

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84773**

This is to certify that: **STRONG ARM RESERVOIR IRRIGATION COMPANY**
C/O CLENDON CHRISTENSEN
7376 N 2600 W
PRESTON, ID 83263

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>
13-2183	WR/LICENSE	12/20/1954	1.110 cfs	N/A	N/A	908.0	GROUND WATER
13-2286	WR/LICENSE	9/17/1940	70.000 cfs	984.3 af	N/A	N/A	BATTLE CREEK
13-2290	WR/LICENSE	8/29/1940	N/A	577.7 af	N/A	N/A	BATTLE CREEK
13-2303	WR/LICENSE	1/18/1963	N/A	600.0 af	N/A	N/A	COTTONWOOD CREEK, SHINGLE CREEK
13-2305	WR/LICENSE	2/8/1966	N/A	154.0 af	N/A	N/A	BATTLE CREEK
13-927	WR/DECREED	5/1/1874	2.000 cfs	N/A	N/A	N/A	BATTLE CREEK
13-928	WR/DECREED	5/1/1883	6.000 cfs	N/A	N/A	N/A	BATTLE CREEK
13-929	WR/DECREED	5/1/1883	N/A	688.0 af	N/A	N/A	BATTLE 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>
13-2183	NO	NO	YES	NO	YES	NO
13-2286	NO	NO	YES	YES	YES	NO
13-2290	NO	NO	YES	YES	YES	NO
13-2303	NO	YES	YES	YES	YES	NO
13-2305	NO	NO	YES	YES	YES	NO
13-927	NO	NO	YES	YES	NO	NO
13-928	NO	NO	YES	YES	NO	NO
13-929	NO	NO	YES	YES	YES	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>
13-2183	13-2183	1.110 cfs	N/A	908.0	N/A	N/A	N/A	N/A	N/A	N/A
13-2286	13-2286	70.000 cfs	984.3 af	1816.0	N/A	N/A	N/A	N/A	N/A	N/A
13-2290	13-2290	46.000 cfs	577.7 af	908.0	N/A	N/A	N/A	N/A	N/A	N/A
13-2303	13-2303	30.000 cfs	600.0 af	2135.0	N/A	N/A	N/A	N/A	N/A	N/A
13-2305	13-2305	46.000 cfs	154.0 af	2135.0	N/A	N/A	N/A	N/A	N/A	N/A
13-927	13-927	2.000 cfs	N/A	3300.0	N/A	N/A	N/A	N/A	N/A	N/A
13-928	13-928	6.000 cfs	N/A	3300.0	N/A	N/A	N/A	N/A	N/A	N/A

Transfer No. 84773

**Support Data
In File # 13-927**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

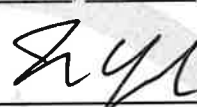
TRANSFER OF WATER RIGHT
TRANSFER NO. 84773

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>
13-929	13-929	46.000 cfs	688.0 af	3300.0	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		79.110 cfs	2404.0 af	3300.0	N/A		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 28th day of April, 2022.



Regional Manager

Transfer No. 84773

Support Data
In File # 13-927

WATER RIGHT NO. 13-927

As Modified by Transfer No. 84773

In accordance with the approval of Transfer No. 84773, Water Right No. 13-927 is now described as follows:

Right Holder: STRONG ARM RESERVOIR IRRIGATION COMPANY
C/O CLENDON CHRISTENSEN
7376 N 2600 W
PRESTON, ID 83263

Priority Date: 5/1/1874

Source: BATTLE CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/20	to 9/30	2.000 cfs
			2.000 cfs

LOCATION OF POINT(S) OF DIVERSION

BATTLE CREEK	NENE	Sec 36 Twp 13S Rge 39E	FRANKLIN County
BATTLE CREEK	NWSE	Sec 9 Twp 14S Rge 39E	FRANKLIN County
BATTLE CREEK	SESW	Sec 9 Twp 14S Rge 39E	FRANKLIN County

CONDITIONS OF APPROVAL

1. Rights 13-927, 13-928 and 13-2286 when combined shall not exceed a total diversion rate of 32 cfs for irrigation. This combined limit does not include diversion to storage or delivery of storage water.
2. Rights 13-927, 13-928, 13-929, 13-2183, 13-2286, 13-2290, 13-2203 and 13-2305 when combined shall not exceed the irrigation of 3,300 acres.
3. 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. 13M.
4. 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).
5. 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.
6. Place of use is within the area served by Strong Arm Reservoir Irrigation Company.
7. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.

