STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82609

This is to certify that: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT, ID 83350-0675

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
1-10225	WR/DECREED	4/1/1984	22.410 cfs	N/A	N/A	82610.1	SNAKE RIVER
1-10237	WR/DECREED	7/11/1968	0.190 cfs	N/A	9.7	82610.1	SNAKE RIVER
1-10238	WR/DECREED	7/11/1968	0.620 cfs	N/A	30.9	82610.1	SNAKE RIVER
1-10239	WR/DECREED	7/11/1968	0.240 cfs	N/A	11.9	82610.1	SNAKE RIVER
1-10240	WR/DECREED	7/11/1968	1.180 cfs	N/A	59.2	82610.1	SNAKE RIVER
1-10241	WR/DECREED	4/1/1978	1.090 cfs	N/A	N/A	82610.1	SNAKE RIVER
1-10633	WR/LICENSE	2/11/2015	29.570 cfs	N/A	1478.5	82610.1	SNAKE RIVER
1-14	WR/DECREED	4/1/1939	267.000 cfs	N/A	14637.0	82610.1	SNAKE RIVER
1-2060	WR/DECREED	11/21/1955	240.000 cfs	54600.0 af	N/A	82610.1	SNAKE RIVER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
1-10225	NO	NO	NO	YES	NO	NO
1-10237	NO	NO	NO	YES	NO	NO
1-10238	NO	NO	NO	YES	NO	NO
1-10239	NO	NO	NO	YES	NO	NO
1-10240	NO	NO	NO	YES	NO	NO
1-10241	NO	NO	NO	YES	NO	NO
1-10633	NO	NO	NO	YES	NO	NO
1-14	NO	NO	NO	YES	NO	NO
1-2060	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
1-10225	1-10225	22.410 cfs	N/A	1120.7	N/A	N/A	N/A	N/A	N/A	N/A
1-10237	1-10237	0.190 cfs	N/A	9.7	N/A	N/A	N/A	N/A	N/A	N/A
1-10238	1-10238	0.620 cfs	N/A	30.9	N/A	N/A	N/A	N/A	N/A	N/A
1-10239	1-10239	0.240 cfs	N/A	11.9	N/A	N/A	N/A	N/A	N/A	N/A
1-10240	1-10240	1.180 cfs	N/A	59.2	N/A	N/A	N/A	N/A	N/A	N/A
1-10241	1-10241	1.090 cfs	N/A	54.5	N/A	N/A	N/A	N/A	N/A	N/A
1-10633	1-10633	29.570 cfs	N/A	1478.5	N/A	N/A	N/A	N/A	N/A	N/A

Transfer No. 82609

SUPPORT DATA

IN FILE # 1-14

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82609

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
1-14	1-14	267.000 cfs	N/A	14637.0	N/A	N/A	N/A	N/A	N/A	N/A
1-2060	1-2060	240.000 cfs	54600.0 af	14637.0	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**298.800 cfs**	**N/A**	**17402.4**	**N/A**		**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 23rd day of November, 2018.

Southern Region Manager

WATER RIGHT NO. 1-2060

As Modified by Transfer No. 82609

In accordance with the approval of Transfer No. 82609, Water Right No. 1-2060 is now described as follows:

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
BUREAU OF RECLAMATION
REGIONAL DIRECTOR PN CODE-3100
1150 N CURTIS RD STE 100
BOISE, ID 83706-1234

Priority Date: 11/21/1955

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	240.000 cfs	54600.0 af
				240.000 cfs	54600.0 af

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	L2 (SESWSW)	Sec 24 Twp 10S Rge 21E	JEROME County
SNAKE RIVER	NENW	Sec 20 Twp 10S Rge 22E	MINIDOKA County

CONDITIONS OF APPROVAL

1. Rights 1-14 and 1-2060 when combined shall not exceed a total diversion rate of 267.0 cfs and the irrigation of 14637.0 acres.

2. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241, when combined shall not exceed a total diversion rate of 100.00 cfs at the point of diversion located in the NENW, S20, T10S, R22E.

3. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241 when combined shall not exceed a total diversion rate of 269.23 cfs.

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. 01.

5. 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).

6. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

WATER RIGHT NO. 1-2060

As Modified by Transfer No. 82609

CONDITIONS OF APPROVAL

7. Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, Idaho Code.

8. The 14,637 acres under this right lie within the Unit A North Side Pumping Division Minidoka Project of the A&B Irrigation District.

9. The name of the United States of America acting through the Bureau of Reclamation appears in the Name and Address sections of this partial decree. Howerver, as a matter of Idaho constitutional and statutory law, title to the use of the water is held by the consumers or users of the water. The A&B Irrigation District acts on behalf of the consumers or users to administer the use of the water for the landowners in the quantities and/or percentages specified in the contract between the Bureau of Reclamation and the A&B Irrigation District for the benefit of the landowners entitled to receive distribution of this water from the A&B Irrigation District. The interest of the consumers or users of the water is appurtenant to the lands within the boundaries of the A&B Irrigation District and that interest is derived from law and is not based exclusively on the contract between the Bureau of Reclamation and the A&B Irrigation District.

