

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70575

This is to certify that: PRESTON R ALLEN & SONS PARTNERSHIP
 2601 E 300 S
 DECLO ID 83323
 (208) 349-5599

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>
43-10027	WR/Decreed	01/01/1984	0.12 cfs	N/A	N/A	N/A	GROUND WATER
43-13295	WR/Decreed	05/29/1950	0.36 cfs	83.6 af	20.9	2,212.7	GROUND WATER
43-13297	WR/Decreed	11/27/1957	0.27 cfs	131.7 af	45.7	2,212.7	GROUND WATER
43-13299	WR/Decreed	11/30/1957	0.47 cfs	182.8 af	45.7	2,212.7	GROUND WATER

Purpose of Transfer (Changes Proposed)

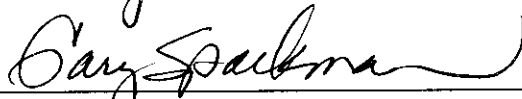
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-10027	NO	NO	NO	NO	NO	NO
43-13295	YES	YES	YES	NO	YES	YES
43-13297	YES	YES	YES	NO	YES	YES
43-13299	YES	YES	YES	NO	YES	YES

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>
43-10027	43-10027	0.12 cfs	14.6 af	N/A		N/A	N/A	N/A	N/A	N/A
43-13295	43-13302	0.02 cfs	2.9 af	N/A		43-13301	0.34 cfs	79.2 af	19.8	2,212.7
43-13297	43-13304	0.01 cfs	6.4 af	N/A		43-13303	0.26 cfs	124.5 af	43.2	2,212.7
43-13299	43-13306	0.03 cfs	6.4 af	N/A		43-13305	0.44 cfs	172.8 af	43.2	2,212.7
COMBINED TOTALS		0.18 cfs	23.9 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of February, 2004


 Chief, Water Allocation Bureau

Right Holder: PRESTON R ALLEN & SONS PARTNERSHIP
2601 E 300 S
DECLO ID 83323

Source: GROUND WATER

GROUND WATER SWNWNW Sec. 10 Twp 11S Rge 27E CASSIA County

[illegible][illegible]

WATER RIGHT NO. 43-10027
As Modified by Transfer No. 70575

CONDITIONS OF APPROVAL

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. Rights 43-13302, 43-13304 and 43-13306 are also diverted through the point of diversion described above.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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 24th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13301
As Modified by Transfer No. 70575

In accordance with the approval of Transfer No. 70575, Water Right No. 43-13301 is now described as follows.

Right Holder: PRESTON R ALLEN & SONS PARTNERSHIP
 2601 E 300 S
 DECLO ID 83323

Priority Date: May 29, 1950

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	0.34 CFS	79.2 AF
			0.34 CFS	79.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESEW	Sec. 35 Twp 10S	Rge 27E	CASSIA County
GROUND WATER	SWSWSE	Sec. 35 Twp 10S	Rge 27E	CASSIA County
GROUND WATER	NWNESW	Sec. 2 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	NENESE	Sec. 3 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SWNESE	Sec. 9 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	NWNENE	Sec. 10 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SENESE	Sec. 14 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	NWSENW	Sec. 15 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SESESE	Sec. 15 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SWSWSW	Sec. 16 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SESESE	Sec. 16 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SESENW	Sec. 22 Twp 11S	Rge 27E	CASSIA County

WATER RIGHT NO. 43-13301
As Modified by Transfer No. 70575

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	
10S 27E 35								23.3	23.6	35.1	11.7	28.0		6.7	9.6		138.0
11S 27E 2					31.6	13.8	31.7	21.1	27.3	40.5	38.3	13.0					217.3
11S 27E 3				.3	L 3	L 4							17.1		3.7	30.9	52.0
11S 27E 9		1.5	37.5	20.6	31.8	31.5	33.3	38.9	33.7	35.5	15.0	3.0	22.3	26.8	27.3	38.4	397.1
11S 27E 10	36.4	21.0	40.3	29.4	2.7		.4	20.0	38.7	31.6	35.4	38.3	11.8	34.3	13.9	37.2	391.4
11S 27E 11						16.3											16.3
11S 27E 14							7.1			16.9	25.0						49.0
11S 27E 15	8.3	34.9	40.1	34.6	23.6	36.7	37.4	28.1	34.0	37.2	38.4	38.6	38.1	35.7	37.2	36.0	538.9
11S 27E 16					31.4	22.8	28.9	36.9	31.5	31.0	32.8	32.0	31.6	32.9	33.6	35.8	381.2
11S 27E 17																31.5	31.5

Total Acres: 2212.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 19.8 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-13301, 43-13303 and 43-13305 shall not exceed 1.04 cfs, nor total combined annual volume of 252 af, for the irrigation of 63 total acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. 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 24th day of February, 2004


 Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13302
As Modified by Transfer No. 70575

In accordance with the approval of Transfer No. 70575, Water Right No. 43-13302 is now described as follows.