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WATER RIGHT NO. 13-927
As Modified by Transfer No. 84773

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one 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.



WATER RIGHT NO. 13-928

As Modified by Transfer No. 84773

In accordance with the approval of Transfer No. 84773, Water Right No. 13-928 is now described as follows:

Right Holder: STRONG ARM RESERVOIR IRRIGATION COMPANY
C/O CLENDON CHRISTENSEN
7376 N 2600 W
PRESTON, ID 83263

Priority Date: 5/1/1883

Source: BATTLE CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/20	to 9/30	6.000 cfs 6.000 cfs

LOCATION OF POINT(S) OF DIVERSION

BATTLE CREEK	NENE	Sec 36 Twp 13S Rge 39E	FRANKLIN County
BATTLE CREEK	NWSE	Sec 9 Twp 14S Rge 39E	FRANKLIN County
BATTLE CREEK	SESW	Sec 9 Twp 14S Rge 39E	FRANKLIN County

CONDITIONS OF APPROVAL

1. Rights 13-927, 13-928 and 13-2286 when combined shall not exceed a total diversion rate of 32 cfs for irrigation. This combined limit does not include diversion to storage or delivery of storage water.
2. Rights 13-927, 13-928, 13-929, 13-2183, 13-2286, 13-2290, 13-2203 and 13-2305 when combined shall not exceed the irrigation of 3,300 acres.
3. 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. 13M.
4. 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).
5. 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.
6. Place of use is within the area served by Strong Arm Reservoir Irrigation Company.
7. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.

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WATER RIGHT NO. 13-928
As Modified by Transfer No. 84773

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one 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.



WATER RIGHT NO. 13-929**As Modified by Transfer No. 84773**

In accordance with the approval of Transfer No. 84773, Water Right No. 13-929 is now described as follows:

Right Holder: STRONG ARM RESERVOIR IRRIGATION COMPANY
C/O CLENDON CHRISTENSEN
7376 N 2600 W
PRESTON, ID 83263

Priority Date: 5/1/1883

Source: BATTLE CREEK

Tributary: BEAR RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DIVERSION TO STORAGE	01/01	to 12/31	46.000 cfs	
IRRIGATION FROM STORAGE	04/20	to 09/30		688.0 af
IRRIGATION STORAGE	01/01	to 12/31	46.000 cfs	688.0 af

LOCATION OF POINT(S) OF DIVERSION

Location	Direction	Section	Twp	Rng	Rge	County	Notes
BATTLE CREEK	NESE	Sec 2	Twp 14S	Rge 39E	FRANKLIN County	(I)	
BATTLE CREEK	NESE	Sec 2	Twp 14S	Rge 39E	FRANKLIN County	(I)	
BATTLE CREEK	SWSE	Sec 2	Twp 14S	Rge 39E	FRANKLIN County		
BATTLE CREEK	SWSW	Sec 2	Twp 14S	Rge 39E	FRANKLIN County		
BATTLE CREEK	NESE	Sec 9	Twp 14S	Rge 39E	FRANKLIN County	(I)	
BATTLE CREEK	NWSE	Sec 9	Twp 14S	Rge 39E	FRANKLIN County	(R)	
BATTLE CREEK	SESW	Sec 9	Twp 14S	Rge 39E	FRANKLIN County	(R)	

PLACE OF USE: IRRIGATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	39E	36											X	X			X		
14S	39E	1					X	X	X	X	X	X							
							L 3	L 4											
14S	39E	2				X									X				
14S	39E	9													X				
14S	39E	10									X	X	X						

CONDITIONS OF APPROVAL

1. Rights 13-929, 13-2286, 13-2290 and 13-2305 when combined shall not exceed a total diversion rate of 46 cfs for diversion to storage.
2. Rights 13-927, 13-928, 13-929, 13-2183, 13-2286, 13-2290, 13-2203 and 13-2305 when combined shall not exceed the irrigation of 3,300 acres.
3. The two (2) reservoirs established by the storage of water under rights 13-929, 13-2286, 13-2290, 13-2303 and 13-2305 shall not exceed a total capacity of 2,404 acre-feet.

