

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83237**

This is to certify that: **SHOVELBACK HOLDINGS LLC**
1493 W 5000 N
REXBURG, ID 83440-3204

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>
35-2568	WR/DECREED	3/20/1959	5.010 cfs	1950.0 af	486.6	596.6	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>
35-7769	WR/DECREED	1/24/1978	2.220 cfs	N/A		593.1	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>
35-2568	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>
35-2568	21-13269	0.030 cfs	10.5 af	N/A	3.5	35-2568	4.980 cfs	1939.5 af	483.1	593.1
COMBINED TOTALS		0.030 cfs	10.5 af	N/A	3.5		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 3rd day of July, 2019.


Water Resources Program Manager

Transfer No. 83237

SUPPORT DATA

IN FILE # 35-2568

WATER RIGHT NO. 35-2568 **As Modified by Transfer No. 83237**

In accordance with the approval of Transfer No. 83237, Water Right No. 35-2568 is now described as follows:

Right Holder: JENNIFER COOK
TODD COOK
796 N 1800 W
BLACKFOOT, ID 83221

Priority Date: 3/20/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	4.980 cfs	1939.5 af
			4.980 cfs	1939.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENW	Sec 24 Twp 01S Rge 32E	BINGHAM County
GROUND WATER	SWSE	Sec 24 Twp 01S Rge 32E	BINGHAM 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	
01S	32E	24	30.5	36.3	36.0	30.4	40.0	40.0	40.0	39.3	40.0	40.0	40.0	40.0	30.3	36.9	36.2	37.2	593.1

Right Acre Limit: 483.1

POU Total Acres: 593.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 483.1 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2568 and 35-7769 when combined shall not exceed a total annual maximum diversion volume of 2,376.0 af at the field headgate and the irrigation of 593.1 acres.
3. Diversion of water from the additional well authorized under Transfer 81535 located in the SWSE, Sec. 24, T01S, R32E shall not exceed a total combined maximum diversion rate of 3.00 cfs.
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. 120.
5. Prior to diversion and use of water under Transfer approval 81535, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.

Transfer No. 83237

WATER RIGHT NO. 35-2568

As Modified by Transfer No. 83237

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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 21-13269
As Modified by Transfer No. 83237

In accordance with the approval of Transfer No. 83237, Water Right No. 21-13269 is now described as follows:

Right Holder: JENNIFER COOK
TODD COOK
796 N 1800 W
BLACKFOOT, ID 83221

Priority Date: 3/20/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.030 cfs	10.5 af
			0.030 cfs	10.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 20 Twp 15N Rge 43E	FREMONT County
GROUND WATER	SWSW	Sec 20 Twp 15N Rge 43E	FREMONT 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	
15N	43E	20											3.5						3.5

POU Total Acres: 3.5

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. The diversion and use of water, as authorized by Transfer 82525 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement (Fremont County, Instrument #573428, 5/3/2019) to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 83237

WATER RIGHT NO. 21-13269
As Modified by Transfer No. 83237

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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. 35-7769

As Modified by Transfer No. 83237

In accordance with the approval of Transfer No. 83237, Water Right No. 35-7769 is now described as follows:

Right Holder: JENNIFER COOK AND
TODD COOK
796 N 1800 W
BLACKFOOT, ID 83221

Priority Date: 1/24/1978

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 4/01 to **To** 11/01

Diversion Rate
2.220 cfs
2.220 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENW	Sec 24 Twp 01S Rge 32E BINGHAM County
GROUND WATER	SWSE	Sec 24 Twp 01S Rge 32E BINGHAM 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	
01S	32E	24	30.5	36.3	36.0	30.4	40.0	40.0	40.0	39.3	40.0	40.0	40.0	40.0	30.3	36.9	36.2	37.2	593.1

POU Total Acres: 593.1

CONDITIONS OF APPROVAL

1. Rights 35-2568 and 35-7769 when combined shall not exceed a total annual maximum diversion volume of 2,376.0 af at the field headgate and the irrigation of 593.1 acres.
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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. Prior to diversion and use of water under Transfer approval 81535, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
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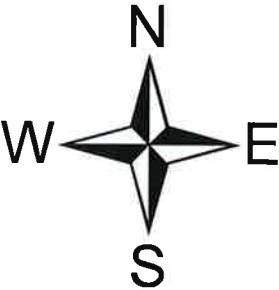
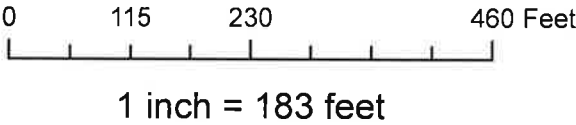
Attachment to Transfer Approval 83237

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



Date: 7/3/2019