

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82136**

This is to certify that: KAP PROPERTIES LLC
700 W GLOVER RD
ARIMO, ID 83214
AND
MINERVA WOODLAND TRUST
109 FAIRWAY CIR
POCATELLO, ID 83201

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>
29-14147	WR/DECREED	5/21/1974	0.530 cfs	212.0 af	N/A	61.0	GROUND WATER
29-7153	WR/DECREED	8/20/1973	2.500 cfs	1066.0 af	311.0	347.0	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>
29-14147	NO	NO	YES	YES	NO	NO
29-7153	NO	NO	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>
29-14147	29-14147	0.530 cfs	208.0 af	61.0	372.0	N/A	N/A	N/A	N/A	N/A
29-7153	29-7153	2.500 cfs	1070.0 af	311.0	372.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.030 cfs	1278.0 af	372.0	372.0		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 1st day of May, 2018.



Water Resources Program Manager

SUPPORT DATA

Transfer No. 82136

IN FILE # 29-7153

WATER RIGHT NO. 29-7153

As Modified by Transfer No. 82136

In accordance with the approval of Transfer No. 82136, Water Right No. 29-7153 is now described as follows:

Right Holder: MINERVA WOODLAND TRUST
109 FAIRWAY CIR
POCATELLO, ID 83201

Priority Date: 8/20/1973

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 11/01

Diversion Rate
2.500 cfs
2.500 cfs

Diversion Volume
1070.0 af
1070.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENE	Sec 28 Twp 10S Rge 36E	BANNOCK County
GROUND WATER	SENW	Sec 28 Twp 10S Rge 36E	BANNOCK County
GROUND WATER	NWSE	Sec 28 Twp 10S Rge 36E	BANNOCK 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	
10S	36E	21									35			40					75
10S	36E	28			38	31	36	32		39	37				24	24	36		297

Right Acre Limit: 311.0

POU Total Acres: 372.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 311 acres within the authorized place of use in a single irrigation season.
2. Rights 29-7153 and 29-14147 when combined shall not exceed the irrigation of 372 acres.
3. 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.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Use of this right is combined with water from Marsh Center Irrigating Co.
6. This right does not grant any right-of-way or easement across the land of another.

Transfer No. 82136

WATER RIGHT NO. 29-7153
As Modified by Transfer No. 82136

CONDITIONS OF APPROVAL

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. 29-14147**As Modified by Transfer No. 82136**

In accordance with the approval of Transfer No. 82136, Water Right No. 29-14147 is now described as follows:

Right Holder: KAP PROPERTIES LLC
700 W GLOVER RD
ARIMO, ID 83214

Priority Date: 5/21/1974

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/15

Diversion Rate
0.530 cfs
0.530 cfs

Diversion Volume
208.0 af
208.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE
GROUND WATER SENW
GROUND WATER NWSE

Sec 28 Twp 10S Rge 36E BANNOCK County
Sec 28 Twp 10S Rge 36E BANNOCK County
Sec 28 Twp 10S Rge 36E BANNOCK 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	
10S	36E	21													35			40	75
10S	36E	28			38	31	36	32		39	37					24	24	36	297

Right Acre Limit: 61.0

POU Total Acres: 372

CONDITIONS OF APPROVAL

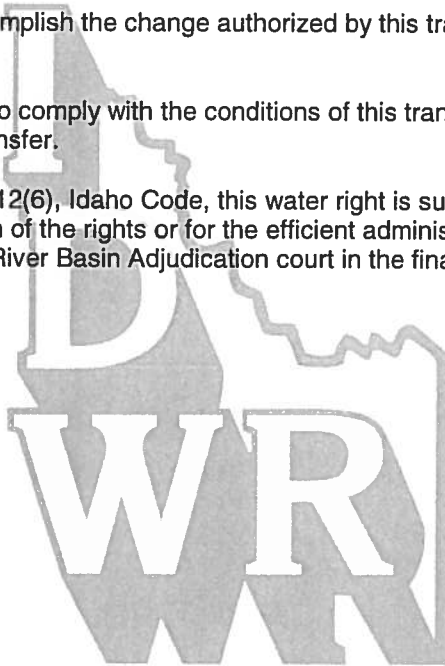
1. This right is limited to the irrigation of 61 acres within the authorized place of use in a single irrigation season.
2. Rights 29-7153 and 29-14147 when combined shall not exceed the irrigation of 372 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

