

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82369

This is to certify that: KINPORT MANAGEMENT
PO BOX 2082
POCATELLO, ID 83206

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>
29-2470	WR/DECREED	12/11/1962	2.820 cfs	954.6 af	N/A	192.0	GROUND WATER
29-2565	WR/DECREED	9/12/1961	0.27 cfs	130.9 af	83.0	409.0	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>
29-2470	NO	NO	YES	NO	NO	NO
29-2565	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>
29-2470	29-2470	2.820 cfs	954.6 af	192.0	235.0	N/A	N/A	N/A	N/A	N/A
29-2565	29-14261	0.140 cfs	67.8 af	43.0	235.0	29-2565	0.130 cfs	63.1 af	40.0	409.0
COMBINED TOTALS		2.960 cfs	1022.4 af	235.0	235.0		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 5th day of February, 2019.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 82369

IN FILE #

29-2470

WATER RIGHT NO. 29-2470
As Modified by Transfer No. 82369

In accordance with the approval of Transfer No. 82369, Water Right No. 29-2470 is now described as follows:

Right Holder: JACOB ANDERSEN FARM LLC
 1170 LUSK LOOP
 ARBON, ID 83212

Priority Date: 12/11/1962

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
 2,820 cfs
 2,820 cfs

Diversion Volume
 954.6 af
 954.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L4 (SWSWSW) Sec 31 Twp 10S Rge 34E POWER 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	
10S	34E	31					30.0	23.0	23.0	29.0	34.0	28.0	30.0	38.0					235.0
							L 1	L 2				L 3	L 4						

Right Acre Limit: 192.0

POU Total Acres: 235.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 192 acres within the authorized place of use in a single irrigation season.
2. Rights 29-2470 and 29-14261 when combined shall not exceed the irrigation of 235 acres.
3. This ground water right is entitled to the protections of paragraph x.c. of water right 29-12052.
4. The diversion and use of water described in Transfer 82369 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.
5. 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. 290.

Transfer No. 82369

WATER RIGHT NO. 29-2470
As Modified by Transfer No. 82369

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 82369, 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. 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.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 29-2565**As Modified by Transfer No. 82369**

In accordance with the approval of Transfer No. 82369, Water Right No. 29-2565 is now described as follows:

Right Holder: JACOB ANDERSEN FARM LLC
1170 LUSK LOOP
ARBON, ID 83212

Priority Date: 9/12/1961

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

0.130 cfs

0.130 cfs

Diversion Volume

63.1 af

63.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

NWNESE
NENWSE

Sec 7 Twp 10S Rge 34E POWER County
Sec 7 Twp 10S Rge 34E POWER County

(R)

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	
10S	34E	7	28.0		35.0	36.0									31.0	27.0	39.0		196.0
10S	34E	8			29.0		6.0	39.0	40.0	20.0	39.0	40.0							213.0

Right Acre Limit: 40.0

POU Total Acres: 409.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. This ground water right is entitled to the protections of paragraph x.c. of water right 29-12052.
3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Transfer No. 82369

WATER RIGHT NO. 29-14261**As Modified by Transfer No. 82369**

In accordance with the approval of Transfer No. 82369, Water Right No. 29-14261 is now described as follows:

Right Holder: JACOB ANDERSEN FARM LLC
1170 LUSK LOOP
ARBON, ID 83212

Priority Date: 9/12/1961

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

0.140 cfs

0.140 cfs

Diversion Volume

67.8 af

67.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L4 (SWSWSW) Sec 31 Twp 10S Rge 34E POWER 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	
10S	34E	31					30.0	23.0	23.0	29.0	34.0	28.0	30.0	38.0					235.0
							L 1	L 2				L 3	L 4						

Right Acre Limit: 43.0

POU Total Acres: 235.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 43 acres within the authorized place of use in a single irrigation season.
2. Rights 29-2470 and 29-14261 when combined shall not exceed the irrigation of 235 acres.
3. This ground water right is entitled to the protections of paragraph x.c. of water right 29-12052.
4. The diversion and use of water described in Transfer 82369 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.
5. 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. 290.