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WATER RIGHT NO. 13-929
As Modified by Transfer No. 84773

CONDITIONS OF APPROVAL

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. 13M.
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. 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.
7. Place of use is within the area served by Strong Arm Reservoir Irrigation Company.
8. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
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.

WATER RIGHT NO. 13-2183
As Modified by Transfer No. 84773

In accordance with the approval of Transfer No. 84773, Water Right No. 13-2183 is now described as follows:

Right Holder: STRONG ARM RESERVOIR IRRIGATION COMPANY
C/O CLENDON CHRISTENSEN
7376 N 2600 W
PRESTON, ID 83263

Priority Date: 12/20/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/20	to 09/30	1.110 cfs 1.110 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec 25 Twp 13S Rge 39E FRANKLIN County

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 908 acres within the authorized place of use in a single irrigation season.
2. Rights 13-927, 13-928, 13-929, 13-2183, 13-2286, 13-2290, 13-2203 and 13-2305 when combined shall not exceed the irrigation of 3,300 acres.
3. 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. 13M.
4. 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).
5. 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.
6. Place of use is within the area served by Strong Arm Reservoir Irrigation Company.
7. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.

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WATER RIGHT NO. 13-2183
As Modified by Transfer No. 84773

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one 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.



WATER RIGHT NO. 13-2286**As Modified by Transfer No. 84773**

In accordance with the approval of Transfer No. 84773, Water Right No. 13-2286 is now described as follows:

Right Holder: STRONG ARM RESERVOIR IRRIGATION COMPANY
C/O CLENDON CHRISTENSEN
7376 N 2600 W
PRESTON, ID 83263

Priority Date: 9/17/1940

Source: BATTLE CREEK **Tributary:** BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/20	to 09/30	24.000 cfs	
DOMESTIC FROM STORAGE	01/01	to 12/31		100.0 af
DOMESTIC STORAGE	01/01	to 12/31		100.0 af
IRRIGATION FROM STORAGE	04/20	to 09/30		984.3 af
IRRIGATION STORAGE	01/01	to 12/31		984.3 af
DIVERSION TO STORAGE	01/01	to 12/31	46.000 cfs 70.000 cfs	984.3 af

LOCATION OF POINT(S) OF DIVERSION

BATTLE CREEK	NENE	Sec 36 Twp 13S Rge 39E	FRANKLIN County
BATTLE CREEK	NESE	Sec 2 Twp 14S Rge 39E	FRANKLIN County
BATTLE CREEK	NESE	Sec 2 Twp 14S Rge 39E	FRANKLIN County (I)
BATTLE CREEK	SWSE	Sec 2 Twp 14S Rge 39E	FRANKLIN County
BATTLE CREEK	SWSW	Sec 2 Twp 14S Rge 39E	FRANKLIN County
BATTLE CREEK	NESE	Sec 9 Twp 14S Rge 39E	FRANKLIN County (I)
BATTLE CREEK	NWSE	Sec 9 Twp 14S Rge 39E	FRANKLIN County (R)
BATTLE CREEK	NWSE	Sec 9 Twp 14S Rge 39E	FRANKLIN County
BATTLE CREEK	SESW	Sec 9 Twp 14S Rge 39E	FRANKLIN County (R)
BATTLE CREEK	SESW	Sec 9 Twp 14S Rge 39E	FRANKLIN County

PLACE OF USE: DOMESTIC FROM STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	38E	35													X			X	
															L 2			L 1	
13S	38E	35													X			X	
															L 6			L 7	
13S	38E	36	X	X	X	X	X			X	X	X	X	X	X	X	X	X	
13S	39E	31										X	X	X			X		
												L 3	L 4						
13S	39E	36	X		X	X													
14S	38E	1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
			L 1	L 2			L 3	L 4											
14S	38E	2	X	X	X	X			X	X				X	X	X	X	X	
			L 1	L 9	L 2	L 2					L 3			L 4		L 3			
14S	38E	2	X		X	X					X					X			
			L 8		L 7	L 7					L 6					L 6			
14S	38E	11	X	X	X	X	X			X	X			X	X	X	X	X	
14S	38E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
14S	39E	4			X				X	X	X	X	X	X	X	X	X	X	

