

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82996

This is to certify that: BYRNE FARM LLC
8633 S 1600 E
REXBURG, ID 83440

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>
22-7706	WR/LICENSE	4/12/1991	1.720 cfs	N/A	N/A	86.0	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>
22-7706	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>
22-7706	22-7706	1.720 cfs	N/A	N/A	86.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.720 cfs	N/A	N/A	86.0		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 8th day of February, 2019.


Water Resources Program Manager

WATER RIGHT NO. 22-7706
As Modified by Transfer No. 82996

In accordance with the approval of Transfer No. 82996, Water Right No. 22-7706 is now described as follows:

Right Holder: BYRNE FARM LLC
 8633 S 1600 E
 REXBURG, ID 83440

Priority Date: 4/12/1991

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 4/15

To
 to 10/15

Diversion Rate
 1.720 cfs
 1.720 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSW Sec 3 Twp 04N Rge 40E MADISON 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	40E	3						16.0	25.0	5.0	17.0	10.0							73.0
								L 4											
04N	40E	4	5.0																5.0
			L 1																
05N	40E	33																8.0	8.0

POU Total Acres: 86.0

CONDITIONS OF APPROVAL

1. 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 301 af at the field headgate for the place of use.
2. Rights 22-7654 and 22-7706 when combined shall not exceed a total diversion rate of 1.76 cfs and a total annual maximum diversion volume of 641.2 af at the field headgate.

WATER RIGHT NO. 22-7706

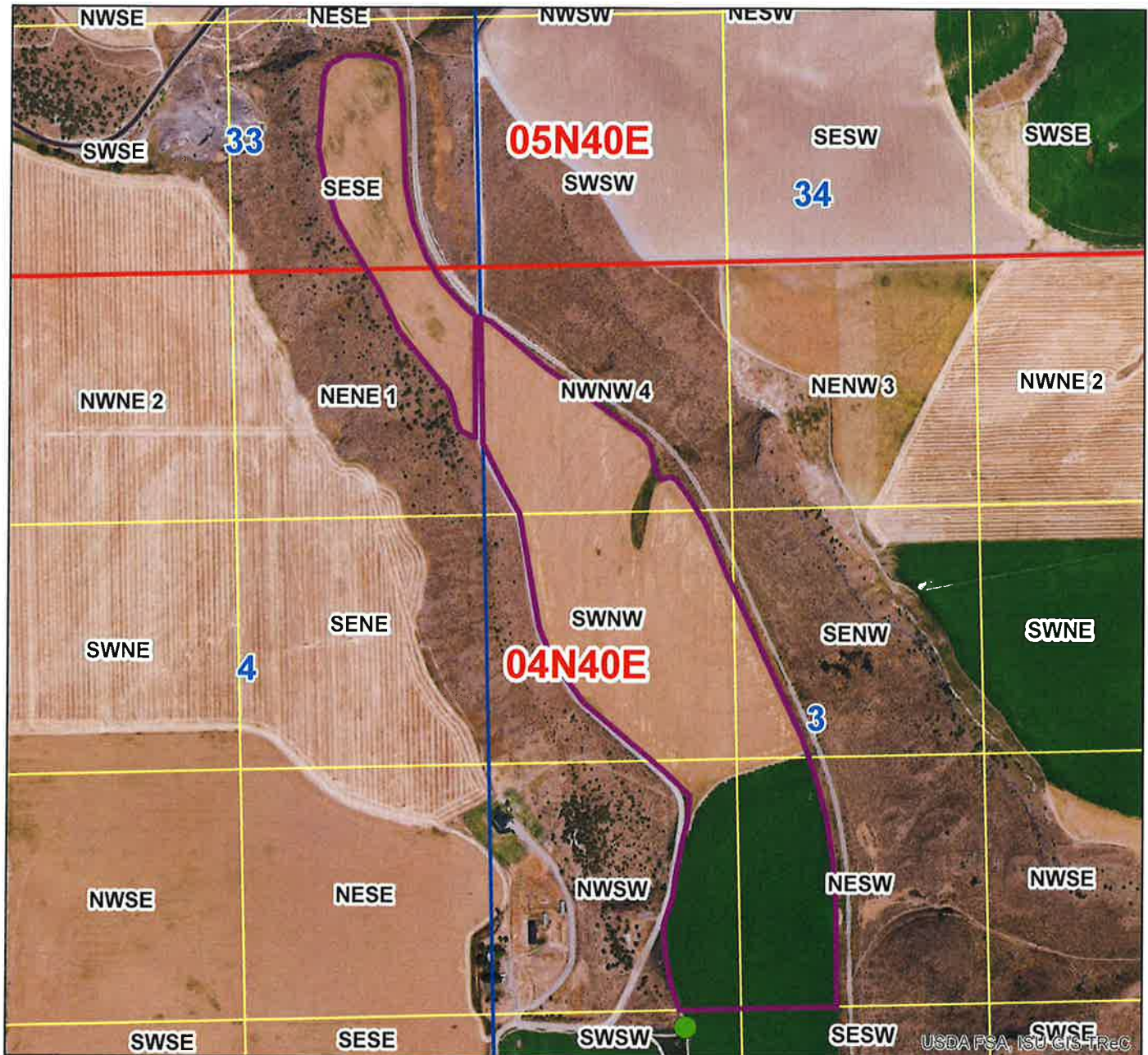
As Modified by Transfer No. 82996

CONDITIONS OF APPROVAL

3. 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.
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. 100.
5. Prior to the diversion and use of water under Transfer approval 82996, 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.
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. 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.

Attachment to Transfer Approval 82996

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.

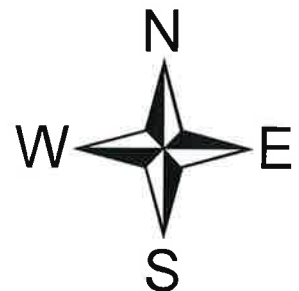


Legend

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

0 500 1,000 2,000 Feet

1 inch = 837 feet



Date: 2/8/2019