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STATE OF IDAHO DEPARTMENT OF WATER RESOURCE

Transfer No.	839	17	6
		_	_

MAR	20	2020
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Eastern Region

MINIMUM REQUIREMENTS CHECKLIST

Department of Water Resources TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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 idwr.idaho.gov.

Name of Applicant(s) SUMMERCO MANAGEMENT INC

			Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.
<u>¥</u>	'es	<u>N/A</u>	* Means the item is always required and must be included with the application.
		٠	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.
			through this transfer application.
	8		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).
1	- 11		Solution for 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.
	16	7	#1 If the applicant is a business partnership organization
	- -	7	#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.)
		 -	regine ownership documentation in Dept. records do not show the applicant of the
			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
			⁴³ Documentation of authority to make the change if the applicant is not the water sight over
		′] #] .	Power of Attorney or documentation providing authority to sign or act on the application has been used as a second s
I	L		(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 idwr.idaho.gov/water-rights/transfers/resources html.
	V] #	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 second device of
V	•		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
			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 active to active to active to be idled at the new.
	M		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 pattern and document how enlargement
			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 of the Bank
	1	#10	0 Other. Please describe:

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STATE OF IDAHO DEPARTMENT OF WATER RESOURCE.

MAR 2 0 2020 APPLICATION FOR TRANSFER OF WATER RIGHT of Water Resources PART 1 Name of Applicant(s) SUMMERCO MANAGEMENT INC _____ Phone (208) 390-9314 Mailing address 27 N 3000 E SUGAR CITY, ID 83448 Email summercofarms@gmail.com 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 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 _____ Phone _____ Mailing address Email Send all correspondence for this application to the representative and not to the applicant. 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. 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

R	hatt	

Signature of Applicant or Authorized Representative

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Khett Summers Print Name and Title if applicable

Date

Date

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A. PURPOSE OF TRANSFER

Change point of diversion
 Change nature of use

Add diversion point(s)
 Change period of use

Change place of use

- Is this a transfer for changes pursuant to <u>Idaho Code § 42-221.O.8</u>? If yes,
 attach an explanation and any supporting documentation labeled as Part1A.2.
- 3. 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 We propose to here for 14.3.

We propose to transfer 11.5 acres of water rights to cover a portion of land previously being irrigated. The 11.5 acres

will be combined with 509.0 acres described under rights 22-7136, 22-10972 and 22-14128 for 520.5 acres.

STATE OF IDAHO DEPARTMENT OF WATER RESOURCE

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
	or Part	22-7515	0.13 / 40.3	IRRIGATION	04/01 _{to} 10/31	GROUND WATER
\checkmark		22-7136	1.61 / 533.8	IRRIGATION	04/15 to 10/15	GROUND WATER
\checkmark		22-10972	0.27 / 89.3	IRRIGATION	04/01 to 10/31	GROUND WATER
\checkmark		22-14128	5.7 / 1158.5	IRRIGATION	04/01 to 10/31	GROUND WATER
					10	
					to	
					to	
		1			to	
					to	
	Total	authorized under rights	7.44	cfs and/or 1821.9 acr	re-feet.	

2. Total amount of water proposed to be transferred or changed 0.30 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	1/4	1/4	74	Sec	Тwp	Rge	County	Source	Local name or tag #
		NW	NE	NE	31	06N	41E	MADISON	GROUND WATER	
		1								6

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 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 1/4				SE ¼				A	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Acre Totals
06N	41E	31	40.0	26.0	40.0	40.0	0.1			20.0						40.0	_		442.6
												L3	L4				1		
06N	41E	32	39.0	38.9										77.9					

Total Acres (for irrigation use) 520.5

STATE OF IDAHO DEPARTMENT OF WATER RESOURCE

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

- 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 includes one deep well with a department approved flow meter installed and a lockable main

power switch.

- b. Who owns the property at the point(s) of diversion? <u>Applicant</u>
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system;
- 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 <u>Attachment WSB</u>.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: The land will no longer be irrigated.
- 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: Water rights 22-2191, 22-2258A, 22-2295, 22-10646, 22-10777, 22-13955, 22-14129, 22-14130 are associated water rights and the combine use limit will be reduced by 11.5 acres in this transfer.

