

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83976**

This is to certify that: SUMMERCO MANAGEMENT INC
27 N 3000 E
SUGAR CITY, ID 83448

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>
22-10972	WR/DECREED	6/25/1975	0.270 cfs	89.3 af	25.5	509.0	GROUND WATER
22-14128	WR/DECREED	2/9/1960	5.700 cfs	1158.5 af	331.0	509.0	GROUND WATER
22-7136	WR/DECREED	6/24/1975	1.610 cfs	533.8 af	152.5	509.0	GROUND WATER
22-7515	WR/LICENSE	6/28/1985	8.500 cfs	2600.5 af	743.0	1447.0	GROUND WATER

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-2258A	WR/DECREED	8/28/1965	3.100 cfs	542.5 af	155.0	1435.5	GROUND WATER
22-2295	WR/DECREED	2/9/1960	1.510 cfs	308.0 af	88.0	1435.5	GROUND WATER
22-10777	WR/DECREED	6/1/1962	9.680 cfs	1694.0 af	484.0	1435.5	GROUND WATER
22-10646	WR/DECREED	6/1/1961	2.380 cfs	416.5 af	119.0	1435.5	GROUND WATER
22-13955	WR/DECREED	6/1/1968	3.100 cfs	553.0 af	158.0	1435.5	GROUND WATER
22-2191	WR/DECREED	11/15/1960	3.380 cfs	945.0 af	270.0	1435.5	GROUND WATER
22-14129	WR/DECREED	6/24/1975	2.980 cfs	992.3 af	283.5	1435.5	GROUND WATER
22-14130	WR/DECREED	6/25/1975	0.500 cfs	166.3 af	47.5	1435.5	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>
22-10972	NO	NO	YES	NO	NO	NO
22-14128	NO	NO	YES	NO	NO	NO
22-7136	NO	NO	YES	NO	NO	NO
22-7515	YES	YES	YES	NO	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>
22-10972	22-10972	0.270 cfs	89.3 af	25.5	520.5	N/A	N/A	N/A	N/A	N/A

Transfer No. 83976

Support Data
In File # 22-7136

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83976**

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>
22-14128	22-14128	5.700 cfs	1158.5 af	331.0	520.5	N/A	N/A	N/A	N/A	N/A
22-7136	22-7136	1.610 cfs	533.8 af	152.5	520.5	N/A	N/A	N/A	N/A	N/A
22-7515	22-14373	0.130 cfs	40.3 af	11.5	520.5	22-7515	8.370 cfs	2560.2 af	731.5	1435.5
COMBINED TOTALS		7.440 cfs	1821.9 af	520.5	520.5		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 22nd day of May, 2020


Regional Manager

**Support Data
In File # 22-7136**

Transfer No. 83976

WATER RIGHT NO. 22-7136
As Modified by Transfer No. 83976

In accordance with the approval of Transfer No. 83976, Water Right No. 22-7136 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
27 N 3000 E
SUGAR CITY, ID 83448

Priority Date: 6/24/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	1.610 cfs	533.8 af
			1.610 cfs	533.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNENE Sec 31 Twp 06N Rge 41E MADISON 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	
06N	41E	31	40.0	26.0	40.0	40.0	0.1			20.0	40.0	20.0	38.0	32.5	40.0	40.0	36.0	30.0	442.6
												L 3	L 4						
06N	41E	32						39.0	38.9										77.9

Right Acre Limit: 152.5
POU Total Acres: 520.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 152.5 acres within the authorized place of use in a single irrigation season.
2. Rights 22-7136 and 22-10972 when combined shall not exceed a total diversion rate of 1.61 cfs and the irrigation of 178.0 acres.
3. Rights 22-7136, 22-10972, and 22-14128 when combined shall not exceed a total diversion rate of 7.31 cfs and the irrigation of 509.0 acres.
4. Rights 22-7136, 22-10972, 22-14128 and 22-14373 when combined shall not exceed a total diversion rate of 7.44 cfs and the irrigation of 520.5 acres.
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. 100.