Right Holder: PRESTON R ALLEN & SONS PARTNERSHIP
 2601 E 300 S
 DECLO ID 83323

Priority Date: May 29, 1950

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	0.02 CFS	2.9 AF
			0.02 CFS	2.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWNW Sec. 10 Twp 11S Rge 27E CASSIA County

PLACE OF USE: STOCKWATER

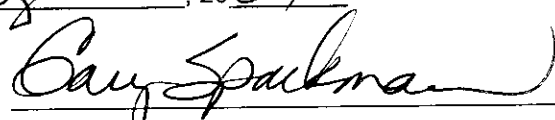
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 27E 9				X								X		X			
11S 27E 10						X	X			X							
11S 27E 16					X												

CONDITIONS OF APPROVAL

1. Rights 43-10027, 43-13304 and 43-13306 are also diverted through the point of diversion described above.
2. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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 24th day of February, 2004


 Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13303
As Modified by Transfer No. 70575

In accordance with the approval of Transfer No. 70575, Water Right No. 43-13303 is now described as follows.

Right Holder: PRESTON R ALLEN & SONS PARTNERSHIP
 2601 E 300 S
 DECLO ID 83323

Priority Date: November 27, 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	0.26 CFS	124.5 AF
			0.26 CFS	124.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESEW	Sec. 35 Twp 10S	Rge 27E	CASSIA County
GROUND WATER	SWSWSE	Sec. 35 Twp 10S	Rge 27E	CASSIA County
GROUND WATER	NWNESW	Sec. 2 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	NENESE	Sec. 3 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SWNESE	Sec. 9 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	NWNENE	Sec. 10 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SENESE	Sec. 14 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	NWSENE	Sec. 15 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SESESE	Sec. 15 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SWSWSW	Sec. 16 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SESESE	Sec. 16 Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SESENE	Sec. 22 Twp 11S	Rge 27E	CASSIA County

WATER RIGHT NO. 43-13303
As Modified by Transfer No. 70575

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	
10S 27E 35								23.3	23.6	35.1	11.7	28.0		6.7	9.6		138.0
11S 27E 2					31.6	13.8	31.7	21.1	27.3	40.5	38.3	13.0					217.3
11S 27E 3				.3	L 3	L 4							17.1		3.7	30.9	52.0
11S 27E 9		1.5	37.5	20.6	31.8	31.5	33.3	38.9	33.7	35.5	15.0	3.0	22.3	26.8	27.3	38.4	397.1
11S 27E 10	36.4	21.0	40.3	29.4	2.7		.4	20.0	38.7	31.6	35.4	38.3	11.8	34.3	13.9	37.2	391.4
11S 27E 11						16.3											16.3
11S 27E 14							7.1			16.9	25.0						49.0
11S 27E 15	8.3	34.9	40.1	34.6	23.6	36.7	37.4	28.1	34.0	37.2	38.4	38.6	38.1	35.7	37.2	36.0	538.9
11S 27E 16					31.4	22.8	28.9	36.9	31.5	31.0	32.8	32.0	31.6	32.9	33.6	35.8	381.2
11S 27E 17																31.5	31.5

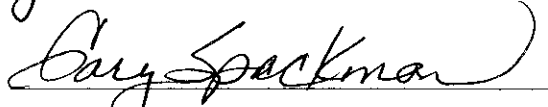
Total Acres: 2212.7

CONDITIONS OF APPROVAL

1. Rights 43-13303 and 43-13305 when combined shall not exceed a total maximum diversion volume of 172.8 af at the field headgate and the irrigation of 43.2 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-13301, 43-13303 and 43-13305 shall not exceed 1.04 cfs, nor total combined annual volume of 252 af, for the irrigation of 63 total acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. 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 24th day of February, 2004


 Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13304
As Modified by Transfer No. 70575

In accordance with the approval of Transfer No. 70575, Water Right No. 43-13304 is now described as follows.

Right Holder: PRESTON R ALLEN & SONS PARTNERSHIP
 2601 E 300 S
 DECLO ID 83323

Priority Date: November 27, 1957

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	0.01 CFS	6.4 AF
			0.01 CFS	6.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWNW Sec. 10 Twp 11S Rge 27E CASSIA County

PLACE OF USE: STOCKWATER

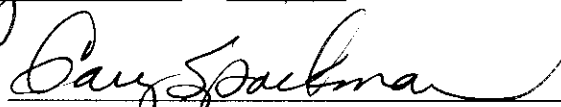
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 27E 9				X								X		X			
11S 27E 10						X	X			X							
11S 27E 16					X												

CONDITIONS OF APPROVAL

1. Rights 43-13304 and 43-13306 when combined shall not exceed a total annual maximum diversion volume of 6.4 af.
2. Rights 43-10027, 43-13302 and 43-13306 are also diverted through the point of diversion described above.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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 24th day of February, 2004


 Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13305
As Modified by Transfer No. 70575

In accordance with the approval of Transfer No. 70575, Water Right No. 43-13305 is now described as follows.