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

Yes No

[
[
[
- 6

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:

Water Right 22-7515

Owner Type Current Owner Curre

Priority Date: 6/28/1985 Basis: License Status: Active

Source GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	8.500 CFS	2,600.5 AF
	Total Di	version	8.500 CFS	2,600.5 AF
Source and Point(s) of Diversion	NWSW		Sec. 25, Twp 06N, Rge 40E,	MADISON County
GROUND WATER GROUND WATER	SWSW NWNE		Sec. 26, Twp 06N, Rge 40E, Sec. 26, Twp 06N, Rge 40E,	MADISON County

Place Of Use

IRRIGATION within MADISON County

			NE				NW			SW			SE						
Twp	Rng	Sec	NE	NW	SW	SE	Totals												
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	24.0	29.0	38.0					29.0	40,0	39.0	38,0	12.0	39.0	15.0		343.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0									319.0
06N	40E	35													19.0			18.0	37.0
06N	40E	36					40.0	40.0	40.0	35.0		40.0	38.0						233 0

Right Acre Limit: 743.0

POU Total Acres: 1,447.0

Conditions of Approval:

- 1. X27 This right is limited to the irrigation of 743.0 acres within the authorized place of use in a single irrigation season.
- 2. X35 Rights 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, and 22-13955 when combined shall not exceed a total diversion rate of 16.67 cfs, a total annual maximum diversion volume of 3514 af at the field headgate, and the irrigation of 1004 acres.
- 3. X35 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 23.03 cfs, a total annual maximum diversion volume of 5,060 af at the field headgate, and the

irrigation of 1,447 acres. 213 Upon specific notification of the Department, the right holder shall install and maintain 4. data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications. 5. 214 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. R05 Use of water under this right may be regulated by a watermaster with responsibility for 6. 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 R02 diverting works in a manner that will provide the watermaster suitable control of the diversion. This right when combined with all other rights shall provide no more than 0.02 cfs per 8. R63 acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use. 9, T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. Failure of the right holder to comply with the conditions of this transfer is cause for the 10. T08

Director to rescind approval of the transfer.

Dates and Other Information

Licensed Date: 7/24/2013 Water District Number: 100 Generic Max Rate Per Acre: 0.020 Generic Max Volume Per Acre: 3.5 Mitigation Plan: False

Combined Use Limits

Rate		<u>Volume</u>			Acres		
16.670		3,514.0			1,004.0		
22-2258A ,22-2295	,22-10777	,22-10646	,22-13955	,22-7515			
Rate		Volume	,		Acres		
23.030		5,060.0			1.447.0		
22-2258A ,22-2295	,22-10777	,22-10646	,22-13955	,22-2191	,22-7515	,22-14129	,22-14130

SubCase:

N/A

Water Supply Bank: N/A 3/16/2020

Rev. 07/18

STATE OF IDAHO DEPARTMENT OF WATER RESOURCE.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

<u>For each water right</u> listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <u>idwr.idaho.gov</u>, Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: _____ 22-7515

1. amount _	0.13 / 40.3	(cfs/ac-ft) for	IRRIGATION	purposes from04/0	1 10/31
amount _		(cfs/ac-ft) for		purposes from	to
amount _		(cfs/ac-ft) for		purposes from	to
amount_		(cfs/ac-ft) for		purposes from	to
amount _		(cfs/ac-ft) for		purposes from	to
amount_		(cfs/ac-ft) for		purposes from	to
amount _		(cfs/ac-ft) for		purposes from	to
amount _		(cfs/ac-ft) for		purposes from	to

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

Тwp	Rge	Sec			1/4									Acre					
	nge	000	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	40E	36							2.0			1.0							3.0
06N	40E	25		0.5	1.5				1						2.0		2.0	-	6.0
06N	40E	35											-		0.5			2.0	2.5
										-								2.0	2.0
							-												
													_	_		_			
										_	_								
						_													
														-			_		
										_				_	-				
											_								

Total Acres (for irrigation use) 11.5

Water Right 22-7136

Owner Type	Name and Address
Current Owner	SUMMERCO MANAGEMENT INC
	27 N 3000 E
	SUGAR CITY, ID 83448
	(208) 390-9314