Transfer No. 83976

WATER RIGHT NO. 22-7136
As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL

6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 83976, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. 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.
10. Right No. 22-10972 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 11/24/2008.
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.
14. 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. 22-10972**As Modified by Transfer No. 83976**

In accordance with the approval of Transfer No. 83976, Water Right No. 22-10972 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
27 N 3000 E
SUGAR CITY, ID 83448

Priority Date: 6/25/1975

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.270 cfs

0.270 cfs

Diversion Volume

89.3 af

89.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNENE

Sec 31 Twp 06N Rge 41E MADISON 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	
06N	41E	31	40.0	26.0	40.0	40.0	0.1			20.0	40.0	20.0	38.0	32.5	40.0	40.0	36.0	30.0	442.6
												L 3	L 4						
06N	41E	32						39.0	38.9										77.9

Right Acre Limit: 25.5

POU Total Acres: 520.5

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 25.5 acres within the place of use described for this right.
2. Rights 22-7136 and 22-10972 when combined shall not exceed a total diversion rate of 1.61 cfs and the irrigation of 178 acres.
3. Rights 22-7136, 22-10972, and 22-14128 when combined shall not exceed a total diversion rate of 7.31 cfs and the irrigation of 509.0 acres.
4. Rights 22-7136, 22-10972, 22-14128 and 22-14373 when combined shall not exceed a total diversion rate of 7.44 cfs and the irrigation of 520.5 acres.
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.100.

Transfer No. 83976

WATER RIGHT NO. 22-10972
As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL

6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 83976, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. 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.
10. This right is based upon an enlargement of Right No. 22-7136 pursuant to Section 42-1426, Idaho Code.
11. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
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.
14. 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. 22-7515
As Modified by Transfer No. 83976

In accordance with the approval of Transfer No. 83976, Water Right No. 22-7515 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
 27 N 3000 E
 SUGAR CITY, ID 83448

Priority Date: 6/28/1985

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 10/31	8.370 cfs	2560.2 af
			8.370 cfs	2560.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 25 Twp 06N Rge 40E	MADISON County
GROUND WATER	NWNE	Sec 26 Twp 06N Rge 40E	MADISON County
GROUND WATER	SWSW	Sec 26 Twp 06N Rge 40E	MADISON 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	
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	23.5	27.5	38.0					29.0	40.0	39.0	38.0	10.0	39.0	13.0		337.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0									319.0
06N	40E	35													18.5			16.0	34.5
06N	40E	36					40.0	40.0	38.0	35.0		39.0	38.0						230.0

Right Acre Limit: 731.5
 POU Total Acres: 1435.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 731.5 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, and 22-13955 when combined shall not exceed a total diversion rate of 16.54 cfs, a total annual maximum diversion volume of 3,473.7 af at the field headgate, and the irrigation of 992.5 acres.
3. Rights 22-2191, 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, 22-13955, 22-14129 and 22-14130 when combined shall not exceed a total diversion rate of 22.9 cfs, a total annual maximum diversion volume of 5,019.7 af at the field headgate, and the irrigation of 1,435.5 acres.

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WATER RIGHT NO. 22-7515
As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL

4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. Prior to the diversion and use of water under Transfer approval 79388, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
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. 100.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. 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. 22-14373**As Modified by Transfer No. 83976**

In accordance with the approval of Transfer No. 83976, Water Right No. 22-14373 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
27 N 3000 E
SUGAR CITY, ID 83448

Priority Date: 6/28/1985

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.130 cfs

0.130 cfs

Diversion Volume

40.3 af

40.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNENE

Sec 31 Twp 06N Rge 41E MADISON 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	
06N	41E	31	40.0	26.0	40.0	40.0	0.1			20.0	40.0	20.0	38.0	32.5	40.0	40.0	36.0	30.0	442.6
06N	41E	32						39.0	38.9			L 3	L 4						77.9

Right Acre Limit: 11.5

POU Total Acres: 520.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11.5 acres within the authorized place of use in a single irrigation season.
2. Rights 22-7136, 22-10972, 22-14128, and 22-14373 when combined shall not exceed a total diversion rate of 7.44 cfs and the irrigation of 520.5 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. 100.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 83976

