

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70858

This is to certify that: LAST RANCH LLC
PO BOX 486
JEROME ID 83338
(208)644-1728

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>
37-2517	WR/Decreed	12/04/1950	1.50 cfs	N/A	N/A	250.0	GROUND WATER
37-2558	WR/Decreed	10/01/1954	3.00 cfs	N/A	170.0	250.0	GROUND WATER
37-21157	WR/Decreed	05/24/1973	2.48 cfs	496 af	N/A	124.0	GROUND WATER
37-7232	WR/Decreed	05/24/1973	4.32 cfs	864 af	N/A	216.0	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>
37-2517	NO	NO	YES	YES	NO	NO
37-2558	NO	NO	YES	YES	NO	NO
37-21157	NO	NO	YES	YES	NO	NO
37-7232	NO	NO	YES	YES	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>
37-2517	37-2517	1.50 cfs	636.7 af	250	1,300		N/A	N/A	N/A	N/A
37-2558	37-2558	3.00 cfs	680.0 af	170	1,300		N/A	N/A	N/A	N/A
37-21157	37-21157	2.48 cfs	496.0 af	124	1,300		N/A	N/A	N/A	N/A
37-7232	37-7232	4.32 cfs	864.0 af	216	1,300		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		10.02 cfs	2360.0 af	590	1300		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

WATER RIGHT NO. 37-21157
As Modified by Transfer No. 70858

In accordance with the approval of Transfer No. 70858, Water Right No. 37-21162 is now described as follows.

Right Holder: LAST RANCH LLC
 PO BOX 486
 JEROME ID 83338

Priority Date: May 24, 1973

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	2.48 CFS	496.0 AF
			2.48 CFS	496.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 34 Twp 06S	Rge 18E	LINCOLN County
GROUND WATER	SWSWSE	Sec. 35 Twp 06S	Rge 18E	LINCOLN 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	
06S 18E 34									32.0	20.0	40.0	40.0					132.0
06S 18E 35							12.0		7.0	10.0			40.0	40.0	40.0	40.0	189.0
06S 18E 36									40.0	40.0	40.0	40.0			18.0		178.0
07S 18E 1	20.0		40.0	40.0	20.0	20.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	537.0
	L 1				L 3	L 4											
07S 18E 12	40.0	40.0	40.0											40.0			160.0
07S 19E 6									40.0	40.0							80.0
									L 8	L 11							
Total Acres: 1300																	

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 124 acres within the place of use described above in a single irrigation season.
2. Rights 37-7232 and 37-21157 when combined shall not exceed a total diversion rate of 5.52 cfs.
3. The total instantaneous diversion of water from all points of diversion under Rights 37-2517, 37-2558, 37-7232 and 37-21157 shall not exceed 10.02 cfs, nor total combined annual volume of 2360.0 af, nor the irrigation of 590 acres.
4. 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.
5. 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.
6. 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.

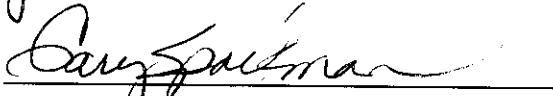
WATER RIGHT NO. 37-21157
As Modified by Transfer No. 70858

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 70858, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Prior to diversion of water under this approval, the right holder shall provide 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.
9. Use of this right is combined with water from the Big Wood Canal Co.
10. Use of this right is combined with water from American Falls Reservoir District No. 2.
11. 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.
12. If the surface water rights appurtenant to the place of use are 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.
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.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
15. 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 24th day of February, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7232
As Modified by Transfer No. 70858

In accordance with the approval of Transfer No. 70858, Water Right No. 37-7232 is now described as follows.

Right Holder: LAST RANCH LLC
 PO BOX 486
 JEROME ID 83338

Priority Date: May 24, 1973

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	4.32 CFS	864.0 AF
			4.32 CFS	864.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 34 Twp 06S	Rge 18E	LINCOLN County
GROUND WATER	SWSWSE	Sec. 35 Twp 06S	Rge 18E	LINCOLN 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	
06S 18E 34													32.0	20.0	40.0	40.0	132.0
06S 18E 35							12.0		7.0	10.0			40.0	40.0	40.0	40.0	189.0
06S 18E 36									40.0	40.0	40.0	40.0			18.0		178.0
07S 18E 1	20.0		40.0	40.0	20.0	20.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	537.0
	L 1				L 3	L 4											
07S 18E 12	40.0	40.0	40.0											40.0			160.0
07S 19E 6									40.0	12.0							52.0
									L 8	L 10							
Total Acres: 1300																	

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 216 acres within the place of use described above in a single irrigation season.
2. Rights 37-7232 and 37-21157 when combined shall not exceed a total diversion rate of 5.52 cfs.
3. The total instantaneous diversion of water from all points of diversion under Rights 37-2517, 37-2558, 37-7232 and 37-21157 shall not exceed 10.02 cfs, nor total combined annual volume of 2360.0 af, nor the irrigation of 590 acres.
4. 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.
5. 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.
6. 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.

