

MEMORANDUM

Date: March 30, 2021
To: Water Right 73-12260
From: Scott Storms
Re: Transfer 81861 Review and Processing Documents

Water right 73-12260 was established via an ownership change and split from parent right 73-189. Although this split occurred prior to processing of Transfer 81861, processing of the transfer was heavily tied to Transfer 81964, including multiple protest hearings. As such, much of the documentation pertaining to Transfer 81861 is found in the water right folder of parent right 73-189, including the original application for Transfer 81861. Additionally, because of the interconnectivity of the transfers, there is additional pertinent information that is found in documentation associated with Transfer 81964, located in water right folder 73-32.

MEMORANDUM

Date: March 29, 2021
To: Transfer 81861
From: Scott Storms
Re: Review & Evaluation of Sufficiency of Information

Application for Transfer 81861 seeks authorization to move a portion of irrigation water right (WR) 73-189 from within an existing permissible place of use (PPU) to a specific 35-acre place of use (POU). The transfer application was accompanied by a Notice of Change in Water Right Ownership from Flying Joseph Ranch LLC to Pahsimeroi River Farms LLC for 35 acres and 0.7 cfs of the 320 acres and 6.4 cfs diversion rate associated with water right 73-189. The ownership change and subsequent WR split was complete on February 22, 2018 and the newly split right is 73-12260. The POU, as it was described by water right 73-189 was limited to 320.0 acres of irrigation within a 2,365.6 acre PPU, which was also covered by several other water rights. The acre limit for WR 73-189 within the current PPU was reduced by 35 acres after the ownership change and split. New water right 73-12260 was described as 35 acres within the same 2,365.6 acre PPU after the split. It is this new water right that the Transfer application seeks to move from within the PPU to its own individual POU. The full suite of rights that pertain to the PPU were also all included in transfer application 81964, and through a series of protest hearings and status updates, it was determined that Transfer 81861 (current review) should be processed in conjunction with Transfer 81964. As such, there is associated information this transfer that are found in the documents for transfer 81964, in water right folder 73-32. Additionally, because of the interconnectivity of the transfers and involvement of parent right 73-189, much of the documentation pertaining to this transfer (T81861) is found in water right folder 73-189, including the original transfer application.

Authority to File:

The department received Transfer application 81861 from SPF Water Engineering on behalf of Pahsimeroi River Farms on August 15, 2017. The application was signed by Gia Guddat who is a "member" of Pahsimeroi River Farms, LLC. In their October 26, 2017 follow up letter, SPF further specified that PRF was purchased under separate ownerships. Mr. Karteman is deceased and Gia Guddat is the heir of his estate. SPF included a copy of the decree settling the estate.

Water Right Validity:

Water right 73-189, parent right of 73-12260, was decreed in 2010.

Water right 73-189 was transferred to irrigate within a PPU in 2009. On February 18, 2011 IDWR approved a transfer of the point of diversion (POD) associated with water right 73-189. During this transfer process the PPU was changed from 2,413.3 acres to 2,365.6 acres.

No portion of this water right is currently in the WSB. There are no concerns of water right validity.

Injury to Other Water Rights:

This transfer will not authorize any additional diversion of water, nor does it seek to move or add the PODs of the right. The Transfer does seek to move the POU, however there would be no change in total irrigated acres or total diversion rate. There are no apparent concerns of injury that would be caused by this Transfer.

Enlargement of Use:

Water right 73-189 contained a combined acre limit with the following water rights: 73-32, 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165 73-10040, 73-10041 and 73-12110. This combined acre limit was carried over to WR 73-12260 after the ownership change split. The combined limit was for 2,365.6 acres. The additive total acres of all these rights was 2,131.3 acres, 243.3 acres less than the

combined limit. Because the additive total is less than the combined limit total, most of the rights contained in the combined limit can be separated wholly or in part from the PPU without including portions of the other rights. The exceptions were water rights 73-10041 and 73-12110, which do not contain an individual acre limit and are therefore appurtenant to the entire 2,365.6 acre PPU. Because of this, in order to move any portion of any of the other rights, an equal portion of rights 73-10041 and 73-12110 must either also be moved or be relinquished, in order to prevent enlargement.

A Notice of Status Conference regarding protest to Transfer 81861 included a statement that explained how, during an April 17, 2018 pre-hearing conference, it was agreed upon by all parties that application for Transfer 81861 should be handled in conjunction with pending transfers filed by Flying Joseph Ranch (T81963 & T81964). Additionally, in the enlargement discussion of the review memo for Transfer 81964 it was stated that the right holder, Flying Joseph Ranch, had proposed to reduce water rights 73-10041 and 73-12110 in order to accommodate transfer of the 35 acre split portion of 73-189 (now water right 73-12260). The application for Transfer 81964 included reducing the irrigable acres of water rights 73-174A, 73-10041 and 73-10041 by 73.4 acres and moving that duty of water to a pond to cover seepage and evaporative losses. Tracking this reduction through the diversion rate associated with water rights 73-10041 and 73-12110, the application proposed to reduce their rates by 0.22 cfs and 1.0 cfs respectively. The final approval for Transfer 81964 actually reduced these rights by 0.32 cfs and 1.53 cfs respectively. In breaking down the reduction on the final approval, it was devised that the 35 acre reduction required on WRs 73-10041 & 73-12110 in order to move new water right 73-12260 to a new POU was included as part of the approval for Transfer 81964. The math used to devise this conclusion was as follows.