WATER RIGHT NO. 22-14373
As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 83976, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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. 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. 22-14128
As Modified by Transfer No. 83976

In accordance with the approval of Transfer No. 83976, Water Right No. 22-14128 is now described as follows:

Right Holder: SUMMERCO INC
 27 N 3000 E
 SUGAR CITY, ID 83448

Priority Date: 2/9/1960

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 10/31	5.700 cfs	1158.5 af
			5.700 cfs	1158.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNENE Sec 31 Twp 06N Rge 41E MADISON 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	
06N	41E	31	40.0	26.0	40.0	40.0	0.1			20.0	40.0	20.0	38.0	32.5	40.0	40.0	36.0	30.0	442.6
												L 3	L 4						
06N	41E	32						39.0	38.9										77.9

Right Acre Limit: 331.0
 POU Total Acres: 520.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 331 acres within the authorized place of use in a single irrigation season.
2. Rights 22-7136, 22-10972, and 22-14128 when combined shall not exceed a total diversion rate of 7.31 cfs and the irrigation of 509.0 acres.
3. Rights 22-7136, 22-10972, 22-14128, and 22-14373 when combined shall not exceed a total diversion rate of 7.44 cfs and the irrigation of 520.5 acres.
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. 100.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 83976

WATER RIGHT NO. 22-14128
As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 83976, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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. 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. 22-2258A
As Modified by Transfer No. 83976

In accordance with the approval of Transfer No. 83976, Water Right No. 22-2258A is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
 27 N 3000 E
 SUGAR CITY, ID 83448

Priority Date: 8/28/1965

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 10/31	3.100 cfs	542.5 af
			3.100 cfs	542.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWSW	Sec 25 Twp 06N Rge 40E	MADISON County
GROUND WATER	SEWNNE	Sec 26 Twp 06N Rge 40E	MADISON County
GROUND WATER	NESWSW	Sec 26 Twp 06N Rge 40E	MADISON 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	
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	23.5	27.5	38.0					29.0	40.0	39.0	38.0	10.0	39.0	13.0		337.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0									319.0
06N	40E	35													18.5			16.0	34.5
06N	40E	36					40.0	40.0	38.0	35.0		39.0	38.0						230.0

Right Acre Limit: 155.0

POU Total Acres: 1435.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 155 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2258A and 22-13955 when combined shall not exceed a total diversion rate of 3.10 cfs and the irrigation of 313 acres.
3. Rights 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, and 22-13955 when combined shall not exceed a total diversion rate of 16.54 cfs, a total annual maximum diversion volume of 3,473.7 af at the field headgate, and the irrigation of 992.5 acres.

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WATER RIGHT NO. 22-2258A
As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL

4. Rights 22-2191, 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, 22-13955, 22-14129 and 22-14130 when combined shall not exceed a total diversion rate of 22.9 cfs, a total annual maximum diversion volume of 5,019.7 af at the field headgate, and the irrigation of 1,435.5 acres.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. Prior to the diversion and use of water under Transfer approval 79388, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 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. 100.
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. Right No. 22-13955 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 22-2295**As Modified by Transfer No. 83976**

In accordance with the approval of Transfer No. 83976, Water Right No. 22-2295 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
27 N 3000 E
SUGAR CITY, ID 83448

Priority Date: 2/9/1960

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 10/31	1.510 cfs	308.0 af
			1.510 cfs	308.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWSW	Sec 25 Twp 06N Rge 40E	MADISON County
GROUND WATER	SEWNNE	Sec 26 Twp 06N Rge 40E	MADISON County
GROUND WATER	NESWSW	Sec 26 Twp 06N Rge 40E	MADISON 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	
06N	40E	22	5.2		1.6	31.0									36.0	6.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0									39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	23.5	27.5	38.0					29.0	40.0	39.0	38.0	10.0	39.0	13.0		337.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0									319.0
06N	40E	35													18.5			16.0	34.5
06N	40E	36					40.0	40.0	38.0	35.0		39.0	38.0						230.0

Right Acre Limit: 88.0

POU Total Acres: 1435.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 88 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777 and 22-13955 when combined shall not exceed a total diversion rate of 16.54 cfs, a total annual maximum diversion volume of 3,473.7 af at the field headgate, and the irrigation of 992.5 acres.
3. Rights 22-2191, 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, 22-13955, 22-14129 and 22-14130 when combined shall not exceed a total diversion rate of 22.9 cfs, a total annual maximum diversion volume of 5,019.7 af at the field headgate, and the irrigation of 1,435.5 acres.

