

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 88743**

This is to certify that: CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT, ID 83217-5155

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-10174	WR/DECREED	9/1/1888	3.720 cfs	N/A	186.0	1400.7	PORTNEUF RIVER
29-26	WR/DECREED	9/1/1888	1.760 cfs	N/A	N/A	88.0	PORTNEUF RIVER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-2415	WR/DECREED	7/27/1959	1.150 cfs	488.1 af		294.0	GROUND WATER
29-12A	WR/DECREED	4/15/1913	2.000 cfs	N/A	100.0	1355.7	PORTNEUF RIVER
29-10173	WR/DECREED	4/15/1880	6.740 cfs	N/A	337.0	1355.7	PORTNEUF RIVER
29-75	WR/DECREED	5/1/1881	0.400 cfs	N/A	20.0	533.0	TWENTYFOUR MILE CREEK
29-76	WR/DECREED	5/1/1918	0.400 cfs	N/A	20.0	533.0	TWENTYFOUR MILE CREEK
29-10175	WR/DECREED	7/1/1881	1.790 cfs	N/A	89.5	533.0	TWENTYFOUR MILE CREEK
29-78A	WR/DECREED	7/1/1883	1.750 cfs	N/A	88.0	533.0	TWENTYFOUR MILE CREEK
29-13429	WR/DECREED	4/1/1974	11.560 cfs	N/A	373.2	1355.7	PORTNEUF RIVER
29-13428	WR/DECREED	4/1/1987	4.340 cfs	N/A	223.5	533.0	TWENTYFOUR MILE 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>
29-10174	YES	NO	YES	NO	NO	NO
29-26	NO	YES	YES	NO	NO	NO

Transfer No. 88743

**Support Data
In File # 29-26**

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 88743**

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>
29-10174	29-14526	0.900 cfs	N/A	45.0	155.0	29-10174	2.820 cfs	N/A	141.0	1355.7
29-26	29-26	1.760 cfs	N/A	88.0	155.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.660 cfs	N/A	133.0	155.0		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 21st day of February, 2024.



Regional Manager

Transfer No. 88743

**Support Data
In File # 29-26**

WATER RIGHT NO. 29-10174**As Modified by Transfer No. 88743**

In accordance with the approval of Transfer No. 88743, Water Right No. 29-10174 is now described as follows:

Right Holder: CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT, ID 83217-5155

Priority Date: 9/1/1888

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 09/15	2.820 cfs
			2.820 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER	NWSE	Sec 31 Twp 06S Rge 39E	CARIBOU County
PORTNEUF RIVER	L4 (NWNW)	Sec 5 Twp 07S Rge 39E	CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	31													20.0	9.7	38.0	40.0	107.7
06S	39E	32		40.0	40.0		40.0	36.0	36.0	40.0	40.0	38.0	40.0	40.0		40.0	40.0		470.0
06S	39E	33											38.0						38.0
07S	39E	3										40.0							40.0
07S	39E	4			27.0	27.0			23.0	27.0	40.0	5.0			40.0	40.0			229.0
					L 2	L 1			L 4	L 3									
07S	39E	5			28.0	28.0			27.0	28.0	40.0	40.0	40.0	25.0	35.0	40.0	23.0		354.0
					L 2	L 1			L 4	L 3									
07S	39E	8					37.0	40.0		40.0									117.0

Right Acre Limit: 141.0

POU Total Acres: 1355.7

CONDITIONS OF APPROVAL

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 141 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.56 CFS. COMBINED RIGHT NOS.: 29-12A, 29-10173, 29-10174 AND 29-13429.
3. USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1447.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-12A, 29-75, 29-76, 29-78A, 29-2415, 29-10173, 29-10174, 29-10175, 29-13428, 29-13429

Transfer No. 88743

WATER RIGHT NO. 29-10174
As Modified by Transfer No. 88743

CONDITIONS OF APPROVAL

4. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. RIGHT NO. 29-13429 IS AN ENLARGEMENT OF THE RIGHTS LISTED BELOW PURSUANT TO SECTION 42-1426, IDAHO CODE. RIGHT NOS.: 29-12A, 29-10173 AND 29-10174
7. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
8. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-27 AND 29-28.
9. RIGHT NOS. 29-12A, 29-10173, 29-10174 AND 29-13429 ARE ALL DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
10. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 29-14526**As Modified by Transfer No. 88743**

