

Cefalo, James

From: Cefalo, James
Sent: Monday, April 08, 2019 4:41 PM
To: Rob Harris; 'Mike Telford'; James Speck; why@atcnet.net; andersenangus@gmail.com
Cc: Holliday, Michael
Subject: Application for Transfer 82318 (Telford Lands)
Attachments: Draft Approval - Transfer 82318.pdf; Staff Review Memo T82318.pdf

Dear Parties,

Attached is a draft approval document for Transfer 82318. Michael Holliday prepared the approval and tried to capture all of the elements contemplated by the agreements. As you can see, there are a number of combined limit conditions, some carried forward from the SRBA partial decrees and some created as a result of this transfer. I've also included the staff review memo prepared by Michael.

Please contact me if you find any errors or omissions by next Wednesday (April 17). If the approval is acceptable, I will move forward with approval by the end of next week.

James Cefalo
Water Resources Program Manager
IDWR Eastern Region
(208) 525-7161

DRAFT
4/8/2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 82318

DRAFT
4/8/2019

This is to certify that: MICHAEL S TELFORD AND
SHANNON J TELFORD
1450 W HIGHWAY 24
PAUL, ID 83347-8666
AND
TELFORD LANDS LLC
1450 W HWY 24
PAUL, ID 83347-8666

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>
34-10925	WR/DECREED	5/1/1982	7.600 cfs	N/A	536.0	1980.0	GROUND WATER
34-2401A	WR/DECREED	9/1/1961	3.700 cfs	N/A	188.0	277.0	GROUND WATER
34-2459	WR/DECREED	4/19/1965	4.170 cfs	N/A	238.0	1980.0	GROUND WATER
34-2460	WR/DECREED	4/19/1965	4.170 cfs	N/A	238.0	1980.0	GROUND WATER
34-2461	WR/DECREED	5/3/1965	2.080 cfs	N/A	119.0	1980.0	GROUND WATER
34-2462	WR/DECREED	5/3/1965	2.080 cfs	N/A	119.0	1980.0	GROUND WATER
34-4015	WR/DECREED	9/1/1961	1.640 cfs	N/A	N/A	277.0	GROUND WATER
34-7037	WR/DECREED	5/4/1973	12.000 cfs	N/A	1664.0	1980.0	GROUND WATER
34-7138	WR/DECREED	5/5/1976	16.000 cfs	N/A	1664.0	1980.0	BIG LOST RIVER

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>
34-10925	NO	NO	YES	YES	NO	NO
34-2401A	NO	NO	YES	YES	NO	NO
34-2459	NO	NO	YES	YES	NO	NO
34-2460	NO	NO	YES	YES	NO	NO
34-2461	NO	NO	YES	YES	NO	NO
34-2462	NO	NO	YES	YES	NO	NO
34-4015	NO	NO	YES	YES	NO	NO
34-7037	NO	NO	YES	YES	NO	NO
34-7138	NO	NO	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>
34-10925	34-10925	7.600 cfs	N/A	536.0	2223.8	N/A	N/A	N/A	N/A	N/A
34-2401A	34-2401A	3.700 cfs	N/A	188.0	2223.8	N/A	N/A	N/A	N/A	N/A

Transfer No. 82318

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4/8/2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82318

DRAFT
4/8/2019

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>
34-2459	34-2459	4.170 cfs	N/A	238.0	2223.8	N/A	N/A	N/A	N/A	N/A
34-2460	34-2460	4.170 cfs	N/A	238.0	2223.8	N/A	N/A	N/A	N/A	N/A
34-2461	34-2461	2.080 cfs	N/A	119.0	2223.8	N/A	N/A	N/A	N/A	N/A
34-2462	34-2462	2.080 cfs	N/A	119.0	2223.8	N/A	N/A	N/A	N/A	N/A
34-4015	34-4015	1.640 cfs	N/A	277.0	2223.8	N/A	N/A	N/A	N/A	N/A
34-7037	34-7037	12.000 cfs	N/A	1664.0	2223.8	N/A	N/A	N/A	N/A	N/A
34-7138	34-7138	16.000 cfs	N/A	1664.0	2223.8	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		45.840 cfs	9411.0 af	2223.8	2223.8		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 _____ day of _____.

Chief, Water Allocation Bureau

WATER RIGHT NO. 34-10925**As Modified by Transfer No. 82318**

In accordance with the approval of Transfer No. 82318, Water Right No. 34-10925 is now described as follows:

Right Holder: TELFORD LANDS LLC
1450 W HWY 24
PAUL, ID 83347-8666

Priority Date: 5/2/1982

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/01	to 10/31	7.600 cfs 7.600 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSESW	Sec 1 Twp 03N Rge 26E BUTTE County
GROUND WATER	NWNWNW	Sec 12 Twp 03N Rge 26E BUTTE County
GROUND WATER	SWSENW	Sec 2 Twp 03N Rge 26E BUTTE County
GROUND WATER	SESESW	Sec 2 Twp 03N Rge 26E BUTTE County
GROUND WATER	SWNWSW	Sec 2 Twp 03N Rge 26E BUTTE County
GROUND WATER	NENESE	Sec 3 Twp 03N Rge 26E BUTTE County
GROUND WATER	NESWSW	Sec 26 Twp 04N Rge 26E BUTTE 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	
03N	26E	9												14	2.6		28	39	83.6
03N	26E	10									5.9	16	40	40		7.1	36	2.2	147.2
03N	26E	14					40	33	40	40	40	40	40	40					313
03N	26E	15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
03N	26E	16	40	40	40	40									40	40	40	40	320
03N	26E	22	40	40	40	40	40	40	40	40									320
03N	26E	23					40	40	40	40	40			40	40	40	40	40	400

Right Acre Limit: 536.0
POU Total Acres: 2223.8

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 536 acres within the place of use described for this right.
2. Rights 34-2459, 34-2460, 34-2461, 34-2462, and 34-10925 when combined shall not exceed a total diversion rate of 12.5 cfs.
3. Rights 34-2459, 34-2460, 34-2461, 34-2462, 34-7037, 34-7138 and 34-10925 when combined shall not exceed a total annual maximum diversion volume of 8441.5 af and the irrigation of 1980 acres.