Transfer No. 83976

WATER RIGHT NO. 22-2295
As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL

4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. Prior to the diversion and use of water under Transfer approval 79388, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 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. 100.
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. 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. 22-10777**As Modified by Transfer No. 83976**

In accordance with the approval of Transfer No. 83976, Water Right No. 22-10777 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
27 N 3000 E
SUGAR CITY, ID 83448

Priority Date: 6/1/1962

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 10/31	9.680 cfs	1694.0 af
			9.680 cfs	1694.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWSW	Sec 25 Twp 06N Rge 40E	MADISON County
GROUND WATER	SENWNE	Sec 26 Twp 06N Rge 40E	MADISON County
GROUND WATER	NESWSW	Sec 26 Twp 06N Rge 40E	MADISON 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	
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	23.5	27.5	38.0					29.0	40.0	39.0	38.0	10.0	39.0	13.0		337.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0									319.0
06N	40E	35													18.5			16.0	34.5
06N	40E	36					40.0	40.0	38.0	35.0		39.0	38.0						230.0

Right Acre Limit: 484.0

POU Total Acres: 1435.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 484 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, and 22-13955 when combined shall not exceed a total diversion rate of 16.54 cfs, a total annual maximum diversion volume of 3,473.7 af at the field headgate, and the irrigation of 992.5 acres.
3. Rights 22-2191, 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, 22-13955, 22-14129 and 22-14130 when combined shall not exceed a total diversion rate of 22.9 cfs, a total annual maximum diversion volume of 5,019.7 af at the field headgate, and the irrigation of 1,435.5 acres.

Transfer No. 83976

WATER RIGHT NO. 22-10777
As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL

4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. Prior to the diversion and use of water under Transfer approval 79388, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 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. 100.
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. 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. 22-10646**As Modified by Transfer No. 83976**

In accordance with the approval of Transfer No. 83976, Water Right No. 22-10646 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
27 N 3000 E
SUGAR CITY, ID 83448

Priority Date: 6/1/1961

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 10/31	2.380 cfs	416.5 af
			2.380 cfs	416.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWSW	Sec 25 Twp 06N Rge 40E	MADISON County
GROUND WATER	SENNWE	Sec 26 Twp 06N Rge 40E	MADISON County
GROUND WATER	NESWSW	Sec 26 Twp 06N Rge 40E	MADISON 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	
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	23.5	27.5	38.0					29.0	40.0	39.0	38.0	10.0	39.0	13.0		337.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0									319.0
06N	40E	35													18.5			16.0	34.5
06N	40E	36					40.0	40.0	38.0	35.0		39.0	38.0						230.0

Right Acre Limit: 119.0

POU Total Acres: 1435.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 119.0 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, and 22-13955 when combined shall not exceed a total diversion rate of 16.54 cfs, a total annual maximum diversion volume of 3,473.7 af at the field headgate, and the irrigation of 992.5 acres.
3. Rights 22-2191, 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, 22-13955, 22-14129 and 22-14130 when combined shall not exceed a total diversion rate of 22.9 cfs, a total annual maximum diversion volume of 5,019.7 af at the field headgate, and the irrigation of 1,435.5 acres.