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WATER RIGHT NO. 13-2286
As Modified by Transfer No. 84773

PLACE OF USE: DOMESTIC FROM STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	39E	5			X	X			X	X	X	X	X	X	X	X	X	X	
14S	39E	6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
			L 1	L 2			L 3	L 4	L 5		L 6	L 7							
14S	39E	7	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
							L 1	L 2			L 3	L 4							
14S	39E	8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
14S	39E	9	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
14S	39E	10	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
14S	39E	16	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
14S	39E	17	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
14S	39E	18	X	X	X	X									X	X	X	X	

PLACE OF USE: DOMESTIC STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	39E	36											X	X			X		
14S	39E	0													X				
14S	39E	1					X	X	X	X	X	X							
							L 3	L 4											
14S	39E	2				X									X				
14S	39E	9													X				
14S	39E	10									X	X	X						

PLACE OF USE: IRRIGATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	39E	36											X	X			X		
14S	39E	1					X	X	X	X	X	X							
							L 3	L 4											
14S	39E	2				X									X				
14S	39E	9													X				
14S	39E	10									X	X	X						

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 908 acres within the authorized place of use in a single irrigation season.
2. Rights 13-927, 13-928 and 13-2286 when combined shall not exceed a total diversion rate of 32 cfs for irrigation. This combined limit does not include diversion to storage or delivery of storage water.
3. Rights 13-929, 13-2286, 13-2290 and 13-2305 when combined shall not exceed a total diversion rate of 46 cfs for diversion to storage.
4. Rights 13-927, 13-928, 13-929, 13-2183, 13-2286, 13-2290, 13-2203 and 13-2305 when combined shall not exceed the irrigation of 3,300 acres.

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WATER RIGHT NO. 13-2286
As Modified by Transfer No. 84773

CONDITIONS OF APPROVAL

5. The two (2) reservoirs established by the storage of water under rights 13-929, 13-2286, 13-2290, 13-2303 and 13-2305 shall not exceed a total capacity of 2,404 acre-feet.
6. 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. 13M.
7. 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).
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. Place of use is within the area served by Strong Arm Reservoir Irrigation Company.
10. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
11. The quantity of water licensed for this water right for domestic use is not a determination of historical beneficial use.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 13-2290**As Modified by Transfer No. 84773**

In accordance with the approval of Transfer No. 84773, Water Right No. 13-2290 is now described as follows:

Right Holder: STRONG ARM RESERVOIR IRRIGATION COMPANY
C/O CLENDON CHRISTENSEN
7376 N 2600 W
PRESTON, ID 83263

Priority Date: 8/29/1940

Source: BATTLE CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION FROM STORAGE	04/20	to 09/30		577.7 af
IRRIGATION STORAGE	01/01	to 12/31		577.7 af
DIVERSION TO STORAGE	01/01	to 12/31	46.000 cfs	
			46.000 cfs	577.7 af

LOCATION OF POINT(S) OF DIVERSION

BATTLE CREEK	NESE	Sec 2	Twp 14S Rge 39E	FRANKLIN County	
BATTLE CREEK	NESE	Sec 2	Twp 14S Rge 39E	FRANKLIN County	(I)
BATTLE CREEK	SWSE	Sec 2	Twp 14S Rge 39E	FRANKLIN County	
BATTLE CREEK	SWSW	Sec 2	Twp 14S Rge 39E	FRANKLIN County	
BATTLE CREEK	NESE	Sec 9	Twp 14S Rge 39E	FRANKLIN County	(I)
BATTLE CREEK	NWSE	Sec 9	Twp 14S Rge 39E	FRANKLIN County	(R)
BATTLE CREEK	SESW	Sec 9	Twp 14S Rge 39E	FRANKLIN County	(R)

PLACE OF USE: IRRIGATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	39E	36											X	X			X		
14S	39E	1					X	X	X	X	X	X							
							L 3	L 4											
14S	39E	2				X									X				
14S	39E	9													X				
14S	39E	10									X	X	X						

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 908 acres within the authorized place of use in a single irrigation season.
2. Rights 13-929, 13-2286, 13-2290 and 13-2305 when combined shall not exceed a total diversion rate of 46 cfs for diversion to storage.
3. Rights 13-927, 13-928, 13-929, 13-2183, 13-2286, 13-2290, 13-2203 and 13-2305 when combined shall not exceed the irrigation of 3,300 acres.

