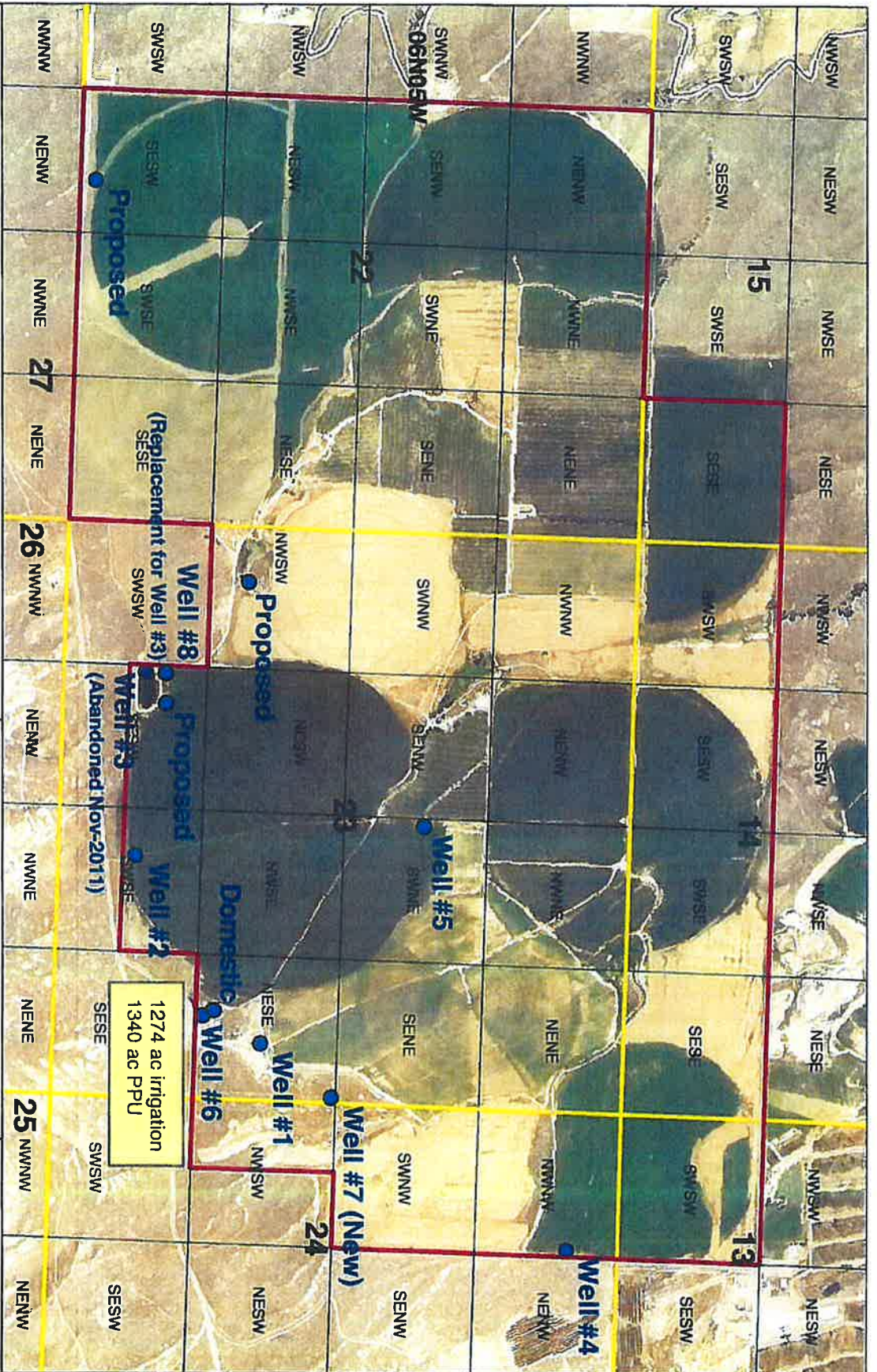




Legend

- Wells
- Abandoned Wells

□ Permissible Place of Use

Payette County, Idaho

0 500 1,000 Feet



ATTACHMENT #7a

Basin and Range
PPU and PODS

Date: 2-3-11 (Revision #1, 4-16-12)
Aerial Photo: 2009

ERCO



-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



IDWR Basin 63

Prepared by Shurte, Jan

2009 Aerial Photography

Shurte, Jan

From: Dana Hofstetter [Dana@IdahoWaterLaw.com]
Sent: Monday, April 01, 2013 10:08 AM
To: Cooley-Denney, Suzy
Cc: Courtney, Andrea; Negri, David (ENRD); fwprice@blm.gov; Shurte, Jan
Subject: Re: Basin and Range Resource Company, LLC - SF5s

Thank you for the amended SF5 cover sheets.

With regard to the two Explanatory Material remarks that reference "Transfer 77052" on each of the irrigation rights would IDWR have any objection to us writing in and initialing the word "Amended" before "Transfer 77052"? An Amended Transfer Approval was issued on June 26, 2012 (shortly after the original Transfer approval of June 19, 2012) and it is important that the amended approval is not overlooked.

With regard to the following condition on 63-7533 "Place of use does not include federal public lands."- would BLM object to replacing this language with "The place of use within the NWSW of S24, T6N, R5W is limited to the west half of that quarter-quarter." This would make the language consistent with the irrigation rights.

Thank you,
Dana

On 3/28/2013 3:37 PM, Cooley-Denney, Suzy wrote:

Dana ~

Attached please find SF5 cover sheets and IDWR recommendations for the following water right subcases:

63-3182

63-3308

63-3583

63-7177

63-7349

63-7533

63-7903

