

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82456

This is to certify that: JEFFERSON FARMS LLC
3916 E JUNE ST
MESA, AZ 85205

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>
1-2077	WR/DECREED	5/24/1949	1,900 cfs	N/A	N/A	209.5	SNAKE RIVER
1-2078	WR/DECREED	6/10/1949	1,470 cfs	N/A	N/A	209.5	SNAKE RIVER
35-7744	WR/DECREED	9/15/1989	6,150 cfs	1230.0 af	N/A	307.5	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>
1-2077	NO	NO	YES	NO	NO	NO
1-2078	NO	NO	YES	NO	NO	NO
35-7744	NO	NO	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
1-2077	1-2077	1,900 cfs	N/A	209.5	345.5	N/A	N/A	N/A	N/A	N/A
1-2078	1-2078	1,470 cfs	N/A	209.5	345.5	N/A	N/A	N/A	N/A	N/A
35-7744	35-7744	6,150 cfs	1230.0 af	307.5	345.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		9,520 cfs	1230.0 af	307.5	345.5		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 1st day of August, 2019.


Eastern Regional Manager

Transfer No. 82456

SUPPORT DATA
IN FILE # 1-2077

WATER RIGHT NO. 1-2077**As Modified by Transfer No. 82456**

In accordance with the approval of Transfer No. 82456, Water Right No. 1-2077 is now described as follows:

Right Holder: JEFFERSON FARMS LLC
3916 E JUNE ST
MESA, AZ 85205

Priority Date: 5/24/1949

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 11/01

Diversion Rate

1.900 cfs

1.900 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER L14 (NESW) Sec 3 Twp 04N Rge 37E JEFFERSON 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	
04N	37E	4	37.0	40.0	37.0	40.0					39.0	3.5		20.0	34.0	38.0	26.0	31.0	345.5
			L 1	L 2															

Right Acre Limit: 209.5

POU Total Acres: 345.5

CONDITIONS OF APPROVAL

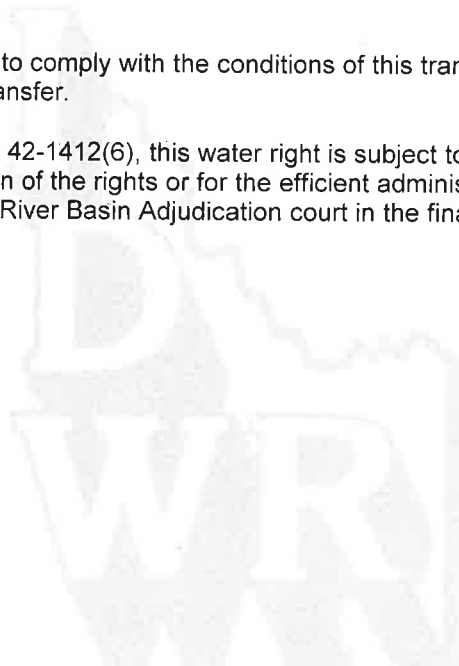
1. Rights 1-2077 and 1-2078 when combined shall not exceed the irrigation of 209.5 acres.
2. Rights 1-2077, 1-2078, and 35-7744 are limited to the irrigation of a specific 307.5 acres within the 345.5 acre place of use authorized by this right in a single irrigation season. The specific 307.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 307.5 acres to be irrigated within the 345.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
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. 01.
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).

Transfer No. 82456

WATER RIGHT NO. 1-2077
As Modified by Transfer No. 82456

CONDITIONS OF APPROVAL

5. 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.
6. Water is delivered through Tomchak Pump #1.
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. 1-2078
As Modified by Transfer No. 82456

In accordance with the approval of Transfer No. 82456, Water Right No. 1-2078 is now described as follows:

Right Holder: JEFFERSON FARMS LLC
 3916 E JUNE ST
 MESA, AZ 85205

Priority Date: 6/10/1949

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 1,470 cfs
 1.470 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER L14 (NESW) Sec 3 Twp 04N Rge 37E JEFFERSON 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	
04N	37E	4	37.0	40.0	37.0	40.0					39.0	3.5		20.0	34.0	38.0	26.0	31.0	345.5
			L 1	L 2															

Right Acre Limit: 209.5

POU Total Acres: 345.5

CONDITIONS OF APPROVAL

1. Rights 1-2077 and 1-2078 when combined shall not exceed the irrigation of 209.5 acres.
2. Rights 1-2077, 1-2078, and 35-7744 are limited to the irrigation of a specific 307.5 acres within the 345.5 acre place of use authorized by this right in a single irrigation season. The specific 307.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 307.5 acres to be irrigated within the 345.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
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. 01.
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).

WATER RIGHT NO. 1-2078
As Modified by Transfer No. 82456

CONDITIONS OF APPROVAL

5. 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.
6. Water is delivered through Tomchak Pump #1.
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. 35-7744**As Modified by Transfer No. 82456**

In accordance with the approval of Transfer No. 82456, Water Right No. 35-7744 is now described as follows:

Right Holder: JEFFERSON FARMS LLC
3916 E JUNE ST
MESA, AZ 85205

Priority Date: 9/15/1989

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

6.150 cfs

6.150 cfs

Diversion Volume

1230.0 af

1230.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

L5 (SWSW)
NWSE

Sec 3 Twp 04N Rge 37E JEFFERSON County
Sec 4 Twp 04N Rge 37E JEFFERSON 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	
04N	37E	4	37.0	40.0	37.0	40.0					39.0	3.5		20.0	34.0	38.0	26.0	31.0	345.5
			L1	L2															

Right Acre Limit: 307.5

POU Total Acres: 345.5

CONDITIONS OF APPROVAL

1. Rights 1-2077, 1-2078, and 35-7744 are limited to the irrigation of a specific 307.5 acres within the 345.5 acre place of use authorized by this right in a single irrigation season. The specific 307.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 307.5 acres to be irrigated within the 345.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. 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.
3. 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.