Transfer No. 84773

WATER RIGHT NO. 13-2290
As Modified by Transfer No. 84773

CONDITIONS OF APPROVAL

4. The two (2) reservoirs established by the storage of water under rights 13-929, 13-2286, 13-2290, 13-2303 and 13-2305 shall not exceed a total capacity of 2,404 acre-feet.
5. 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. 13M.
6. 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).
7. 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.
8. Place of use is within the area served by Strong Arm Reservoir Irrigation Company.
9. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
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.

WATER RIGHT NO. 13-2303**As Modified by Transfer No. 84773**

In accordance with the approval of Transfer No. 84773, Water Right No. 13-2303 is now described as follows:

Right Holder: STRONG ARM RESERVOIR IRRIGATION COMPANY
C/O CLENDON CHRISTENSEN
7376 N 2600 W
PRESTON, ID 83263

Priority Date: 1/18/1963

Source: COTTONWOOD CREEK

Tributary: BEAR RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION FROM STORAGE	4/20	to 9/30		600.0 af
IRRIGATION STORAGE	01/01	to 12/31		600.0 af
DIVERSION TO STORAGE	10/01	to 04/19	30.000 cfs	
			30.000 cfs	600.0 af

LOCATION OF POINT(S) OF DIVERSION

COTTONWOOD CREEK	SESE	Sec 8	Twp 12S Rge 39E	FRANKLIN County	
COTTONWOOD CREEK	NENW	Sec 25	Twp 13S Rge 39E	FRANKLIN County	(I)
COTTONWOOD CREEK	NESE	Sec 2	Twp 14S Rge 39E	FRANKLIN County	
COTTONWOOD CREEK	NESE	Sec 2	Twp 14S Rge 39E	FRANKLIN County	(I)
COTTONWOOD CREEK	SWSE	Sec 2	Twp 14S Rge 39E	FRANKLIN County	
COTTONWOOD CREEK	SWSW	Sec 2	Twp 14S Rge 39E	FRANKLIN County	
COTTONWOOD CREEK	NESE	Sec 9	Twp 14S Rge 39E	FRANKLIN County	(I)
COTTONWOOD CREEK	NWSE	Sec 9	Twp 14S Rge 39E	FRANKLIN County	(R)
COTTONWOOD CREEK	SESW	Sec 9	Twp 14S Rge 39E	FRANKLIN County	(R)

PLACE OF USE: IRRIGATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	39E	36																	
14S	39E	1					X	X	X	X	X	X							
							L 3	L 4											
14S	39E	2				X									X				
14S	39E	9													X				
14S	39E	10									X	X	X						

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2,135 acres within the authorized place of use in a single irrigation season.
2. Rights 13-927, 13-928, 13-929, 13-2183, 13-2286, 13-2290, 13-2203 and 13-2305 when combined shall not exceed the irrigation of 3,300 acres.

Transfer No. 84773

WATER RIGHT NO. 13-2303
As Modified by Transfer No. 84773

CONDITIONS OF APPROVAL

3. The two (2) reservoirs established by the storage of water under rights 13-929, 13-2286, 13-2290, 13-2303 and 13-2305 shall not exceed a total capacity of 2,404 acre-feet.
4. Diversion to storage from Cottonwood Creek authorized under this right shall be exercised only when there is insufficient water in Battle Creek to fill Strongarm Reservoirs #1 and #2.
5. 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. 13M.
6. 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).
7. 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.
8. Place of use is within the area served by Strong Arm Reservoir Irrigation Company.
9. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
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.