In accordance with the approval of Transfer No. 88743, Water Right No. 29-14526 is now described as follows:

Right Holder: CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT, ID 83217-5155

Priority Date: 9/1/1888

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 09/15

Diversion Rate

0.900 cfs

0.900 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER	L4 (SWNW)	Sec 5	Twp 07S Rge 39E	CARIBOU County	
PORTNEUF RIVER	NWNWSE	Sec 8	Twp 07S Rge 39E	CARIBOU County	(I)
PORTNEUF RIVER	SWSWSE	Sec 8	Twp 07S Rge 39E	CARIBOU County	(R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	39E	8									40.0			35.0		40.0	40.0		155.0

Right Acre Limit:

45.0

POU Total Acres:

155.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 45 acres within the authorized place of use in a single irrigation season.
2. Rights 29-26 and 29-14526 when combined shall not exceed the irrigation of 133 acres.
3. Rights 29-26 and 29-14526 are limited to the irrigation of a specific 133 acres within the 155-acre place of use authorized by this right in a single irrigation season. The specific 133 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 133 acres to be irrigated within the 155-acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. Use of water under this right may 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. 29.

Transfer No. 88743

WATER RIGHT NO. 29-14526
As Modified by Transfer No. 88743

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after September 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
7. Point of injection into and point of diversion from Twenty-four Mile Creek.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 29-26
As Modified by Transfer No. 88743

In accordance with the approval of Transfer No. 88743, Water Right No. 29-26 is now described as follows:

Right Holder: KIMBALL LANE LTD PARTNERSHIP
 1034 KIMBALL LN
 BANCROFT, ID 83217

Priority Date: 9/1/1888

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 09/15	1.760 cfs
			1.760 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER	L4 (SWNW)	Sec 5	Twp 07S Rge 39E	CARIBOU County	
PORTNEUF RIVER	NWNWSE	Sec 8	Twp 07S Rge 39E	CARIBOU County	(I)
PORTNEUF RIVER	SWSWSE	Sec 8	Twp 07S Rge 39E	CARIBOU County	(R)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	39E	8									40.0			35.0		40.0	40.0		155.0

Right Acre Limit: 88.0

POU Total Acres: 155.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 88 acres within the authorized place of use in a single irrigation season.
2. Rights 29-26 and 29-14526 when combined shall not exceed the irrigation of 133 acres.
3. Rights 29-26 and 29-14526 are limited to the irrigation of a specific 133 acres within the 155-acre place of use authorized by this right in a single irrigation season. The specific 133 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 133 acres to be irrigated within the 155-acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. Use of water under this right may 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. 29.

Transfer No. 88743

WATER RIGHT NO. 29-26
As Modified by Transfer No. 88743

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after September 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
7. Point of injection into and point of rediversion from Twenty-four Mile Creek.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 29-2415

As Modified by Transfer No. 88743

In accordance with the approval of Transfer No. 88743, Water Right No. 29-2415 is now described as follows:

Right Holder: CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT, ID 83217-5155

Priority Date: 7/27/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	1.150 cfs	488.1 af
			1.150 cfs	488.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENW Sec 32 Twp 06S Rge 39E CARIBOU County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	32		31.0	36.0		32.0	36.0	40.0	39.0	40.0	40.0							294.0

POU Total Acres: 294.0

CONDITIONS OF APPROVAL

1. Rights 29-12A, 29-75, 29-76, 29-78A, 29-2415, 29-10173, 29-10174, 29-10175, 29-13428 and 29-13429 when combined shall not exceed the irrigation of 1447.7 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 3.0 afa per acre for the land described above.
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Transfer No. 88743

WATER RIGHT NO. 29-12A**As Modified by Transfer No. 88743**

In accordance with the approval of Transfer No. 88743, Water Right No. 29-12A is now described as follows:

Right Holder: CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT, ID 83217-5155

Priority Date: 4/15/1913

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 09/15

Diversion Rate

2.000 cfs

2.000 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER
PORTNEUF RIVER

NWSE
L4 (NWNW)