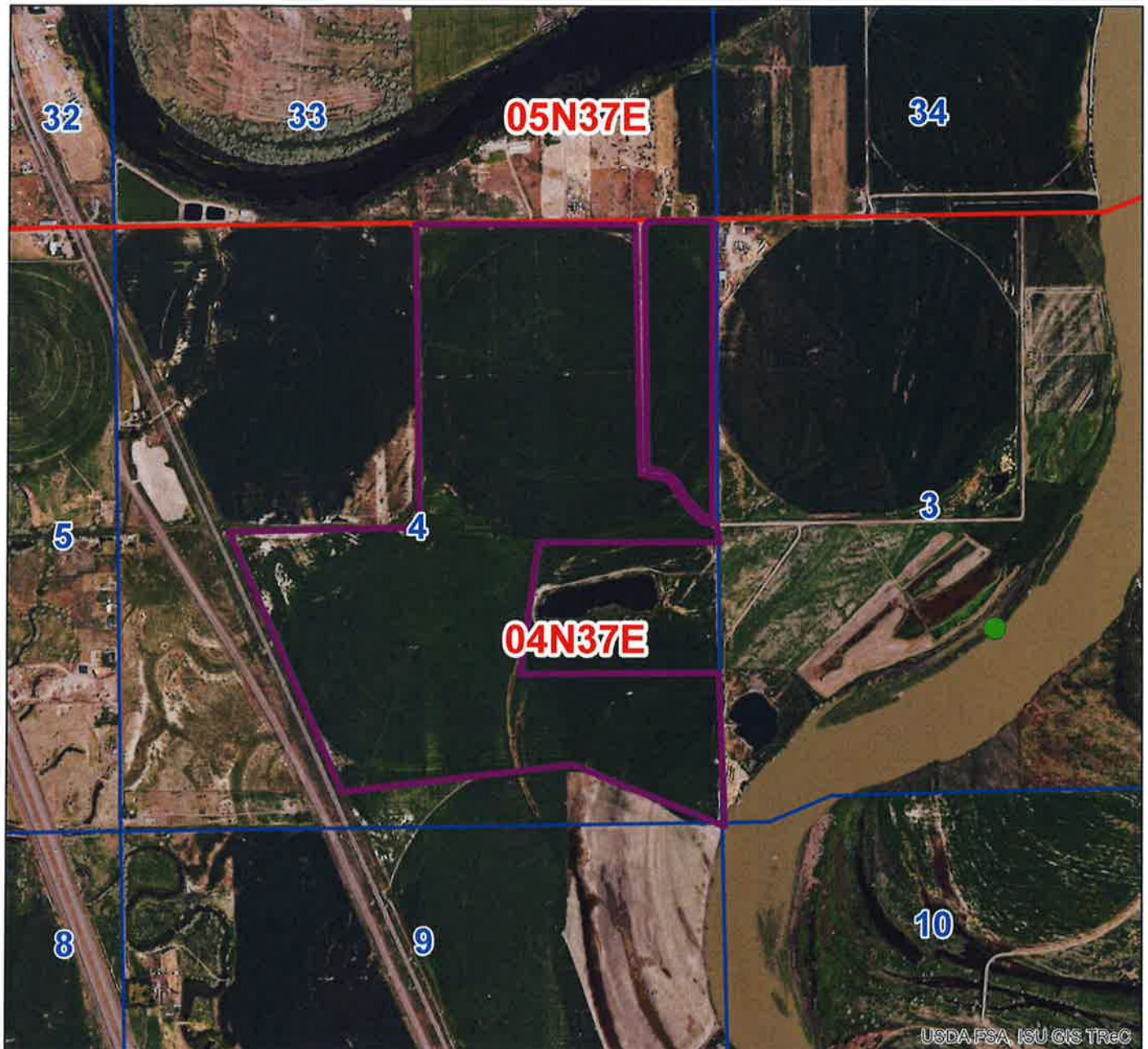
WATER RIGHT NO. 35-7744
As Modified by Transfer No. 82456

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under Transfer approval 82456, 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. 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. Diversion of water from the additional well authorized under Transfer 82456 located in NWSE, Sec. 4, T04N, R37E shall not exceed a maximum diversion rate of 3.00 cfs.
7. This right is for the use of trust water, and it is subject to review 5 years after its initial approval (November 7, 1977) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
8. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.
9. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
10. 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.
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 82456

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.

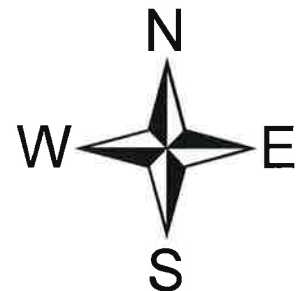


0 800 1,600 3,200 Feet

1 inch = 1,376 feet

Legend

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



Date: 8/1/2019