Priority Date: 6/24/1975 Basis: Decreed Status: Active

Source

GROUND WATER

Tributary

Beneficial Use	From	<u>To</u>	Diversion Rate	<u>Volume</u>
IRRIGATION	04/15	10/15	1.610 CFS	533.8 AF
	<u>Total Di</u>	version	1.610 CFS	533.8 AF

NWNENE

Source and Point(s) of Diversion

GROUND WATER

Sec. 31, Twp 06N, Rge 41E, MADISON County

Place Of Use

IRRIGATION within MADISON County

				N	E			NW			SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SĘ	Totals
06N	41E	31	40.0	28.0	40 0	40,0	0,1			20.0	40.0	20.0 L3	38.0 L4	29.0	40.0	40.0	34.0	30.0	437.1
06N	41E	32						39.0	32.9										71,9

Right Acre Limit: 152.5

POU Total Acres: 509.0

Conditions of Approval:

- 1. X27 This right is limited to the irrigation of 152.5 acres within the authorized place of use in a single irrigation season.
- 2. X35 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. X35 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 acres.

4. 213 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. 214 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. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per

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acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

- 7. K01 Right No. 22-10972 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
- 8. S41 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 than11/24/2008.
- 9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- 10. 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.
- 11. 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.

Dates and Other Information

Decreed Date: 11/24/2008 State or Federal: S Water District Number: 100 Mitigation Plan: False

Combined Use Limits

Rate 4.590 22-7136 ,22-10972 <u>Volume</u> 1,781.5 <u>Acres</u> 509.0

SubCase:

N/A

Water Supply Bank: N/A

Water Right 22-10972

Owner Type	Name and Address
Current Owner	SUMMERCO MANAGEMENT INC
	27 N 3000 E
	SUGAR CITY, ID 83448
	(208) 390-9314

Priority Date: 6/25/1975 Basis: Decreed Status: Active

<u>Source</u> GROUND WATER	Tributa	ry .	
Beneficial Use	<u>From</u> <u>To</u>	Diversion Rate	<u>Volume</u>
IRRIGATION	04/01 10/31	0.270 CFS	89.3 AF
	Total Diversion	0.270 CFS	89.3 AF

Source and Point(s) of Diversion

GROUND WATER

NWNENE

Sec. 31, Twp 06N, Rge 41E, MADISON County

Place Of Use

IRRIGATION within MADISON County

				N	E		NW			SW				SE				1	
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	41E	31	40.0	26.0	40.0	40.0	0.1			20.0	40.0	20.0	38.0	29.0	40.0	40.0	34.0	30.0	437.1
												L3	L4						
06N	41E	32				j		39,0	32 9										71.9

Right Acre Limit: 25.5

POU Total Acres: 509.0

Conditions of Approval:

- 1. X27 This right is limited to the irrigation of 25.5 acres within the authorized place of use in a single irrigation season.
- 2. X35 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. X35 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. 213 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. 214 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. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per

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acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

- 7. K02 This right is based upon an enlargement of Right No. 22-7136 pursuant to Section 42-1426, Idaho Code.
- 8. K09 This right is for an enlargement of 25.5 acres within the place of use described for this right.
- 9. C11 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.
- 10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- 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. 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.

Dates and Other Information

Decreed Date: 11/24/2008 Enlargement Statute Priority Date: 4/12/1994 State or Federal: S Water District Number: 100 Mitigation Plan: False

Combined Use Limits

Rate	Volume	Acres
4.590	1,781.5	509.0
22-7136 ,22-10972		

SubCase:

N/A

Water Supply Bank: N/A

3/12/2020

Water Right 22-14128

Ov Cu	<u>vner Type</u> rrent Owner	Name and Addr SUMMERCO IN 27 N 3000 E SUGAR CITY, IE (208) 390-9314	C					
Bas	ority Date: 2/9/1 sis: Decreed itus: Active	1960						
	UICE OUND WATER			<u>Tribut</u>	ary			
	neficial Use RIGATION		<u>From</u> 04/01 <u>Total Div</u>	<u>To</u> 10/31 /ersion	<u>Diversion Ra</u> 5.700 Cl 5.700 Cl	-S	1,15	<u>/olume</u> 58.5 AF 58.5 AF
	urce and Point() OUND WATER	s) of Diversion	NWNENI	E	Sec. 31, Twp 06N	I, Rge 41E,	MADISC	N Count
	<u>ce Of Use</u> RIGATION withir	MADISON Coun	ty					
		NE	NW		SW	SE		

