WATER
36-13611	WR/Decreed	08/01/1981	0.24 cfs	N/A			GROUND WATER

Purpose of Transfer (Changes Proposed)

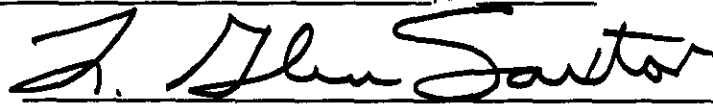
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-7460L	NO	NO	YES	YES	NO	NO
36-13611	NO	NO	YES	YES	NO	NO

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
36-7460L	36-7460L	0.55 cfs	122.3 af	N/A	N/A		N/A	N/A	N/A	N/A
36-13611	36-13611	0.24 cfs	14.6 af	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		0.55 cfs	122.3 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of December, 2002


MICHAEL J. Sauter
Chief, Water Allocation Bureau

JAN 09 2003

WATER RIGHT NO. 36-7460L**As Modified by Transfer No. 70111**

In accordance with the approval of Transfer No. 70111, Water Right No. 36-7460L is now described as follows.

Right Holder: MOUNTAIN VIEW LAND LP

700 N 719 E

RUPERT ID 83350

Priority Date: March 25, 1974**Source:** GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to	12/31	0.17 CFS	36.8 AF
STOCKWATER	01/01 to	12/31	0.38 CFS	85.5 AF
			0.55 CFS	122.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENW Sec. 22 Twp 08S Rge 25E MINIDOKA County

GROUND WATER NWNW Sec. 22 Twp 08S Rge 25E MINIDOKA County

GROUND WATER NWNW Sec. 22 Twp 08S Rge 25E MINIDOKA County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 25E 21	X	X	X	X				X					X	X	X	X	
08S 25E 22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
08S 25E 27					X	X	X	X									
08S 25E 28	X	X	X	X	X	X	X	X	X	X	X	X					
08S 25E 29													X	X			

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 25E 22					X	X	X	X									

CONDITIONS OF APPROVAL

- The total instantaneous diversion of water from all points of diversion under Rights 36-7460L, 36-13610 and 36-13611 shall not exceed 0.55 cfs, nor total combined annual volume of 122.3 af.
- Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

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WATER RIGHT NO. 36-7460L
As Modified by Transfer No. 70111

CONDITIONS OF APPROVAL

3. Prior to the diversion and use of water under Transfer approval 70111, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
4. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Commercial use is for a dairy located in the NW, S22, T8S, R25E.
9. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 20th day of December, 2002



Chief, Water Allocation Bureau

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JAN 09 2003

WATER RIGHT NO. 36-13611
As Modified by Transfer No. 70111

In accordance with the approval of Transfer No. 70111, Water Right No. 36-13611 is now described as follows.

Right Holder: MOUNTAIN VIEW LAND LP
 700 N 719 E
 RUPERT ID 83350

Priority Date: August 01, 1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01 to	12/31	0.04 CFS	14.6 AF
STOCKWATER	01/01 to	12/31	0.20 CFS	14.6 AF
			0.24 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENW Sec. 22 Twp 08S Rge 25E MINIDOKA County

GROUND WATER NWNW Sec. 22 Twp 08S Rge 25E MINIDOKA County

GROUND WATER NWNW Sec. 22 Twp 08S Rge 25E MINIDOKA County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	25E	22					X												

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	25E	22					X	X	X	X									

CONDITIONS OF APPROVAL

1. The quantity of water decreed for this water right for stockwater and domestic use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
2. The total instantaneous diversion of water from all points of diversion under Rights 36-7460L, 36-13610 and 36-13611 shall not exceed 0.55 cfs, nor total combined annual volume of 122.3 af.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
4. Prior to the diversion and use of water under Transfer approval 70111, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

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JAN 8 9 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

1996 NOV 22 PM 12: 07
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR DISTRICT COURT - SRBA
Water Right 36-13611 TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: STEVEN WHITESIDES
RT 4 BOX 219
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.24 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 08/01/1981

POINT OF DIVERSION: T08S R25E S22 NENWW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.2 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

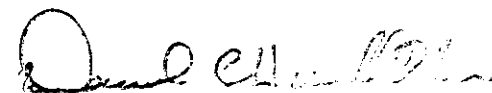
PLACE OF USE: STOCKWATER Within MINIDOKA County
T08S R25E S22 NENW

DOMESTIC Within MINIDOKA County
T08S R25E S22 NENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: NOV 22 1996



DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

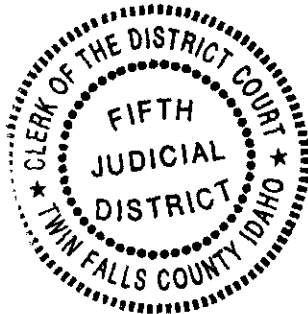
RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: NOV 22 1996

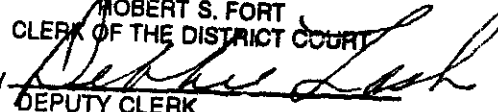


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication



State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK

MEMORANDUM

TO: FILE 36-13611
FROM: VAULT
RE: TRANSFER # 70111
DATE: 12.18.02

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

FILE # 36-07460L

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JAN 09 2003