

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71004

This is to certify that: THEODORE BAAR And/Or
TED BAAR JR
350 S 300 W
JEROME ID 83338
(208)324-5042

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>
36-10845	WR/Decreed	01/28/1972	0.24 cfs	N/A	N/A	N/A	GROUND WATER
36-2325	WR/Decreed	06/11/1957	2.15 cfs	N/A	N/A	585.0	GROUND WATER
36-2326	WR/Decreed	05/11/1957	6.4 cfs	N/A	N/A	585.0	GROUND WATER
36-8478	WR/License	11/07/1989	0.47 cfs	43.1 af	N/A	N/A	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>
36-10845	NO	NO	YES	YES	NO	NO
36-2325	YES	YES	YES	NO	YES	YES
36-2326	YES	YES	YES	NO	YES	YES
36-8478	NO	NO	NO	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>
36-10845	36-10845	0.24 cfs	14.6 af	N/A	N/A		N/A	N/A	N/A	N/A
36-2325	36-16196	0.07 cfs	53.0 af	N/A	N/A	36-16195	2.08 cfs	N/A	N/A	565.0
36-2326	36-16198	0.22 cfs	53.0af	N/A	N/A	36-16197	6.18 cfs	N/A	N/A	565.0
36-8478	36-8478	0.47 cfs	43.1 af	N/A	N/A		N/A	N/A	N/A	N/A

COMBINED

TOTALS	0.76 cfs	96.1 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 19th day of April, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16195
As Modified by Transfer No. 71004

In accordance with the approval of Transfer No. 71004, Water Right No. 36-16195 is now described as follows.

Right Holder: B ROY PRESCOTT
 135 N 800 E
 JEROME ID 83338

Priority Date: June 11, 1957

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	2.08 CFS	
			2.08 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 34 Twp 07S	Rge 18E	JEROME County
GROUND WATER	NWNESE	Sec. 34 Twp 07S	Rge 18E	JEROME 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	
07S	18E	34	37.8	40.0	40.0	35.8	40.0	40.0	39.0	40.0					40.0	40.0	26.0	37.0	455.6
07S	18E	35					37.0	34.5			24.9	13.0							109.4

Total Acres: 565

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-16195 and 36-16197 shall not exceed 8.26 cfs, nor a total combined annual volume of 2260 af.
2. Rights 36-16195 and 36-16197 when combined shall not exceed a total diversion rate of 8.26 cfs, a total annual maximum diversion volume of 2260 af at the field headgate, and the irrigation of 565 acres.
3. 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 19th day of April, 2004


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16196
As Modified by Transfer No. 71004

In accordance with the approval of Transfer No. 71004, Water Right No. 36-16196 is now described as follows.

Right Holder: TED BAAR JR And/Or
 THEODORE BAAR
 350 S 300 W
 JEROME ID 83338

Priority Date: June 11, 1957

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	0.07 CFS	53.0 AF
STOCKWATER	01/01 to	12/31	0.07 CFS	53.0 AF
			0.07 CFS	53.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 3	Twp 09S	Rge 16E	JEROME County
GROUND WATER	SWNW	Sec. 3	Twp 09S	Rge 16E	JEROME 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	
09S	16E	3					X		X	X	X								
							L 3												

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	
09S	16E	3							X	X									

CONDITIONS OF APPROVAL

1. Rights 36-16196 and 36-16198 when combined shall not exceed a total diversion rate of 0.29 cfs and a total annual maximum diversion volume of 53 af.
2. Rights 36-10845, 36-16196, 36-16198, and 36-8478 when combined shall not exceed a total diversion rate of 0.76 cfs and a total diversion volume of 96.1 afa except as modified below.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-10845, 36-16196, 36-16198 and 36-8478 shall not exceed 0.76 cfs, nor a total combined annual volume as set forth above.
4. 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.
5. 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.

WATER RIGHT NO. 36-16196
As Modified by Transfer No. 71004

CONDITIONS OF APPROVAL

6. Beginning on the date of approval of Transfer 71004, Rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Year 2004 the rights are limited to 64.2 afa.
Year 2005 the rights are limited to 78.6 afa.
Year 2006 through 2007 the rights are limited to 82.2 afa.
Year 2008 through 2012 the rights are limited to 88.3 afa.
Year 2013 through 2017 the rights are limited to 90.1 afa.
Year 2018 through 2022 the rights are limited to 91.9 afa.
Year 2023 through 2031 the rights are limited to 93.1 afa.
Year 2032 through 2042 the rights are limited to 94.3 afa.
Year 2043 and beyond the rights are limited to 96.1 afa.