Please have your clients review the attached documents and if acceptable, sign the SF5s, initial the recommendations, and return the documents back to the Department, ATTN: Jan Shurte. If you have any questions regarding the attached recommendations, please do not hesitate to contact Jan Shurte at (208) 287-4992.

As I am sure you are aware, the Pre-Trial Conference for these subcases is scheduled for Tuesday, April 9, 2013 at 10:00 a.m.

Thank you for your assistance in this matter.

~ Suzy

<<63-3182.pdf>> <<63-3308.pdf>> <<63-3583.pdf>> <<63-7177.pdf>> <<63-7349.pdf>> <<63-7533.pdf>> <<63-7903.pdf>>

SUZY COOLEY-DENNEY, Paralegal

Office of the Attorney General

Idaho Department of Water Resources

7600 N. Mineral Drive, Suite 100

Coeur d'Alene, Idaho 83815

(208) 762-2811 (Telephone)

(208) 762-2819 (Facsimile)

suzy.cooley-denney@idwr.idaho.gov

Shurte, Jan

From: Cooley-Denney, Suzy
Sent: Thursday, March 28, 2013 3:37 PM
To: dana@idahowaterlaw.com
Cc: Courtney, Andrea; Negri, David (ENRD); fwprice@blm.gov; Shurte, Jan
Subject: Basin and Range Resource Company, LLC - SF5s

Dana ~

Attached please find SF5 cover sheets and IDWR recommendations for the following water right subcases:

63-3182
63-3308
63-3583
63-7177
63-7349
63-7533
63-7903

Please have your clients review the attached documents and if acceptable, sign the SF5s, initial the recommendations, and return the documents back to the Department, ATTN: Jan Shurte. If you have any questions regarding the attached recommendations, please do not hesitate to contact Jan Shurte at (208) 287-4992.

As I am sure you are aware, the Pre-Trial Conference for these subcases is scheduled for Tuesday, April 9, 2013 at 10:00 a.m.

Thank you for your assistance in this matter.