Prior to Transfer 81964, the rate on WR 73-10041 was 7.06 cfs over the entire 2,365.6 combined acre limit and the rate on WR 73-12110 was 32.13 cfs over the entire 2,365.6 combined acre limit. Therefor the rate/acre of WR 73-10041 was $7.06/2,365.6 = 0.00298$ cfs/acre and on WR 73-12110 it was $32.13/2,365.6 = 0.01358$ cfs/acre. Accounting for the 73.4 acres moved to the pond as part of application for Transfer 81964, the rate reduction would be as follows:

WR 73-10041 $0.003 \text{ cfs/acre} \times 73.4 \text{ acres} = 0.22 \text{ cfs reduction}$
WR 73-12110 $0.014 \text{ cfs/acre} \times 73.4 \text{ acres} = 1.0 \text{ cfs reduction}$

These reductions in rate are what was proposed on the application for Transfer 81964. When adding in the 35 acres associated with Transfer 81861, the total transferred acres total $73.4 + 35 = 108.4$ acres. Calculating this in a rate reduction of WRs 73-10041 & 73-12110 would be as follows:

WR 73-10041 $0.003 \text{ cfs/acre} \times 108.4 \text{ acres} = 0.33 \text{ cfs reduction for a total rate of } 6.73 \text{ cfs}$
WR 73-12110 $0.014 \text{ cfs/acre} \times 108.4 \text{ acres} = 1.52 \text{ cfs reduction for a total rate of } 30.6 \text{ cfs}$

Because the final approval for Transfer 81964 authorized a rate of 6.73 cfs for WR 73-10041 and 30.6 cfs for WR 73-12110, it is clear that the proportional reduction of these two rights necessary to allow the moving of the 35 acres associated with Transfer 81861 without creating enlargement was handled through Transfer Approval 81964. Because Transfer 81964 included the necessary proportional reduction to those rights, there are no further concerns of enlargement in moving the POU of WR 73-12260 through Transfer 81861.

Local Public interest:

No effects are anticipated.

Beneficial Use/Conservation of Water Resources:

The transfer appears consistent with the conservation of water resources in Idaho.

Effect on Economy the Local Area:

No effects are anticipated.

Effect on Agricultural Base of the Local Area:

This transfer proposes a change in the POU of 35 acres. There is no net change in the agricultural activity.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 81861

AUG 15 2017

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFERDEPARTMENT OF
WATER RESOURCES

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Pahsimeroi River Farms, LLCCheck whether each item below is **attached (Yes)** or **not applicable (N/A)** for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☒ ☐ #10 Other. Please describe: Copy of companion transfer application filed by Flying Joseph Ranch, LLC.

SCANNED

JAN 26 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Pahsimeroi River Farms, LLC Phone (208) 721-1107

Mailing address P.O. Box 971, Sun Valley, ID 83353 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

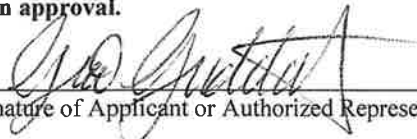
☐ No Representative

Name of Representative SPF Water Engineering, Roxanne Brown Phone (208) 383-4140

Mailing address 300 E. Mallard Dr., Suite 350, Boise, ID 83706 Email rbrown@spfwater.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Gia Guddat, Member
Print Name and Title if applicable

8/7/17
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
 The applicant purchased land from Flying Joseph Ranch in 2013, with a portion of water right 73-189. This transfer application seeks to correct the place of use description for the portion of water right 73-189 that is now used to irrigate land owned by the applicant.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	73-189 (PRF)	0.70	irrigation	4/1 to 10/31	Pahsimeroi River
☐ ☒	73-189 (FJR)	5.70	irrigation	4/1 to 10/31	Pahsimeroi River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 6.40 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.70 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	22E	35														35		35	
			See the companion transfer filed by Flying Joseph Ranch for a description of the remaining place of use.																
Total Acres (for irrigation use)																		35	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Diversion system consists of existing ditches, pipelines and pivot. A measuring device and lockable controlling works is in place as required by Water District 73.

- b. Who owns the property at the point(s) of diversion? Flying Joseph Ranch, LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

Flying Joseph Ranch operates the point of diversion and irrigates the place of use pursuant to a lease agreement. The applicant will file an additional transfer to change the point of diversion in the future if necessary

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The place of use currently described by water right 73-189 will be reduced by 35 acres as shown on a companion transfer filed by Flying Joseph Ranch.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

No other water right is used on the land owned by Pahsimeroi River Farms and described by this transfer. Water rights used on the land owned by Flying Joseph Ranch are described on the companion transfer application filed by that entity.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-189

Current Owner: FLYING JOSEPH RANCH LLC
Priority Date: 5/19/1909
Origin: Water Right
Status: Active
Basis: Decreed

Source

PAHSIMEROI RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

6.4 CFS

6.4 CFS

Annual Volume

Location of Point(s) of Diversion

PAHSIMEROI RIVER

CUSTER County

PAHSIMEROI RIVER

CUSTER County

SW1/4SW1/4SE1/4

Sec. 20, Twp 13N, Rge 23E B.M.