WATER RIGHT NO. 29-14147

As Modified by Transfer No. 82136

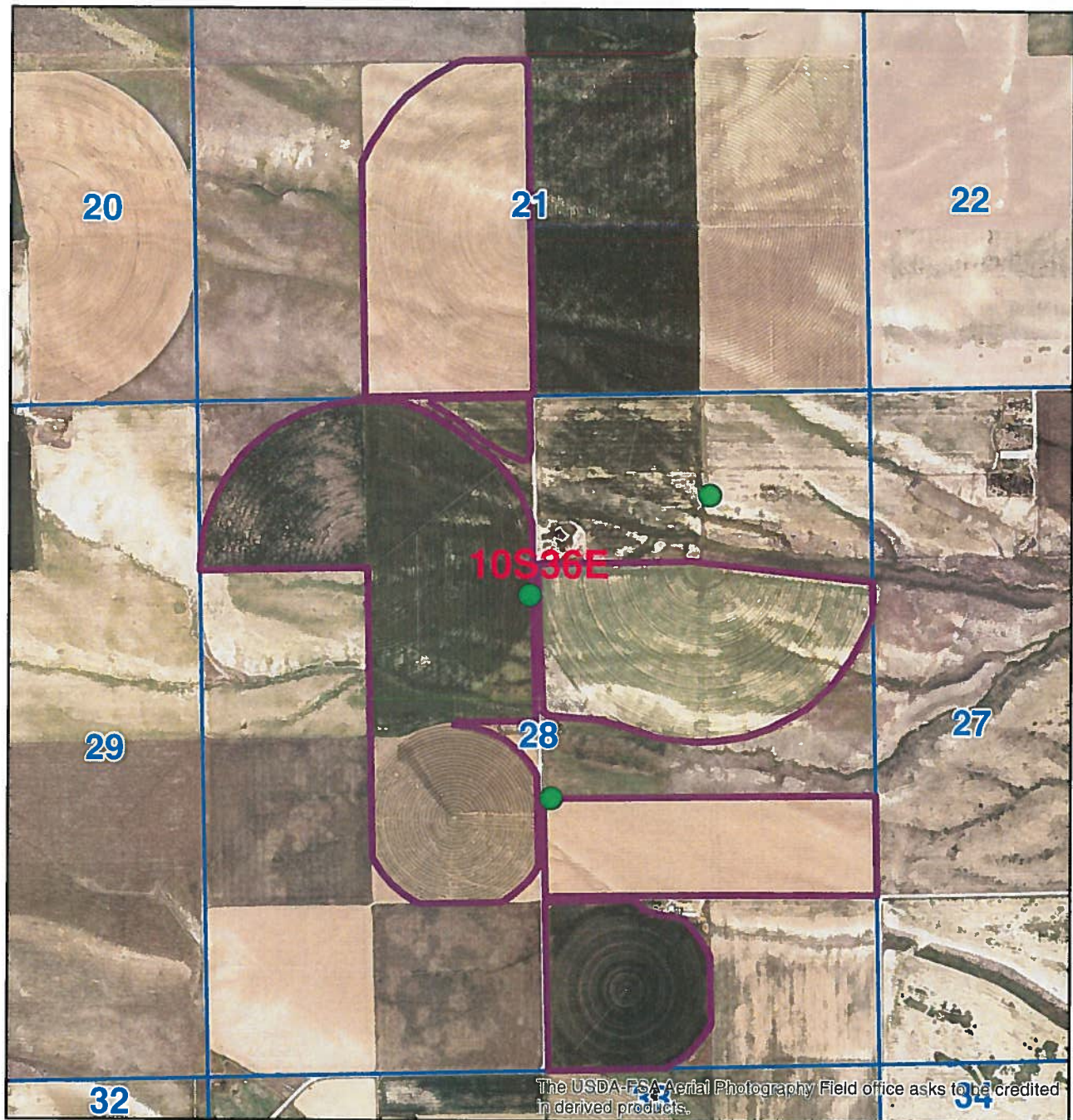
CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to 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 after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than March 22, 2004.
6. This right does not grant any right-of-way or easement across the land of another.
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.



Attachment to Transfer Approval 82136

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

0 550 1,100 2,200 Feet

1 inch = 1,256 feet