WATER RIGHT NO. 13-2305**As Modified by Transfer No. 84773**

In accordance with the approval of Transfer No. 84773, Water Right No. 13-2305 is now described as follows:

Right Holder: STRONG ARM RESERVOIR IRRIGATION COMPANY
C/O CLENDON CHRISTENSEN
7376 N 2600 W
PRESTON, ID 83263

Priority Date: 2/8/1966

Source: BATTLE CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
DIVERSION TO STORAGE	01/01	to 12/31	46.000 cfs	154.0 af
IRRIGATION FROM STORAGE	4/20	to 09/30		154.0 af
IRRIGATION STORAGE	01/01	to 12/31	46.000 cfs	154.0 af

LOCATION OF POINT(S) OF DIVERSION

BATTLE CREEK	NESE	Sec 2	Twp 14S Rge 39E	FRANKLIN County	
BATTLE CREEK	NESE	Sec 2	Twp 14S Rge 39E	FRANKLIN County	(I)
BATTLE CREEK	SWSE	Sec 2	Twp 14S Rge 39E	FRANKLIN County	
BATTLE CREEK	SWSW	Sec 2	Twp 14S Rge 39E	FRANKLIN County	
BATTLE CREEK	NESE	Sec 9	Twp 14S Rge 39E	FRANKLIN County	(I)
BATTLE CREEK	NWSE	Sec 9	Twp 14S Rge 39E	FRANKLIN County	(R)
BATTLE CREEK	SESW	Sec 9	Twp 14S Rge 39E	FRANKLIN County	(R)

PLACE OF USE: IRRIGATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	39E	36											X	X			X		
14S	39E	1					X	X	X	X	X	X							
							L 3	L 4											
14S	39E	2				X									X				
14S	39E	9													X				
14S	39E	10									X	X	X						

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2,135 acres within the authorized place of use in a single irrigation season.
2. Rights 13-929, 13-2286, 13-2290 and 13-2305 when combined shall not exceed a total diversion rate of 46 cfs for diversion to storage.
3. Rights 13-927, 13-928, 13-929, 13-2183, 13-2286, 13-2290, 13-2203 and 13-2305 when combined shall not exceed the irrigation of 3,300 acres.

