

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82408

This is to certify that: **GARDNER FARMS**
589 N 150 W
BLACKFOOT, ID 83221-5752

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>
35-2765	WR/DECREED	3/9/1965	4.750 cfs	1124.0 af	N/A	281.0	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>
35-2765	YES	YES	YES	YES	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>
35-2765	35-14594	0.320 cfs	76.0 af	N/A	19.0	35-2765	4.430 cfs	1048.0 af	N/A	262.0
COMBINED TOTALS		0.320 cfs	76.0 af	N/A	19.0		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

SUPPORT DATA

Transfer No. 82408

IN FILE # 35-2765

WATER RIGHT NO. 35-2765**As Modified by Transfer No. 82408**

In accordance with the approval of Transfer No. 82408, Water Right No. 35-2765 is now described as follows:

Right Holder: GARDNER FARMS
589 N 150 W
BLACKFOOT, ID 83221-5752

Priority Date: 3/9/1965

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

5/15

to

To

9/15

Diversion Rate

4.430 cfs

4.430 cfs

Diversion Volume

1048.0 af

1048.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWSWSW

Sec 1 Twp 01S Rge 34E 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	34E	1									15.0	37.0	39.0	40.0					131.0
01S	34E	2			2.0	3.0									34.0	24.0	29.0	39.0	131.0
					L 2	L 1													

POU Total Acres: 262.0

CONDITIONS OF APPROVAL

1. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before May 15 and after September 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 35-14594**As Modified by Transfer No. 82408**

In accordance with the approval of Transfer No. 82408, Water Right No. 35-14594 is now described as follows:

Right Holder: GARDNER FARMS
589 N 150 W
BLACKFOOT, ID 83221-5752

Priority Date: 3/9/1965

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

5/15

to

To

9/15

Diversion Rate

0.320 cfs

0.320 cfs

Diversion Volume

76.0 af

76.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSW

Sec 27 Twp 04S Rge 30E BINGHAM County

GROUND WATER

SWSW

Sec 27 Twp 04S Rge 30E 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	
04S	30E	28	19.0																19.0

POU Total Acres: 19.0

CONDITIONS OF APPROVAL

1. The period of use for the irrigation described in this approval may be extended to a beginning date of April 1 and an ending date of October 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 May 15 and after September 15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/6/2002.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
3. Prior to the diversion and use of water under Transfer approval 82408, 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.

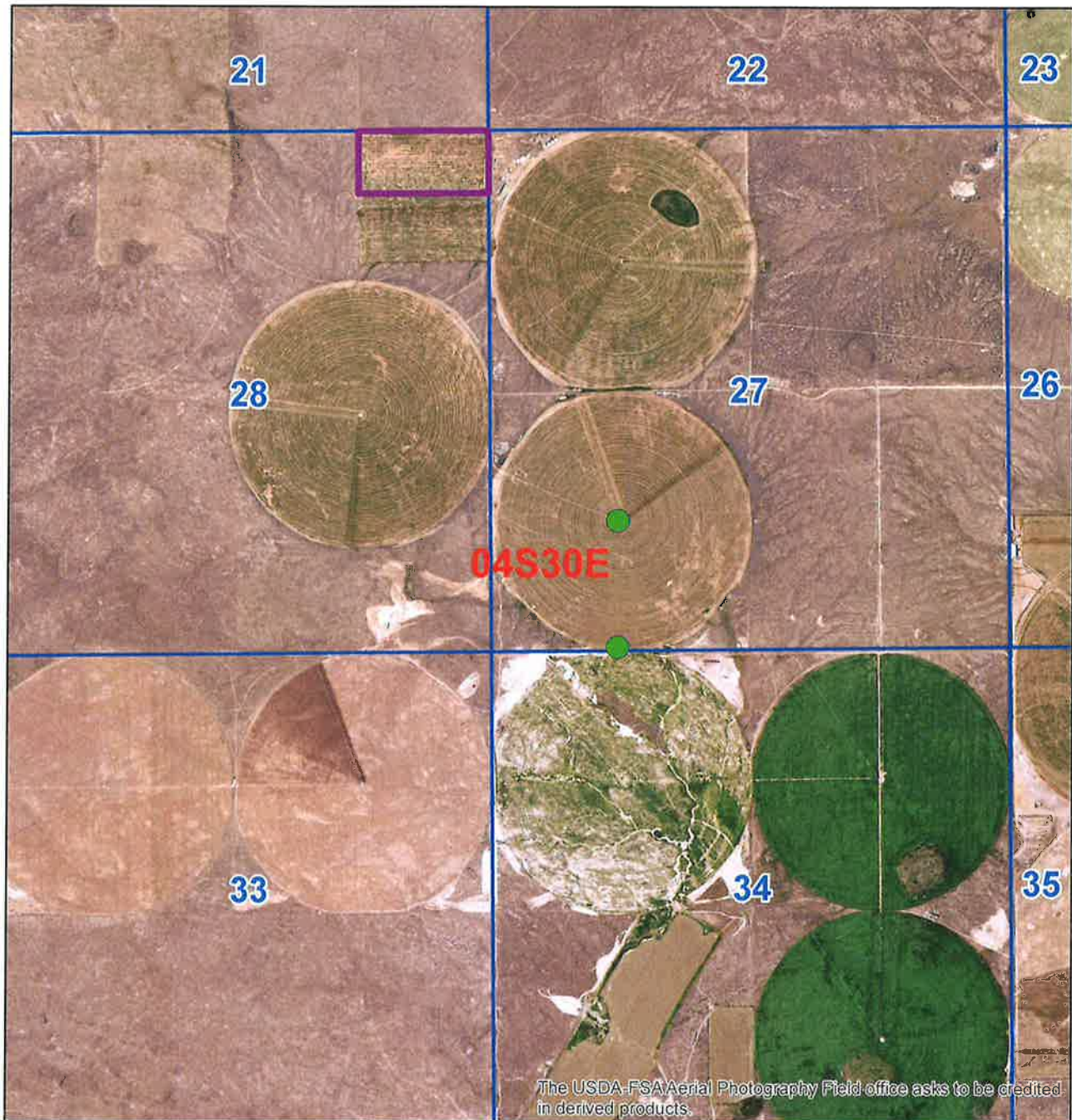
WATER RIGHT NO. 35-14594
As Modified by Transfer No. 82408

CONDITIONS OF APPROVAL

4. 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.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

Attachment to Transfer Approval 82408

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

0 700 1,400 2,800 Feet

1 inch = 1,627 feet

