

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 83127

This is to certify that: 7N RANCH
C/O GEORGE NEWBY
45 N NEWBY RD
RIRIE, ID 83443

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
23-7143	WR/LICENSE	4/2/1990	0.240 cfs	N/A	N/A	10.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
23-7143	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
23-7143	23-11476	0.100 cfs	N/A	5.0	6.0	23-7143	0.140 cfs	N/A	N/A	5.0
COMBINED TOTALS		0.100 cfs	N/A	5.0	6.0		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. 83127

SUPPORT DATA
IN FILE # 23-7143

WATER RIGHT NO. 23-7143
As Modified by Transfer No. 83127

In accordance with the approval of Transfer No. 83127, Water Right No. 23-7143 is now described as follows:

Right Holder: 7N RANCH
 C/O GEORGE NEWBY
 45 N NEWBY RD
 RIRIE, ID 83443

Priority Date: 4/2/1990

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL
 IRRIGATION

From

01/01
 04/01

To

to 12/31
 to 10/31

Diversion Rate

0.040 cfs
 0.100 cfs
 0.140 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L1 (NWNW) Sec 31 Twp 04N Rge 41E JEFFERSON County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	41E	31						X	X										
							L 1	L 2											

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	
04N	41E	31						3.0	2.0										5.0
							L 1	L 2											

POU Total Acres: 5.0

CONDITIONS OF APPROVAL

1. Commercial use is for a miniature golf course, 30 unit RV park and a dinner theater.
2. The commercial use under this right shall not exceed 10.6 af per year.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 17.5 af at the field headgate for the lands above.

Transfer No. 83127

WATER RIGHT NO. 23-7143
As Modified by Transfer No. 83127

CONDITIONS OF APPROVAL

4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right.
5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

WATER RIGHT NO. 23-11476

As Modified by Transfer No. 83127

In accordance with the approval of Transfer No. 83127, Water Right No. 23-11476 is now described as follows:

Right Holder: 7N RANCH
C/O GEORGE NEWBY
45 N NEWBY RD
RIRIE, ID 83443

Priority Date: 4/2/1990.

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.100 cfs
0.100 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENW Sec 31 Twp 04N Rge 41E 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	41E	31					2.6			3.4									6.0

Right Acre Limit: 5.0

POU Total Acres: 6.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 5 acres within the 6 acre place of use authorized by this right in a single irrigation season. The specific 5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 5 acres to be irrigated within the 6 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 17.5 af at the field headgate for the place of use.
3. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

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WATER RIGHT NO. 23-11476

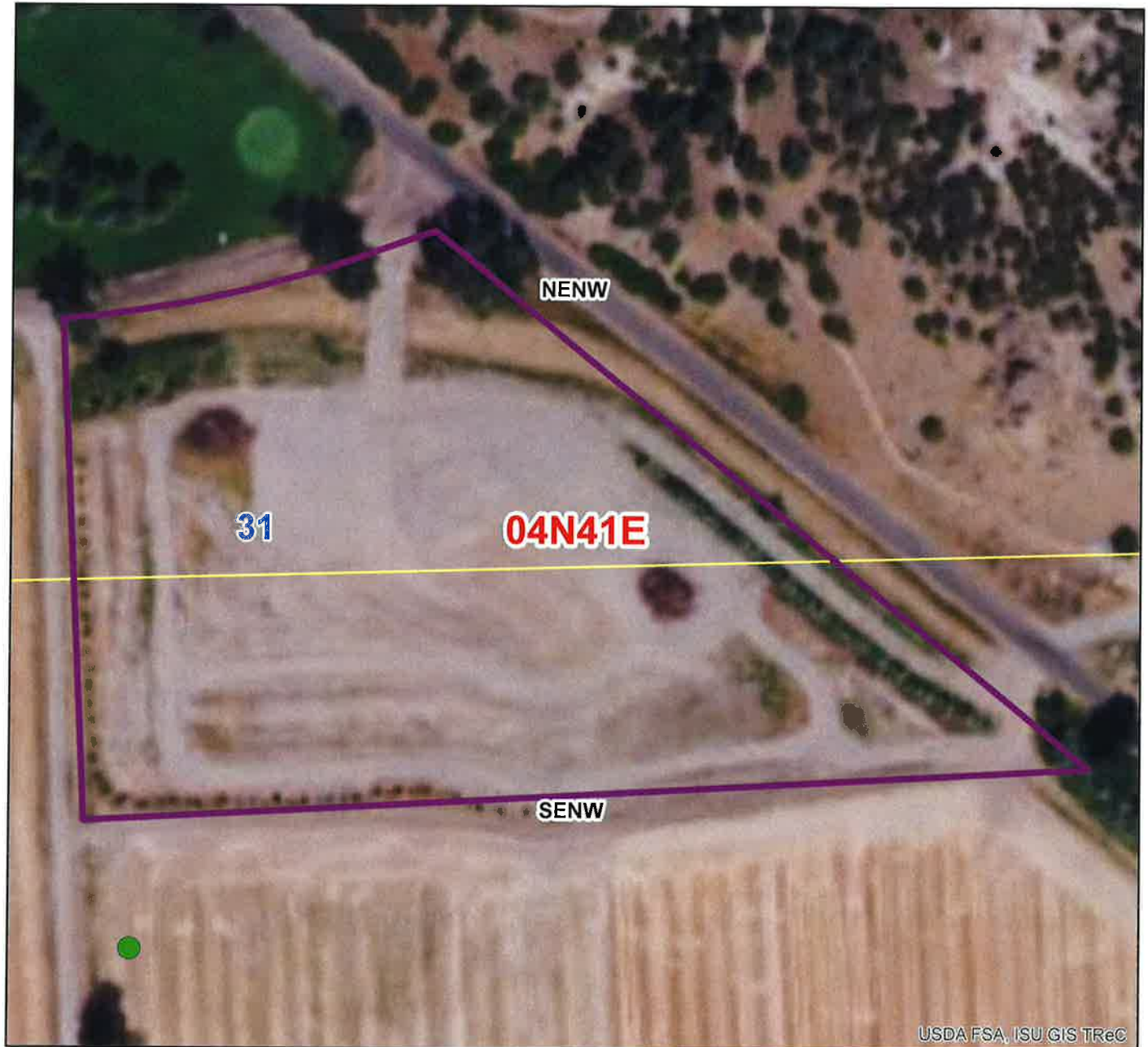
As Modified by Transfer No. 83127

CONDITIONS OF APPROVAL

4. 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.
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. Prior to the diversion and use of water under Transfer approval 83127, 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.
7. 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. 100.
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.

Attachment to Transfer Approval 83127

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.

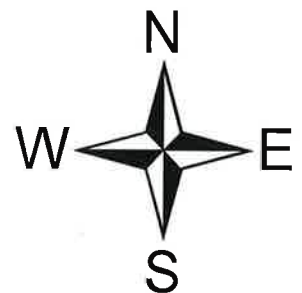


Legend

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

0 80 160 320 Feet

1 inch = 130 feet



Date: 7/3/2019