~ Suzy



63-3182.pdf



63-3308.pdf



63-3583.pdf



63-7177.pdf



63-7349.pdf



63-7533.pdf



63-7903.pdf

SUZY COOLEY-DENNEY, Paralegal

Office of the Attorney General

Idaho Department of Water Resources

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Coeur d'Alene, Idaho 83815

(208) 762-2811 (Telephone)

(208) 762-2819 (Facsimile)

suzy.cooley-denney@idwr.idaho.gov

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No. 63-7349
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:
Basin and Range Resource Company, LLC

OBJECTOR/RESPONDENT:
United States of America

By: _____ Date _____
Title: _____

David Negri, Attorney Date _____
Bureau of Land Management

Jan Shurte Date
Senior Water Resource Agent

STANDARD FORM 5 – Water Right No. 63-7349

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-7349

NAME AND ADDRESS: BASIN AND RANGE RESOURCE COMPANY LLC
C/O DOROTHY TIMIAN PALMER
3480 G S RICHARDS BLVD #101
CARSON CITY NV 89703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.660 CFS
802.000 AFY

Rights 63-3308 and 63-7349 when combined shall not exceed a total annual maximum diversion volume of 1426.5 af at the field headgate, and the irrigation of 317 acres.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Rights 63-3308, 63-3583 and 63-7349 when combined shall not exceed a total diversion rate of 5.84 cfs.

Rights 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903 when combined shall not exceed a total diversion rate of 20.35 cfs, a total annual maximum diversion volume of 5733 af at the field headgate, and the irrigation of 1274 acres in a single irrigation season.

PRIORITY DATE: 07/07/1970

POINT OF DIVERSION:

T06N R05W S22 SESW Within PAYETTE County
T06N R05W S23 SWNE Within PAYETTE County
T06N R05W S23 NWSW Within PAYETTE County
T06N R05W S23 NWSBSW Within PAYETTE County
T06N R05W S23 NWSESW Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NWSWSE Within PAYETTE County
T06N R05W S24 NWNW Within PAYETTE County

The following rights are diverted through points of diversion described above: 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 10/31

1.660 CFS
802.00 AFY

The use of water for irrigation under this right may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water after October 31 under this remark is subordinate to all water

SFS Right No. 63-7349

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.

PLACE OF USE:

IRRIGATION in PAYETTE County

T06N R05W S13	SWSW	40.00	T06N R05W S14	SWSW	40.00
T06N R05W S14	SESW	40.00	T06N R05W S14	SWSE	40.00
T06N R05W S14	SESE	40.00	T06N R05W S15	SESE	40.00
T06N R05W S22	NENE	40.00	T06N R05W S22	NWNE	40.00
T06N R05W S22	SWNE	40.00	T06N R05W S22	SENE	40.00
T06N R05W S22	NENW	40.00	T06N R05W S22	SENW	40.00
T06N R05W S22	NESW	40.00	T06N R05W S22	SESW	40.00
T06N R05W S22	NESE	40.00	T06N R05W S22	NWSE	40.00
T06N R05W S22	SWSE	40.00	T06N R05W S22	SESE	40.00
T06N R05W S23	NENE	40.00	T06N R05W S23	NWNE	40.00
T06N R05W S23	SWNE	40.00	T06N R05W S23	SENE	40.00
T06N R05W S23	NENW	40.00	T06N R05W S23	NWNW	40.00
T06N R05W S23	SWNW	40.00	T06N R05W S23	SENW	40.00
T06N R05W S23	NESW	40.00	T06N R05W S23	NWSW	40.00
T06N R05W S23	SESW	20.00	T06N R05W S23	NESE	40.00
T06N R05W S23	NWSE	40.00	T06N R05W S23	SWSE	20.00
T06N R05W S24	NWNW	40.00	T06N R05W S24	SWNW	40.00
T06N R05W S24	NWSW	20.00			

1340 ACRES TOTAL

The place of use within the SESW and SWSE of S23, T06N, R05W is limited to the north half of those quarter-quarters.

The place of use within the NWSW of S24, T06N, R05W is limited to the west half of that quarter-quarter.

This right is limited to the irrigation of 310 acres within the authorized place of use in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SF5 Right No. 63-7349

Failure of the right holder to comply with the conditions of ~~this~~ Transfer 77052 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer 77052 within one year of the date of the transfer's approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The right holder shall maintain a measuring device of a type approved by the Department as a part of the diverting works.