10. This water right must be used in conjunction with water right 1-14. This water right cannot be transferred, leased, or otherwise used without water right 1-14.

11. 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.

12. This right does not grant any right-of-way or easement across the land of another.

13. The place of use does not include federal land.

14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

16. 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. 1-10237

As Modified by Transfer No. 82609

In accordance with the approval of Transfer No. 82609, Water Right No. 1-10237 is now described as follows:

Right Holder: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT, ID 83350-0675

Priority Date: 7/11/1968

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	0.190 cfs
				0.190 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	L2 (SESWSW)	Sec 24 Twp 10S Rge 21E	JEROME County
SNAKE RIVER	NENW	Sec 20 Twp 10S Rge 22E	MINIDOKA County

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 9.7 acres within the authorized place of use in a single irrigation season.

2. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241, when combined shall not exceed a total diversion rate of 100.00 cfs at the point of diversion located in the NENW, S20, T10S, R22E.

3. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241 when combined shall not exceed a total diversion rate of 269.23 cfs.

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. 01.

5. 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).

6. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

WATER RIGHT NO. 1-10237

As Modified by Transfer No. 82609

CONDITIONS OF APPROVAL

7. Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, Idaho Code.

8. This right does not grant any right-of-way or easement across the land of another.

9. 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.

10. The place of use does not include federal land.

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. 1-10238

As Modified by Transfer No. 82609

In accordance with the approval of Transfer No. 82609, Water Right No. 1-10238 is now described as follows:

Right Holder: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT, ID 83350-0675

Priority Date: 7/11/1968

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	0.620 cfs
				0.620 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	L2 (SESWSW)	Sec 24 Twp 10S Rge 21E	JEROME County
SNAKE RIVER	NENW	Sec 20 Twp 10S Rge 22E	MINIDOKA County

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 30.9 acres within the authorized place of use in a single irrigation season.

2. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241, when combined shall not exceed a total diversion rate of 100.00 cfs at the point of diversion located in the NENW, S20, T10S, R22E.

3. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241 when combined shall not exceed a total diversion rate of 269.23 cfs.

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. 01.

5. 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).

6. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

WATER RIGHT NO. 1-10238

As Modified by Transfer No. 82609

CONDITIONS OF APPROVAL

7. Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, Idaho Code.

8. This right does not grant any right-of-way or easement across the land of another.

9. The place of use does not include federal land.

10. 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.

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. 1-10239

As Modified by Transfer No. 82609

In accordance with the approval of Transfer No. 82609, Water Right No. 1-10239 is now described as follows:

Right Holder: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT, ID 83350-0675

Priority Date: 7/11/1968

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	0.240 cfs
				0.240 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	L2 (SESWSW)	Sec 24 Twp 10S Rge 21E	JEROME County
SNAKE RIVER	NENW	Sec 20 Twp 10S Rge 22E	MINIDOKA County

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11.9 acres within the authorized place of use in a single irrigation season.

2. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241, when combined shall not exceed a total diversion rate of 100.00 cfs at the point of diversion located in the NENW, S20, T10S, R22E.

3. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241 when combined shall not exceed a total diversion rate of 269.23 cfs.

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. 01.

5. 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).

6. Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, Idaho Code.

WATER RIGHT NO. 1-10239

As Modified by Transfer No. 82609

CONDITIONS OF APPROVAL

7. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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. This right does not grant any right-of-way or easement across the land of another.

10. The place of use does not include federal land.

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. 1-10240

As Modified by Transfer No. 82609

In accordance with the approval of Transfer No. 82609, Water Right No. 1-10240 is now described as follows:

Right Holder: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT, ID 83350-0675

Priority Date: 7/11/1968

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	1.180 cfs
				1.180 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	L2 (SESWSW)	Sec 24 Twp 10S Rge 21E	JEROME County
SNAKE RIVER	NENW	Sec 20 Twp 10S Rge 22E	MINIDOKA County

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 59.2 acres within the authorized place of use in a single irrigation season.

2. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241, when combined shall not exceed a total diversion rate of 100.00 cfs at the point of diversion located in the NENW, S20, T10S, R22E.

3. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241 when combined shall not exceed a total diversion rate of 269.23 cfs.

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. 01.

5. 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).

6. Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, Idaho Code.

WATER RIGHT NO. 1-10240

As Modified by Transfer No. 82609

CONDITIONS OF APPROVAL

7. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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. This right does not grant any right-of-way or easement across the land of another.

