

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70605

This is to certify that: LOUGHMILLER INC
3170 HWY 93
TWIN FALLS ID 83301
(208)733-5761

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>
43-65	WR/Decreed	04/01/1873	0.2 cfs	N/A	40.6	40.6	CASSIA CREEK
43-66	WR/Decreed	04/01/1879	0.4 cfs	N/A	40.6	40.6	CASSIA CREEK
43-67	WR/Decreed	04/30/1883	0.6 cfs	N/A	40.6	40.6	CASSIA CREEK

Purpose of Transfer (Changes Proposed)

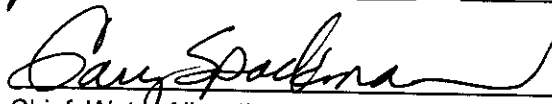
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-65	NO	YES	NO	NO	NO	NO
43-66	NO	YES	NO	NO	NO	NO
43-67	NO	YES	NO	NO	NO	NO

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>
43-65	43-65	0.2 cfs	N/A	N/A	40.6		N/A	N/A	N/A	N/A
43-66	43-66	0.4 cfs	N/A	N/A	40.6		N/A	N/A	N/A	N/A
43-67	43-67	0.6 cfs	N/A	N/A	40.6		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.81 cfs	N/A	N/A	40.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of September, 2003


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-65
As Modified by Transfer No. 70605

In accordance with the approval of Transfer No. 70605, Water Right No. 43-65 is now described as follows.

Right Holder: LOUGHMILLER INC
 3170 HWY 93
 TWIN FALLS ID 83301

Priority Date: April 01, 1873

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.20 CFS	
			0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK NENWSW Sec. 23 Twp 13S Rge 25E CASSIA County

CASSIA CREEK NENESE Sec. 23 Twp 13S 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	
13S	25E	23													20.0	9.6			29.6
13S	25E	24									11.0								11.0

Total Acres: 40.6

WATER RIGHT NO. 43-65
As Modified by Transfer No. 70605

CONDITIONS OF APPROVAL

1. 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. 43C.
2. 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.
3. The total instantaneous diversion of water from all points of diversion under Rights 43-65, 43-66, and 43-67 shall not exceed 0.81 cfs for the irrigation of 40.6 acres.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
5. The point of diversion previously authorized under this right if abandoned shall have the diversion works physically removed from the creek and rehabilitate the site in a manner that complies with Stream Channel Alteration requirements of Section 42-3803, Idaho Code.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.
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. 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 29th day of September, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-66
As Modified by Transfer No. 70605

In accordance with the approval of Transfer No. 70605, Water Right No. 43-66 is now described as follows.

Right Holder: LOUGHMILLER INC
 3170 HWY 93
 TWIN FALLS ID 83301

Priority Date: April 01, 1879

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.40 CFS	
			0.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK NENWSW Sec. 23 Twp 13S Rge 25E CASSIA County

CASSIA CREEK NENESE Sec. 23 Twp 13S 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	
13S	25E	23													20.0	9.6			29.6
13S	25E	24									11.0								11.0

Total Acres: 40.6

WATER RIGHT NO. 43-66
As Modified by Transfer No. 70605

CONDITIONS OF APPROVAL

1. 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. 43C.
2. 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.
3. The total instantaneous diversion of water from all points of diversion under Rights 43-65, 43-66, and 43-67 shall not exceed 0.81 cfs for the irrigation of 40.6 acres.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
5. The point of diversion previously authorized under this right if abandoned shall have the diversion works physically removed from the creek and rehabilitate the site in a manner that complies with Stream Channel Alteration requirements of Section 42-3803, Idaho Code.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.
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. 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 29th day of September, 20 03



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-67
As Modified by Transfer No. 70605

In accordance with the approval of Transfer No. 70605, Water Right No. 43-67 is now described as follows.

Right Holder: LOUGHMILLER INC
 3170 HWY 93
 TWIN FALLS ID 83301

Priority Date: April 30, 1883

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.60 CFS	
			0.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

CASSIA CREEK NENWSW Sec. 23 Twp 13S Rge 25E CASSIA County

CASSIA CREEK NENESE Sec. 23 Twp 13S 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	
13S 25E 23													20.0	9.6			29.6
13S 25E 24									11.0								11.0

Total Acres: 40.6

WATER RIGHT NO. 43-67
As Modified by Transfer No. 70605

CONDITIONS OF APPROVAL

1. 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. 43C.
2. 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.
3. The total instantaneous diversion of water from all points of diversion under Rights 43-65, 43-66, and 43-67 shall not exceed 0.81 cfs for the irrigation of 40.6 acres.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
5. The point of diversion previously authorized under this right if abandoned shall have the diversion works physically removed from the creek and rehabilitate the site in a manner that complies with Stream Channel Alteration requirements of Section 42-3803, Idaho Code.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.
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. 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 29th day of September, 20 03


Chief, Water Allocation Bureau