

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82926

This is to certify that: **MICHAEL E HEANEY**
2674 W 1000 S
ABERDEEN, ID 83210

PROSPECTOR FARMS LLC
2841 W 1700 S
ABERDEEN, ID 83201

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-7971	WR/DECREED	3/31/1981	0.060 cfs	12.8 af	3.2	4.0	GROUND WATER
35-8111	WR/LICENSE	3/9/1983	0.020 cfs	3.2 af	0.8	4.0	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>
35-7971	NO	NO	YES	NO	NO	NO
35-8111	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>
35-7971	35-7971	0.060 cfs	12.8 af	3.2	4.0	N/A	N/A	N/A	N/A	N/A
35-8111	35-8111	0.020 cfs	3.2 af	0.8	4.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.080 cfs	16.0 af	4.0	4.0		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 30th day of January, 2019.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 82926

FILE # 35-7971

WATER RIGHT NO. 35-7971**As Modified by Transfer No. 82926**

In accordance with the approval of Transfer No. 82926, Water Right No. 35-7971 is now described as follows:

Right Holder: PROSPECTOR FARMS LLC
2841 W 1700 S
ABERDEEN, ID 83201

Priority Date: 3/31/1981

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.060 cfs

0.060 cfs

Diversion Volume

12.8 af

12.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESWSW

Sec 22 Twp 04S Rge 31E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	31E	22						4.0											4.0

Right Acre Limit: 3.2

POU Total Acres: 4.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7971 and 35-8111 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 16 af at the field headgate, and the irrigation of 4.0 acres.
3. 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. 120.
4. 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.

WATER RIGHT NO. 35-7971

As Modified by Transfer No. 82926

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 82926, 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. 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 lands above.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 35-8111**As Modified by Transfer No. 82926**

In accordance with the approval of Transfer No. 82926, Water Right No. 35-8111 is now described as follows:

Right Holder: PROSPECTOR FARMS LLC
2841 W 1700 S
ABERDEEN, ID 83201

Priority Date: 3/9/1983

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.020 cfs
0.020 cfs

Diversion Volume
3.2 af
3.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSW Sec 22 Twp 04S Rge 31E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	31E	22						4.0											4.0

Right Acre Limit: 0.8

POU Total Acres: 4.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7971 and 35-8111 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 16 af at the field headgate, and the irrigation of 4.0 acres.
3. 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. 120.
4. 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.

WATER RIGHT NO. 35-8111

As Modified by Transfer No. 82926

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 82926, 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. 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 lands above.
8. 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.
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.

Attachment to Transfer Approval 82926

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.



0 435 870 1,740 Feet

1 inch = 703 feet

Legend

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



Date: 1/30/2019