

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82819

This is to certify that: **CIRCLE VALLEY PROPERTIES LLC**
PO BOX 51260
IDAHO FALLS, ID 83405

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>
35-13742	WR/DECREEED	10/26/1981	0.050 cfs	8.4 af	N/A	2.1	GROUND WATER
35-13746	WR/LICENSE	10/21/1991	0.040 cfs	8.8 af	2.2	5.6	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>
35-13744	WR/LICENSE	7/19/1989	0.030 cfs	5.2 af	1.3	1.3	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>
35-13742	NO	YES	YES	NO	NO	NO
35-13746	NO	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>
35-13742	35-13742	0.050 cfs	8.4 af	2.1	4.3	N/A	N/A	N/A	N/A	N/A
35-13746	35-13746	0.040 cfs	8.8 af	2.2	4.3	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.090 cfs	17.2 af	4.3	4.3		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 3rd day of July, 2019.

[Signature]

SUPPORT DATA

Water Resources Program Manager

Transfer No. 82819

IN FILE # 35-13742

SCANNED
JUL 06 2019

WATER RIGHT NO. 35-13742

As Modified by Transfer No. 82819

In accordance with the approval of Transfer No. 82819, Water Right No. 35-13742 is now described as follows:

Right Holder: CIRCLE VALLEY PROPERTIES LLC
PO BOX 51260
IDAHO FALLS, ID 83405

Priority Date: 10/26/1981

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 11/01

Diversion Rate
0.050 cfs
0.050 cfs

Diversion Volume
8.4 af
8.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNENW Sec 13 Twp 02N Rge 36E BONNEVILLE 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	
02N	36E	13						2.0	2.3										4.3

Right Acre Limit: 2.1

POU Total Acres: 4.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.1 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13742 and 35-13746 when combined shall not exceed the irrigation of 4.3 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. 120.
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.
5. Prior to the diversion and use of water under Transfer approval 82819, 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.

Transfer No. 82819

RECEIVED
JUL 05 2019

WATER RIGHT NO. 35-13742
As Modified by Transfer No. 82819

CONDITIONS OF APPROVAL

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 4.0 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. 35-13746

As Modified by Transfer No. 82819

In accordance with the approval of Transfer No. 82819, Water Right No. 35-13746 is now described as follows:

Right Holder: CIRCLE VALLEY PROPERTIES LLC
PO BOX 51260
IDAHO FALLS, ID 83405

Priority Date: 10/21/1991

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.040 cfs

0.040 cfs

Diversion Volume

8.8 af

8.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNENW

Sec 13 Twp 02N Rge 36E BONNEVILLE 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	
02N	36E	13						2.0	2.3										4.3

Right Acre Limit: 2.2

POU Total Acres: 4.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.2 acres within the place of use described above in a single irrigation season.
2. Rights 35-13742 and 35-13746 when combined shall not exceed the irrigation of 4.3 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. 120.
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.
5. Prior to the diversion and use of water under Transfer approval 82819, 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.

Transfer No. 82819

SCANNED
JUL 18 2003

WATER RIGHT NO. 35-13746

As Modified by Transfer No. 82819

CONDITIONS OF APPROVAL

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 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. This right is for the use of trust water, and it is subject to review 20 years after the issuance of the permit (March 2, 1992), to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
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. 35-13744**As Modified by Transfer No. 82819**

In accordance with the approval of Transfer No. 82819, Water Right No. 35-13744 is now described as follows:

Right Holder: CAROLINE PHILLIPS
7444 W ACRO HWY
IDAHO FALLS, ID 83402

Priority Date: 7/19/1989

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.030 cfs
0.030 cfs

Diversion Volume
5.2 af
5.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNW Sec 13 Twp 02N Rge 36E BONNEVILLE 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	
02N	36E	13						1.3											1.3

Right Acre Limit: 1.3

POU Total Acres: 1.3

CONDITIONS OF APPROVAL

1. The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Attachment to Transfer Approval 82819

This map depicts the IRRIGATION 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 60 120 240 Feet

1 inch = 97 feet



SCANNED
JUL 06 2019
Date: 7/3/2019