

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82528

This is to certify that: BROWN DELTA II, LLC
101 MISSION ST STE 505
SAN FRANCISCO, CA 94105-1738

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>
31-11913	WR/DECREED	4/23/1983	1.160 cfs	186.6 af	79.7	81.0	GROUND WATER
31-11915	WR/DECREED	4/23/1983	0.010 cfs	2.8 af	1.3	81.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
31-11913	NO	YES	NO	NO	NO	NO
31-11915	NO	YES	NO	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>
31-11913	31-11913	1.160 cfs	187.0 af	79.7	81.0	N/A	N/A	N/A	N/A	N/A
31-11915	31-11915	0.010 cfs	2.8 af	1.3	81.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.170 cfs	189.8 af	81.0	81.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 31st day of August, 2018.



Water Resources Program Manager

Transfer No. 82528

SUPPORT DATA
IN FILE # 31-11913

WATER RIGHT NO. 31-11913
As Modified by Transfer No. 82528

In accordance with the approval of Transfer No. 82528, Water Right No. 31-11913 is now described as follows:

Right Holder: BROWN DELTA II, LLC
 101 MISSION ST STE 505
 SAN FRANCISCO, CA 94105-1738

Priority Date: 4/23/1983

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 04/15

To
 to 10/15

Diversion Rate
 1.160 cfs
 1.160 cfs

Diversion Volume
 187.0 af
 187.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec 26 Twp 09N Rge 36E CLARK 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	
09N	36E	25										2.1	24.3						26.4
09N	36E	26													4.2			34.7	38.9
09N	36E	35	10.0																10.0
09N	36E	36						5.7											5.7

Right Acre Limit: 79.7

POU Total Acres: 81.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 79.7 acres within the authorized place of use in a single irrigation season.
2. Rights 31-11913 and 31-11915 when combined shall not exceed the irrigation of 81 acres.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/28/2003.
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. 110.

Transfer No. 82528

WATER RIGHT NO. 31-11913

As Modified by Transfer No. 82528

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 82528, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. This right does not grant any right-of-way or easement across the land of another.
9. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 31-11915
As Modified by Transfer No. 82528

In accordance with the approval of Transfer No. 82528, Water Right No. 31-11915 is now described as follows:

Right Holder: BROWN DELTA II, LLC
 101 MISSION ST STE 505
 SAN FRANCISCO, CA 94105-1738

Priority Date: 4/23/1983

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 04/15

To
 to 10/15

Diversion Rate
 0.010 cfs
 0.010 cfs

Diversion Volume
 2.8 af
 2.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec 26 Twp 09N Rge 36E CLARK 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	
09N	36E	25																	26.4
09N	36E	26										2.1	24.3						38.9
09N	36E	35	10.0												4.2				10.0
09N	36E	36						5.7											5.7

Right Acre Limit: 1.3
 POU Total Acres: 81.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.3 acres within the authorized place of use in a single irrigation season.
2. Rights 31-11913 and 31-11915 when combined shall not exceed the irrigation of 81 acres.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/16/03.
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. 110.

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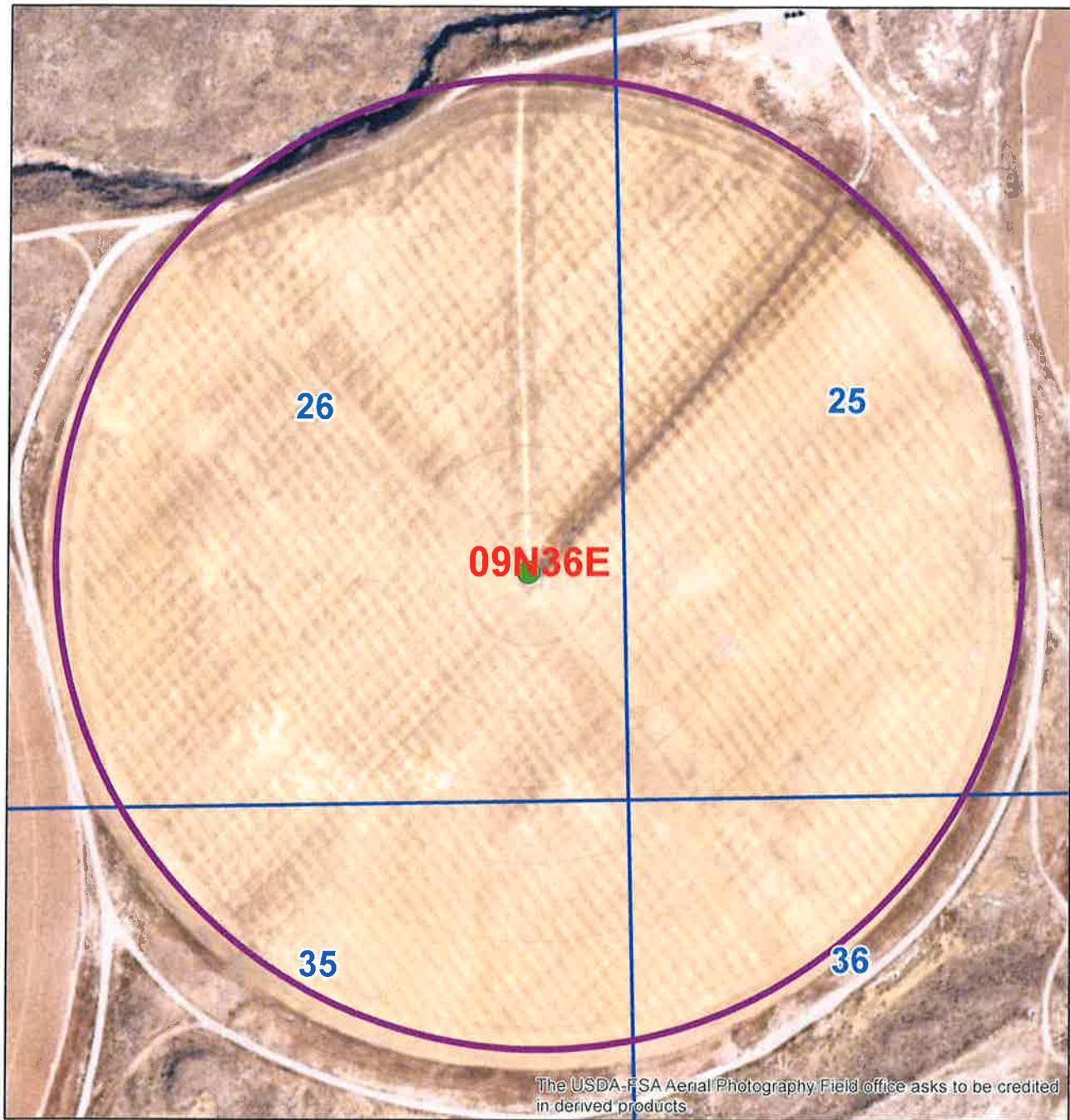
WATER RIGHT NO. 31-11915
As Modified by Transfer No. 82528

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 82528, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. This right does not grant any right-of-way or easement across the land of another.
9. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 82528

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

0 160 320 640 Feet
1 inch = 349 feet