After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

CERTIFICATE OF MAILING

I certify that on _____, 2013, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BASIN AND RANGE RESOURCE COMPANY, LLC
Represented by:
DANA L HOFSTETTER
608 W FRANKLIN ST
BOISE, ID 83702-5509

Signature of person or attorney mailing form

Shurte, Jan

To: Shurte, Jan
Subject: FW: Basin Range and Resource SF5s
Attachments: SF5 63-3182.pdf; SF5 63-3308.pdf; SF5 63-3583.pdf; SF5 63-7177.pdf; SF5 63-7349.pdf; SF5 63-7533.pdf; SF5 63-7903.pdf

From: Shurte, Jan
Sent: Thursday, December 06, 2012 2:30 PM
To: Dana Hofstetter ; David Negri ; Fred Price
Cc: Courtney, Andrea
Subject: Basin Range and Resource SF5s

Good afternoon,

Attached are the SF5s for Basin and Range Resource Company, LLC. Please note that Right Nos. 63-3308 and 63-7903 do not have a signature line for BLM since no objections were filed by BLM to these two rights. These rights still address the federal land issues with the specific place of use remarks from approved Transfer No. 77052.

Dana would you please review and sign all of the SF5s, send 63-3308 and 63-7903 back to the Department at my attention and forward the remaining Right Nos. 63-3182, 63-3583, 63-7177, 63-7349 and 63-7533 to David Negri for his signature. David would you please review and sign these rights and return them to the Department at my attention.

Please feel free to contact me if you have any questions or corrections concerning these rights.

Jan Shurte
Adjudication Technical Analyst
Idaho Dept of Water Resources
322 E Front St
Boise, Idaho 83720
(208) 287-4992

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No. 63-7349
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:
Basin and Range Resource

OBJECTOR/RESPONDENT:
United States of America

Dana L. Hofstetter, Attorney Date

David Negri, Attorney Date
Bureau of Land Management

Jan Shurte 12-6-12
Jan Shurte Date
Senior Water Resource Agent

STANDARD FORM 5 – Water Right No. 63-7349

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-7349

NAME AND ADDRESS: BASIN AND RANGE RESOURCE COMPANY LLC
C/O DOROTHY TIMIAN PALMER
3480 G S RICHARDS BLVD #101
CARSON CITY NV 89703



SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.660 CFS
802.000 AFY

Rights 63-3308 and 63-7349 when combined shall not exceed a total annual maximum diversion volume of 1426.5 af at the field headgate, and the irrigation of 317 acres.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Rights 63-3308, 63-3583 and 63-7349 when combined shall not exceed a total diversion rate of 5.84 cfs.

Rights 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903 when combined shall not exceed a total diversion rate of 20.35 cfs, a total annual maximum diversion volume of 5733 af at the field headgate, and the irrigation of 1274 acres in a single irrigation season.

PRIORITY DATE: 07/07/1970

POINT OF DIVERSION:

T06N R05W S22 SESW Within PAYETTE County
T06N R05W S23 SWNE Within PAYETTE County
T06N R05W S23 NWSW Within PAYETTE County
T06N R05W S23 NWSESW Within PAYETTE County
T06N R05W S23 NWSESW Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NWSWE Within PAYETTE County
T06N R05W S24 NWNW Within PAYETTE County

The following rights are diverted through points of diversion described above: 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 10/31	1.660 CFS 802.00 AFY
The use of water for irrigation under this right may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water after October 31 under this remark is subordinate to all water		

SF5 Right No. 63-7349

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.