Transfer No. 83976

WATER RIGHT NO. 22-10646

As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL

4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. Prior to the diversion and use of water under Transfer approval 79388, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 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. 100.
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. 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. 22-13955
As Modified by Transfer No. 83976

In accordance with the approval of Transfer No. 83976, Water Right No. 22-13955 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
 27 N 3000 E
 SUGAR CITY, ID 83448

Priority Date: 6/1/1968

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 10/31	3.100 cfs	553.0 af
			3.100 cfs	553.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWSW	Sec 25 Twp 06N Rge 40E	MADISON County
GROUND WATER	SENVNE	Sec 26 Twp 06N Rge 40E	MADISON County
GROUND WATER	NESWSW	Sec 26 Twp 06N Rge 40E	MADISON 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	
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	23.5	27.5	38.0					29.0	40.0	39.0	38.0	10.0	39.0	13.0		337.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0									319.0
06N	40E	35													18.5			16.0	34.5
06N	40E	36					40.0	40.0	38.0	35.0		39.0	38.0						230.0

Right Acre Limit: 158.0

POU Total Acres: 1435.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 158 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2258A and 22-13955 when combined shall not exceed a total diversion rate of 3.1 cfs and the irrigation of 313 acres.
3. Rights 22-2258A, 22-2295, 22-10646, 22-10777, 22-7515, and 22-13955 when combined shall not exceed a total diversion rate of 16.54 cfs, a total annual maximum diversion volume of 3,473.7 af at the field headgate, and the irrigation of 992.5 acres.

Transfer No. 83976

WATER RIGHT NO. 22-13955

As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL

4. Rights 22-2191, 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, 22-13955, 22-14129 and 22-14130 when combined shall not exceed a total diversion rate of 22.9 cfs, a total annual maximum diversion volume of 5,019.7 af at the field headgate, and the irrigation of 1,435.5 acres.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. Prior to the diversion and use of water under Transfer approval 79388, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 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. 100.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. This right is based upon an enlargement of Right No. 22-2258A pursuant to Section 42-1426, Idaho Code.
10. This right is for an enlargement of 158 acres within the place of use described for this right.
11. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
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.
14. 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. 22-2191**As Modified by Transfer No. 83976**

In accordance with the approval of Transfer No. 83976, Water Right No. 22-2191 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
27 N 3000 E
SUGAR CITY, ID 83448

Priority Date: 11/15/1960

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
3.380 cfs
3.380 cfs

Diversion Volume
945.0 af
945.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWSW	Sec 25 Twp 06N Rge 40E	MADISON County
GROUND WATER	SEWNNE	Sec 26 Twp 06N Rge 40E	MADISON County
GROUND WATER	NESWSW	Sec 26 Twp 06N Rge 40E	MADISON 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	
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	23.5	27.5	38.0					29.0	40.0	39.0	38.0	10.0	39.0	13.0		337.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0									319.0
06N	40E	35													18.5			16.0	34.5
06N	40E	36					40.0	40.0	38.0	35.0		39.0	38.0						230.0

Right Acre Limit: 270.0

POU Total Acres: 1435.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 270 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2191, 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, 22-13955, 22-14129 and 22-14130 when combined shall not exceed a total diversion rate of 22.9 cfs, a total annual maximum diversion volume of 5,019.7 af at the field headgate, and the irrigation of 1,435.5 acres.
3. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.

Transfer No. 83976

WATER RIGHT NO. 22-2191

As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under Transfer approval 79388, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5. 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. 100.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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. 22-14129
As Modified by Transfer No. 83976

In accordance with the approval of Transfer No. 83976, Water Right No. 22-14129 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
 27 N 3000 E
 SUGAR CITY, ID 83448

Priority Date: 6/24/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	2.980 cfs	992.3 af
			2.980 cfs	992.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWSW	Sec 25 Twp 06N Rge 40E	MADISON County
GROUND WATER	SEWNNE	Sec 26 Twp 06N Rge 40E	MADISON County
GROUND WATER	NESWSW	Sec 26 Twp 06N Rge 40E	MADISON 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	
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	23.5	27.5	38.0					29.0	40.0	39.0	38.0	10.0	39.0	13.0		337.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0									319.0
06N	40E	35													18.5			16.0	34.5
06N	40E	36					40.0	40.0	38.0	35.0		39.0	38.0						230.0

Right Acre Limit: 283.5
 POU Total Acres: 1435.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 283.5 acres within the authorized place of use in a single irrigation season.
2. Rights 22-14129 and 22-14130 when combined shall not exceed a total diversion rate of 2.98 cfs and the irrigation of 331 acres.
3. Rights 22-2191, 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, 22-13955, 22-14129 and 22-14130 when combined shall not exceed a total diversion rate of 22.9 cfs, a total annual maximum diversion volume of 5,019.7 af at the field headgate, and the irrigation of 1,435.5 acres.