Sec 31 Twp 06S Rge 39E CARIBOU County
Sec 5 Twp 07S Rge 39E CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	31													20.0	9.7	38.0	40.0	107.7
06S	39E	32		40.0	40.0		40.0	36.0	36.0	40.0	40.0	38.0	40.0	40.0		40.0	40.0		470.0
06S	39E	33											38.0						38.0
07S	39E	3										40.0							40.0
07S	39E	4			27.0	27.0			23.0	27.0	40.0	5.0			40.0	40.0			229.0
					L 2	L 1			L 4	L 3									
07S	39E	5			28.0	28.0			27.0	28.0	40.0	40.0	40.0	25.0	35.0	40.0	23.0		354.0
					L 2	L 1			L 4	L 3									
07S	39E	8					37.0	40.0		40.0									117.0

Right Acre Limit: 100.0

POU Total Acres: 1355.7

CONDITIONS OF APPROVAL

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.56 CFS. COMBINED RIGHT NOS.: 29-12A, 29-10173, 29-10174 AND 29-13429.
3. USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1447.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-12A, 29-75, 29-76, 29-78A, 29-2415, 29-10173, 29-10174, 29-10175, 29-13428, 29-13429

Transfer No. 88743

WATER RIGHT NO. 29-12A
As Modified by Transfer No. 88743

CONDITIONS OF APPROVAL

4. RIGHT NO. 29-13429 IS AN ENLARGEMENT OF THE RIGHTS LISTED BELOW PURSUANT TO SECTION 42-1426, IDAHO CODE. RIGHT NOS.: 29-12A, 29-10173 AND 29-10174
5. RIGHT NOS. 29-12A, 29-10173, 29-10174 AND 29-13429 ARE ALL DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
6. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
7. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
8. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
9. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 29-10173**As Modified by Transfer No. 88743**

In accordance with the approval of Transfer No. 88743, Water Right No. 29-10173 is now described as follows:

Right Holder: CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT, ID 83217-5155

Priority Date: 4/15/1880

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 09/15

Diversion Rate
6.740 cfs
6.740 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER
PORTNEUF RIVER

NWSE
L4 (NWNW)

Sec 31 Twp 06S Rge 39E CARIBOU County
Sec 5 Twp 07S Rge 39E CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	31													20.0	9.7	38.0	40.0	107.7
06S	39E	32		40.0	40.0		40.0	36.0	36.0	40.0	40.0	38.0	40.0	40.0		40.0	40.0		470.0
06S	39E	33											38.0						38.0
07S	39E	3										40.0							40.0
07S	39E	4			27.0	27.0			23.0	27.0	40.0	5.0			40.0	40.0			229.0
					L 2	L 1			L 4	L 3									
07S	39E	5			28.0	28.0			27.0	28.0	40.0	40.0	40.0	25.0	35.0	40.0	23.0		354.0
					L 2	L 1			L 4	L 3									
07S	39E	8					37.0	40.0		40.0									117.0

Right Acre Limit: 337.0

POU Total Acres: 1355.7

CONDITIONS OF APPROVAL

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 337 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.56 CFS. COMBINED RIGHT NOS.: 29-12A, 29-10173, 29-10174 AND 29-13429.
3. USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1447.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-12A, 29-75, 29-76, 29-78A, 29-2415, 29-10173, 29-10174, 29-10175, 29-13428, 29-13429

Transfer No. 88743

WATER RIGHT NO. 29-10173
As Modified by Transfer No. 88743

CONDITIONS OF APPROVAL

4. RIGHT NO. 29-13429 IS AN ENLARGEMENT OF THE RIGHTS LISTED BELOW PURSUANT TO SECTION 42-1426, IDAHO CODE. RIGHT NOS.: 29-12A, 29-10173 AND 29-10174
5. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
6. RIGHT NOS. 29-12A, 29-10173, 29-10174 AND 29-13429 ARE ALL DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
7. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
8. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
9. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-20, 29-23 AND 29-25.
10. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 29-75
As Modified by Transfer No. 88743

In accordance with the approval of Transfer No. 88743, Water Right No. 29-75 is now described as follows:

Right Holder: CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT, ID 83217-5155

Priority Date: 5/1/1881

Source: TWENTYFOUR MILE CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 09/15	0.400 cfs
			0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

TWENTYFOUR MILE CREEK SESWSW	Sec 33 Twp 06S Rge 39E CARIBOU County
TWENTYFOUR MILE CREEK SWSWSW	Sec 33 Twp 06S Rge 39E CARIBOU County
TWENTYFOUR MILE CREEK L4 ()	Sec 4 Twp 07S Rge 39E CARIBOU County
TWENTYFOUR MILE CREEK SESWSE	Sec 5 Twp 07S Rge 39E CARIBOU County
TWENTYFOUR MILE CREEK NESWNE	Sec 8 Twp 07S Rge 39E CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	33											39.0						39.0
07S	39E	3											39.0						39.0
07S	39E	4			27.0	27.0				26.0	38.0	5.0			40.0	40.0			203.0
					L 2	L 1				L 3									
07S	39E	5													35.0	30.0	32.0		97.0
07S	39E	8			39.0	38.0		40.0		38.0									155.0