			_	N	IE		NW			SW				SE				1	
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	41E	31	40.0	26.0	40.0	40.0	0.1			20.0	40.0	20.0	38.0	29.0	40.0	40.0	34.0	30.0	437 1
												L3	L4		1 1				
06N	41E	32				- 14		39.0	32.9										71.9

Right Acre Limit: 331.0

County

POU Total Acres: 509.0

Conditions of Approval:

- This right is limited to the irrigation of 331 acres within the authorized place of use in a 1. X27 single irrigation season.
- Rights 22-7136, 22-10972, and 22-14128 when combined shall not exceed a total 2. X35 diversion rate of 7.31 cfs and the irrigation of 509.0 acres.
- Upon specific notification of the Department, the right holder shall install and maintain 3. 213 data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
- Prior to the diversion and use of water under Transfer approval 79386, the right holder 4. 214 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. R63 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.

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- 6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- 7. 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.
- 8. 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.

Dates and Other Information

Decreed Date: 11/24/2008 State or Federal: S Water District Number: 100 Mitigation Plan: False

Combined Use Limits N/A

SubCase: N/A

Water Supply Bank: N/A

STATE OF IDAHO DEPARTMENT OF WATER RESOURC

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

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 the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

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.

B. CHANGES IN NATURE OF USE (Water Balance)

If you propose to change the nature of use or period of use of all or part of the rights(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.

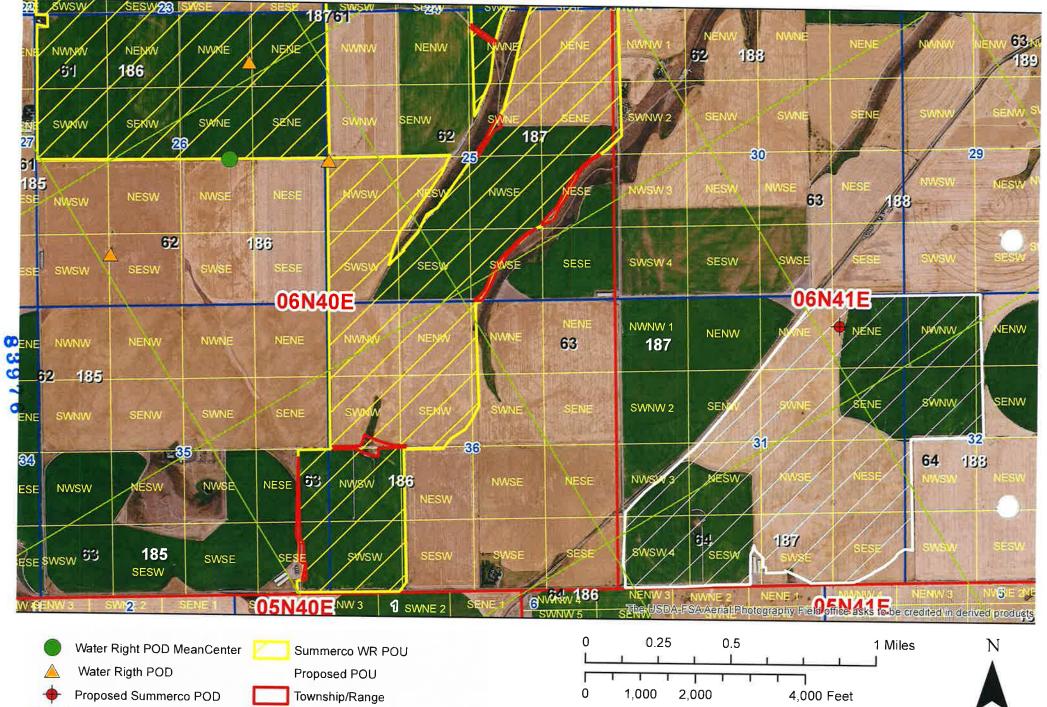
C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it Attachment #8b.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the <u>existing</u> 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:

