

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70676

This is to certify that: SIX S RANCH INC
PO BOX 1760
EAGLE ID 83616
(208)854-0414

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>
45-241	AJC/Decreed	04/12/1892	3.20 cfs	N/A	82.0	224.6	MARSH CREEK
45-258	AJC/Decreed	03/01/1875	2.00 cfs	N/A	N/A	224.6	LAND CREEK
45-302	AJC/Decreed	03/31/1882	0.80 cfs	N/A	40.0	224.6	MARSH CREEK
45-2738	AJC/License	03/06/1967	1.80 cfs	650 af	170.0	224.6	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>
45-241	NO	NO	YES	NO	NO	NO
45-258	NO	NO	YES	NO	NO	NO
45-302	NO	NO	YES	NO	NO	NO
45-2738	NO	NO	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>
45-241	45-241	3.20 cfs	N/A	82.0	224.6		N/A	N/A	N/A	N/A
45-258	45-258	2.00 cfs	N/A	105.0	224.6		N/A	N/A	N/A	N/A
45-302	45-302	0.80 cfs	N/A	40.0	224.6		N/A	N/A	N/A	N/A
45-2738	45-2738	1.80 cfs	650 af	170.0	224.6		N/A	N/A	N/A	N/A
COMBINED TOTALS		7.80 cfs	N/A	224.6	224.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of October, 2003


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-241
As Modified by Transfer No. 70676

In accordance with the approval of Transfer No. 70676, Water Right No. 45-241 is now described as follows.

Right Holder: SIX S RANCH INC
 PO BOX 1760
 EAGLE ID 83616

Priority Date: April 12, 1892

Source: MARSH CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.20 CFS	
			3.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

MARSH CREEK SENWNE Sec. 32 Twp 11S Rge 25E CASSIA County

MARSH CREEK L1 (SENE) Sec. 6 Twp 12S Rge 25E CASSIA 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	
11S	25E	32					32.8	32.8	32.8	32.8	24.2	19.2	13.0	37.0					224.6

Total Acres: 224.6

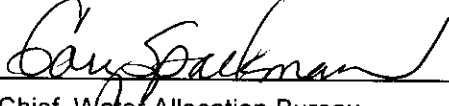
WATER RIGHT NO. 45-241
As Modified by Transfer No. 70676

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Right 45-241 shall not exceed 3.20 cfs.
2. This right is limited to the irrigation of 82 acres within the place of use described above in a single irrigation season.
3. Rights 45-241, 45-258, 45-302, and 45-2738 when combined shall not exceed the irrigation of 224.6 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. 45F.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 30th day of October, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-258
As Modified by Transfer No. 70676

In accordance with the approval of Transfer No. 70676, Water Right No. 45-258 is now described as follows.

Right Holder: SIX S RANCH INC
 PO BOX 1760
 EAGLE ID 83616

Priority Date: March 01, 1875

Source: LAND CREEK

Tributary: MARSH CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.00 CFS	
			2.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LAND CREEK (Rediversion)	SEWNNE	Sec. 32 Twp 11S Rge 25E CASSIA County
LAND CREEK	L4 (SWNWNW)	Sec. 5 Twp 12S Rge 25E CASSIA County
LAND CREEK (Rediversion)	L1 (SENESE)	Sec. 6 Twp 12S Rge 25E CASSIA County
LAND CREEK (Injection)	L1 (SENESE)	Sec. 6 Twp 12S Rge 25E CASSIA 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	
11S	25E	32					32.8	32.8	32.8	32.8	24.2	19.2	13.0	37.0					224.6

Total Acres: 224.6

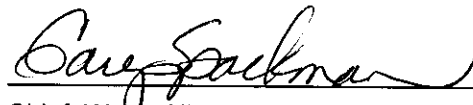
WATER RIGHT NO. 45-258
As Modified by Transfer No. 70676

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season.
2. Rights 45-241, 45-258, 45-302, and 45-2738 when combined shall not exceed the irrigation of 224.6 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. 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. 45F.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 30th day of October, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-302
As Modified by Transfer No. 70676

In accordance with the approval of Transfer No. 70676, Water Right No. 45-302 is now described as follows.

Right Holder: SIX S RANCH INC
 PO BOX 1760
 EAGLE ID 83616

Priority Date: March 31, 1882

Source: MARSH CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.80 CFS	
			0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

MARSH CREEK SENWNE Sec. 32 Twp 11S Rge 25E CASSIA County

MARSH CREEK L1 (SENE) Sec. 6 Twp 12S Rge 25E CASSIA 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	
11S	25E	32					32.8	32.8	32.8	32.8	24.2	19.2	13.0	37.0					224.6

Total Acres: 224.6

WATER RIGHT NO. 45-302
As Modified by Transfer No. 70676

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Right 45-302 shall not exceed 0.80 cfs.
2. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.
3. Rights 45-241, 45-258, 45-302, and 45-2738 when combined shall not exceed the irrigation of 224.6 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. 45F.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 30th day of October, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2738
As Modified by Transfer No. 70676

In accordance with the approval of Transfer No. 70676, Water Right No. 45-2738 is now described as follows.

Right Holder: SIX S RANCH INC
 PO BOX 1760
 EAGLE ID 83616

Priority Date: March 06, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/15	to 09/15	1.80 CFS	650.0 AF
			1.80 CFS	650.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWSW Sec. 32 Twp 11S Rge 25E CASSIA 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	
11S	25E	32					32.8	32.8	32.8	32.8	24.2	19.2	13.0	37.0					224.6

Total Acres: 224.6

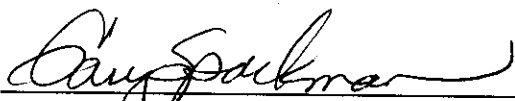
WATER RIGHT NO. 45-2738
As Modified by Transfer No. 70676

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 45-241, 45-258, 45-302, and 45-2738 when combined shall not exceed the irrigation of 224.6 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. After specific notification by the Department, the right holder shall measure the diversion 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.
5. 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.
6. 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.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/15 and after 9/15 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.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 30th day of October, 2003


Chief, Water Allocation Bureau