

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83256**

This is to certify that: ROWLANDS INC
1141 ROWLAND RD
POCATELLO, ID 83204-7416

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>
29-13955	WR/DECREED	7/23/1987	0.340 cfs	N/A	27.4	76.3	BATISTE SPRING
29-2039	WR/DECREED	12/4/1905	0.560 cfs	N/A	N/A	28.0	BAPTISTE SPRING
29-4444	WR/DECREED	10/15/1956	0.060 cfs	N/A	22.0	77.4	BATISTE SPRING

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>
29-13955	NO	YES	NO	NO	NO	NO
29-2039	NO	YES	NO	NO	NO	NO
29-4444	NO	YES	NO	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>
29-13955	29-13955	0.340 cfs	N/A	26.3	76.3	N/A	N/A	N/A	N/A	N/A
29-2039	29-2039	0.560 cfs	N/A	N/A	28.0	N/A	N/A	N/A	N/A	N/A
29-4444	29-4444	0.060 cfs	N/A	22.0	76.3	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.620 cfs	N/A	76.3	76.3		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 8th day of August, 2019.



Eastern Regional Manager

SUPPORT DATA

Transfer No. 83256

IN FILE # 29-2039

WATER RIGHT NO. 29-2039

As Modified by Transfer No. 83256

In accordance with the approval of Transfer No. 83256, Water Right No. 29-2039 is now described as follows:

Right Holder: EDWARD N ROWLAND
DBA ROWLANDS INC
1141 ROWLAND RD
POCATELLO, ID 83204

Priority Date: 12/4/1905

Source: BATISTE SPRING

Tributary: PORTNEUF RIVER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.560 cfs
0.560 cfs

LOCATION OF POINT(S) OF DIVERSION

BATISTE SPRING SESW Sec 6 Twp 06S Rge 34E POWER 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	
06S	34E	7		4.0			24.0												28.0
				L 2			L 3												

POU Total Acres: 28.0

CONDITIONS OF APPROVAL

1. Rights 29-2039, 29-4444 and 29-13955 when combined shall not exceed a total diversion rate of 0.62 cfs, and the irrigation of 76.3 acres.
2. Right No. 29-13955 is an enlargement of this right pursuant to Idaho Code § 42-1426.
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. 29D.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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.

Transfer No. 83256

WATER RIGHT NO. 29-2039
As Modified by Transfer No. 83256

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 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. 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. 29-4444
As Modified by Transfer No. 83256

In accordance with the approval of Transfer No. 83256, Water Right No. 29-4444 is now described as follows:

Right Holder: ROWLANDS INC
 1141 ROWLAND RD
 POCATELLO, ID 83204-7416

Priority Date: 10/15/1956

Source: BATISTE SPRING

Tributary: PORTNEUF RIVER

BENEFICIAL USE
 IRRIGATION

From
 04/01

To
 to 10/31

Diversion Rate
 0.060 cfs
 0.060 cfs

LOCATION OF POINT(S) OF DIVERSION

BATISTE SPRING SESW Sec 6 Twp 06S Rge 34E POWER 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	
06S	34E	6											13.0	0.5					13.5
06S	34E	7		4.8			28.0	30.0					L 7						62.8
				L 2			L 3	L 4											

Right Acre Limit: 22.0

POU Total Acres: 76.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 22 acres within the authorized place of use in a single irrigation season.
2. Rights 29-2039, 29-4444 and 29-13955 when combined shall not exceed a total diversion rate of 0.62 cfs, and the irrigation of 76.3 acres.
3. Right No. 29-13955 is an enlargement of this right pursuant to Idaho Code § 42-1426.
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. 29D.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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WATER RIGHT NO. 29-4444
As Modified by Transfer No. 83256

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. 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. 29-13955**As Modified by Transfer No. 83256**

In accordance with the approval of Transfer No. 83256, Water Right No. 29-13955 is now described as follows:

Right Holder: ROWLANDS INC
1141 ROWLAND RD
POCATELLO, ID 83204-7416

Priority Date: 7/23/1987

Source: BATISTE SPRING

Tributary: PORTNEUF RIVER

BENEFICIAL USE

IRRIGATION
MITIGATION

From

04/01
04/01

To

to 10/31
to 10/31

Diversion Rate

0.330 cfs
0.010 cfs
0.340 cfs

LOCATION OF POINT(S) OF DIVERSION

BATISTE SPRING

SESW

Sec 6 Twp 06S Rge 34E POWER 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	
06S	34E	6											13.0	0.5					13.5
06S	34E	7		4.8			28.0	30.0					L 7						62.8
				L 2			L 3	L 4											

Right Acre Limit: 26.3

POU Total Acres: 76.3

PLACE OF USE: MITIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	34E	7		X															
				L 2															

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 26.3 acres within the place of use described for this right.
2. Rights 29-2039, 29-4444 and 29-13955 when combined shall not exceed a total diversion rate of 0.62 cfs, and the irrigation of 76.3 acres.

