

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70512

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>
36-15259A	WR/Decreed	03/15/1974	0.21 cfs	N/A		220.0	GROUND WATER
36-14928A	WR/Decreed	06/23/1952	2.53 cfs	N/A	201.8	220.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

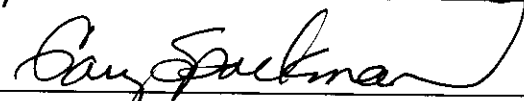
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-15259A	YES	NO	YES	YES	NO	NO
36-14928A	YES	NO	YES	YES	NO	NO

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>
36-15259A	36-16140	0.03 cfs	10.4 af	2.6	32.0	36-16139	0.18 cfs	62.4 af	15.6	188.0
36-14928A	36-16138	0.37 cfs	117.6 af	29.4	32.0	36-16137	2.16 cfs	689.6 af	172.4	188.0
COMBINED										
TOTALS		0.37 cfs	128.0 af	N/A	32.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of September, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16137
As Modified by Transfer No. 70512

In accordance with the approval of Transfer No. 70512, Water Right No. 36-16137 is now described as follows.

Right Holder: NOTCH BUTTE FARMS LLC
 PO BOX 389
 TWIN FALLS ID 83303-0389

Priority Date: June 23, 1952

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	2.16 CFS	689.6 AF
			2.16 CFS	689.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESW Sec. 5 Twp 07S Rge 17E 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	
06S 16E 36															4.0		4.0
07S 17E 5							40.0	12.0	10.0	39.0	7.0						108.0
							L 4	L 3									
07S 17E 6				37.0									39.0				76.0
				L 1													

Total Acres: 188

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 172.4 acres within the place of use described above in a single irrigation season.
2. Use of this right with Right No. 36-16139 is limited to the irrigation of a combined total of 188 acres in a single irrigation season.
3. Use of this right with Right No. 36-16139 is limited to a total combined diversion rate of 2.16 cfs and to a total combined annual diversion volume of 752 af.
4. This right is a combination of old Right Nos. 36-02172C and 36-02174C.
5. Right No. 36-16139 is an enlargement of Right 36-16137 pursuant to Section 42-1426, Idaho Code.

WATER RIGHT NO. 36-16137
As Modified by Transfer No. 70512

CONDITIONS OF APPROVAL

6. Right No. 36-16139 is also diverted through the point of diversion described above.
7. 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 September, 20 03



Chief, Water Allocation Bureau

**WATER RIGHT NO. 36-16138
As Modified by Transfer No. 70512**

In accordance with the approval of Transfer No. 70512, Water Right No. 36-16138 is now described as follows.

Right Holder: NOTCH BUTTE FARMS LLC
PO BOX 389
TWIN FALLS ID 83303-0389

Priority Date: June 23, 1952

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	0.37 CFS	117.6 AF
		0.37 CFS	117.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNE Sec. 20 Twp 07S Rge 18E JEROME County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
07S 18E 17	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	32.0
					32.0

Total Acres: 32

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 29.4 acres within the place of use described above in a single irrigation season.
2. Rights 36-16138 and 36-16140 when combined shall not exceed a total diversion rate of 0.37 cfs.
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. 130.
5. Prior to the diversion and use of water under Transfer approval 70512, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point 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.
6. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

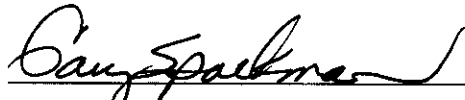
WATER RIGHT NO. 36-16138
As Modified by Transfer No. 70512

CONDITIONS OF APPROVAL

7. 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.
8. 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 5-31-2002.
9. Right 36-16140 is an enlargement of Right 36-16138 pursuant to Section 42-1426, Idaho Code.
10. Rights 36-2554A and 36-16140 are also diverted through the point of diversion described above.
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.
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.

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 September, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16139
As Modified by Transfer No. 70512

In accordance with the approval of Transfer No. 70512, Water Right No. 36-16139 is now described as follows.

Right Holder: NOTCH BUTTE FARMS LLC
 PO BOX 389
 TWIN FALLS ID 83303-0389

Priority Date: March 15, 1974

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	0.18 CFS	62.4 AF
			0.18 CFS	62.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESW Sec. 5 Twp 07S Rge 17E 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	
06S 16E 36															4.0		4.0
07S 17E 5							40.0	12.0	10.0	39.0	7.0						108.0
							L 4	L 3									
07S 17E 6				37.0									39.0				76.0
				L 1													

Total Acres: 188

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 15.6 acres within the place of use described above in a single irrigation season.
2. Use of this right with Right No. 36-16137 is limited to the irrigation of a combined total of 188 acres in a single irrigation season.
3. Use of this right with Right No. 36-16137 is limited to a total combined diversion rate of 2.16 cfs and to a total combined annual diversion volume of 752 af.
4. Right No. 36-16139 is an enlargement of Right No. 36-16137 pursuant to Section 42-1426, Idaho Code.

WATER RIGHT NO. 36-16139
As Modified by Transfer No. 70512

CONDITIONS OF APPROVAL

5. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
6. Right No. 36-16137 is also diverted through the point of diversion described above.
7. 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 September, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16140
As Modified by Transfer No. 70512

In accordance with the approval of Transfer No. 70512, Water Right No. 36-16140 is now described as follows.

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

Priority Date: March 15, 1974

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	0.03 CFS	10.4 AF
			0.03 CFS	10.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNE Sec. 20 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 17												32.0					32.0

Total Acres: 32

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.6 acres within the place of use described above in a single irrigation season.
2. Rights 36-16138 and 36-16140 when combined shall not exceed a total diversion rate of 0.37 cfs.
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. 130.
5. Prior to the diversion and use of water under Transfer approval 70512, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point 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.
6. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

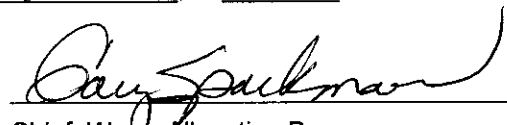
WATER RIGHT NO. 36-16140
As Modified by Transfer No. 70512

CONDITIONS OF APPROVAL

7. 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.
8. 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 5-31-2002.
9. Right 36-16140 is an enlargement of Right 36-16138 pursuant to Section 42-1426, Idaho Code.
10. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
11. Rights 36-2554A and 36-16138 are also diverted through the point(s) of diversion described above.
12. 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.
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 20th day of September, 2003



Chief, Water Allocation Bureau