STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

TRANSFER OF WATER RIGHT
TRANSFER NO. 82038

AMENDED

This is to certify that: E & H FARMS LLC
2840 SUNNY BROOK LN
IDAHO FALLS, ID 83404

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
35-2269E	WR/DECREED	10/23/1952	2.574 cfs	544.0 af	N/A	136.0	GROUND WATER
35-2269F	WR/DECREED	10/23/1952	2.697 cfs	570.0 af	N/A	142.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
35-2269E	YES	YES	YES	NO	NO	NO
35-2269F	YES	YES	YES	NO	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
35-2269E	35-14557	0.123 cfs	26.0 af	6.5	12.5	35-2269E	2.574 cfs	544.0 af	N/A	136.0
35-2269F	35-14558	0.114 cfs	24.0 af	6.0	12.5	35-2269F	2.697 cfs	570.0 af	N/A	142.5
COMBINED TOTALS		**0.237 cfs**	**50.0 af**	**12.5**	**12.5**		**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 7th day of November, 2018.

Water Resources Program Manager

SUPPORT DATA
IN FILE # 35-2269E

Transfer No. 82038

WATER RIGHT NO. 35-2269E

As Modified by Transfer No. 82038

In accordance with the approval of Transfer No. 82038, Water Right No. 35-2269E is now described as follows:

Right Holder: E & H FARMS LLC
2840 SUNNY BROOK LN
IDAHO FALLS, ID 83404

Priority Date: 10/23/1952

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	4/01	to	11/01	2.574 cfs	544.0 af
				2.574 cfs	544.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSENE Sec 9 Twp 02S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	33E	9	32.6	33.9	33.5	36.0													136.0

POU Total Acres: 136.0

CONDITIONS OF APPROVAL

1. 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. 35-14557

As Modified by Transfer No. 82038

In accordance with the approval of Transfer No. 82038, Water Right No. 35-14557 is now described as follows:

Right Holder: E & H FARMS LLC
2840 SUNNYBROOK LN
IDAHO FALLS, ID 83404

Priority Date: 10/23/1952

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	4/01	to	11/01	0.123 cfs	26.0 af
				0.123 cfs	26.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec 9 Twp 02S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	33E	9			6.5					6.0									12.5

Right Acre Limit: 6.5
POU Total Acres: 12.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14557 and 35-14558 when combined shall not exceed the irrigation of 12.5 acres.
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. 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.
5. Prior to the diversion and use of water under Transfer approval 82038, 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.

Transfer No. 82038

WATER RIGHT NO. 35-14557

As Modified by Transfer No. 82038

CONDITIONS OF APPROVAL

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 place of use.

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 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. 35-2269F

As Modified by Transfer No. 82038

In accordance with the approval of Transfer No. 82038, Water Right No. 35-2269F is now described as follows:

Right Holder: E & H FARMS LLC
2840 SUNNYBROOK LN
IDAHO FALLS, ID 83404

Priority Date: 10/23/1952

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	4/01	to	11/01	2.697 cfs	570.0 af
				2.697 cfs	570.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSENW Sec 9 Twp 02S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	33E	9					34.5	37.0	37.0	34.0									142.5

POU Total Acres: 142.5

CONDITIONS OF APPROVAL

1. 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. 35-14558

As Modified by Transfer No. 82038

In accordance with the approval of Transfer No. 82038, Water Right No. 35-14558 is now described as follows:

Right Holder: E & H FARMS LLC
2840 SUNNYBROOK LN
IDAHO FALLS, ID 83404

Priority Date: 10/23/1952

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	4/01	to	11/01	0.114 cfs	24.0 af
				0.114 cfs	24.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec 9 Twp 02S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	33E	9			6.5					6.0									12.5

Right Acre Limit: 6.0
POU Total Acres: 12.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14557 and 35-14558 when combined shall not exceed the irrigation of 12.5 acres.
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. 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.
5. Prior to the diversion and use of water under Transfer approval 82038, 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.

Transfer No. 82038

WATER RIGHT NO. 35-14558

As Modified by Transfer No. 82038

CONDITIONS OF APPROVAL

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 place of use.

