

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82353**

This is to certify that: K & S PROPERTIES LLC
635 N 1200 W
BLACKFOOT, ID 83221
AND
KIM GROVER AND
SUE ANN GROVER
635 N 1200 W
BLACKFOOT, ID 83221

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>
35-7549A	WR/DECREED	12/4/1975	1.270 cfs	280.0 af	N/A	70.0	GROUND WATER
35-8204	WR/LICENSE	6/30/1983	0.920 cfs	184.0 af	N/A	46.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

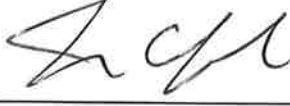
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-7549A	YES	YES	YES	NO	NO	NO
35-8204	NO	NO	YES	NO	NO	NO

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>
35-7549A	35-14597	0.930 cfs	204.0 af	51.0	97.0	35-7549A	0.340 cfs	76.0 af	N/A	19.0
35-8204	35-8204	0.920 cfs	184.0 af	46.0	97.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.850 cfs	388.0 af	97.0	97.0		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 24th day of July, 2018.


for Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 82353

IN FILE # 35-7549A

WATER RIGHT NO. 35-8204**As Modified by Transfer No. 82353**

In accordance with the approval of Transfer No. 82353, Water Right No. 35-8204 is now described as follows:

Right Holder: K & S PROPERTIES LLC
635 N 1200 W
BLACKFOOT, ID 83221

Priority Date: 6/30/1983

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
4/01

To
to 10/31

Diversion Rate
0.920 cfs
0.920 cfs

Diversion Volume
184.0 af
184.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L2 (SWNW) Sec 30 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	30					21.0	21.0	27.0	28.0									97.0
								L 1	L 2										

Right Acre Limit: 46.0

POU Total Acres: 97.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 46 acres within the authorized place of use in a single irrigation season.
2. Rights 35-8204 and 35-14597 when combined shall not exceed the irrigation of 97 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. 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.
5. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.

WATER RIGHT NO. 35-8204
As Modified by Transfer No. 82353

CONDITIONS OF APPROVAL

6. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gage station meet or exceed the minimum stream flows established by state action.
7. Prior to the diversion and use of water under Transfer approval 82353, 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.
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
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.

WATER RIGHT NO. 35-7549A
As Modified by Transfer No. 82353

In accordance with the approval of Transfer No. 82353, Water Right No. 35-7549A is now described as follows:

Right Holder: ROGER KIM GROVER And
 SUE ANN GROVER
 635 N 1200 W
 BLACKFOOT, ID 83221

Priority Date: 12/4/1975

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

to 11/01

To

Diversion Rate

0.340 cfs

0.340 cfs

Diversion Volume

76.0 af

76.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNW

Sec 5 Twp 02S Rge 34E 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	34E	31																	19.0

POU Total Acres: 19.0

CONDITIONS OF APPROVAL

- 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. 35-14597**As Modified by Transfer No. 82353**

In accordance with the approval of Transfer No. 82353, Water Right No. 35-14597 is now described as follows:

Right Holder: ROGER KIM GROVER And
SUE ANN GROVER
635 N 1200 W
BLACKFOOT, ID 83221

Priority Date: 12/4/1975

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 to **To** 11/01

Diversion Rate
0.930 cfs
0.930 cfs

Diversion Volume
204.0 af
204.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L2 (SWNW) Sec 30 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	30					21.0	21.0	27.0	28.0									97.0
								L1	L2										

Right Acre Limit: 51.0

POU Total Acres: 97.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 51 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14597 and 35-8204 when combined shall not exceed the irrigation of 97 acres.
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. Prior to the diversion and use of water under Transfer approval 82353, 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.