10. The place of use does not include federal land.

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. 1-10241

As Modified by Transfer No. 82609

In accordance with the approval of Transfer No. 82609, Water Right No. 1-10241 is now described as follows:

Right Holder: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT, ID 83350-0675

Priority Date: 4/1/1978

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	1.090 cfs
				1.090 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	L2 (SESWSW)	Sec 24 Twp 10S Rge 21E	JEROME County
SNAKE RIVER	NENW	Sec 20 Twp 10S Rge 22E	MINIDOKA County

CONDITIONS OF APPROVAL

1. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241, when combined shall not exceed a total diversion rate of 100.00 cfs at the point of diversion located in the NENW, S20, T10S, R22E.

2. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241 when combined shall not exceed a total diversion rate of 269.23 cfs.

3. 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. 01.

4. 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).

5. Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, Idaho Code.

6. This right is for an enlargement of 54.5 acres within the place of use described for this right.

7. This right is based upon an enlargement of Right No. 1-14 pursuant to Section 42-1426, Idaho Code.

WATER RIGHT NO. 1-10241

As Modified by Transfer No. 82609

CONDITIONS OF APPROVAL

8. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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 Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

10. 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.

11. This right does not grant any right-of-way or easement across the land of another.

12. The place of use does not include federal land.

13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

15. 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. 1-10225

As Modified by Transfer No. 82609

In accordance with the approval of Transfer No. 82609, Water Right No. 1-10225 is now described as follows:

Right Holder: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT, ID 83350-0675

Priority Date: 4/1/1984

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	22.410 cfs
				22.410 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	L2 (SESWSW)	Sec 24 Twp 10S Rge 21E	JEROME County
SNAKE RIVER	NENW	Sec 20 Twp 10S Rge 22E	MINIDOKA County

CONDITIONS OF APPROVAL

1. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241, when combined shall not exceed a total diversion rate of 100.00 cfs at the point of diversion located in the NENW, S20, T10S, R22E.

2. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241 when combined shall not exceed a total diversion rate of 269.23 cfs.

3. 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. 01.

4. 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).

5. This right is based upon an enlargement of Right No. 1-14 pursuant to Section 42-1426, Idaho Code.

6. Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, Idaho Code.

WATER RIGHT NO. 1-10225

As Modified by Transfer No. 82609

CONDITIONS OF APPROVAL

7. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

8. This right is for an enlargement of 1120.7 acres within the place of use described for this right.

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 Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

10. 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.

11. This right does not grant any right-of-way or easement across the land of another.

12. The place of use does not include federal land.

13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

15. 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. 1-14

As Modified by Transfer No. 82609

In accordance with the approval of Transfer No. 82609, Water Right No. 1-14 is now described as follows:

Right Holder: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT, ID 83350-0675

Priority Date: 4/1/1939

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	267.000 cfs
				267.000 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	L2 (SESWSW)	Sec 24 Twp 10S Rge 21E	JEROME County
SNAKE RIVER	NENW	Sec 20 Twp 10S Rge 22E	MINIDOKA County

CONDITIONS OF APPROVAL

1. Rights 1-14 and 1-2060 when combined shall not exceed a total diversion rate of 267.0 cfs and the irrigation of 14637.0 acres.

2. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241, when combined shall not exceed a total diversion rate of 100.00 cfs at the point of diversion located in the NENW, S20, T10S, R22E.

3. Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241 when combined shall not exceed a total diversion rate of 269.23 cfs.

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. 01.

5. 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).

6. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

7. Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, Idaho Code.

Transfer No. 82609

WATER RIGHT NO. 1-14

As Modified by Transfer No. 82609

CONDITIONS OF APPROVAL

8. Right Nos. 1-10225 and 1-10241 are enlargements of this right pursuant to Section 42-1426, Idaho Code.

9. This water right must be used in conjunction with water right 1-2060. This water right cannot be transferred, leased, or otherwise used without water right 1-2060.

10. Although this right has a 4/1/1939 priority date for surface water administration, for purposes of conjunctive administration, this water right shall be administered to a priority date of 11/21/1955.

11. 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.

12. This right does not grant any right-of-way or easement across the land of another.

13. The place of use does not include federal land.

14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

16. 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. 1-10633

As Modified by Transfer No. 82609

In accordance with the approval of Transfer No. 82609, Water Right No. 1-10633 is now described as follows:

Right Holder: A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT, ID 83350-0675

Priority Date: 2/11/2015

Source: SNAKE RIVER **Tributary:** COLUMBIA RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	29.570 cfs
				29.570 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	L2 (SESWSW)	Sec 24 Twp 10S Rge 21E	JEROME County
SNAKE RIVER	NENW	Sec 20 Twp 10S Rge 22E	MINIDOKA County

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1478.5 acres within the authorized place of use in a single irrigation season.

2. 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 01. In addition, the watermaster of State Water District 130, or its successor, shall be responsible for administering the requirement that this water right must be used in lieu of ground water rights in Water District 130.

3. 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).

4. The boundary encompassing the place of use for irrigation under this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.