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WATER RIGHT NO. 29-13955
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CONDITIONS OF APPROVAL

3. This right mitigates for the depletion of water resulting from the diversion and use of water under Right 29-14027. To prevent injury to other water right holders, the right holder shall cease diverting 0.01 cfs of this right from Batiste Spring. If the mitigation portion of this right is used for any purpose other than conveyance loss, then water shall not be diverted under Right 29-14027. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Right 29-14027 that are being mitigated shall be reduced by the same proportion as the reduction to this right.
4. This right is based upon an enlargement of Right Nos. 29-2039 and 29-4444 pursuant to Section 42-1426, Idaho Code.
5. 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.
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. 29D.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
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.

Attachment to Transfer Approval 83256 (POU Only)

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.

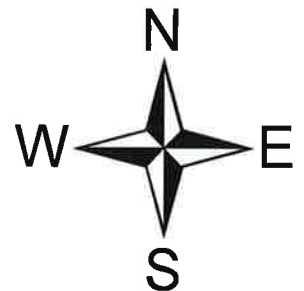


Legend

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

0 262.5 525 1,050 Feet

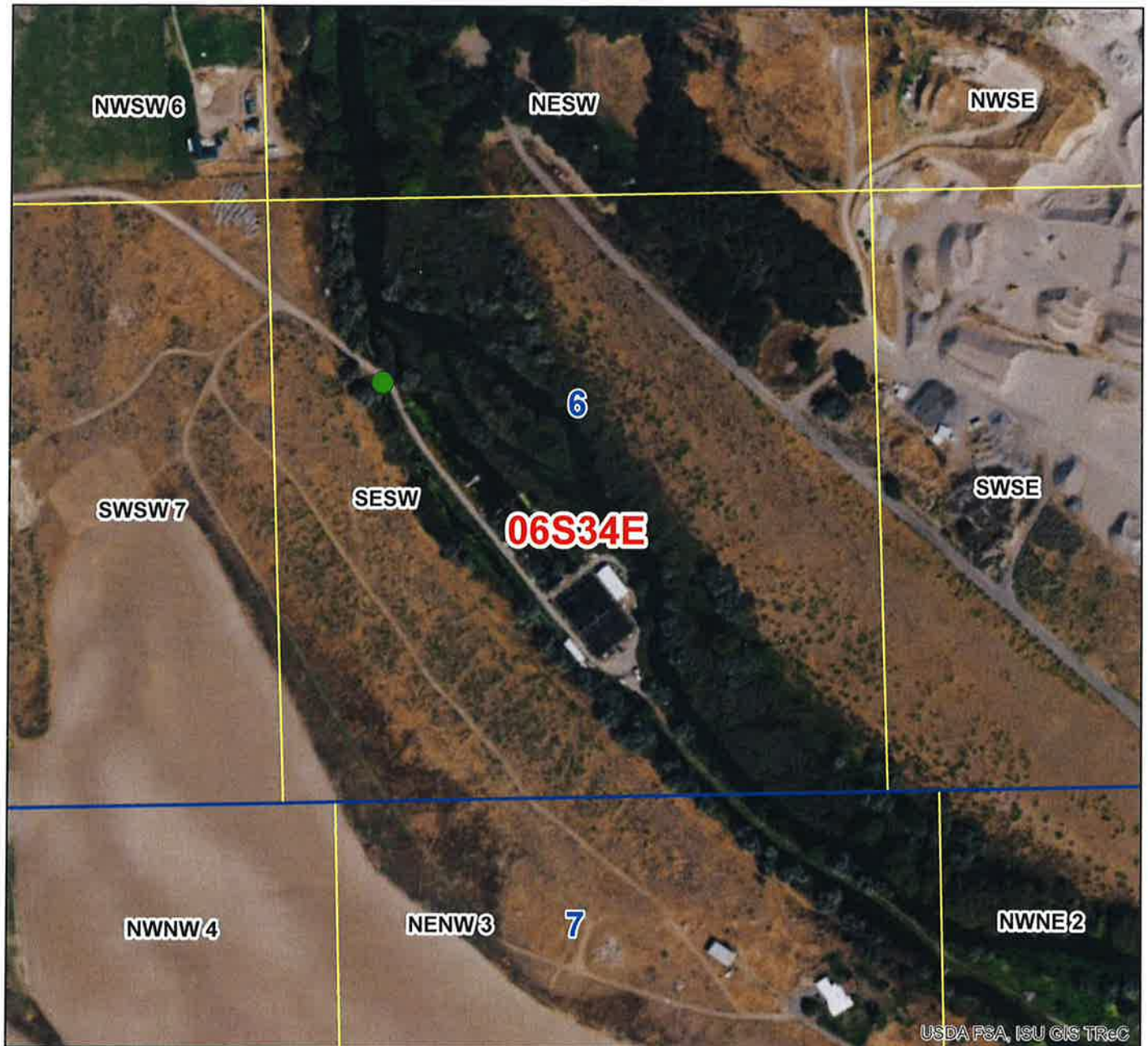
1 inch = 431 feet



Date: 8/8/2019

Attachment to Transfer Approval 83256 (POD Only)

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.

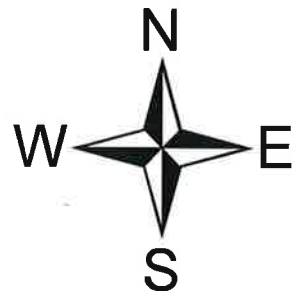


Legend

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

0 212.5 425 850 Feet

1 inch = 342 feet



Date: 8/8/2019