NE1/4SW1/4

Sec. 2, Twp 12N, Rge 23E B.M.

Place of Use

SCANNED

JAN 26 2018

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IRRIGATION Within CUSTER County

T13N R22E S1		SWNW	19.00	T13N R22E S1		NWSW	35.00
T13N R22E S1		SWSW	41.00	T13N R22E S2	Lot 1	NENE	31.00
T13N R22E S2	Lot 2	NWNE	9.60	T13N R22E S2		SWNE	8.30
T13N R22E S2		SENE	40.00	T13N R22E S2		NESE	40.00
T13N R22E S2		SESE	40.00	T13N R22E S11		NENE	37.00
T13N R22E S11		SENE	33.00	T13N R22E S11		NESE	27.00
T13N R22E S11		SESE	29.00	T13N R22E S12		NWNE	0.50
T13N R22E S12		SWNE	23.00	T13N R22E S12		NENW	2.60
T13N R22E S12		NWNW	41.00	T13N R22E S12		SWNW	40.00
T13N R22E S12		SENE	1.10	T13N R22E S12		NESW	41.00
T13N R22E S12		NWSW	31.00	T13N R22E S12		SWSW	30.00
T13N R22E S12		SESW	37.00	T13N R22E S12		NWSE	41.00
T13N R22E S12		SWSE	39.00	T13N R22E S13		NWNE	23.00
T13N R22E S13		SWNE	12.00	T13N R22E S13		NENW	15.00
T13N R22E S13		NWNW	37.00	T13N R22E S13		SWNW	9.90
T13N R22E S13		SENE	16.00	T13N R22E S13		NESW	0.20
T13N R22E S13		SWSW	9.80	T13N R22E S13		NWSE	23.00
T13N R22E S13		SESE	34.00	T13N R22E S14		NENE	17.00
T13N R22E S14		SENE	21.00	T13N R22E S14		NESE	36.00
T13N R22E S14		NWSE	20.00	T13N R22E S14		SWSE	31.00
T13N R22E S14		SESE	37.00	T13N R22E S23		NENE	40.00
T13N R22E S23		NWNE	37.00	T13N R22E S23		SWNE	23.00
T13N R22E S23		SENE	40.00	T13N R22E S23		NESE	12.00
T13N R22E S24		NENE	8.00	T13N R22E S24		NWNE	0.50
T13N R22E S24		SWNE	30.00	T13N R22E S24		SENE	12.00
T13N R22E S24		NENW	19.00	T13N R22E S24		NWNW	40.00
T13N R22E S24		SWNW	40.00	T13N R22E S24		SENE	40.00
T13N R22E S24		NESW	37.00	T13N R22E S24		NWSW	28.00
T13N R22E S24		NESE	39.00	T13N R22E S24		NWSE	39.00
T13N R23E S18	Lot 4	SWSW	18.00	T13N R23E S19		NWNE	25.00
T13N R23E S19		SWNE	39.00	T13N R23E S19		SENE	25.50
T13N R23E S19		NENW	27.60	T13N R23E S19	Lot 1	NWNW	32.40
T13N R23E S19	Lot 2	SWNW	7.80	T13N R23E S19		SENE	38.00
T13N R23E S19		NESW	27.80	T13N R23E S19	Lot 3	NWSW	29.00
T13N R23E S19	Lot 4	SWSW	25.00	T13N R23E S19		SESW	40.00
T13N R23E S19		NESE	32.50	T13N R23E S19		NWSE	29.50
T13N R23E S19		SWSE	40.00	T13N R23E S19		SESE	28.00
T13N R23E S20		NWSW	27.00	T13N R23E S29		NWNW	37.00
T13N R23E S29		SWNW	40.00	T13N R23E S29		NWSW	28.00
T13N R23E S30		NENE	40.00	T13N R23E S30		NWNE	40.00
T13N R23E S30		SWNE	40.00	T13N R23E S30		SENE	40.00
T13N R23E S30		NENW	40.00	T13N R23E S30	Lot 1	NWNW	25.00

Total Acres: 2365.6

SCANNED

JAN 26 2018

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Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. X35 Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. X27 This right is limited to the irrigation of 320.0 acres within the authorized place of use in a single irrigation season.
5. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. U42 Place of use does not include federal public lands.
7. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
9. D09 The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
10. R43 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).
11. T08 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. F05 Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are rediverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.

Decreed Date: 9/30/2010

SCANNED

JAN 26 2018

81861

RIGHT COPY

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

Received by VC Date 8/15/17 Preliminary check by _____ Date _____
 Fee paid \$500 Date 8/15/17 Received by VC Receipt # C103976
 Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Jan 26 2000