5. Place of use is within the boundary of A & B Irrigation District pursuant to Section 43-323, Idaho Code.

WATER RIGHT NO. 1-10633

As Modified by Transfer No. 82609

CONDITIONS OF APPROVAL

6. This right is limited to use on land with an irrigation ground water right(s) and does not authorize irrigation of land not previously irrigated with ground water. The purpose of this right is to reduce the right holder's reliance on ground water. Unless needed for operation and management purposes, the right holder shall not simultaneously apply water diverted pursuant to this right and ground water on the same land. Further, ground water may be used during the same irrigation season of use when water is unavailable pursuant to this right.

7. The right holder shall not divert and use water under this right if the natural flow in the Snake River is not sufficient to fill senior rights diverting from the Snake River as determined by the Watermaster of Water District 01.

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 lands above.

9. This right does not grant any right-of-way or easement across the land of another.

10. The place of use does not include federal land.

11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

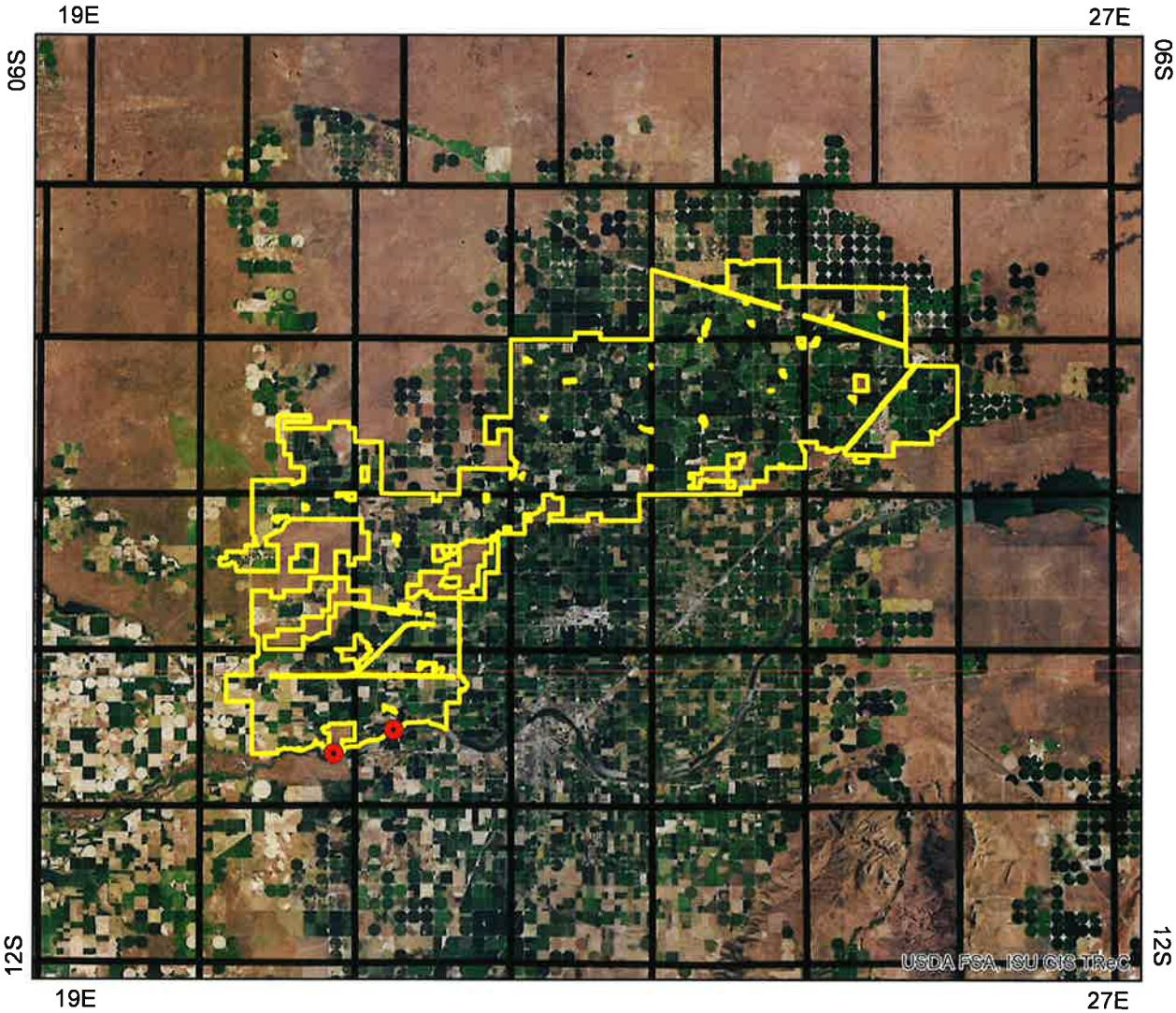
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

A & B Irrigation District

Attachment to Transfer # 82609

Rights 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, 1-10241, and 1-10633