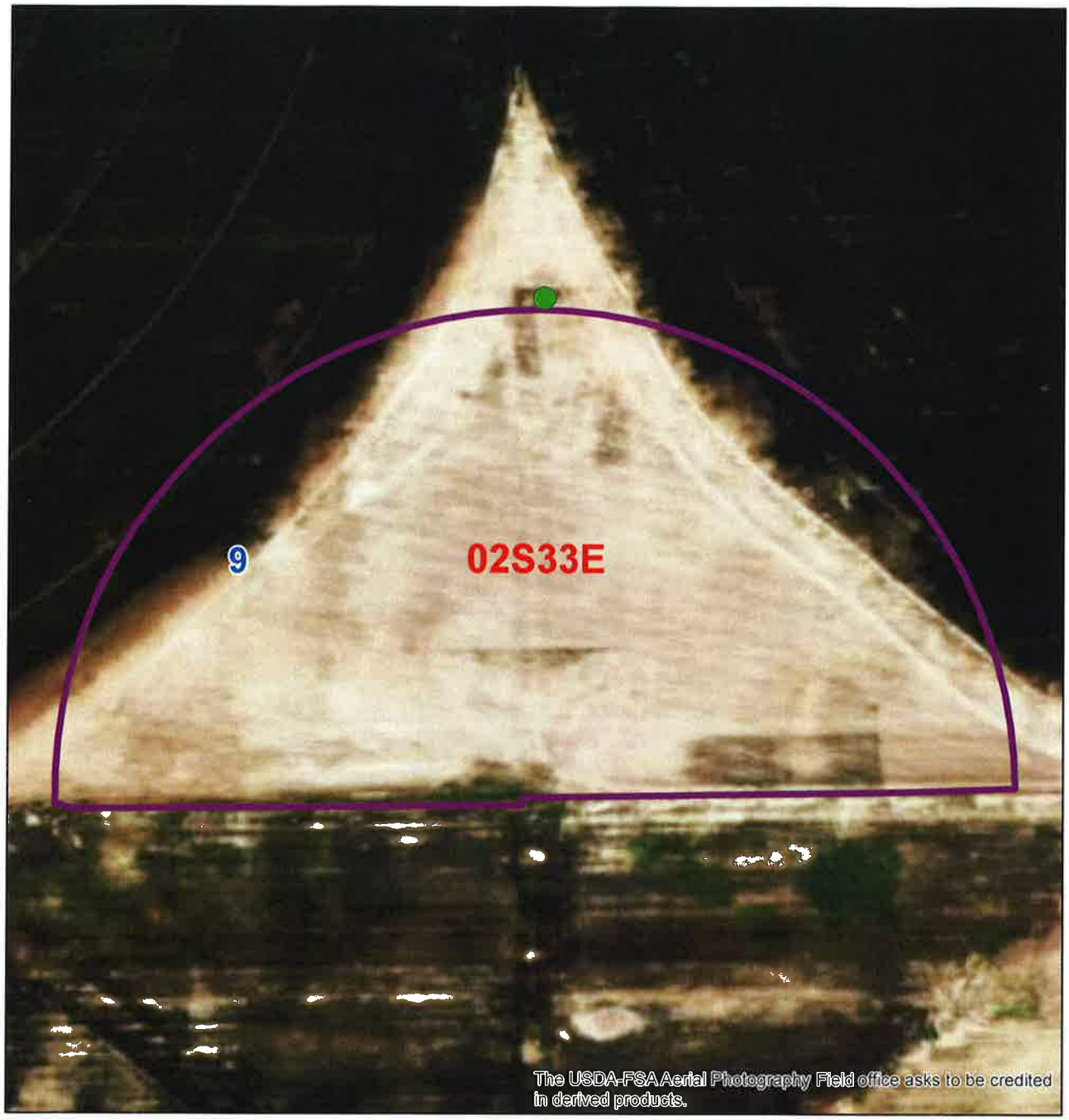
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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 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 82038

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

0 90 180 360 Feet

1 inch = 194 feet

N