PLACE OF USE:

IRRIGATION in PAYETTE County

T06N R05W S13	SWSW	40.00	T06N R05W S14	SWSW	40.00
T06N R05W S14	SESW	40.00	T06N R05W S14	SWSE	40.00
T06N R05W S14	SESE	40.00	T06N R05W S15	SESE	40.00
T06N R05W S22	NENE	40.00	T06N R05W S22	NWNE	40.00
T06N R05W S22	SWNE	40.00	T06N R05W S22	SENE	40.00
T06N R05W S22	NENW	40.00	T06N R05W S22	SENW	40.00
T06N R05W S22	NESW	40.00	T06N R05W S22	SESW	40.00
T06N R05W S22	NESE	40.00	T06N R05W S22	NWSE	40.00
T06N R05W S22	SWSE	40.00	T06N R05W S22	SESE	40.00
T06N R05W S23	NENE	40.00	T06N R05W S23	NWNE	40.00
T06N R05W S23	SWNE	40.00	T06N R05W S23	SENE	40.00
T06N R05W S23	NENW	40.00	T06N R05W S23	NWNW	40.00
T06N R05W S23	SWNW	40.00	T06N R05W S23	SENW	40.00
T06N R05W S23	NESW	40.00	T06N R05W S23	NWSW	40.00
T06N R05W S23	SESW	20.00	T06N R05W S23	NESE	40.00
T06N R05W S23	NWSE	40.00	T06N R05W S23	SWSE	20.00
T06N R05W S24	NWNW	40.00	T06N R05W S24	SWNW	40.00
T06N R05W S24	NWSW	20.00			

1340 ACRES TOTAL

The place of use within the SESW and SWSE of S23, T06N, R05W is limited to the north half of those quarter-quarters.

The place of use within the NWSW of S24, T06N, R05W is limited to the west half of that quarter-quarter.

This right is limited to the irrigation of 310 acres within the authorized place of use in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SF5 Right No. 63-7349

Failure of the right holder to comply with the conditions of ~~this~~ Transfer 77052 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer 77052 within one year of the date of the transfer's approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The right holder shall maintain a measuring device of a type approved by the Department as a part of the diverting works.

After specific notification by the Department, the right holder shall record the quantity of water diverted 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.



CERTIFICATE OF MAILING

I certify that on _____, 2012, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BASIN AND RANGE RESOURCE
Represented by:
DANA L HOFSTETTER
608 W FRANKLIN ST
BOISE, ID 83702-5509

Signature of person or attorney mailing form

*Court's
Dir Rpt
before obj. changes
is OK.*
SRBA

DIRECTORS REPORT 63-07349

[Return to SRBA Home Page](#)

IWT072

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW *OK*

Right Number: 63-07349

* * * * *
* THIS DIRECTORS REPORT HAS BEEN AMENDED SINCE *
* IT WAS 1ST FILED. *
* * * * *

63-31841 & 63-31842 RECOMBINED INTO 63-7349
TRANSFER COMPLETE

Name and Address: BASIN AND RANGE RESOURCE
COMPANY LLC
C/O DOROTHY TIMIAN PALMER
3480 G S RICHARDS BLVD #101
CARSON CITY, NV 89703

Source: GROUND WATER

Quantity: 1.66 CFS
802.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use. Rights 63-3308 and 63-7349 when combined shall not exceed a total annual maximum diversion volume of 1426.5 af at the field headgate, and the irrigation of 317 acres. Rights 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903 when combined shall not exceed a total diversion rate of 20.35 cfs, a total annual maximum diversion volume of 5733 af at the field headgate, and the irrigation of 1274 acres in a single irrigation season. Rights 63-3308, 63-3583 and 63-7349 when combined shall not exceed a total diversion rate of 5.84 cfs.

Priority Date: 07-07-1970

Diversion Point: T06N R05W S22
S23

SESW Within Payette County
NWSESW
NWSESW
NWSWSE
SWNE
NWSW
NESE

the transfer.

After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

The right holder shall maintain a measuring device of a type approved by the Department as a part of the diverting works.

[Return to SRBA Home Page](#)

S24

NESE

NESE

NWNW

The following rights are diverted through points of diversion described above: 63-3182, 63-3308, 63-3583, 63-7177, 63-7349, and 63-7903.