Transfer No. 83976

WATER RIGHT NO. 22-14129

As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL

4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. Prior to the diversion and use of water under Transfer approval 79388, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 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. 100.
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. Right No. 22-14130 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 11/24/2008.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 22-14130**As Modified by Transfer No. 83976**

In accordance with the approval of Transfer No. 83976, Water Right No. 22-14130 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
27 N 3000 E
SUGAR CITY, ID 83448

Priority Date: 6/25/1975

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 10/31	0.500 cfs	166.3 af
			0.500 cfs	166.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWSW	Sec 25 Twp 06N Rge 40E	MADISON County
GROUND WATER	SEWNNE	Sec 26 Twp 06N Rge 40E	MADISON County
GROUND WATER	NESWSW	Sec 26 Twp 06N Rge 40E	MADISON 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	
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	23.5	27.5	38.0					29.0	40.0	39.0	38.0	10.0	39.0	13.0		337.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0									319.0
06N	40E	35													18.5			16.0	34.5
06N	40E	36					40.0	40.0	38.0	35.0		39.0	38.0						230.0

Right Acre Limit: 47.5

POU Total Acres: 1435.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 47.5 acres within the authorized place of use in a single irrigation season.
2. Rights 22-14129 and 22-14130 when combined shall not exceed a total diversion rate of 2.98 cfs and the irrigation of 331 acres.
3. Rights 22-2191, 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, 22-13955, 22-14129 and 22-14130 when combined shall not exceed a total diversion rate of 22.9 cfs, a total annual maximum diversion volume of 5,019.7 af at the field headgate, and the irrigation of 1,435.5 acres.