Right Acre Limit: 20.0
POU Total Acres: 533.0

CONDITIONS OF APPROVAL

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.34 CFS. COMBINED RIGHT NOS.: 29-75, 29-76, 29-78A, 29-10175 AND 29-13428.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 533 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-75, 29-76, 29-78A, 29-10175 AND 29-13428.

Transfer No. 88743

WATER RIGHT NO. 29-75
As Modified by Transfer No. 88743

CONDITIONS OF APPROVAL

4. Rights 29-12A, 29-75, 29-76, 29-78A, 29-2415, 29-10173, 29-10174, 29-10175, 29-13428 and 29-13429 when combined shall not exceed the irrigation of 1447.7 acres.
5. RIGHT NO. 29-13428 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
7. 2 POINTS OF DIVERSION ARE LOCATED IN EACH QUARTER-QUARTER LISTED ABOVE IN T7S, R39E, SECTIONS 4, 5 AND 8.
8. RIGHT NOS. 29-75, 29-76, 29-78A AND 29-10175 AND 29-13428 ARE ALL DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
9. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
10. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
11. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 29-76
As Modified by Transfer No. 88743

In accordance with the approval of Transfer No. 88743, Water Right No. 29-76 is now described as follows:

Right Holder: CX HOLDINGS INC
 1034 KIMBALL LN
 BANCROFT, ID 83217-5155

Priority Date: 5/1/1918

Source: TWENTYFOUR MILE CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 09/15	0.400 cfs 0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

TWENTYFOUR MILE CREEK SESWSW	Sec 33 Twp 06S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK SWSWSW	Sec 33 Twp 06S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK L4 ()	Sec 4 Twp 07S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK SESWSE	Sec 5 Twp 07S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK NESWNE	Sec 8 Twp 07S Rge 39E	CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	33											39.0						39.0
07S	39E	3											39.0						39.0
07S	39E	4			27.0	27.0				26.0	38.0	5.0			40.0	40.0			203.0
					L 2	L 1				L 3									
07S	39E	5													35.0	30.0	32.0		97.0
07S	39E	8			39.0	38.0		40.0		38.0									155.0

Right Acre Limit: 20.0
 POU Total Acres: 533.0

CONDITIONS OF APPROVAL

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.34 CFS. COMBINED RIGHT NOS.: 29-75, 29-76, 29-78A, 29-10175 AND 29-13428.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 533 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-75, 29-76, 29-78A, 29-10175 AND 29-13428.

Transfer No. 88743

WATER RIGHT NO. 29-76
As Modified by Transfer No. 88743

CONDITIONS OF APPROVAL

4. Rights 29-12A, 29-75, 29-76, 29-78A, 29-2415, 29-10173, 29-10174, 29-10175, 29-13428 and 29-13429 when combined shall not exceed the irrigation of 1447.7 acres.
5. RIGHT NO. 29-13428 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
7. 2 POINTS OF DIVERSION ARE LOCATED IN EACH QUARTER-QUARTER LISTED ABOVE IN T7S, R39E, SECTIONS 4, 5 AND 8.
8. RIGHT NOS. 29-75, 29-76, 29-78A AND 29-10175 AND 29-13428 ARE ALL DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
9. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
10. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
11. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 29-10175**As Modified by Transfer No. 88743**

In accordance with the approval of Transfer No. 88743, Water Right No. 29-10175 is now described as follows:

Right Holder: CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT, ID 83217-5155

Priority Date: 7/1/1881

Source: TWENTYFOUR MILE CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 09/15	1.790 cfs
			1.790 cfs

LOCATION OF POINT(S) OF DIVERSION

TWENTYFOUR MILE CREEK SESWSW	Sec 33 Twp 06S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK SWSWSW	Sec 33 Twp 06S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK L4 ()	Sec 4 Twp 07S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK SESWSE	Sec 5 Twp 07S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK NESWNE	Sec 8 Twp 07S Rge 39E	CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	33											39.0						39.0
07S	39E	3											39.0						39.0
07S	39E	4			27.0	27.0				26.0	38.0	5.0			40.0	40.0			203.0
					L 2	L 1				L 3									
07S	39E	5													35.0	30.0	32.0		97.0
07S	39E	8		39.0	38.0		40.0			38.0									155.0

Right Acre Limit: 89.5
POU Total Acres: 533.0

CONDITIONS OF APPROVAL

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 89.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.34 CFS. COMBINED RIGHT NOS.: 29-75, 29-76, 29-78A, 29-10175 AND 29-13428.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 533 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-75, 29-76, 29-78A, 29-10175 AND 29-13428.