Transfer No. 82318

WATER RIGHT NO. 34-10925

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

4. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, and 34-10925 when combined shall not exceed a total diversion rate of 29.84 cfs and a total annual maximum diversion volume of 9411 af.
5. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, 34-7138, and 34-10925 when combined shall not exceed the irrigation of 2223.8 acres.
6. Diversion of water from the additional well authorized under Transfer 82318 located in NESWSW, Sec. 26, T04N, R26E shall not exceed a maximum diversion rate of 10 cfs.
7. Diversion of water from the wells authorized under Transfer 82318 located in NESWSW Sec 26, T04N R26E; SWSENW, SENESW, and SWNWSW Sec 2, NENESE Sec 3, SWSESW Sec 1, and NWNWNW Sec 12, T03N R26E, shall not exceed a total annual maximum diversion volume of 5306 af.
8. 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.
9. 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 Idaho Code § 42-1426. As between water rights decreed as enlargements pursuant to Idaho Code § 42-1426, the earlier priority right is the superior right.
10. This right is based upon an enlargement of Right Nos. 34-2459, 34-2460, 34-2461, and 34-2462 pursuant to Idaho Code § 42-1426.
11. Prior to the diversion and use of water under Transfer approval 82318, 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.
12. 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.
13. Use of water under this right will 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. 34.
14. 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.
15. The diversion and use of water described in Transfer 82318 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement 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.

WATER RIGHT NO. 34-10925
As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

16. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
17. The right holder shall construct the new well (the "Hansen Well") located in the NESWSW, Sec. 26, T4N, R26E, such that it shall either (1) be fully cased (no perforations in the casing) down to a depth of 100 feet below land surface and during the well construction have passed through a significant clay layer (one that is thicker than 10 feet as is described in the January 11, 2019 memo from Dennis Owsley specific to Transfer No. 82318); or (2) be fully cased (no perforations in the casing) down to a depth of 170 feet below land surface if no significant clay layer is encountered during the well construction. The Hansen Well must be sealed in accordance with IDAPA 37.03.09.025.07 down to the depth where perforations can begin. Specifically, the annular seal must be a minimum of 2 inches nominal in thickness for grout all around the casing (the grout will be tremied from the bottom up). If a dry bentonite seal is installed in lieu of a grout seal it must be installed to the casing depth (either down to 100 feet or 170 feet as described in this condition) in accordance with IDAPA 37.03.09.025.07 for dry bentonite, which requires that the nominal borehole diameter be at least 4 inches larger than the nominal casing diameter. Dry granular bentonite may not be placed through water and therefore may not be placed below the water table. If bentonite chips are used, they may be placed below the water table. However, if the seal extends 50 feet or greater below the water table, the nominal borehole diameter must be at least 6 inches greater than the nominal casing diameter as per IDAPA 37.03.09.025.07.g.
18. This right does not grant any right-of-way or easement across the land of another.
19. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
20. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
21. 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. 34-7138**As Modified by Transfer No. 82318**

In accordance with the approval of Transfer No. 82318, Water Right No. 34-7138 is now described as follows:

Right Holder: TELFORD LANDS LLC
1450 W HWY 24
PAUL, ID 83347-8666

Priority Date: 5/5/1976

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
5/01

To
to 10/15

Diversion Rate
16.000 cfs
16.000 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWNWNW Sec 26 Twp 04N Rge 26E BUTTE 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	
03N	26E	9												14	2.6		28	39	83.6
03N	26E	10									5.9	16	40	40		7.1	36	2.2	147.2
03N	26E	14					40	33	40	40		40	40	40					313
03N	26E	15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
03N	26E	16	40	40	40	40									40	40	40	40	320
03N	26E	22	40	40	40	40	40	40	40	40									320
03N	26E	23					40	40	40	40	40			40	40	40	40	40	400

Right Acre Limit: 1664.0

POU Total Acres: 2223.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1664 acres within the authorized place of use in a single irrigation season.
2. Rights 34-2459, 34-2460, 34-2461, 34-2462, 34-7037, 34-7138 and 34-10925 when combined shall not exceed a total annual maximum diversion volume of 8441.5 af and the irrigation of 1980 acres.
3. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, 34-7138, and 34-10925 when combined shall not exceed the irrigation of 2223.8 acres.
4. 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.

WATER RIGHT NO. 34-7138

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

5. Use of water under this right will 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. 34.
6. 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).
7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. The diversion and use of water described in Transfer 82318 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement 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.
9. Water is delivered through Munsey Ditch.
10. This right does not grant any right-of-way or easement across the land of another.
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.

