

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84735**

This is to certify that: **PATTCO LLLP**
1800 Z ST
HEYBURN, ID 83336

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>
45-13398	WR/DECREED	3/15/1987	0.660 cfs	292.0 af	73.0	133.0	GROUND WATER
45-13399	WR/DECREED	3/15/1976	0.740 cfs	316.4 af	79.1	305.0	GROUND WATER
45-2621	WR/DECREED	6/9/1960	2.870 cfs	767.2 af	191.8	305.0	GROUND WATER
45-7164	WR/DECREED	1/17/1974	1.200 cfs	240.0 af	60.0	133.0	GROUND WATER
45-7261	WR/DECREED	3/13/1976	0.700 cfs	140.8 af	35.2	305.0	GROUND WATER

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>
45-13398	NO	NO	YES	YES	NO	NO
45-13399	NO	NO	YES	YES	NO	NO
45-2621	NO	NO	YES	YES	NO	NO
45-7164	NO	NO	YES	YES	NO	NO
45-7261	NO	NO	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
45-13398	45-13398	0.660 cfs	292.0 af	73.0	447.0	N/A	N/A	N/A	N/A	N/A
45-13399	45-13399	0.740 cfs	316.4 af	79.1	447.0	N/A	N/A	N/A	N/A	N/A
45-2621	45-2621	2.870 cfs	767.2 af	191.8	447.0	N/A	N/A	N/A	N/A	N/A
45-7164	45-7164	1.200 cfs	240.0 af	60.0	447.0	N/A	N/A	N/A	N/A	N/A
45-7261	45-7261	0.700 cfs	140.8 af	35.2	447.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		4.070 cfs	1752.0 af	438.0	447.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 45-2621

Transfer No. 84735

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84735

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 2nd day of June, 2021.



Southern Region Manager



WATER RIGHT NO. 45-7164

As Modified by Transfer No. 84735

In accordance with the approval of Transfer No. 84735, Water Right No. 45-7164 is now described as follows:

Right Holder: PATTCO LLLP
1800 Z ST
HEYBURN, ID 83336

Priority Date: 1/17/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.200 cfs	240.0 af
			1.200 cfs	240.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESW	Sec 29 Twp 10S Rge 22E CASSIA County
GROUND WATER	SESENW	Sec 31 Twp 10S Rge 22E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	22E	29											32.0	40.0					72.0
10S	22E	30									37			40	40	40	40	36	233
10S	22E	31					40	38	30	34									142
								L 1	L 2										

Right Acre Limit: 60.0
POU Total Acres: 447.0

CONDITIONS OF APPROVAL

1. 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. 140.
2. 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).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. This right is limited to the irrigation of 60 acres within the authorized place of use in a single irrigation season.

Transfer No. 84735

WATER RIGHT NO. 45-7164
As Modified by Transfer No. 84735

CONDITIONS OF APPROVAL

5. Rights 45-7164 and 45-13398 when combined shall not exceed a total diversion rate of 1.2 cfs, a total annual maximum diversion volume of 532 af at the field headgate, and the irrigation of 133 acres.
6. Rights 45-2621, 45-7164, 45-7261, 45-7603, 45-13398, and 45-13399 when combined shall not exceed a total diversion rate of 5.33 cfs, a total annual maximum diversion volume of 1788 af at the field headgate, and the irrigation of 447 acres.
7. Right No. 45-13398 is an enlargement of this right pursuant to Idaho Code § 42-1426.
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.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 45-13398**As Modified by Transfer No. 84735**

In accordance with the approval of Transfer No. 84735, Water Right No. 45-13398 is now described as follows:

Right Holder: PATTCO LLLP
1800 Z ST
HEYBURN, ID 83336

Priority Date: 3/15/1987

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.660 cfs	292.0 af
			0.660 cfs	292.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESW	Sec 29 Twp 10S Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec 31 Twp 10S Rge 22E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	22E	29											32	40					72
10S	22E	30									37			40	40	40	40	36	233
10S	22E	31					40	38	30	34									142
								L 1	L 2										

Right Acre Limit: 73.0

POU Total Acres: 447.0

CONDITIONS OF APPROVAL

1. 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. 140.
2. 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).
3. This right is limited to the irrigation of 73 acres within the authorized place of use in a single irrigation season.
4. Rights 45-7164 and 45-13398 when combined shall not exceed a total diversion rate of 1.2 cfs, a total annual maximum diversion volume of 532 af at the field headgate, and the irrigation of 133 acres.

Transfer No. 84735

WATER RIGHT NO. 45-13398
As Modified by Transfer No. 84735

CONDITIONS OF APPROVAL

5. Rights 45-2621, 45-7164, 45-7261, 45-7603, 45-13398, and 45-13399 when combined shall not exceed a total diversion rate of 5.33 cfs, a total annual maximum diversion volume of 1788 af at the field headgate, and the irrigation of 447 acres.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Idaho Code § 42-1426. As between water rights decreed as enlargements pursuant to Idaho Code § 42-1426, the earlier priority right is the superior right.
8. This right is based upon an enlargement of Right No. 45-7164 pursuant to Idaho Code § 42-1426.
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.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 45-13399**As Modified by Transfer No. 84735**

In accordance with the approval of Transfer No. 84735, Water Right No. 45-13399 is now described as follows:

Right Holder: PATTCO LLLP
1800 Z ST
HEYBURN, ID 83336

Priority Date: 3/15/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.740 cfs	316.4 af
			0.740 cfs	316.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESW	Sec 29 Twp 10S Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec 31 Twp 10S Rge 22E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	22E	29											32	40					72
10S	22E	30									37			40	40	40	40	36	233
10S	22E	31					40	38	30	34									142
								L 1	L 2										

Right Acre Limit: 79.1
POU Total Acres: 447.0

CONDITIONS OF APPROVAL

1. 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. 140.
2. 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).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. This right is limited to the irrigation of 79.1 acres within the authorized place of use in a single irrigation season.