1			
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		DEPARTMENT USE ONLY	
Transfer contains	pages and	attachments.	
Received by	Date	Preliminary check by	Date
Fee paid 1 500,00	Date 3/20/2020	_ Receipted by CA de	Receipt # FO45 757
Add'l fee paid	Date	Receipted by	Receipt #
Check all that apply: Attachme	nt WSB 🔲 (copy sent to state	office) Lessor Designation form	&/or W-9 (originals to state office
		Page 6 8 3 9 7 6	
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Summerco Transfer



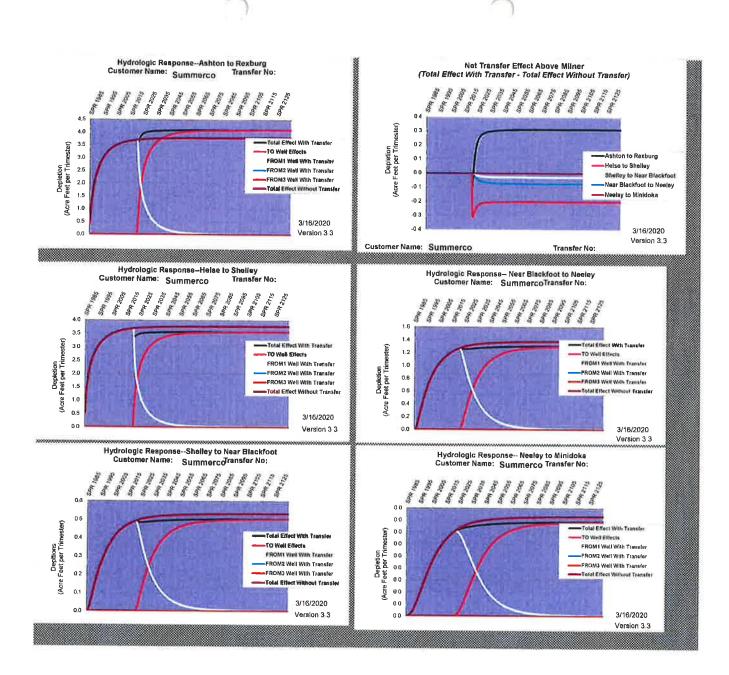
ESPAM2_ModelGrid_06092011 Sections QQ

Acres to move

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

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	(CFS)	(AFA)	Acres	Date	Location	AFA/ AFT	Node	Rexburg	Shelley	Nr Bickft	Nr Bickft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to	Malad	Malad
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Governor April 9, 2020 Gary Spackman Director

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

RE: Transfer No. 83976 Water Right No(s). 22-10972, 22-14128, 22-7136, 22-7515

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the REXBURG STANDARD JOURNAL on 4/17/2020 and 4/24/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman Administrative Assistant

Henman, Christina

From: Sent: To: Subject: Attachments: Henman, Christina Thursday, April 09, 2020 3:33 PM REXBURG STANDARD JOURNAL (stubbs@journalnet.com) Legal Ads for Rexburg Standard Journal 83976 Rexburg Standard Journal.doc

Hello,

Please see attached document regarding legal ads for your paper.

Thank You,

Christina Henman Administrative Assistant Idaho Dept. of Water Resources, Eastern Region 900 N Skyline Ste. A Idaho Falls, ID 83402 Phone: (208) 497-3793

THIS EMAIL MAY CONTAIN MORE THAN ONE PAGE!

April 9, 2020

Legal Notice Department Rexburg Standard Journal / Herald Chronicle PO Box 10 Rexburg ID 83440

RE: Transfer No. 83976

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill for **ACCOUNT NUMBER 241525**. Please send the affidavit and bill to this office before 5/4/2020. Your cooperation is appreciated.

Sincerely

Christina Henman Administrative Assistant

PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 83976

SUMMERCO MANAGEMENT INC, 27 N 3000 E, SUGAR CITY, ID 83448 has filed Application No. 83976 for changes to the following water rights within MADISON County(s): Right No(s). 22-10972, 22-14128, 22-7136, 22-7515; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: Change the point of diversion and change the place of use. The point of diversion is in NENE, Sec 31, T6N, R41E for 7.44 cfs from ground water. The place of use is within Sec 31 and Sec 32 T6N, R41E, for 520.5 acres.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 5/4/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/17/2020 and 4/24/2020