WATER RIGHT NO. 34-2459**As Modified by Transfer No. 82318**

In accordance with the approval of Transfer No. 82318, Water Right No. 34-2459 is now described as follows:

Right Holder: TELFORD LANDS LLC
1450 W HWY 24
PAUL, ID 83347-8666

Priority Date: 4/19/1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/01	to 11/01	4.170 cfs 4.170 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSESW	Sec 1 Twp 03N Rge 26E BUTTE County
GROUND WATER	NWNWNW	Sec 12 Twp 03N Rge 26E BUTTE County
GROUND WATER	SWSENW	Sec 2 Twp 03N Rge 26E BUTTE County
GROUND WATER	SENESEW	Sec 2 Twp 03N Rge 26E BUTTE County
GROUND WATER	SWNWSW	Sec 2 Twp 03N Rge 26E BUTTE County
GROUND WATER	NENESE	Sec 3 Twp 03N Rge 26E BUTTE County
GROUND WATER	NESWSW	Sec 26 Twp 04N Rge 26E BUTTE 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	
03N	26E	9												14	2.6		28	39	83.6
03N	26E	10									5.9	16	40	40		7.1	36	2.2	147.2
03N	26E	14					40	33	40	40	40	40	40	40					313
03N	26E	15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
03N	26E	16	40	40	40	40									40	40	40	40	320
03N	26E	22	40	40	40	40	40	40	40	40									320
03N	26E	23					40	40	40	40	40			40	40	40	40	40	400

Right Acre Limit: 238.0

POU Total Acres: 2223.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 238 acres within the authorized place of use in a single irrigation season.
2. Rights 34-2459, 34-2460, 34-2461, 34-2462 and 34-7037 when combined shall not exceed the irrigation of 1664 acres.
3. Rights 34-2459, 34-2460, 34-2461, 34-2462, and 34-10925 when combined shall not exceed a total diversion rate of 12.5 cfs.

Transfer No. 82318

WATER RIGHT NO. 34-2459

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

4. Rights 34-2459, 34-2460, 34-2461, 34-2462, 34-7037, 34-7138 and 34-10925 when combined shall not exceed a total annual maximum diversion volume of 8441.5 af and the irrigation of 1980 acres.
5. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, and 34-10925 when combined shall not exceed a total diversion rate of 29.84 cfs and a total annual maximum diversion volume of 9411 af.
6. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, 34-7138, and 34-10925 when combined shall not exceed the irrigation of 2223.8 acres.
7. Diversion of water from the additional well authorized under Transfer 82318 located in NESWSW, Sec. 26, T04N, R26E shall not exceed a maximum diversion rate of 10 cfs.
8. Diversion of water from the wells authorized under Transfer 82318 located in NESWSW Sec 26, T04N R26E; SWSENW, SENESW, and SWNWSW Sec 2, NENESE Sec 3, SWSESW Sec 1, and NWNWNW Sec 12, T03N R26E, shall not exceed a total annual maximum diversion volume of 5306 af.
9. 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.
10. Prior to the diversion and use of water under Transfer approval 82318, 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.
11. 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.
12. Use of water under this right will 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. 34.
13. 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.
14. The diversion and use of water described in Transfer 82318 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement 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.
15. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 34-2459

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

16. The right holder shall construct the new well (the "Hansen Well") located in the NESWSW, Sec. 26, T4N, R26E, such that it shall either (1) be fully cased (no perforations in the casing) down to a depth of 100 feet below land surface and during the well construction have passed through a significant clay layer (one that is thicker than 10 feet as is described in the January 11, 2019 memo from Dennis Owsley specific to Transfer No. 82318); or (2) be fully cased (no perforations in the casing) down to a depth of 170 feet below land surface if no significant clay layer is encountered during the well construction. The Hansen Well must be sealed in accordance with IDAPA 37.03.09.025.07 down to the depth where perforations can begin. Specifically, the annular seal must be a minimum of 2 inches nominal in thickness for grout all around the casing (the grout will be tremied from the bottom up). If a dry bentonite seal is installed in lieu of a grout seal it must be installed to the casing depth (either down to 100 feet or 170 feet as described in this condition) in accordance with IDAPA 37.03.09.025.07 for dry bentonite, which requires that the nominal borehole diameter be at least 4 inches larger than the nominal casing diameter. Dry granular bentonite may not be placed through water and therefore may not be placed below the water table. If bentonite chips are used, they may be placed below the water table. However, if the seal extends 50 feet or greater below the water table, the nominal borehole diameter must be at least 6 inches greater than the nominal casing diameter as per IDAPA 37.03.09.025.07.g.
17. This right does not grant any right-of-way or easement across the land of another.
18. Right No. 34-10925 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
19. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
20. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
21. 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. 34-2460**As Modified by Transfer No. 82318**

In accordance with the approval of Transfer No. 82318, Water Right No. 34-2460 is now described as follows:

Right Holder: TELFORD LANDS LLC
1450 W HWY 24
PAUL, ID 83347-8666

Priority Date: 4/19/1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/01	to 11/01	4.170 cfs 4.170 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSESW	Sec 1 Twp 03N Rge 26E	BUTTE County
GROUND WATER	NWNWNW	Sec 12 Twp 03N Rge 26E	BUTTE County
GROUND WATER	SWSENW	Sec 2 Twp 03N Rge 26E	BUTTE County
GROUND WATER	SENESE	Sec 2 Twp 03N Rge 26E	BUTTE County
GROUND WATER	SWNWSW	Sec 2 Twp 03N Rge 26E	BUTTE County
GROUND WATER	NENESE	Sec 3 Twp 03N Rge 26E	BUTTE County
GROUND WATER	NESWSW	Sec 26 Twp 04N Rge 26E	BUTTE 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	
03N	26E	9												14	2.6		28	39	83.6
03N	26E	10									5.9	16	40	40		7.1	36	2.2	147.2
03N	26E	14					40	33	40	40	40	40	40	40					313
03N	26E	15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
03N	26E	16	40	40	40	40									40	40	40	40	320
03N	26E	22	40	40	40	40	40	40	40	40									320
03N	26E	23					40	40	40	40	40			40	40	40	40	40	400

Right Acre Limit: 238.0
POU Total Acres: 2223.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 238 acres within the authorized place of use in a single irrigation season.
2. Rights 34-2459, 34-2460, 34-2461, 34-2462 and 34-7037 when combined shall not exceed the irrigation of 1664 acres.
3. Rights 34-2459, 34-2460, 34-2461, 34-2462, and 34-10925 when combined shall not exceed a total diversion rate of 12.5 cfs.