Transfer No. 88743

WATER RIGHT NO. 29-10175

As Modified by Transfer No. 88743

CONDITIONS OF APPROVAL

4. Rights 29-12A, 29-75, 29-76, 29-78A, 29-2415, 29-10173, 29-10174, 29-10175, 29-13428 and 29-13429 when combined shall not exceed the irrigation of 1447.7 acres.
5. RIGHT NO. 29-13428 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
7. 2 POINTS OF DIVERSION ARE LOCATED IN EACH QUARTER-QUARTER LISTED ABOVE IN T7S, R39E, SECTIONS 4, 5 AND 8.
8. RIGHT NOS. 29-75, 29-76, 29-78A AND 29-10175 AND 29-13428 ARE ALL DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
9. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-77 AND 29-79
10. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
11. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
12. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 29-78A**As Modified by Transfer No. 88743**

In accordance with the approval of Transfer No. 88743, Water Right No. 29-78A is now described as follows:

Right Holder: CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT, ID 83217-5155

Priority Date: 7/1/1883

Source: TWENTYFOUR MILE CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 09/15	1.750 cfs
			1.750 cfs

LOCATION OF POINT(S) OF DIVERSION

TWENTYFOUR MILE CREEK SESWSW	Sec 33 Twp 06S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK SWSWSW	Sec 33 Twp 06S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK L4 ()	Sec 4 Twp 07S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK SESWSE	Sec 5 Twp 07S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK NESWNE	Sec 8 Twp 07S Rge 39E	CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	33											39.0						39.0
07S	39E	3										39.0							39.0
07S	39E	4			27.0	27.0				26.0	38.0	5.0			40.0	40.0			203.0
					L 2	L 1				L 3									
07S	39E	5													35.0	30.0	32.0		97.0
07S	39E	8		39.0	38.0		40.0			38.0									155.0

Right Acre Limit: 88.0

POU Total Acres: 533.0

CONDITIONS OF APPROVAL

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 88 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.34 CFS. COMBINED RIGHT NOS.: 29-75, 29-76, 29-78A, 29-10175 AND 29-13428.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 533 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-75, 29-76, 29-78A, 29-10175 AND 29-13428.

Transfer No. 88743

WATER RIGHT NO. 29-78A
As Modified by Transfer No. 88743

CONDITIONS OF APPROVAL

4. Rights 29-12A, 29-75, 29-76, 29-78A, 29-2415, 29-10173, 29-10174, 29-10175, 29-13428 and 29-13429 when combined shall not exceed the irrigation of 1447.7 acres.
5. RIGHT NO. 29-13428 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
7. 2 POINTS OF DIVERSION ARE LOCATED IN EACH QUARTER-QUARTER LISTED ABOVE IN T7S, R39E, SECTIONS 4, 5 AND 8.
8. RIGHT NOS. 29-75, 29-76, 29-78A AND 29-10175 AND 29-13428 ARE ALL DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
9. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
10. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
11. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 29-13429**As Modified by Transfer No. 88743**

In accordance with the approval of Transfer No. 88743, Water Right No. 29-13429 is now described as follows:

Right Holder: CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT, ID 83217-5155

Priority Date: 4/1/1974

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
11.560 cfs
11.560 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER
PORTNEUF RIVER

NWSE
L4 (NWNW)

Sec 31 Twp 06S Rge 39E CARIBOU County
Sec 5 Twp 07S Rge 39E CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	31													20.0	9.7	38.0	40.0	107.7
06S	39E	32		40.0	40.0		40.0	36.0	36.0	40.0	40.0	38.0	40.0	40.0		40.0	40.0		470.0
06S	39E	33											38.0						38.0
07S	39E	3										40.0							40.0
07S	39E	4			27.0	27.0			23.0	27.0	40.0	5.0			40.0	40.0			229.0
					L 2	L 1			L 4	L 3									
07S	39E	5			28.0	28.0			27.0	28.0	40.0	40.0	40.0	25.0	35.0	40.0	23.0		354.0
					L 2	L 1			L 4	L 3									
07S	39E	8					37.0	40.0		40.0									117.0