Purpose and

Period of Use:

Purpose of Use

Irrigation

Period of Use

03-01 TO 10-31

Quantity

1.66 CFS

802.00 AFY

The use of water for irrigation under this right may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water after October 31 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 rights. OK

Place of Use:

Irrigation

Within Payette County

T06N R05W S13

SWSW 40

S14

SWSW 40

SESW 40

SWSE 40

SESE 40

S15

SESE 40

S22

NENE 40

NWNE 40

SWNE 40

SENE 40

NENW 40

SENW 40

NESW 40

SESW 40

NESE 40

NWSE 40

SWSE 40

SESE 40

S23

NENE 40

NWNE 40

SWNE 40

SENE 40

NENW 40

NWNW 40

SWNW 40

SENW 40

NESW 40

NWSW 40

SESW 20

NESE 40

NWSE 40

SWSE 20

S24

NWNW 40

SWNW 40

NWSW 20

1340 Acres Total

The place of use within the SESW and SWSE of S23, T06N, R05W is limited to the north half of those quarter-quarters. This right is limited to the irrigation of 310 acres within the authorized place of use in a single irrigation season. The place of use within the NWSW of S24, T06N, R05W is limited to the west half of that quarter-quarter.

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The right holder shall accomplish the change authorized by Transfer 77052 within one year of the date of this approval. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of

WATER RIGHT NO. 63-7349
As Modified by Transfer No. 77052

In accordance with the approval of Transfer No. 77052, Water Right No. 63-7349 is now described as follows.

Right Holder: BASIN & RANGE RESOURCE CO LLC
 C/O DOROTHY TIMIAN PALMER
 3480 G S RICHARDS BLVD STE 101
 CARSON CITY NV 89703

Priority Date: July 07, 1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	1.66 CFS	802.0 AF
			1.66 CFS	802.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 22 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	SWNE	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NWSW	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NWSESW	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NWSESW	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NESE	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NESE	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NESE	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NWSWSE	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NWNW	Sec. 24 Twp 06N	Rge 05W PAYETTE 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	
06N	05W	13											40.0						40.0
06N	05W	14											40.0	40.0			40.0	40.0	160.0
06N	05W	15																40.0	40.0
06N	05W	22	40.0	40.0	40.0	40.0	40.0			40.0				40.0	40.0	40.0	40.0	40.0	480.0
06N	05W	23	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			20.0	40.0	40.0	20.0		520.0
06N	05W	24						40.0	40.0			20.0							100.0

Total Acres: 1340

CONDITIONS OF APPROVAL

- The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 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.

WATER RIGHT NO. 63-7349
As Modified by Transfer No. 77052

CONDITIONS OF APPROVAL

4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The right holder shall maintain a measuring device of a type approved by the Department as a part of the diverting works.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.
7. The period of use for the irrigation described in this approval may be extended to 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 after 10/31 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. This right is limited to the irrigation of 310 acres within the authorized place of use in a single irrigation season.
9. Rights 63-3308 and 63-7349 when combined shall not exceed a total annual maximum diversion volume of 1426.5 af at the field headgate, and the irrigation of 317 acres.
10. Rights 63-3308, 63-3583 and 63-7349 when combined shall not exceed a total diversion rate of 5.84 cfs.
11. Rights 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903 when combined shall not exceed a total diversion rate of 20.35 cfs, a total annual maximum diversion volume of 5733 af at the field headgate, and the irrigation of 1274 acres in a single irrigation season.
12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
13. The following rights are diverted through points of diversion described above: 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903.
14. The place of use within the SE8W and SWSE of S23, T06N, R05W is limited to the north half of those quarter-quarters.
15. The place of use within the NWSW of S24, T06N, R05W is limited to the west half of that quarter-quarter.

*Changed
prior
Right
from
Sec
approval.*

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 26th day of June, 20 12


John Westra, Western Regional Manager

WATER RIGHT NO. 63-7349
As Modified by Transfer No. 77052

*AMENDED
VERSION*

In accordance with the approval of Transfer No. 77052, Water Right No. 63-7349 is now described as follows.