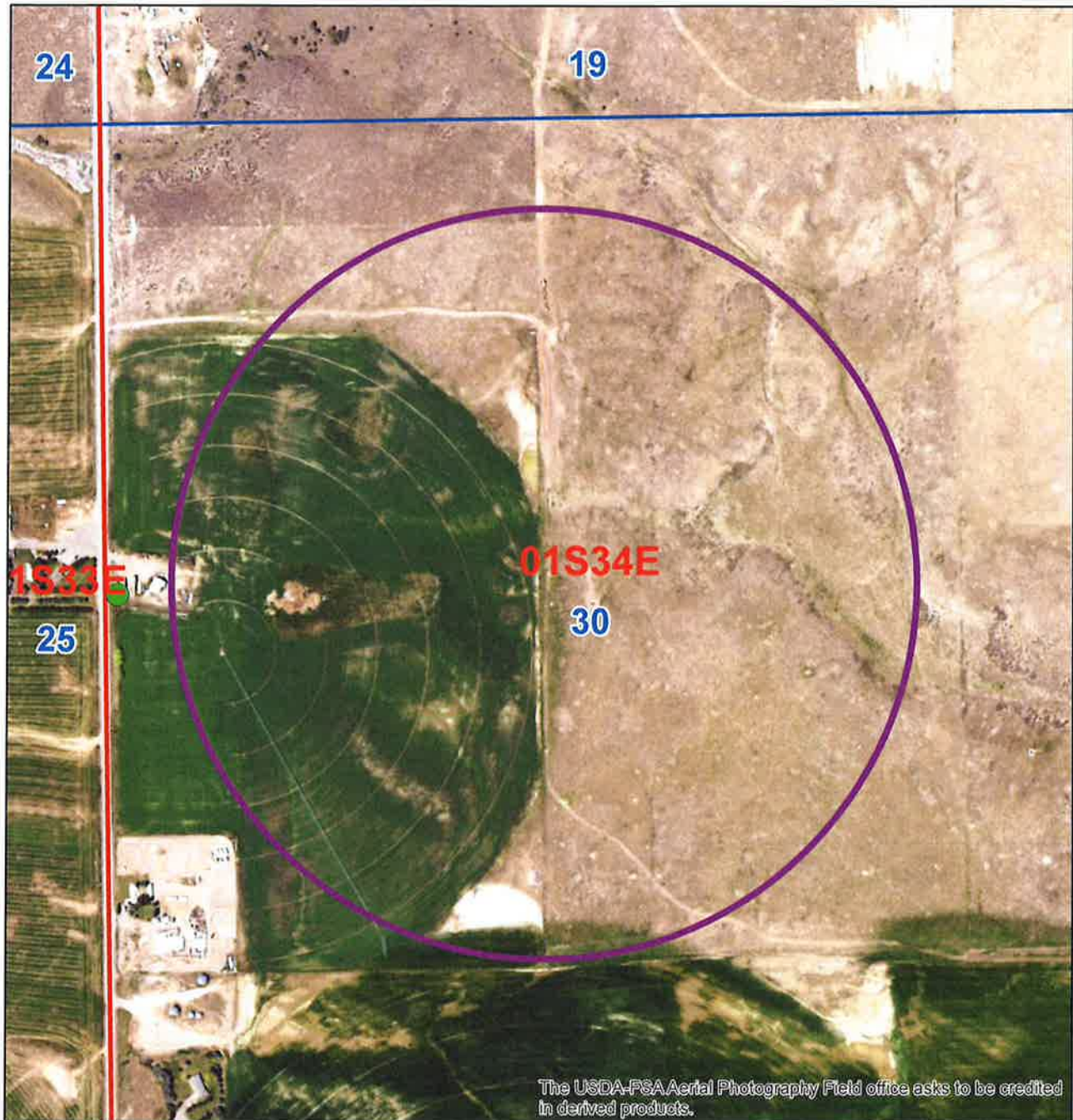
WATER RIGHT NO. 35-14597
As Modified by Transfer No. 82353

CONDITIONS OF APPROVAL

5. 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.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.
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 82353

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

0 230 460 920 Feet



1 inch = 496 feet