Transfer No. 82318

WATER RIGHT NO. 34-2460

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

4. Rights 34-2459, 34-2460, 34-2461, 34-2462, 34-7037, 34-7138 and 34-10925 when combined shall not exceed a total annual maximum diversion volume of 8441.5 af and the irrigation of 1980 acres.
5. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, and 34-10925 when combined shall not exceed a total diversion rate of 29.84 cfs and a total annual maximum diversion volume of 9411 af.
6. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, 34-7138, and 34-10925 when combined shall not exceed the irrigation of 2223.8 acres.
7. Diversion of water from the additional well authorized under Transfer 82318 located in NESWSW, Sec. 26, T04N, R26E shall not exceed a maximum diversion rate of 10 cfs.
8. Diversion of water from the wells authorized under Transfer 82318 located in NESWSW Sec 26, T04N R26E; SWSENW, SENESW, and SWNWSW Sec 2, NENESE Sec 3, SWSESW Sec 1, and NWNWNW Sec 12, T03N R26E, shall not exceed a total annual maximum diversion volume of 5306 af.
9. 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.
10. Prior to the diversion and use of water under Transfer approval 82318, 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.
11. 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.
12. Use of water under this right will 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. 34.
13. 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.
14. The diversion and use of water described in Transfer 82318 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement 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.
15. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 34-2460

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

16. The right holder shall construct the new well (the "Hansen Well") located in the NESWSW, Sec. 26, T4N, R26E, such that it shall either (1) be fully cased (no perforations in the casing) down to a depth of 100 feet below land surface and during the well construction have passed through a significant clay layer (one that is thicker than 10 feet as is described in the January 11, 2019 memo from Dennis Owsley specific to Transfer No. 82318); or (2) be fully cased (no perforations in the casing) down to a depth of 170 feet below land surface if no significant clay layer is encountered during the well construction. The Hansen Well must be sealed in accordance with IDAPA 37.03.09.025.07 down to the depth where perforations can begin. Specifically, the annular seal must be a minimum of 2 inches nominal in thickness for grout all around the casing (the grout will be tremied from the bottom up). If a dry bentonite seal is installed in lieu of a grout seal it must be installed to the casing depth (either down to 100 feet or 170 feet as described in this condition) in accordance with IDAPA 37.03.09.025.07 for dry bentonite, which requires that the nominal borehole diameter be at least 4 inches larger than the nominal casing diameter. Dry granular bentonite may not be placed through water and therefore may not be placed below the water table. If bentonite chips are used, they may be placed below the water table. However, if the seal extends 50 feet or greater below the water table, the nominal borehole diameter must be at least 6 inches greater than the nominal casing diameter as per IDAPA 37.03.09.025.07.g.
17. This right does not grant any right-of-way or easement across the land of another.
18. Right No. 34-10925 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
19. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
20. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
21. 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. 34-2461**As Modified by Transfer No. 82318**

In accordance with the approval of Transfer No. 82318, Water Right No. 34-2461 is now described as follows:

Right Holder: TELFORD LANDS LLC
1450 W HWY 24
PAUL, ID 83347-8666

Priority Date: 5/3/1965

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
2.080 cfs
2.080 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSESW	Sec 1 Twp 03N Rge 26E BUTTE County
GROUND WATER	NWNWNW	Sec 12 Twp 03N Rge 26E BUTTE County
GROUND WATER	SWSESW	Sec 2 Twp 03N Rge 26E BUTTE County
GROUND WATER	SESESW	Sec 2 Twp 03N Rge 26E BUTTE County
GROUND WATER	SWNWSW	Sec 2 Twp 03N Rge 26E BUTTE County
GROUND WATER	NENESE	Sec 3 Twp 03N Rge 26E BUTTE County
GROUND WATER	NESWSW	Sec 26 Twp 04N Rge 26E BUTTE 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	
03N	26E	9												14	2.6		28	39	83.6
03N	26E	10									5.9	16	40	40		7.1	36	2.2	147.2
03N	26E	14					40	33	40	40	40	40	40	40					313
03N	26E	15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
03N	26E	16	40	40	40	40									40	40	40	40	320
03N	26E	22	40	40	40	40	40	40	40	40									320
03N	26E	23					40	40	40	40	40			40	40	40	40	40	400

Right Acre Limit: 119.0

POU Total Acres: 2223.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 119 acres within the authorized place of use in a single irrigation season.
2. Rights 34-2459, 34-2460, 34-2461, 34-2462 and 34-7037 when combined shall not exceed the irrigation of 1664 acres.
3. Rights 34-2459, 34-2460, 34-2461, 34-2462, and 34-10925 when combined shall not exceed a total diversion rate of 12.5 cfs.