Right Acre Limit: 373.2

POU Total Acres: 1355.7

CONDITIONS OF APPROVAL

1. THIS RIGHT IS FOR AN ENLARGEMENT OF 373.2 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.
2. USE OF THIS RIGHT WITH RIGHT NO. 29-13428 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 596.7 ACRES IN A SINGLE IRRIGATION SEASON.
3. USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.56 CFS. COMBINED RIGHT NOS.: 29-12A, 29-10173, 29-10174 AND 29-13429.

Transfer No. 88743

WATER RIGHT NO. 29-13429
As Modified by Transfer No. 88743

CONDITIONS OF APPROVAL

4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1447.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-12A, 29-75, 29-76, 29-78A, 29-2415, 29-10173, 29-10174, 29-10175, 29-13428, 29-13429.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 29-12A, 29-10173 AND 29-10174 PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. 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.
7. RIGHT NOS. 29-12A, 29-10173, 29-10174 AND 29-13429 ARE ALL DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
8. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 29-13428**As Modified by Transfer No. 88743**

In accordance with the approval of Transfer No. 88743, Water Right No. 29-13428 is now described as follows:

Right Holder: CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT, ID 83217-5155

Priority Date: 4/1/1987

Source: TWENTYFOUR MILE CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	4.340 cfs
			4.340 cfs

LOCATION OF POINT(S) OF DIVERSION

TWENTYFOUR MILE CREEK SWSW	Sec 33 Twp 06S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK L4 ()	Sec 4 Twp 07S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK SESWSE	Sec 5 Twp 07S Rge 39E	CARIBOU County
TWENTYFOUR MILE CREEK NESWNE	Sec 8 Twp 07S Rge 39E	CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	39E	33											39.0						39.0
07S	39E	3										39.0							39.0
07S	39E	4			27.0	27.0				26.0	38.0	5.0			40.0	40.0			203.0
					L 2	L 1				L 3									
07S	39E	5													35.0	30.0	32.0		97.0
07S	39E	8			39.0	38.0		40.0		38.0									155.0

Right Acre Limit: 223.5

POU Total Acres: 533.0

CONDITIONS OF APPROVAL

1. THIS RIGHT IS FOR AN ENLARGEMENT OF 223.5 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.
2. USE OF THIS RIGHT WITH RIGHT NO. 29-13429 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 596.7 ACRES IN A SINGLE IRRIGATION SEASON.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.34 CFS. COMBINED RIGHT NOS.: 29-75, 29-76, 29-78A, 29-10175 AND 29-13428

