

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82539**

This is to certify that: **POWER COUNTY BOARD OF COMMISSIONERS**
543 BANNOCK AVE
AMERICAN FALLS, ID 83211

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>
29-7906	WR/LICENSE	12/27/1989	0.110 cfs	21.6 af	N/A	5.4	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>
29-7906	NO	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>
29-7906	29-7906	0.110 cfs	21.6 af	5.4	28.3	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.110 cfs	21.6 af	5.4	28.3		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 November, 2018.



Water Resources Program Manager

WATER RIGHT NO. 29-7906**As Modified by Transfer No. 82539**

In accordance with the approval of Transfer No. 82539, Water Right No. 29-7906 is now described as follows:

Right Holder: DEG ENTERPRISES 3 LLC
2201 N WHITTNEY DR
POCATELLO, ID 83204

Priority Date: 12/27/1989

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.110 cfs

0.110 cfs

Diversion Volume

21.6 af

21.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

L2 (SENE)

Sec 31 Twp 07S Rge 31E 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	
07S	31E	31				27.0									1.3				28.3
						L 2													

Right Acre Limit: 5.4

POU Total Acres: 28.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 5.4 acres within the 28.3 acre place of use authorized by this right in a single irrigation season. The specific 5.4 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 5.4 acres to be irrigated within the 28.3 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. 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. 120.
3. 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.

Transfer No. 82539

WATER RIGHT NO. 29-7906

As Modified by Transfer No. 82539

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under Transfer approval 82539, 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.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. 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.
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.
9. 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 82539

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 90 180 360 Feet

1 inch = 198 feet