Transfer No. 82318

WATER RIGHT NO. 34-2461

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

4. Rights 34-2459, 34-2460, 34-2461, 34-2462, 34-7037, 34-7138 and 34-10925 when combined shall not exceed a total annual maximum diversion volume of 8441.5 af and the irrigation of 1980 acres.
5. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, and 34-10925 when combined shall not exceed a total diversion rate of 29.84 cfs and a total annual maximum diversion volume of 9411 af.
6. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, 34-7138, and 34-10925 when combined shall not exceed the irrigation of 2223.8 acres.
7. Diversion of water from the additional well authorized under Transfer 82318 located in NESWSW, Sec. 26, T04N, R26E shall not exceed a maximum diversion rate of 10 cfs.
8. Diversion of water from the wells authorized under Transfer 82318 located in NESWSW Sec 26, T04N R26E; SWSENW, SENESW, and SWNWSW Sec 2, NENESE Sec 3, SWSESW Sec 1, and NWNWNW Sec 12, T03N R26E, shall not exceed a total annual maximum diversion volume of 5306 af.
9. 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.
10. Prior to the diversion and use of water under Transfer approval 82318, 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.
11. 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.
12. Use of water under this right will 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. 34.
13. 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.
14. The diversion and use of water described in Transfer 82318 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement 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.
15. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 34-2461

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

16. The right holder shall construct the new well (the "Hansen Well") located in the NESWSW, Sec. 26, T4N, R26E, such that it shall either (1) be fully cased (no perforations in the casing) down to a depth of 100 feet below land surface and during the well construction have passed through a significant clay layer (one that is thicker than 10 feet as is described in the January 11, 2019 memo from Dennis Owsley specific to Transfer No. 82318); or (2) be fully cased (no perforations in the casing) down to a depth of 170 feet below land surface if no significant clay layer is encountered during the well construction. The Hansen Well must be sealed in accordance with IDAPA 37.03.09.025.07 down to the depth where perforations can begin. Specifically, the annular seal must be a minimum of 2 inches nominal in thickness for grout all around the casing (the grout will be tremied from the bottom up). If a dry bentonite seal is installed in lieu of a grout seal it must be installed to the casing depth (either down to 100 feet or 170 feet as described in this condition) in accordance with IDAPA 37.03.09.025.07 for dry bentonite, which requires that the nominal borehole diameter be at least 4 inches larger than the nominal casing diameter. Dry granular bentonite may not be placed through water and therefore may not be placed below the water table. If bentonite chips are used, they may be placed below the water table. However, if the seal extends 50 feet or greater below the water table, the nominal borehole diameter must be at least 6 inches greater than the nominal casing diameter as per IDAPA 37.03.09.025.07.g.
17. This right does not grant any right-of-way or easement across the land of another.
18. Right No. 34-10925 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
19. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
20. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
21. 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. 34-2462**As Modified by Transfer No. 82318**

In accordance with the approval of Transfer No. 82318, Water Right No. 34-2462 is now described as follows:

Right Holder: TELFORD LANDS LLC
1450 W HWY 24
PAUL, ID 83347-8666

Priority Date: 5/3/1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/01	to 11/01	2.080 cfs 2.080 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSESW	Sec 1 Twp 03N Rge 26E BUTTE County
GROUND WATER	NWNWNW	Sec 12 Twp 03N Rge 26E BUTTE County
GROUND WATER	SWSENW	Sec 2 Twp 03N Rge 26E BUTTE County
GROUND WATER	SENESW	Sec 2 Twp 03N Rge 26E BUTTE County
GROUND WATER	SWNWSW	Sec 2 Twp 03N Rge 26E BUTTE County
GROUND WATER	NENESE	Sec 3 Twp 03N Rge 26E BUTTE County
GROUND WATER	NESWSW	Sec 26 Twp 04N Rge 26E BUTTE 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	
03N	26E	9												14	2.6		28	39	83.6
03N	26E	10									5.9	16	40	40		7.1	36	2.2	147.2
03N	26E	14					40	33	40	40	40	40	40	40					313
03N	26E	15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
03N	26E	16	40	40	40	40									40	40	40	40	320
03N	26E	22	40	40	40	40	40	40	40	40									320
03N	26E	23					40	40	40	40	40			40	40	40	40	40	400

Right Acre Limit: 119.0
POU Total Acres: 2223.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 119 acres within the authorized place of use in a single irrigation season.
2. Rights 34-2459, 34-2460, 34-2461, 34-2462 and 34-7037 when combined shall not exceed the irrigation of 1664 acres.
3. Rights 34-2459, 34-2460, 34-2461, 34-2462, and 34-10925 when combined shall not exceed a total diversion rate of 12.5 cfs.

Transfer No. 82318

WATER RIGHT NO. 34-2462

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

4. Rights 34-2459, 34-2460, 34-2461, 34-2462, 34-7037, 34-7138 and 34-10925 when combined shall not exceed a total annual maximum diversion volume of 8441.5 af and the irrigation of 1980 acres.
5. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, and 34-10925 when combined shall not exceed a total diversion rate of 29.84 cfs and a total annual maximum diversion volume of 9411 af.
6. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, 34-7138, and 34-10925 when combined shall not exceed the irrigation of 2223.8 acres.
7. Diversion of water from the additional well authorized under Transfer 82318 located in NESWSW, Sec. 26, T04N, R26E shall not exceed a maximum diversion rate of 10 cfs.
8. Diversion of water from the wells authorized under Transfer 82318 located in NESWSW Sec 26, T04N R26E; SWSENW, SENESW, and SWNWSW Sec 2, NENESE Sec 3, SWSESW Sec 1, and NWNWNW Sec 12, T03N R26E, shall not exceed a total annual maximum diversion volume of 5306 af.
9. 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.
10. Prior to the diversion and use of water under Transfer approval 82318, 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.
11. 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.
12. Use of water under this right will 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. 34.
13. 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.
14. The diversion and use of water described in Transfer 82318 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement 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.
15. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 34-2462