Transfer No. 84735

WATER RIGHT NO. 45-13399
As Modified by Transfer No. 84735

CONDITIONS OF APPROVAL

5. Rights 45-2621, 45-7261 and 45-13399 when combined shall not exceed a total diversion rate of 2.87 cfs, a total annual maximum diversion volume of 1220 af at the field headgate, and the irrigation of 305 acres.
6. Rights 45-2621, 45-7164, 45-7261, 45-7603, 45-13398, and 45-13399 when combined shall not exceed a total diversion rate of 5.33 cfs, a total annual maximum diversion volume of 1788 af at the field headgate, and the irrigation of 447 acres.
7. This right is based upon an enlargement of Right Nos. 45-2621 and 45-7261, pursuant to Idaho Code § 42-1426.
8. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Idaho Code § 42-1426. As between water rights decreed as enlargements pursuant to Idaho Code § 42-1426, the earlier priority right is the superior right.
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.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 45-2621**As Modified by Transfer No. 84735**

In accordance with the approval of Transfer No. 84735, Water Right No. 45-2621 is now described as follows:

Right Holder: PATTCO LLLP
1800 Z ST
HEYBURN, ID 83336

Priority Date: 6/9/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2.870 cfs	767.2 af
			2.870 cfs	767.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESW	Sec 29 Twp 10S Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec 31 Twp 10S Rge 22E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	22E	29											32	40					72
10S	22E	30									37			40	40	40	40	36	233
10S	22E	31					40	38	30	34									142
							L 1	L 2											

Right Acre Limit: 191.8

POU Total Acres: 447.0

CONDITIONS OF APPROVAL

1. 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. 140.
2. 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).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. This right is limited to the irrigation of 191.8 acres within the authorized place of use in a single irrigation season.

Transfer No. 84735

WATER RIGHT NO. 45-2621
As Modified by Transfer No. 84735

CONDITIONS OF APPROVAL

5. Rights 45-2621, 45-7261 and 45-13399 when combined shall not exceed a total diversion rate of 2.87 cfs, a total annual maximum diversion volume of 1220 af at the field headgate, and the irrigation of 305 acres.
6. Rights 45-2621, 45-7164, 45-7261, 45-7603, 45-13398, and 45-13399 when combined shall not exceed a total diversion rate of 5.33 cfs, a total annual maximum diversion volume of 1788 af at the field headgate, and the irrigation of 447 acres.
7. Right No. 45-13399 is an enlargement of this right pursuant to Idaho Code § 42-1426.
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.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 45-7261**As Modified by Transfer No. 84735**

In accordance with the approval of Transfer No. 84735, Water Right No. 45-7261 is now described as follows:

Right Holder: PATTCO LLLP
1800 Z ST
HEYBURN, ID 83336

Priority Date: 3/13/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.700 cfs	140.8 af
			0.700 cfs	140.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESESW	Sec 29 Twp 10S Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec 31 Twp 10S Rge 22E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	22E	29											32	40					72
10S	22E	30									37			40	40	40	40	36	233
10S	22E	31					40	38	30	34									142
							L 1	L 2											

Right Acre Limit: 35.2

POU Total Acres: 447

CONDITIONS OF APPROVAL

1. 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. 140.
2. 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).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. This right is limited to the irrigation of 35.2 acres within the authorized place of use in a single irrigation season.

Transfer No. 84735

WATER RIGHT NO. 45-7261
As Modified by Transfer No. 84735

CONDITIONS OF APPROVAL

5. Rights 45-2621, 45-7261 and 45-13399 when combined shall not exceed a total diversion rate of 2.87 cfs, a total annual maximum diversion volume of 1220 af at the field headgate, and the irrigation of 305 acres.
6. Rights 45-2621, 45-7164, 45-7261, 45-7603, 45-13398, and 45-13399 when combined shall not exceed a total diversion rate of 5.33 cfs, a total annual maximum diversion volume of 1788 af at the field headgate, and the irrigation of 447 acres.
7. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
8. Right No. 45-13399 is an enlargement of this right pursuant to Idaho Code § 42-1426.
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.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer # 84735

45-2621, 45-7164, 45-7261, 45-13398, and 45-13399

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



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.225 0.45 0.9 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 7, 2021

PATTCO LLLP
1800 Z ST
HEYBURN ID 83336

Re: Transfer No: 84735
Water Right No(s): 45-2621, 45-7164, 45-7261, 45-13398, 45-13399

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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) 736-3033.

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Skinner", with a stylized flourish at the end.

Corey Skinner
Southern Regional Manager

Enclosure

c:

WATER DISTRICT 140
ADAM MC COY
355 W 500 S
BURLEY ID 83318-5229

CERTIFICATE OF SERVICE

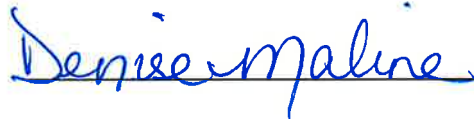
I hereby certify that on June 7, 2021 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84735

Water Right No(s): 45-2621, 45-7164, 45-7261, 45-13398, 45-13399

PATTCO LLLP
1800 Z ST
HEYBURN ID 83336

WATER DISTRICT 140
ADAM MC COY
355 W 500 S
BURLEY ID 83318-5229



Denise Maline
Administrative Assistant