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



Point of Diversion

Place Of Use Boundary

Townships

N

State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 28, 2018

A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675

Re: Transfer No: 82609
Water Right No(s).: 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, 1-10241, 1-10633

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

cc:

TRAVIS L THOMPSON
BARKER ROSHOLT & SIMPSON LLP
PO BOX 63
TWIN FALLS ID 83303-0063

UNITED STATES OF AMERICA ACTING THROUGH
BUREAU OF RECLAMATION
REGIONAL DIRECTOR PN CODE-3100
1150 N CURTIS RD STE 100
BOISE ID 83706-1234

NATHAN ERICKSON
WATER DISTRICT 130
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

LYLE SWANK
WATER DISTRICT 01
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402-1718

CERTIFICATE OF SERVICE

I hereby certify that on November 28, 2018 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 82609
Water Right No(s).: 1-14, 1-2060, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, 1-10241, 1-10633

A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675

TRAVIS L THOMPSON
BARKER ROSHOLT & SIMPSON LLP
PO BOX 63
TWIN FALLS ID 83303-0063

UNITED STATES OF AMERICA ACTING THROUGH
BUREAU OF RECLAMATION
REGIONAL DIRECTOR PN CODE-3100
1150 N CURTIS RD STE 100
BOISE ID 83706-1234

NATHAN ERICKSON (*via e-mail*)
WATER DISTRICT 130
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

LYLE SWANK (*via e-mail*)
WATER DISTRICT 01
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402-1718

Denise Maline

Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

TRIBUNE PUBLISHING COMPANY, INC
The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING INVOICE

Date: 09/13/2018 INVOICE NO. 146776

Account No. 446620

Description 146776 NOTICE O

Times 2 Lines 36
Tab. lines

$ 105.30

Sold To: DEPT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

RECEIVED
SEP 20 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

PO# 82609

NOTICE:This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

146776

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82609

A & B IRRIGATION DISTRICT, PO BOX 675, RUPERT, ID 83350-0675; has filed Application No. 82609 for changes to the following water rights within JEROME, MINIDOKA County(s): Right No(s). 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, 1-10241, 1-10633, 1-14, 1-2060; to see a full description of these rights and the proposed transfer, please see http://research.idwr.idaho.gov. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a point of diversion to a portion of eight irrigation water rights which are currently diverted via pump from the Snake River at a point located approximately 7.9 miles west and 0.4 mile south of the intersection of Main Street and Overland Avenue in Burley. The additional POD will be a pumping station on the Snake River located approximately 5.6 miles west and 0.6 mile north of Burley which is the current POD for a single Snake River right. The transfer will also add the POD of the eight rights to the single right, and, as a result, all nine rights will possess two common PODs. The total amount being transferred is 129.57 cfs.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of $25.00 for each application on or before **September 24, 2018**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune on September 6th & 13th, 2018

✓ OK DM 9-26-2018

AFFIDAVIT OF PUBLICATION

Julie L. Winters, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 146776 NOTICE O attached hereto and which is made a part of this affadavit was published in the said Lewiston Tribune, 2 time(s). Publication being on 09/06, or once a Week for 2 consecutive Week, the first publication thereof being on the 09/06/2018, and the last publication thereof being on the 09/13/2018, and said 146776 NOTICE O was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Julie L. Winters

State of Idaho
S.S.
County of Nez Perce

On this 17th day of Sept in the year of 2018, before me, a Notary Public, personally appeared Julie L. Winters, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Cheri Whitby
Notary Public in and for the State of Idaho, residing at Lewiston, therein
Commission Expires 4/17/21

CHERI WHITBY NOTARY PUBLIC STATE OF IDAHO

Idaho Statesman
The Newspaper of the Treasure Valley
IDAHOSTATESMAN.COM
PO Box 40, Boise, ID 83707-0040

RECEIVED
SEP 19 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
263982	0003833690	LEGAL NOTICE NOTICE OF PROPOSED CHAN	A&B Irrig	$122.60	1	72

Attention: DENISE MALINE

IDAHO DEPT OF WATER RESOURCES / SOUTH
650 ADDISON AVE W SUITE 500
TWIN FALLS, ID 83301

LEGAL NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82609

A & B IRRIGATION DISTRICT, PO BOX 675, RUPERT, ID 83350-0675; has filed Application No. 82609 for changes to the following water rights within JEROME, MINIDOKA County(s): Right No(s). 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, 1-10241, 1-10633, 1-14, 1-2060; to see a full description of these rights and the proposed transfer, please see http://research.idwr.idaho.gov . The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a point of diversion to a portion of eight irrigation water rights which are currently diverted via pump from the Snake River at a point located approximately 7.9 miles west and 0.4 mile south of the intersection of Main Street and Overland Avenue in Burley. The additional POD will be a pumping station on the Snake River located approximately 5.6 miles west and 0.6 mile north of Burley which is the current POD for a single Snake River right. The transfer will also add the POD of the eight rights to the single right, and, as a result, all nine rights will possess two common PODs. The total amount being transferred is 129.57 cfs.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of $25.00 for each application on or before September 24, 2018. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director