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

16. The right holder shall construct the new well (the "Hansen Well") located in the NESWSW, Sec. 26, T4N, R26E, such that it shall either (1) be fully cased (no perforations in the casing) down to a depth of 100 feet below land surface and during the well construction have passed through a significant clay layer (one that is thicker than 10 feet as is described in the January 11, 2019 memo from Dennis Owsley specific to Transfer No. 82318); or (2) be fully cased (no perforations in the casing) down to a depth of 170 feet below land surface if no significant clay layer is encountered during the well construction. The Hansen Well must be sealed in accordance with IDAPA 37.03.09.025.07 down to the depth where perforations can begin. Specifically, the annular seal must be a minimum of 2 inches nominal in thickness for grout all around the casing (the grout will be tremied from the bottom up). If a dry bentonite seal is installed in lieu of a grout seal it must be installed to the casing depth (either down to 100 feet or 170 feet as described in this condition) in accordance with IDAPA 37.03.09.025.07 for dry bentonite, which requires that the nominal borehole diameter be at least 4 inches larger than the nominal casing diameter. Dry granular bentonite may not be placed through water and therefore may not be placed below the water table. If bentonite chips are used, they may be placed below the water table. However, if the seal extends 50 feet or greater below the water table, the nominal borehole diameter must be at least 6 inches greater than the nominal casing diameter as per IDAPA 37.03.09.025.07.g.
17. This right does not grant any right-of-way or easement across the land of another.
18. Right No. 34-10925 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
19. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
20. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
21. 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. 34-7037**As Modified by Transfer No. 82318**

In accordance with the approval of Transfer No. 82318, Water Right No. 34-7037 is now described as follows:

Right Holder: TELFORD LANDS LLC
1450 W HWY 24
PAUL, ID 83347-8666

Priority Date: 5/4/1973

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
4/15

To
to 10/15

Diversion Rate
12.000 cfs
12.000 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSESW	Sec 1 Twp 03N Rge 26E	BUTTE County	
GROUND WATER	NWNWNW	Sec 12 Twp 03N Rge 26E	BUTTE County	
GROUND WATER	SWSESW	Sec 2 Twp 03N Rge 26E	BUTTE County	
GROUND WATER	SESESW	Sec 2 Twp 03N Rge 26E	BUTTE County	
GROUND WATER	SWNWSW	Sec 2 Twp 03N Rge 26E	BUTTE County	
GROUND WATER	NENESE	Sec 3 Twp 03N Rge 26E	BUTTE County	
GROUND WATER	NWNWNW	Sec 26 Twp 04N Rge 26E	BUTTE County	(I)
GROUND WATER	NWNWNW	Sec 26 Twp 04N Rge 26E	BUTTE County	(R)
GROUND WATER	NESWSW	Sec 26 Twp 04N Rge 26E	BUTTE County	
GROUND WATER	NESESW	Sec 3 Twp 04N Rge 26E	BUTTE County	
GROUND WATER	NWNENW	Sec 15 Twp 05N Rge 26E	BUTTE County	
GROUND WATER	SESESW	Sec 34 Twp 05N Rge 26E	BUTTE 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	
03N	26E	9												14	2.6		28	39	83.6
03N	26E	10									5.9	16	40	40		7.1	36	2.2	147.2
03N	26E	14					40	33	40	40	40	40	40	40					313
03N	26E	15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
03N	26E	16	40	40	40	40									40	40	40	40	320
03N	26E	22	40	40	40	40	40	40	40	40									320
03N	26E	23					40	40	40	40	40			40	40	40	40	40	400

Right Acre Limit: 1664.0

POU Total Acres: 2223.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1664 acres within the authorized place of use in a single irrigation season.

Transfer No. 82318

WATER RIGHT NO. 34-7037
As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

2. Rights 34-2459, 34-2460, 34-2461, 34-2462 and 34-7037 when combined shall not exceed the irrigation of 1664 acres.
3. Rights 34-2459, 34-2460, 34-2461, 34-2462, 34-7037, 34-7138 and 34-10925 when combined shall not exceed a total annual maximum diversion volume of 8441.5 af and the irrigation of 1980 acres.
4. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, and 34-10925 when combined shall not exceed a total diversion rate of 29.84 cfs and a total annual maximum diversion volume of 9411 af.
5. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, 34-7138, and 34-10925 when combined shall not exceed the irrigation of 2223.8 acres.
6. Diversion of water from the additional well authorized under Transfer 82318 located in NESWSW, Sec. 26, T04N, R26E shall not exceed a maximum diversion rate of 10 cfs.
7. Diversion of water from the wells authorized under Transfer 82318 located in NWNENW Sec. 15 and SENWSW Sec. 34, T5N, R26E, and NESENW Sec. 3, T4N, R26E shall not exceed a total combined maximum diversion rate of 17.34 cfs and a total annual maximum diversion volume of 5349 af.
8. Diversion of water from the wells authorized under Transfer 82318 located in NESWSW Sec 26, T04N R26E; SWSENW, SENESW, and SWNWSW Sec 2, NENESE Sec 3, SWSESW Sec 1, and NWNWNW Sec 12, T03N R26E, shall not exceed a total annual maximum diversion volume of 5306 af.
9. 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.
10. Prior to the diversion and use of water under Transfer approval 82318, 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.
11. 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.
12. Use of water under this right will 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. 34.
13. 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.
14. Point of injection into and point of rediversion from Big Lost River.