Transfer No. 88743

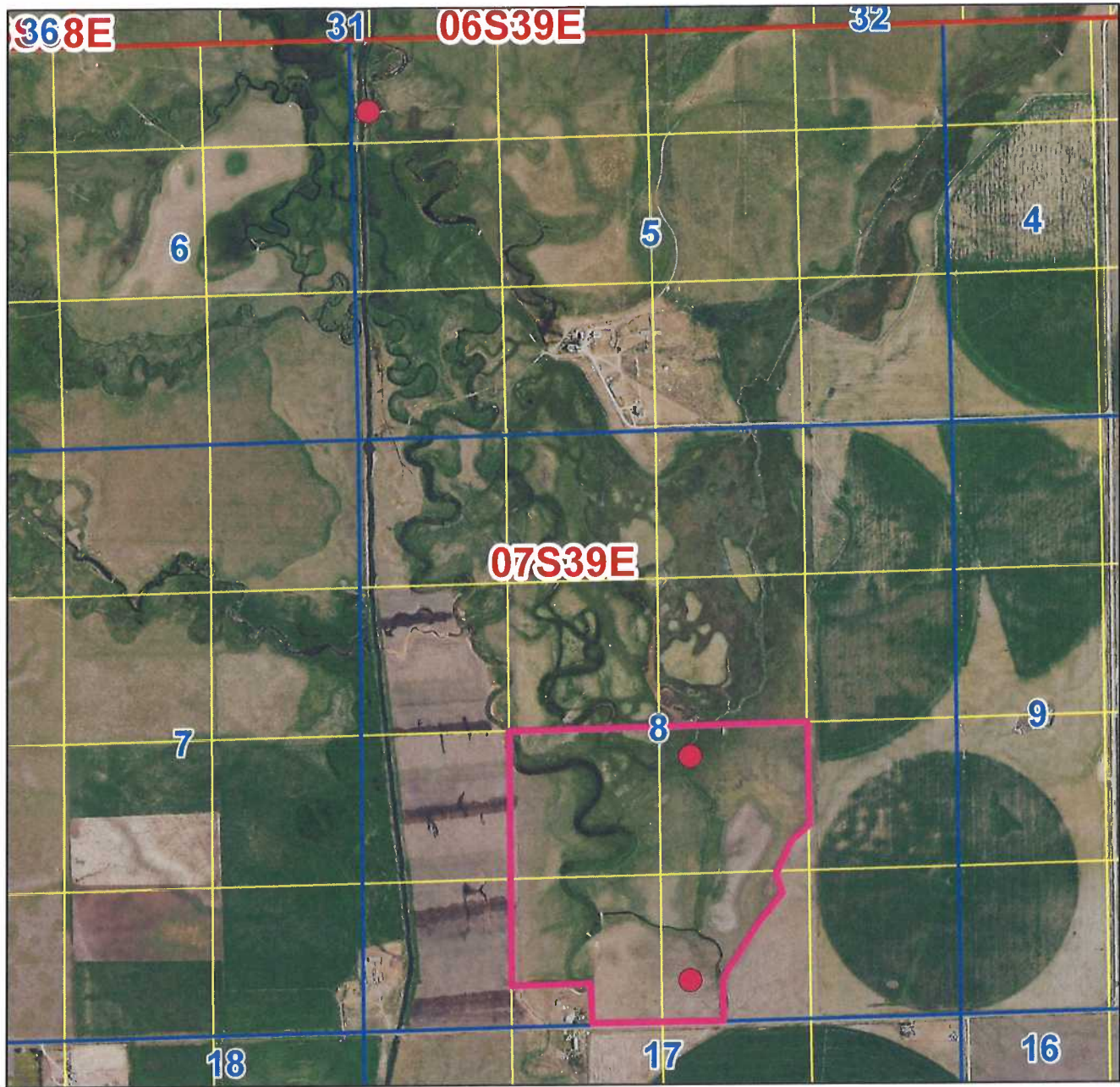
WATER RIGHT NO. 29-13428
As Modified by Transfer No. 88743

CONDITIONS OF APPROVAL

4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1447.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-12A, 29-75, 29-76, 29-78A, 29-2415, 29-10173, 29-10174, 29-10175, 29-13428 AND 29-13429.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 29-75, 29-76, 29-78A AND 29-10175 PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. 2 POINTS OF DIVERSION ARE LOCATED IN EACH QUARTER-QUARTER LISTED ABOVE.
7. RIGHT NOS. 29-75, 29-76, 29-78A AND 29-10175 AND 29-13428 ARE ALL DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
8. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
9. 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.
10. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Attachment to Transfer Approval 88743

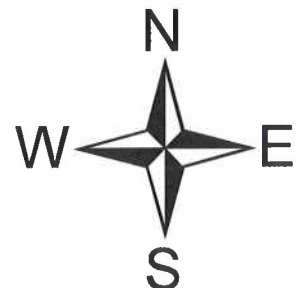
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 1,000 2,000 4,000 Feet



Date: 2/21/2024



February 21, 2024

CX HOLDINGS INC
1034 KIMBALL LN
BANCROFT ID 83217-5155

Re: Transfer No: 88743
Water Right No(s): 29-12A , 29-26, 29-75, 29-76, 29-78A , 29-2415, 29-10173,
29-10174, 29-10175, 29-13428, 29-13429

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,



Christina Henman
Administrative Assistant

Enclosure

CC:

KIMBALL LANE LTD PARTNERSHIP
1034 KIMBALL LN
BANCROFT ID 83217

CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2024 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 88743

Water Right No(s): 29-12A , 29-26, 29-75, 29-76, 29-78A , 29-2415, 29-10173, 29-10174, 29-10175, 29-13428, 29-13429

**CX HOLDINGS INC
KIMBALL LANE LTD PARTNERSHIP
1034 KIMBALL LN
BANCROFT ID 83217**



**Christina Henman
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.