7. Prior to the diversion and use of water under Transfer approval 71004, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
8. Commercial use is for a dairy with barn located in SWNW, S3, T9S, R16E.
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. 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.
11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
12. The right holder shall accomplish the change authorized by this transfer within one (1) 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.
14. 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 19th day of April, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16197
As Modified by Transfer No. 71004

In accordance with the approval of Transfer No. 71004, Water Right No. 36-16197 is now described as follows.

Right Holder: B ROY PRESCOTT
 135 N 800 E
 JEROME ID 83338

Priority Date: May 11, 1957

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	6.18 CFS	
			6.18 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENWNW	Sec. 34 Twp 07S	Rge 18E	JEROME County
GROUND WATER	NWNESE	Sec. 34 Twp 07S	Rge 18E	JEROME 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	
07S	18E	34	37.8	40.0	40.0	35.8	40.0	40.0	39.0	40.0					40.0	40.0	26.0	37.0	455.6
07S	18E	35						37.0	34.5		24.9	13.0							109.4

Total Acres: 565

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-16195 and 36-16197 shall not exceed 8.26 cfs, nor a total combined annual volume of 2260 af.
2. Rights 36-16195 and 36-16197 when combined shall not exceed a total diversion rate of 8.26 cfs, a total annual maximum diversion volume of 2260 af at the field headgate, and the irrigation of 565 acres.
3. 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 19th day of April, 2004


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16198
As Modified by Transfer No. 71004

In accordance with the approval of Transfer No. 71004, Water Right No. 36-16198 is now described as follows.

Right Holder: THEODORE BAAR And/Or
 TED BAAR JR
 350 S 300 W
 JEROME ID 83338

Priority Date: May 11, 1957

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	0.22 CFS	53.0 AF
STOCKWATER	01/01 to	12/31	0.22 CFS	53.0 AF
			0.22 CFS	53.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 3	Twp 09S	Rge 16E	JEROME County
GROUND WATER	SWNW	Sec. 3	Twp 09S	Rge 16E	JEROME 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	
09S 16E 3					X		X	X	X								
					L 3												

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	
09S 16E 3							X	X									

CONDITIONS OF APPROVAL

1. Rights 36-16196 and 36-16198 when combined shall not exceed a total diversion rate of 0.29 cfs and a total annual maximum diversion volume of 53 af.
2. Rights 36-10845, 36-16196, 36-16198, and 36-8478 when combined shall not exceed a total diversion rate of 0.76 cfs and a total diversion volume of 96.1 afa except as modified below.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-10845, 36-16196, 36-16198 and 36-8478 shall not exceed 0.76 cfs, nor a total combined annual volume as set forth above.
4. 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.
5. 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.

WATER RIGHT NO. 36-16198
As Modified by Transfer No. 71004

CONDITIONS OF APPROVAL

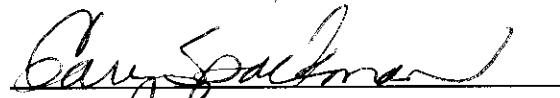
6. Beginning on the date of approval of Transfer 71004, Rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Year 2004 the rights are limited to 64.2 afa.
Year 2005 the rights are limited to 78.6 afa.
Year 2006 through 2007 the rights are limited to 82.2 afa.
Year 2008 through 2012 the rights are limited to 88.3 afa.
Year 2013 through 2017 the rights are limited to 90.1 afa.
Year 2018 through 2022 the rights are limited to 91.9 afa.
Year 2023 through 2031 the rights are limited to 93.1 afa.
Year 2032 through 2042 the rights are limited to 94.3 afa.
Year 2043 and beyond the rights are limited to 96.1 afa.

7. Prior to the diversion and use of water under Transfer approval 71004, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
8. Commercial use is for a dairy with barn located in SWNW, S3, T9S, R16E.
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. 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.
11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
12. The right holder shall accomplish the change authorized by this transfer within one (1) 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.
14. 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 19th day of April, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-8478
As Modified by Transfer No. 71004

In accordance with the approval of Transfer No. 71004, Water Right No. 36-8478 is now described as follows.