WATER RIGHT NO. 34-7037

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

15. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/14/2001.
16. The diversion and use of water described in Transfer 82318 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement 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.
17. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
18. The right holder shall construct the new well (the "Hansen Well") located in the NESWSW, Sec. 26, T4N, R26E, such that it shall either (1) be fully cased (no perforations in the casing) down to a depth of 100 feet below land surface and during the well construction have passed through a significant clay layer (one that is thicker than 10 feet as is described in the January 11, 2019 memo from Dennis Owsley specific to Transfer No. 82318); or (2) be fully cased (no perforations in the casing) down to a depth of 170 feet below land surface if no significant clay layer is encountered during the well construction. The Hansen Well must be sealed in accordance with IDAPA 37.03.09.025.07 down to the depth where perforations can begin. Specifically, the annular seal must be a minimum of 2 inches nominal in thickness for grout all around the casing (the grout will be tremied from the bottom up). If a dry bentonite seal is installed in lieu of a grout seal it must be installed to the casing depth (either down to 100 feet or 170 feet as described in this condition) in accordance with IDAPA 37.03.09.025.07 for dry bentonite, which requires that the nominal borehole diameter be at least 4 inches larger than the nominal casing diameter. Dry granular bentonite may not be placed through water and therefore may not be placed below the water table. If bentonite chips are used, they may be placed below the water table. However, if the seal extends 50 feet or greater below the water table, the nominal borehole diameter must be at least 6 inches greater than the nominal casing diameter as per IDAPA 37.03.09.025.07.g.
19. This right does not grant any right-of-way or easement across the land of another.
20. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
21. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
22. 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. 34-4015**As Modified by Transfer No. 82318**

In accordance with the approval of Transfer No. 82318, Water Right No. 34-4015 is now described as follows:

Right Holder: MICHAEL S TELFORD AND
SHANNON J TELFORD
1450 W HIGHWAY 24
PAUL, ID 83347-8666

Priority Date: 9/1/1961

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 4/01 **To** 10/31

Diversion Rate
1.640 cfs
1.640 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSESW	Sec 1 Twp 03N Rge 26E BUTTE County	
GROUND WATER	NWNWNW	Sec 12 Twp 03N Rge 26E BUTTE County	
GROUND WATER	SWSSENW	Sec 2 Twp 03N Rge 26E BUTTE County	
GROUND WATER	SESESW	Sec 2 Twp 03N Rge 26E BUTTE County	
GROUND WATER	SWNWSW	Sec 2 Twp 03N Rge 26E BUTTE County	
GROUND WATER	NENESE	Sec 3 Twp 03N Rge 26E BUTTE County	
GROUND WATER	NWNWNW	Sec 26 Twp 04N Rge 26E BUTTE County	(I)
GROUND WATER	NWNWNW	Sec 26 Twp 04N Rge 26E BUTTE County	(R)
GROUND WATER	NESWSW	Sec 26 Twp 04N Rge 26E BUTTE County	
GROUND WATER	NESENW	Sec 3 Twp 04N Rge 26E BUTTE County	
GROUND WATER	NWNENW	Sec 15 Twp 05N Rge 26E BUTTE County	
GROUND WATER	SENWSW	Sec 34 Twp 05N Rge 26E BUTTE 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	
03N	26E	9												14	2.6		28	39	83.6
03N	26E	10									5.9	16	40	40		7.1	36	2.2	147.2
03N	26E	14					40	33	40	40	40	40	40	40					313
03N	26E	15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
03N	26E	16	40	40	40	40									40	40	40	40	320
03N	26E	22	40	40	40	40	40	40	40	40									320
03N	26E	23					40	40	40	40	40			40	40	40	40	40	400

Right Acre Limit: 277.0

POU Total Acres: 2223.8

CONDITIONS OF APPROVAL

1. Rights 34-2401A and 34-4015 when combined shall not exceed a total annual maximum diversion volume of 969.5 af and the irrigation of 277 acres.

Transfer No. 82318

WATER RIGHT NO. 34-4015

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

2. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, and 34-10925 when combined shall not exceed a total diversion rate of 29.84 cfs and a total annual maximum diversion volume of 9411 af.
3. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, 34-7138, and 34-10925 when combined shall not exceed the irrigation of 2223.8 acres.
4. Diversion of water from the additional well authorized under Transfer 82318 located in NESWSW, Sec. 26, T04N, R26E shall not exceed a maximum diversion rate of 10 cfs.
5. Diversion of water from the wells authorized under Transfer 82318 located in NWNENW Sec. 15 and SENWSW Sec. 34, T5N, R26E, and NESENW Sec. 3, T4N, R26E shall not exceed a total combined maximum diversion rate of 17.34 cfs and a total annual maximum diversion volume of 5349 af.
6. Diversion of water from the wells authorized under Transfer 82318 located in NESWSW Sec 26, T04N R26E; SWSENW, SENESW, and SWNWSW Sec 2, NENESE Sec 3, SWSESW Sec 1, and NWNWNW Sec 12, T03N R26E, shall not exceed a total annual maximum diversion volume of 5306 af.
7. 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.
8. Prior to the diversion and use of water under Transfer approval 82318, 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.
9. 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.
10. Use of water under this right will 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. 34.
11. 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.
12. Point of injection into and point of rediversion from Big Lost River.
13. The diversion and use of water described in Transfer 82318 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement 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.

WATER RIGHT NO. 34-4015
As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

14. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
15. The right holder shall construct the new well (the "Hansen Well") located in the NESWSW, Sec. 26, T4N, R26E, such that it shall either (1) be fully cased (no perforations in the casing) down to a depth of 100 feet below land surface and during the well construction have passed through a significant clay layer (one that is thicker than 10 feet as is described in the January 11, 2019 memo from Dennis Owsley specific to Transfer No. 82318); or (2) be fully cased (no perforations in the casing) down to a depth of 170 feet below land surface if no significant clay layer is encountered during the well construction. The Hansen Well must be sealed in accordance with IDAPA 37.03.09.025.07 down to the depth where perforations can begin. Specifically, the annular seal must be a minimum of 2 inches nominal in thickness for grout all around the casing (the grout will be tremied from the bottom up). If a dry bentonite seal is installed in lieu of a grout seal it must be installed to the casing depth (either down to 100 feet or 170 feet as described in this condition) in accordance with IDAPA 37.03.09.025.07 for dry bentonite, which requires that the nominal borehole diameter be at least 4 inches larger than the nominal casing diameter. Dry granular bentonite may not be placed through water and therefore may not be placed below the water table. If bentonite chips are used, they may be placed below the water table. However, if the seal extends 50 feet or greater below the water table, the nominal borehole diameter must be at least 6 inches greater than the nominal casing diameter as per IDAPA 37.03.09.025.07.g.
16. This right does not grant any right-of-way or easement across the land of another.
17. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
18. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
19. 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. 34-2401A**As Modified by Transfer No. 82318**