Transfer No. 84773

WATER RIGHT NO. 13-2305
As Modified by Transfer No. 84773

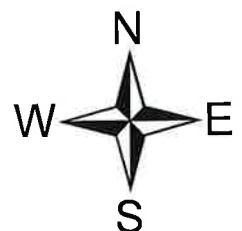
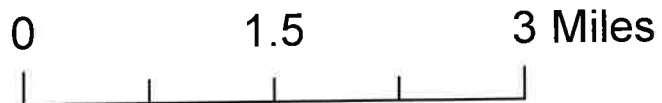
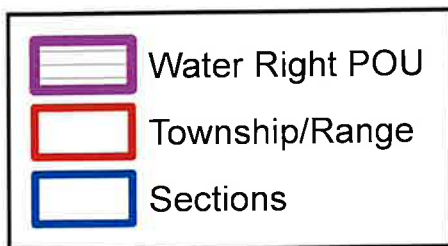
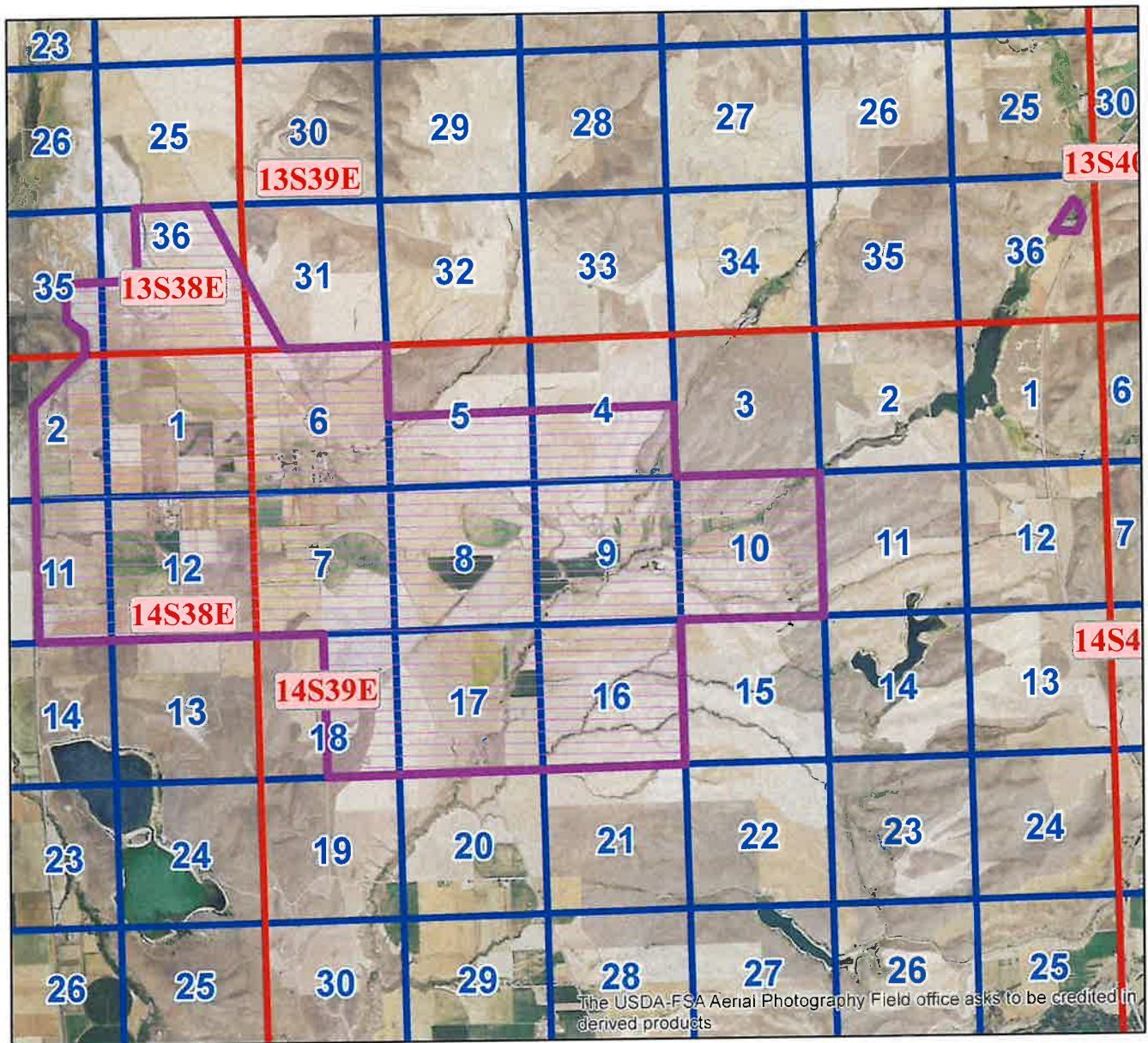
CONDITIONS OF APPROVAL

4. The two (2) reservoirs established by the storage of water under rights 13-929, 13-2286, 13-2290, 13-2303 and 13-2305 shall not exceed a total capacity of 2,404 acre-feet.
5. 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. 13M.
6. 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).
7. 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.
8. Place of use is within the area served by Strong Arm Reservoir Irrigation Company.
9. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
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.

Attachment to Transfer Approval 84773

Service Boundary for Strong Arm Reservoir Irrigation Company

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.



Date: 4/28/2022

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.



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 28, 2022

**STRONG ARM RESERVOIR IRRIGATION COMPANY
C/O CLENDON CHRISTENSEN
7376 N 2600 W
PRESTON ID 83263**

Re: Transfer No: 84773
Water Right No(s): 13-927, 13-928, 13-929, 13-2183, 13-2286, 13-2290, 13-2303,
13-2305

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:

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2022 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.: 84773

**Water Right No(s): 13-927, 13-928, 13-929, 13-2183, 13-2286, 13-2290, 13-2303,
13-2305**

**STRONG ARM RESERVOIR IRRIGATION COMPANY
C/O CLENDON CHRISTENSEN
7376 N 2600 W
PRESTON ID 83263**



**Christina Henman
Administrative Assistant**