

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82499**

This is to certify that: HK CONTRACTORS INC
PO BOX 51450
IDAHO FALLS, ID 83405-1450

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>
35-2568	WR/DECREED	3/20/1959	5.13 cfs	1988.0 af	497.0	607.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
35-7769	WR/DECREED	1/24/1978	2.220 cfs	N/A		605.5	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>
35-2568	YES	YES	YES	NO	YES	YES

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>
35-2568	25-14468	0.020 cfs	3.3 af	N/A	N/A	35-2568	5.110 cfs	1982.0 af	495.5	605.5
COMBINED TOTALS		0.020 cfs	3.3 af	N/A	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 21st day of September, 2018.



Water Resources Program Manager

SUPPORT DATA

Transfer No. 82499

IN FILE # 35-2568

WATER RIGHT NO. 35-2568

As Modified by Transfer No. 82499

In accordance with the approval of Transfer No. 82499, Water Right No. 35-2568 is now described as follows:

Right Holder: JENNIFER COOK AND
TODD COOK
796 N 1800 W
BLACKFOOT, ID 83221

Priority Date: 3/20/1959

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From
4/01

To
to 10/31

Diversion Rate
5,110 cfs
5,110 cfs

Diversion Volume
1982.0 af
1982.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

NENENW
SWSE

Sec 24 Twp 01S Rge 32E BINGHAM County
Sec 24 Twp 01S Rge 32E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	32E	24	30.5	36.3	36.0	30.4	40.0	40.0	40.0	39.3	40.0	40.0	40.0	40.0	33.0	40.0	40.0	40.0	605.5

Right Acre Limit: 495.5

POU Total Acres: 605.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 495.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2568 and 35-7769 when combined shall not exceed a total annual maximum diversion volume of 2,422 af at the field headgate and the irrigation of 605.5 acres.
3. Diversion of water from the additional well authorized under Transfer 81535 located in the SWSE, Sec. 24, T01S, R32E shall not exceed a total combined maximum diversion rate of 3.00 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. 120.
5. Prior to diversion and use of water under Transfer approval 81535, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.

Transfer No. 82499

WATER RIGHT NO. 35-2568

As Modified by Transfer No. 82499

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. 25-14468**As Modified by Transfer No. 82499**

In accordance with the approval of Transfer No. 82499, Water Right No. 25-14468 is now described as follows:

Right Holder: JENNIFER COOK AND
TODD COOK
796 N 1800 W
BLACKFOOT, ID 83221

Priority Date: 3/20/1959

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DIVERSION TO STORAGE	4 /1	to 10/31	0.020 cfs	
INDUSTRIAL	4 /1	to 10/31	0.020 cfs	2.5 af
INDUSTRIAL STORAGE	1 /1	to 12/31		0.8 af
			0.020 cfs	3.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec 33 Twp 03N Rge 38E BONNEVILLE County

PLACE OF USE: INDUSTRIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	38E	33												X		X			0.0

PLACE OF USE: INDUSTRIAL STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	38E	33												X					0.0

CONDITIONS OF APPROVAL

1. 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.
2. Prior to diversion and use of water under Transfer approval 82499, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.

WATER RIGHT NO. 25-14468

As Modified by Transfer No. 82499

CONDITIONS OF APPROVAL

3. 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.
4. Industrial use is for concrete batch plant.
5. This right includes 0.8 acre-feet for the replacement of losses due to seepage and evaporation from industrial storage pond.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
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.

WATER RIGHT NO. 35-7769
As Modified by Transfer No. 82499

In accordance with the approval of Transfer No. 82499, Water Right No. 35-7769 is now described as follows:

Right Holder: JENNIFER COOK AND
TODD COOK
796 N 1800 W
BLACKFOOT, ID 83221

Priority Date: 1/24/1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/01	to 11/01	2.220 cfs 2.220 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENW	Sec 24 Twp 01S Rge 32E BINGHAM County
GROUND WATER	SWSE	Sec 24 Twp 01S Rge 32E 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	
01S	32E	24	30.5	36.3	36.0	30.4	40.0	40.0	40.0	39.3	40.0	40.0	40.0	40.0	33.0	40.0	40.0	40.0	605.5

POU Total Acres: 605.5

CONDITIONS OF APPROVAL

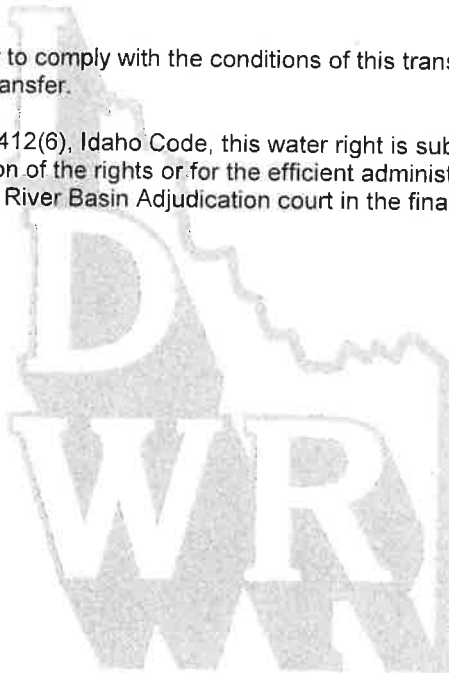
1. Rights 35-2568 and 35-7769 when combined shall not exceed a total annual maximum diversion volume of 2,422 af at the field headgate and the irrigation of 605.5 acres.
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WATER RIGHT NO. 35-7769
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CONDITIONS OF APPROVAL

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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.
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Attachment to Transfer Approval 82499

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

0 200 400 800 Feet

1 inch = 434 feet