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WATER RIGHT NO. 29-14261

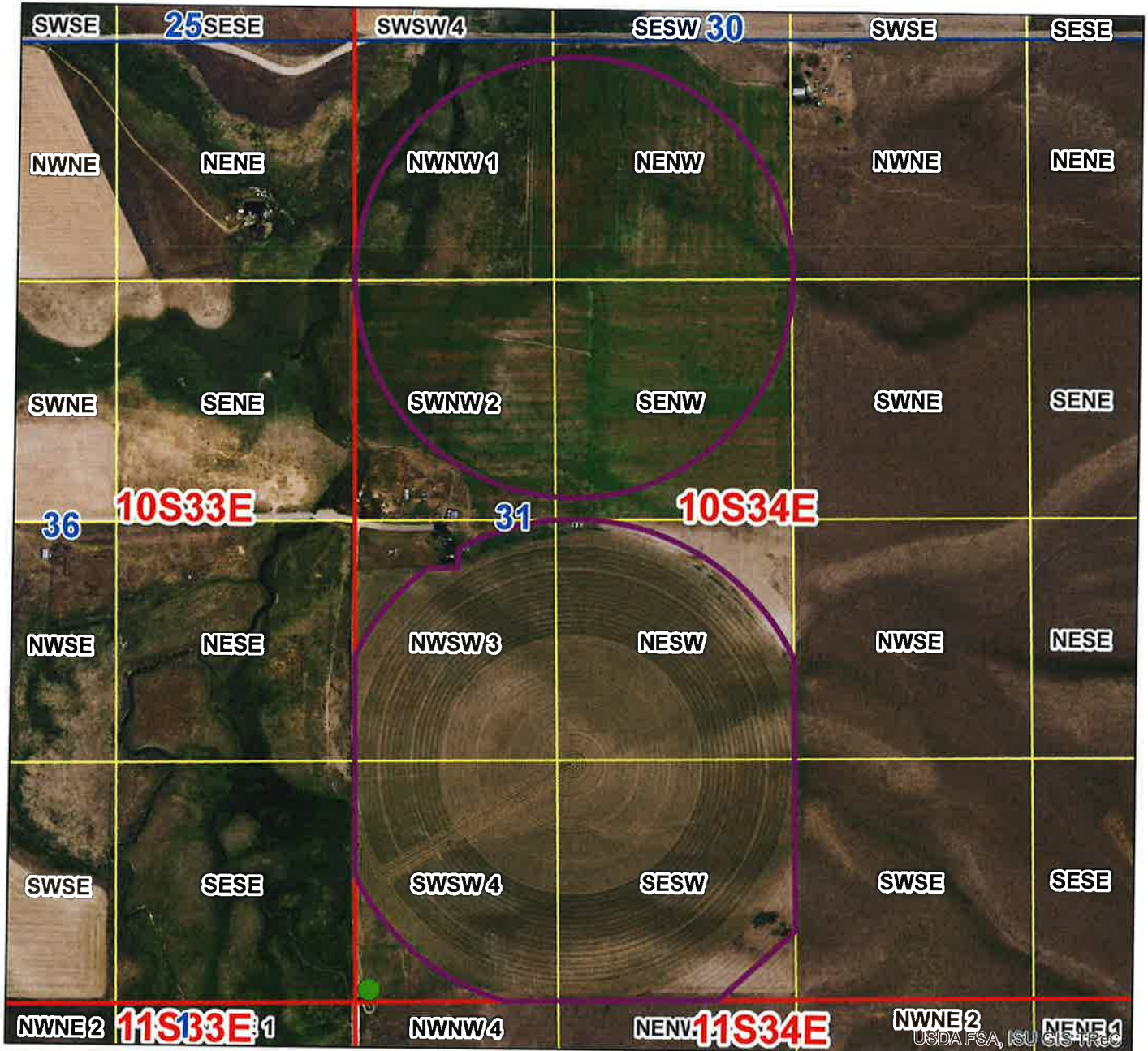
As Modified by Transfer No. 82369

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 82369, 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. 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.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

Attachment to Transfer Approval 82369

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.

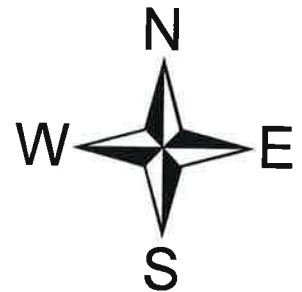


Legend

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

0 500 1,000 2,000 Feet

1 inch = 863 feet



Date: 2/5/2019