Right Holder: PRESTON R ALLEN & SONS PARTNERSHIP
 2601 E 300 S
 DECLO ID 83323

Priority Date: November 30, 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	0.44 CFS	172.8 AF
			0.44 CFS	172.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENESEW	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	SWSWSE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	NWNESW	Sec. 2 Twp 11S Rge 27E CASSIA County
GROUND WATER	NENESE	Sec. 3 Twp 11S Rge 27E CASSIA County
GROUND WATER	SWNESE	Sec. 9 Twp 11S Rge 27E CASSIA County
GROUND WATER	NWNESE	Sec. 10 Twp 11S Rge 27E CASSIA County
GROUND WATER	SENESE	Sec. 14 Twp 11S Rge 27E CASSIA County
GROUND WATER	NWSENE	Sec. 15 Twp 11S Rge 27E CASSIA County
GROUND WATER	SESESE	Sec. 15 Twp 11S Rge 27E CASSIA County
GROUND WATER	SWSWSW	Sec. 16 Twp 11S Rge 27E CASSIA County
GROUND WATER	SESESE	Sec. 16 Twp 11S Rge 27E CASSIA County
GROUND WATER	SESENE	Sec. 22 Twp 11S Rge 27E CASSIA County

WATER RIGHT NO. 43-13305
As Modified by Transfer No. 70575

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	
10S 27E 35								23.3	23.6	35.1	11.7	28.0		6.7	9.6		138.0
11S 27E 2					31.6	13.8	31.7	21.1	27.3	40.5	38.3	13.0					217.3
					L 3	L 4											
11S 27E 3				.3									17.1		3.7	30.9	52.0
11S 27E 9		1.5	37.5	20.6	31.8	31.5	33.3	38.9	33.7	35.5	15.0	3.0	22.3	26.8	27.3	38.4	397.1
11S 27E 10	36.4	21.0	40.3	29.4	2.7		.4	20.0	38.7	31.6	35.4	38.3	11.8	34.3	13.9	37.2	391.4
11S 27E 11						16.3											16.3
11S 27E 14							7.1			16.9	25.0						49.0
11S 27E 15	8.3	34.9	40.1	34.6	23.6	36.7	37.4	28.1	34.0	37.2	38.4	38.6	38.1	35.7	37.2	36.0	538.9
11S 27E 16					31.4	22.8	28.9	36.9	31.5	31.0	32.8	32.0	31.6	32.9	33.6	35.8	381.2
11S 27E 17																31.5	31.5

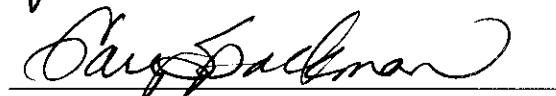
Total Acres: 2212.7

CONDITIONS OF APPROVAL

1. Rights 43-13303 and 43-13305 when combined shall not exceed a total maximum diversion volume of 172.8 af at the field headgate and the irrigation of 43.2 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-13301, 43-13303 and 43-13305 shall not exceed 1.04 cfs, nor total combined annual volume of 252 af, for the irrigation of 63 total acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. 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 24th day of February, 2004


 Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13306
As Modified by Transfer No. 70575

In accordance with the approval of Transfer No. 70575, Water Right No. 43-13306 is now described as follows.

Right Holder: PRESTON R ALLEN & SONS PARTNERSHIP
 2601 E 300 S
 DECLO ID 83323

Priority Date: November 30, 1957

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	0.03 CFS	6.4 AF
		0.03 CFS	6.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWNW Sec. 10 Twp 11S Rge 27E CASSIA County

PLACE OF USE: STOCKWATER

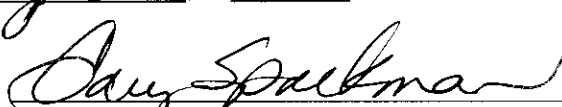
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 27E 9				X								X		X			
11S 27E 10						X	X			X							
11S 27E 16					X												

CONDITIONS OF APPROVAL

1. Rights 43-13304 and 43-13306 when combined shall not exceed a total annual maximum diversion volume of 6.4 af.
2. Rights 43-10027, 43-13302 and 43-13304 are also diverted through the point of diversion described above.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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 24th day of February, 2004


 Chief, Water Allocation Bureau