Pub. Sept. 6,13, 2018
0003833690-01

✓ OK DM
9-26-2018

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 09/06/2018

Ending issue of: 09/13/2018

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF ADA)

On this 13th day of September in the year of 2018 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Heather Harradine
Notary Public FOR Idaho
Residing at: Boise, Idaho

My Commission expires: 2/11/2020

HEATHER HARRADINE NOTARY PUBLIC STATE OF IDAHO

Proof of Publication
The Post Register

RECEIVED
SEP 17 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
County of Bonneville

I, ~~Dawn Giannini~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classified Manager, or~~ Legal Notice Representative of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880, and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidations up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register under ad number: **112935** for **2** consecutive (days) weeks, between **09/06/2018** and **09/13/2018**, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Staci Dockery

Subscribed and sworn to before me, this 13th day of September 2018

BAMBI L FERGUSON
Notary Public
State of Idaho

Bambi Ferguson
Notary Public
My commission expires: 06/28/2022

_____ attached jurat _____

STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 13th day of September 2018, before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini~~ or Staci Dockery, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

BAMBI L FERGUSON
Notary Public
State of Idaho

Bambi Ferguson
Notary Public for The Post Company
Residing: Idaho Falls, Idaho
Commission expires: 06/28/2022

✓ ok AM 9-27-2018

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82609

A & B IRRIGATION DISTRICT, PO BOX 675, RUPERT, ID 83350-0675; has filed Application No. 82609 for changes to the following water rights within JEROME, MINIDOKA County(s): Right No (s). 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, 1-10241, 1-10633, 1-14, 1-2060; to see a full description of these rights and the proposed transfer, please see http://research.idwr.idaho.gov. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a point of diversion to a portion of eight irrigation water rights which are currently diverted via pump from the Snake River at a point located approximately 7.9 miles west and 0.4 mile south of the intersection of Main Street and Overland Avenue in Burley. The additional POD will be a pumping station on the Snake River located approximately 5.6 miles west and 0.6 mile north of Burley which is the current POD for a single Snake River right. The transfer will also add the POD of the eight rights to the single right, and, as a result, all nine rights will possess two common PODs. The total amount being transferred is 129.57 cfs.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of $25.00 for each application on or before **September 24, 2018.** The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published: In the Times News, Idaho Statesman, Post Register & Lewiston Tribune on
September 6th & 13th, 2018 (112935)

✓ OK AM 9-27-2018

*** Proof of Publication ***

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

RECEIVED
SEP 17 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

ORDER NUMBER 73455

Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 13 day of September in the year of 2018 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Miriam King
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 5.10.22

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-17132
DONALD & BONNIE PICA TRUST
3708 VISTA GRANDE LN
TWIN FALLS, ID 83301
Point of Diversion SWNW S14 T07S R13E GOODING County
Source GROUND WATER Tributary
Use: AESTHETIC STORAGE 01/01 to 12/31 7.7 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 7.7 AF
Total Diversion: 7.7 AF
Date Filed: 6/29/2018
Place Of Use: AESTHETIC STORAGE & WILDLIFE STORAGE
T07S R13E S14 SWNW
Application for permit proposes the appropriation of groundwater for uses associated with an excavated pond that intercepts the ground water table. A mitigation plan was submitted with application to account for evaporative losses and initial fill of pond. Proposed point of diversion and place of use are located approximately 0.4 miles north and 0.3 miles west of the intersection of Main and State St in Hagerman.

36-17133
DONALD & BONNIE PICA TRUST
3708 VISTA GRANDE LN
TWIN FALLS, ID 83301
Point of Diversion NENW S14 T07S R13E GOODING County
Source UNNAMED STREAM Tributary SINKS
Point of Diversion NENW S14 T07S R13E GOODING County
Source UNNAMED STREAM Tributary SINKS
Use: AESTHETIC STORAGE 01/01 to 12/31 0.4 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 0.4 AF
Total Diversion: 0.4 CFS
Date Filed: 7/17/2018
Place Of Use: AESTHETIC STORAGE & WILDLIFE STORAGE
T07S R13E S14 NENW
Application for permit proposes the appropriation of water from an unnamed stream for uses associated with two small ponds. A mitigation plan was submitted with application to account for evaporative losses and initial fill of ponds. Proposed points of diversion and place of use are located approximately 0.5 miles north and 0.2 miles west of the intersection of Main and State St in Hagerman.