WATER RIGHT NO. 37-7232
As Modified by Transfer No. 70858

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 70858, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Prior to diversion of water under this approval, the right holder shall provide 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.
9. Use of this right is combined with water from the Big Wood Canal Co.
10. Use of this right is combined with water from American Falls Reservoir District No. 2.
11. 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.
12. If the surface water rights appurtenant to the place of use are 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.
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.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
15. 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 24th day of February, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-2517
As Modified by Transfer No. 70858

In accordance with the approval of Transfer No. 70858, Water Right No. 37-2517 is now described as follows.

Right Holder: LAST RANCH LLC
 PO BOX 486
 JEROME ID 83338

Priority Date: December 04, 1950

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	1.50 CFS	636.7 AF
			1.50 CFS	636.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 34 Twp 06S	Rge 18E	LINCOLN County
GROUND WATER	SWSWSE	Sec. 35 Twp 06S	Rge 18E	LINCOLN 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	
06S	18E	34													32.0	20.0	40.0	40.0	132.0
06S	18E	35						12.0			7.0	10.0			40.0	40.0	40.0	40.0	189.0
06S	18E	36									40.0	40.0	40.0	40.0			18.0		178.0
07S	18E	1	20.0		40.0	40.0	20.0	20.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	537.0
			L 1				L 3	L 4											
07S	18E	12	40.0	40.0	40.0											40.0			160.0
07S	19E	6									40.0	12.0							52.0
											L 8	L 10							
Total Acres: 1300																			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 250 acres within the place of use described above in a single irrigation season.
2. Rights 37-2517 and 37-2558 when combined shall not exceed a total diversion volume of 1000 af nor the irrigation of 250 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 37-2517, 37-2558, 37-7232 and 37-21157 shall not exceed 10.02 cfs, nor total combined annual volume of 2360.0 af, nor the irrigation of 590 acres.
4. 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.
5. 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.
6. 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.

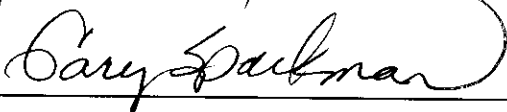
WATER RIGHT NO. 37-2517
As Modified by Transfer No. 70858

CONDITIONS OF APPROVAL

7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12-11-2002.
8. Prior to the diversion and use of water under Transfer approval 70858, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. Prior to diversion of water under this approval, the right holder shall provide 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.
10. Use of this right is combined with water from the Big Wood Canal Co.
11. Use of this right is combined with water from American Falls Reservoir District No. 2.
12. 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.
13. If the surface water rights appurtenant to the place of use are 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.
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.
15. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
16. 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 24th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-2558
As Modified by Transfer No. 70858

In accordance with the approval of Transfer No. 70858, Water Right No. 37-2558 is now described as follows.

Right Holder: LAST RANCH LLC
 PO BOX 486
 JEROME ID 83338

Priority Date: October 01, 1954

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	3.00 CFS	680.0 AF
			3.00 CFS	680.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 34 Twp 06S	Rge 18E	LINCOLN County
GROUND WATER	SWSWSE	Sec. 35 Twp 06S	Rge 18E	LINCOLN 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	
06S	18E	34													32.0	20.0	40.0	40.0	132.0
06S	18E	35							12.0		7.0	10.0			40.0	40.0	40.0	40.0	189.0
06S	18E	36									40.0	40.0	40.0	40.0			18.0		178.0
07S	18E	1	20.0		40.0	40.0	20.0	20.0	40.0	40.0	37.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	537.0
			L 1				L 3	L 4											
07S	18E	12	40.0	40.0	40.0										40.0				160.0
07S	19E	6									40.0	12.0							52.0
											L 8	L 10							
Total Acres:			1300																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 170 acres within the place of use described above in a single irrigation season.
2. Rights 37-2517 and 37-2558 when combined shall not exceed a total diversion volume of 1000 af nor the irrigation of 250 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 37-2517, 37-2558, 37-7232 and 37-21157 shall not exceed 10.02 cfs, nor total combined annual volume of 2360.0 af, nor the irrigation of 590 acres.
4. 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.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12-11-2002.

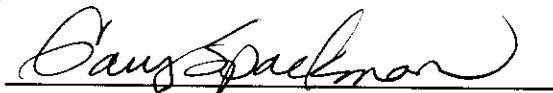
WATER RIGHT NO. 37-2558
As Modified by Transfer No. 70858

CONDITIONS OF APPROVAL

6. 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.
7. Prior to the diversion and use of water under Transfer approval 70858, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Prior to diversion of water under this approval, the right holder shall provide 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.
9. 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.
10. Use of this right is combined with water from the Big Wood Canal Co.
11. Use of this right is combined with water from American Falls Reservoir District No. 2.
12. 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.
13. If the surface water rights appurtenant to the place of use are 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.
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.
15. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
16. 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 24th day of February, 2004


Chief, Water Allocation Bureau