Right Holder: BASIN & RANGE RESOURCE CO LLC
 C/O DOROTHY TIMIAN PALMER
 3480 G S RICHARDS BLVD STE 101
 CARSON CITY NV 89703

Priority Date: July 07, 1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	1.66 CFS	802.0 AF
			1.66 CFS	802.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 22 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	SWNE	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NWSW	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NWSESW	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NWSESW	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NESE	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NESE	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NESE	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NWSWSE	Sec. 23 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	NWNW	Sec. 24 Twp 06N	Rge 05W PAYETTE 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	
06N	05W	13											40.0						40.0
06N	05W	14											40.0	40.0			40.0	40.0	160.0
06N	05W	15																40.0	40.0
06N	05W	22	40.0	40.0	40.0	40.0	40.0			40.0	40.0			40.0	40.0	40.0	40.0	40.0	480.0
06N	05W	23	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			20.0	40.0	40.0	20.0		520.0
06N	05W	24						40.0	40.0			20.0							100.0

Total Acres: 1340

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

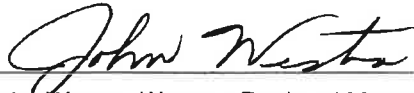
WATER RIGHT NO. 63-7349
As Modified by Transfer No. 77052

CONDITIONS OF APPROVAL

4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The right holder shall maintain a measuring device of a type approved by the Department as a part of the diverting works.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.
7. The period of use for the irrigation described in this approval may be extended to 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 after 10/31 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. This right is limited to the irrigation of 310 acres within the authorized place of use in a single irrigation season.
9. Rights 63-3308 and 63-7349 when combined shall not exceed a total annual maximum diversion volume of 1426.5 af at the field headgate, and the irrigation of 317 acres.
10. Rights 63-3308, 63-3583 and 63-7349 when combined shall not exceed a total diversion rate of 5.84 cfs.
11. Rights 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903 when combined shall not exceed a total diversion rate of 20.35 cfs, a total annual maximum diversion volume of 5733 af at the field headgate, and the irrigation of 1274 acres in a single irrigation season.
12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
13. The following rights are diverted through points of diversion described above: 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903.
14. The place of use within the SESW and SWSE of S23, T06N, R05W is limited to the north half of those quarter-quarters.
15. The place of use within the NWSW of S24, T06N, R05W is limited to the west half of that quarter-quarter.

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 26th day of June, 20 12


John Westra, Western Regional Manager

WATER RIGHT NO. 63-7349
As Modified by Transfer No. 77499

In accordance with the approval of Transfer No. 77499, Water Right No. 63-7349 is now described as follows.

Right Holder: BASIN AND RANGE RESOURCE COMPANY LLC
3480 G S RICHARDS BLVD #101
CARSON CITY NV 89703

Priority Date: July 07, 1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	1.66 CFS	802.0 AF
			1.66 CFS	802.0 AF

LOCATION OF POINTS OF DIVERSION:

*GROUND WATER	NWSW	Sec. 23, Twp 06N, Rge 05W, PAYETTE County
*GROUND WATER	SESW	Sec. 23, Twp 06N, Rge 05W, PAYETTE County
GROUND WATER	SWSE	Sec. 23, Twp 06N, Rge 05W, PAYETTE 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	
06N 05W 22				40.0													200.0
06N 05W 23							40.0	40.0			30.0						110.0

Total Acres: 310

CONDITIONS OF APPROVAL

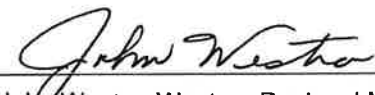
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Rights 63-3308, 63-3583, 63-7349 and 63-7177 when combined shall not exceed a total diversion rate of 10.54 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. The following rights are diverted through the point of diversion located in the SWSE, S23, T06N, R05W: 63-3308, 63-3583, 63-7177 & 63-7349

WATER RIGHT NO. 63-7349
As Modified by Transfer No. 77499

5. ^{*} The period of use for the irrigation described in this approval may be extended to 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 after 10/31 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.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.
7. This water right does not authorize the use of federal public lands.
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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 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, 20 11


John Westra, Western Regional Manager