PUBLISHED ON: 09/06/2018, 09/13/2018

✓ OK DM 9-27-2018

TOTAL AD COST: 291.27
FILED ON: 9/13/2018

MIRIAM KING
NOTARY
PUBLIC
STATE OF IDAHO

47-17679
COLIN HADFIELD
7041 W 600 N
PETERSBORO, UT 84325
Point of Diversion SENE S21 T09S R14E TWIN FALLS County
Source GROUND WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 8/6/2018
Place Of Use: DOMESTIC
T09S R14E S21 NENE SENE
Application for permit proposes to divert up to 0.04 cfs of low temperature geothermal water from an existing well for domestic uses. The property and point of diversion are located approximately 2.4 miles north and 2.7 miles west of Buhl.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82609

A & B IRRIGATION DISTRICT, PO BOX 675, RUPERT, ID 83350-0675; has filed Application No. 82609 for changes to the following water rights within JEROME, MINIDOKA County(s): Right No(s). 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, 1-10241, 1-10633, 1-14, 1-2060. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a point of diversion to a portion of eight irrigation water rights which are currently diverted via pump from the Snake River at a point located approximately 7.9 miles west and 0.4 mile south of the intersection of Main Street and Overland Avenue in Burley. The additional POD will be a pumping station on the Snake River located approximately 5.6 miles west and 0.6 mile north of Burley which is the current POD for a single Snake River right. The transfer will also add the POD of the eight rights to the single right, and, as a result, all nine rights will possess two common PODs. The total amount being transferred is 129.57 cfs. Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune on September 6th & 13th, 2018

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see http://research.idwr.idaho.gov . Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of $25.00 for each application on or before **September 24, 2018**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on September 6th & 13th, 2018

✓ OK DM 9-27-2018

MEMORANDUM

Date: September 17, 2018

To: Transfer 82609, A & B Irrigation District File

From: Jim Bitzenburg

Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to add a point of diversion to a portion of eight irrigation water rights which are currently diverted via pump from the Snake River at a point located approximately 7.9 miles west and 0.4 mile south of the intersection of Main Street and Overland Avenue in Burley. The additional POD will be a pumping station on the Snake River located approximately 5.6 miles west and 0.6 mile north of Burley which is the current POD for a single Snake River right. The transfer will also add the POD of the eight rights to the single right, and, as a result, all nine rights will possess two common PODs. The total amount being transferred is 129.57 cfs.

Because the transfer involves changing the POD for a surface water right, and because the amount of at least one of the rights being transferred exceeds 10 cfs, the transfer was advertised statewide. No protests were filed. Comments were solicited from the Watermaster of WD-01. The Watermaster had no objections to the transfer.

- **Authority to File:**
  The application was signed by Harold Mohlman, the president of A & B Irrigation District. The representative provided the minutes from the January 8, 2018 A & B Irrigation District annual meeting of the Board of Directors, which shows Harold Mohlman was declared President of the Board.

- **Water Right Validity:**
  The group of eight rights in the transfer were decreed in the SRBA in 2012. The single right was licensed in 2018.

- **Injury to Other Water Rights:**
  None anticipated or foreseen.

- **Enlargement of Use:**
  None anticipated. Irrigated acreage in not increasing.

- **Local Public Interest:**
  No issues anticipated. The transfer was advertised and was not protested.

- **Beneficial Use/Conservation of Water Resources:**
  Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**
  None Anticipated

- **Effect of the Agricultural Base of the Area:**
  None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

Maline, Denise

From: Edelmann,Frank <frank.edelmann@idfg.idaho.gov>
Sent: Tuesday, September 11, 2018 12:34 PM
To: Maline, Denise
Cc: Megargle,Doug
Subject: IDWR-IDFG Water Right Transfer Application Review - 82609
Attachments: Trans Water Right App 82609 Snake River - 2018.pdf

Denise,

Thank you for the opportunity to review IDWR's 30-Aug-2018 water right transfer application received by IDFG (see attached): Application-for-Transfer – Point(s)-of-Diversion No. 82609.

IDFG has no comments or recommendations at this time.

Best Regards,

Frank

Frank Edelmann
Environmental Staff Biologist
Idaho Department of Fish and Game
324 South 417 East, Suite 1
Jerome, Idaho 83338
(208) 324-4359

Https://idfg.idaho.gov/

POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83403
(208)522-1800
Fax (208)522-5790

ORDER CONFIRMATION

Salesperson: STACI DOCKERY Printed at 08/31/18 14:13 by aferg-cy

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Acct #: 60489 Ad #: 112935 Status: New WHOLD

IDAHO DEPT OF WATER RESOURCES
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301

Start: 09/06/2018 Stop: 09/13/2018
Times Ord: 2 Times Run: ***
ILEG 1.00 X 46.00 Words: 304
Total ILEG 46.00
Class: 9000 LEGALS
Rate: LEGL Cost: 103.50
Affidavits: 1

Contact:
Phone: (208)736-3033
Fax#:
Email:
Agency:

Ad Descrpt: TRANSFER NO #82609
Given by: DENISE MALINE
P.O. #:
Created: aferg 08/31/18 14:06
Last Changed: aferg 08/31/18 14:12

PUB	ZONE	EDT	TP	RUN DATES
PR	A	95	S	09/06,13

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Denise Maline Denise Maline
Name (print or type) Name (signature)

(CONTINUED ON NEXT PAGE)

Proof of legal notice received from Post Register 8/31/2018 (2 pgs)

✓ OK DM 8/31/2018
E-mail sent to newspaper

POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83403
(208)522-1800
Fax (208)522-5790

ORDER CONFIRMATION (CONTINUED)

Salesperson: STACI DOCKERY Printed at 08/31/18 14:13 by aferg-cy

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Acct #: 60489 Ad #: 112935 Status: New WHOLD WHOI

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82609

A & B IRRIGATION DISTRICT, PO BOX 675, RUPERT, ID 83350-0675; has filed Application No. 82609 for changes to the following water rights within JEROME, MINIDOKA County(s): Right No (s). 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, 1-10241, 1-10633, 1-14, 1-2060; to see a full description of these rights and the proposed transfer, please see http://research.idwr.idaho.gov. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a point of diversion to a portion of eight irrigation water rights which are currently diverted via pump from the Snake River at a point located approximately 7.9 miles west and 0.4 mile south of the intersection of Main Street and Overland Avenue in Burley. The additional POD will be a pumping station on the Snake River located approximately 5.6 miles west and 0.6 mile north of Burley which is the current POD for a single Snake River right. The transfer will also add the POD of the eight rights to the single right, and, as a result, all nine rights will possess two common PODs. The total amount being transferred is 129.57 cfs.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of $25.00 for each application on or before **September 24, 2018.** The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published: In the Times News, Idaho Statesman, Post Register & Lewiston Tribune on
September 6th & 13th, 2018 (112935)

✓ OK DM 8/31/2018

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES **Order Nbr 73455**

Publication	**Times News**		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	291.27
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	291.27
Fax			
Section	Legals	Start/End Dates	09/06/2018 - 09/13/2018
SubSection		Insertions	2
Category	50 Legal	Size	194
Ad Key	73455-1	Salesperson(s)	Ruby Aufderheide
Keywords	Transfer Nos 36-17132,36-17133,47-17679	Taken By	Debi Perkins
Notes			

Ad Proof

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-17132
DONALD & BONNIE PICA TRUST
3708 VISTA GRANDE LN
TWIN FALLS, ID 83301
Point of Diversion SWNW S14 T07S R13E GOODING County Source GROUND WATER Tributary
Use: AESTHETIC STORAGE 01/01 to 12/31 7.7 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 7.7 AF
Total Diversion: 7.7 AF
Date Filed: 6/29/2018
Place Of Use: AESTHETIC STORAGE & WILDLIFE STORAGE
T07S R13E S14 SWNW
Application for permit proposes the appropriation of groundwater for uses associated with an excavated pond that intercepts the ground water table. A mitigation plan was submitted with application to account for evaporative losses and initial fill of pond. Proposed point of diversion and place of use are located approximately 0.4 miles north and 0.3 miles west of the intersection of Main and State St in Hagerman.

36-17133
DONALD & BONNIE PICA TRUST
3708 VISTA GRANDE LN
TWIN FALLS, ID 83301
Point of Diversion NENW S14 T07S R13E GOODING County Source UNNAMED STREAM Tributary SINKS
Point of Diversion NENW S14 T07S R13E GOODING County Source UNNAMED STREAM Tributary SINKS
Use: AESTHETIC STORAGE 01/01 to 12/31 0.4 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 0.4 AF
Total Diversion: 0.4 CFS
Date Filed: 7/17/2018
Place Of Use: AESTHETIC STORAGE & WILDLIFE STORAGE
T07S R13E S14 NENW
Application for permit proposes the appropriation of water from an unnamed stream for uses associated with two small ponds. A mitigation plan was submitted with application to account for evaporative losses and initial fill of ponds. Proposed points of diversion and place of use are located approximately 0.5 miles north and 0.2 miles west of the intersection of Main and State St in Hagerman.

47-17679
COLIN HADFIELD
7041 W 600 N
PETERSBORO, UT 84325
Point of Diversion SENE S21 T09S R14E TWIN FALLS County Source GROUND WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Proof of legal notice received from Times News 8/30/2018 (2 pgs)

✓ ok DM 8/31/2018
E-mail sent to newspaper.

Date Filed: 8/6/2018
Place Of Use: DOMESTIC
T09S R14E S21 NENE SENE
Application for permit proposes to divert up to 0.04 cfs of low temperature geothermal water from an existing well for domestic uses. The property and point of diversion are located approximately 2.4 miles north and 2.7 miles west of Buhl.

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GARY SPACKMAN, Director
Published on September 6th & 13th, 2018

✓ OK AM 8/31/2018