Right Holder: THEODORE BAAR And
 ANNA ELSIE BAAR
 350 S 300 W
 JEROME ID 83338

And

NORTHWEST FARM CREDIT SERVICES FLCA
 PO BOX 5059
 TWIN FALLS ID 83303-5059

Priority Date: November 07, 1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.47 CFS	41.9 AF
COMMERCIAL	01/01 to	12/31	0.47 CFS	41.9 AF
DOMESTIC	01/01 to	12/31	0.04 CFS	1.2 AF
			0.47 CFS	43.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNW Sec. 3 Twp 09S Rge 16E JEROME County
 GROUND WATER SWNW Sec. 3 Twp 09S Rge 16E JEROME County

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	
09S 16E 3							X	X									

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	
09S 16E 3					X		X	X	X								

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	
09S 16E 3							X										

CONDITIONS OF APPROVAL

- Domestic use is for 1 home within the SWNW, S3, T9S, R16E.
- Rights 36-10845 and 36-8478 when combined shall not exceed a total diversion rate of 0.47 cfs and a total annual maximum diversion volume of 43.1 af.
- Rights 36-10845, 36-16196, 36-16198, and 36-8478 when combined shall not exceed a total diversion rate of 0.76 cfs and a total diversion volume of 96.1 afa except as modified below.
- 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.

WATER RIGHT NO. 36-8478
As Modified by Transfer No. 71004

CONDITIONS OF APPROVAL

5. Commercial use is for a dairy with barn located in SWNW, S3, T9S, R16E.
6. The total instantaneous diversion of water from all points of diversion under Rights 36-10845, 36-16196, 36-16198 and 36-8478 shall not exceed 0.76 cfs, nor a total combined annual volume of 96.1 afa except as modified below.
7. Beginning on the date of approval of Transfer 71004, Rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Year 2004 the rights are limited to 64.2 afa.
Year 2005 the rights are limited to 78.6 afa.
Year 2006 through 2007 the rights are limited to 82.2 afa.
Year 2008 through 2012 the rights are limited to 88.3 afa.
Year 2013 through 2017 the rights are limited to 90.1 afa.
Year 2018 through 2022 the rights are limited to 91.9 afa.
Year 2023 through 2031 the rights are limited to 93.1 afa.
Year 2032 through 2042 the rights are limited to 94.3 afa.
Year 2043 and beyond the rights are limited to 96.1 afa.
8. Prior to the diversion and use of water under Transfer approval 71004, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
9. 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.
10. 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.
11. 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.
12. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
13. The right holder shall accomplish the change authorized by this transfer within one (1) 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 19th day of April, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-10845
As Modified by Transfer No. 71004

In accordance with the approval of Transfer No. 71004, Water Right No. 36-10845 is now described as follows.

Right Holder: TED BAAR JR
 350 S 300 W
 JEROME ID 83338

Priority Date: January 28, 1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.20 CFS	14.6 AF
DOMESTIC	01/01	to 12/31	0.04 CFS	1.2 AF
			0.24 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNW Sec. 3 Twp 09S Rge 16E JEROME County
 GROUND WATER SWNW Sec. 3 Twp 09S Rge 16E JEROME County

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	
09S	16E	3							X	X									

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	
09S	16E	3							X										

CONDITIONS OF APPROVAL

- Domestic use is for 1 home within the SWNW, S3, T9S, R16E.
- Rights 36-10845 and 36-8478 when combined shall not exceed a total diversion rate of 0.47 cfs and a total annual maximum diversion volume of 43.1 af.
- Rights 36-10845, 36-16196, 36-16198, and 36-8478 when combined shall not exceed a total diversion rate of 0.76 cfs and a total diversion volume of 96.1 afa except as modified below.
- The total instantaneous diversion of water from all points of diversion under Rights 36-10845, 36-16196, 36-16198 and 36-8478 shall not exceed 0.76 cfs, nor a total combined annual volume of 96.1 afa except as modified below.
- 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.
- 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.
- Prior to the diversion and use of water under Transfer approval 71004, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

WATER RIGHT NO. 36-10845
As Modified by Transfer No. 71004

CONDITIONS OF APPROVAL

8. Beginning on the date of approval of Transfer 71004, Rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Year 2004 the rights are limited to 64.2 afa.

Year 2005 the rights are limited to 78.6 afa.

Year 2006 through 2007 the rights are limited to 82.2 afa.

Year 2008 through 2012 the rights are limited to 88.3 afa.

Year 2013 through 2017 the rights are limited to 90.1 afa.

Year 2018 through 2022 the rights are limited to 91.9 afa.

Year 2023 through 2031 the rights are limited to 93.1 afa.

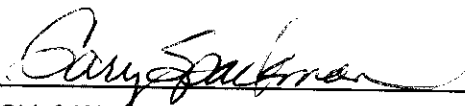
Year 2032 through 2042 the rights are limited to 94.3 afa.

Year 2043 and beyond the rights are limited to 96.1 afa.

9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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 19th day of April, 2004


Chief, Water Allocation Bureau