Transfer No. 83976

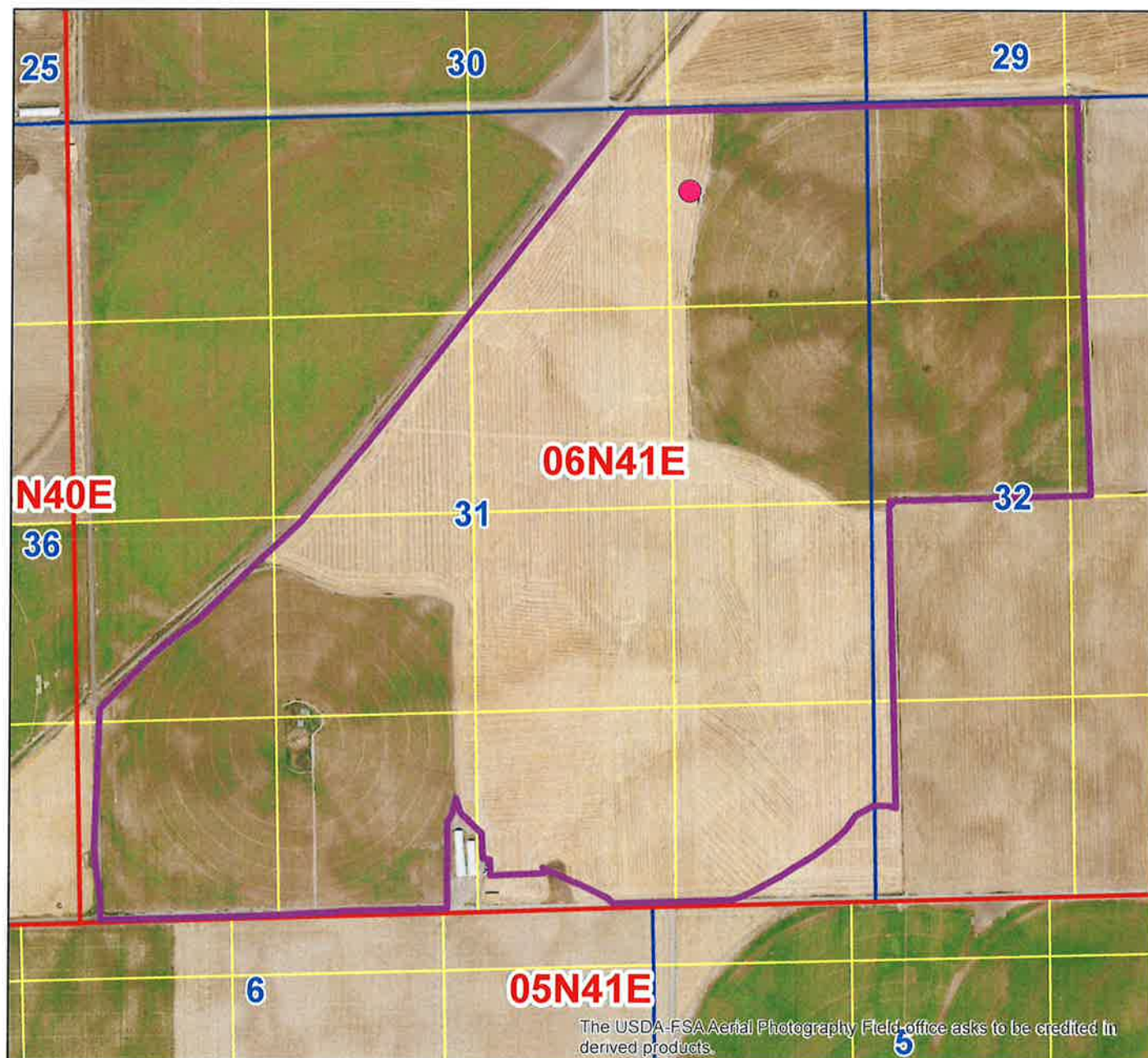
WATER RIGHT NO. 22-14130
As Modified by Transfer No. 83976

CONDITIONS OF APPROVAL






4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. Prior to the diversion and use of water under Transfer approval 79388, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 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. 100.
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. This right is based upon an enlargement of Right No. 22-14129 pursuant to Section 42-1426, Idaho Code.
9. This right is for an enlargement of 47.5 acres within the place of use described for this right.
10. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

Attachment to Transfer Approval 83976

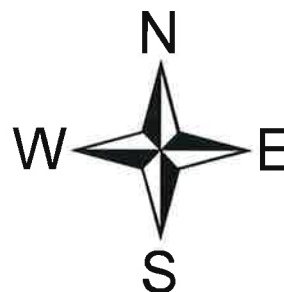
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

-  Water Right POD
 Water Right POU
 Township/Range
 Sections
 QQ

0 625 1,250 2,500 Feet



Date: 5/22/2020



State of 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

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 22, 2020

SUMMERCO MANAGEMENT INC
27 N 3000 E
SUGAR CITY ID 83448

Re: Transfer No: 83976

Water Right No(s): 22-2191, 22-2258A , 22-2295, 22-7136, 22-7515, 22-10646, 22-10777, 22-10972, 22-13955, 22-14128, 22-14129, 22-14130

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.

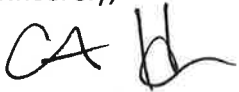
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and 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,

A handwritten signature in black ink, appearing to read 'CA H', is written over the word 'Sincerely,'.

Christina Henman
Administrative Assistant

Enclosure

CC:

JERRY R RIGBY
PO BOX 25
REXBURG ID 83440

IDAHO AGCREDIT FLCA
1586 N 2ND E
REXBURG ID 83440-5129

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.

CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2020 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.: 83976

Water Right No(s): 22-2191, 22-2258A , 22-2295, 22-7136, 22-7515, 22-10646, 22-10777, 22-10972, 22-13955, 22-14128, 22-14129, 22-14130

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**Christina Henman
Administrative Assistant**