In accordance with the approval of Transfer No. 82318, Water Right No. 34-2401A is now described as follows:

Right Holder: MICHAEL S TELFORD AND
SHANNON J TELFORD
1450 W HIGHWAY 24
PAUL, ID 83347-8666

Priority Date: 9/1/1961

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 4/01 **To** 10/31

Diversion Rate
3,700 cfs
3,700 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSESW	Sec 1 Twp 03N Rge 26E BUTTE County	
GROUND WATER	NWNWNW	Sec 12 Twp 03N Rge 26E BUTTE County	
GROUND WATER	SWSESW	Sec 2 Twp 03N Rge 26E BUTTE County	
GROUND WATER	SESESW	Sec 2 Twp 03N Rge 26E BUTTE County	
GROUND WATER	SWNWSW	Sec 2 Twp 03N Rge 26E BUTTE County	
GROUND WATER	NENESE	Sec 3 Twp 03N Rge 26E BUTTE County	
GROUND WATER	NWNWNW	Sec 26 Twp 04N Rge 26E BUTTE County	(I)
GROUND WATER	NWNWNW	Sec 26 Twp 04N Rge 26E BUTTE County	(R)
GROUND WATER	NESWSW	Sec 26 Twp 04N Rge 26E BUTTE County	
GROUND WATER	NESESW	Sec 3 Twp 04N Rge 26E BUTTE County	
GROUND WATER	NWNENW	Sec 15 Twp 05N Rge 26E BUTTE County	
GROUND WATER	SESESW	Sec 34 Twp 05N Rge 26E BUTTE 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	
03N	26E	9												14	2.6		28	39	83.6
03N	26E	10									5.9	16	40	40		7.1	36	2.2	147.2
03N	26E	14					40	33	40	40	40	40	40	40					313
03N	26E	15	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
03N	26E	16	40	40	40	40									40	40	40	40	320
03N	26E	22	40	40	40	40	40	40	40	40									320
03N	26E	23					40	40	40	40	40			40	40	40	40	40	400

Right Acre Limit: 188.0
POU Total Acres: 2223.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 188 acres within the authorized place of use in a single irrigation season.

Transfer No. 82318

WATER RIGHT NO. 34-2401A
As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

2. Rights 34-2401A and 34-4015 when combined shall not exceed a total annual maximum diversion volume of 969.5 af and the irrigation of 277 acres.
3. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, and 34-10925 when combined shall not exceed a total diversion rate of 29.84 cfs and a total annual maximum diversion volume of 9411 af.
4. Rights 34-2401A, 34-2459, 34-2460, 34-2461, 34-2462, 34-4015, 34-7037, 34-7138, and 34-10925 when combined shall not exceed the irrigation of 2223.8 acres.
5. Diversion of water from the additional well authorized under Transfer 82318 located in NESWSW, Sec. 26, T04N, R26E shall not exceed a maximum diversion rate of 10 cfs.
6. Diversion of water from the wells authorized under Transfer 82318 located in NWNENW Sec. 15 and SENWSW Sec. 34, T5N, R26E, and NESENW Sec. 3, T4N, R26E shall not exceed a total combined maximum diversion rate of 17.34 cfs and a total annual maximum diversion volume of 5349 af.
7. Diversion of water from the wells authorized under Transfer 82318 located in NESWSW Sec 26, T04N R26E; SWSENW, SENESW, and SWNWSW Sec 2, NENESE Sec 3, SWSESW Sec 1, and NWNWNW Sec 12, T03N R26E, shall not exceed a total annual maximum diversion volume of 5306 af.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 82318, 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.
10. 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.
11. Use of water under this right will 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. 34.
12. 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.
13. Point of injection into and point of rediversion from Big Lost River.

WATER RIGHT NO. 34-2401A

As Modified by Transfer No. 82318

CONDITIONS OF APPROVAL

14. The diversion and use of water described in Transfer 82318 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement 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.
15. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
16. The right holder shall construct the new well (the "Hansen Well") located in the NESWSW, Sec. 26, T4N, R26E, such that it shall either (1) be fully cased (no perforations in the casing) down to a depth of 100 feet below land surface and during the well construction have passed through a significant clay layer (one that is thicker than 10 feet as is described in the January 11, 2019 memo from Dennis Owsley specific to Transfer No. 82318); or (2) be fully cased (no perforations in the casing) down to a depth of 170 feet below land surface if no significant clay layer is encountered during the well construction. The Hansen Well must be sealed in accordance with IDAPA 37.03.09.025.07 down to the depth where perforations can begin. Specifically, the annular seal must be a minimum of 2 inches nominal in thickness for grout all around the casing (the grout will be tremied from the bottom up). If a dry bentonite seal is installed in lieu of a grout seal it must be installed to the casing depth (either down to 100 feet or 170 feet as described in this condition) in accordance with IDAPA 37.03.09.025.07 for dry bentonite, which requires that the nominal borehole diameter be at least 4 inches larger than the nominal casing diameter. Dry granular bentonite may not be placed through water and therefore may not be placed below the water table. If bentonite chips are used, they may be placed below the water table. However, if the seal extends 50 feet or greater below the water table, the nominal borehole diameter must be at least 6 inches greater than the nominal casing diameter as per IDAPA 37.03.09.025.07.g.
17. This right does not grant any right-of-way or easement across the land of another.
18. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
19. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
20. 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.