

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 81333**

This is to certify that: MPH FARMS  
2935 W 2050 S  
ABERDEEN, ID 83210

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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 35-8932            | WR/LICENSE          | 1/8/1991             | 3.160 cfs             | 632.0 af                | N/A               | 158.0              | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

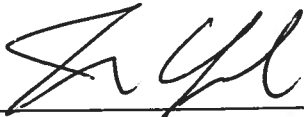
| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 35-8932               | NO           | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 35-8932                | 35-8932                          | 3.160 cfs            | 632.0 af               | N/A               | 158.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | 3.160 cfs            | 632.0 af               | N/A               | 158.0              |                                    | 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 5<sup>th</sup> day of April, 2018.

  
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Water Resources Program Manager

**WATER RIGHT NO. 35-8932****As Modified by Transfer No. 81333**

In accordance with the approval of Transfer No. 81333, Water Right No. 35-8932 is now described as follows:

**Right Holder:** MPH FARMS  
2935 W 2050 S  
ABERDEEN, ID 83210

**Priority Date:** 1/8/1991

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

to

**To**

10/31

**Diversion Rate**

3.160 cfs

3.160 cfs

**Diversion Volume**

632.0 af

632.0 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER NWSW  
GROUND WATER SWSW  
GROUND WATER SENW

Sec 15 Twp 06S Rge 29E POWER County  
Sec 15 Twp 06S Rge 29E POWER County  
Sec 16 Twp 06S Rge 29E POWER 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 |        |
| 06S | 29E | 15  |      |      |      |      |    |    |    |    |      |    |    |      |    | 1.4 | 2.7 |    | 4.1    |
| 06S | 29E | 17  | 30.6 | 23.9 | 23.3 | 32.7 |    |    |    |    | 19.2 |    |    | 24.2 |    |     |     |    | 153.9  |

POU Total Acres: 158.0

**CONDITIONS OF APPROVAL**

1. Rights 35-7984 and 35-8932 when combined shall not exceed a total diversion rate of 5.92 cfs.
2. Rights 35-7477A, 35-7984 and 35-8932 when combined shall not exceed a total diversion rate of 17.25 cfs.
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. 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.

Transfer No. 81333

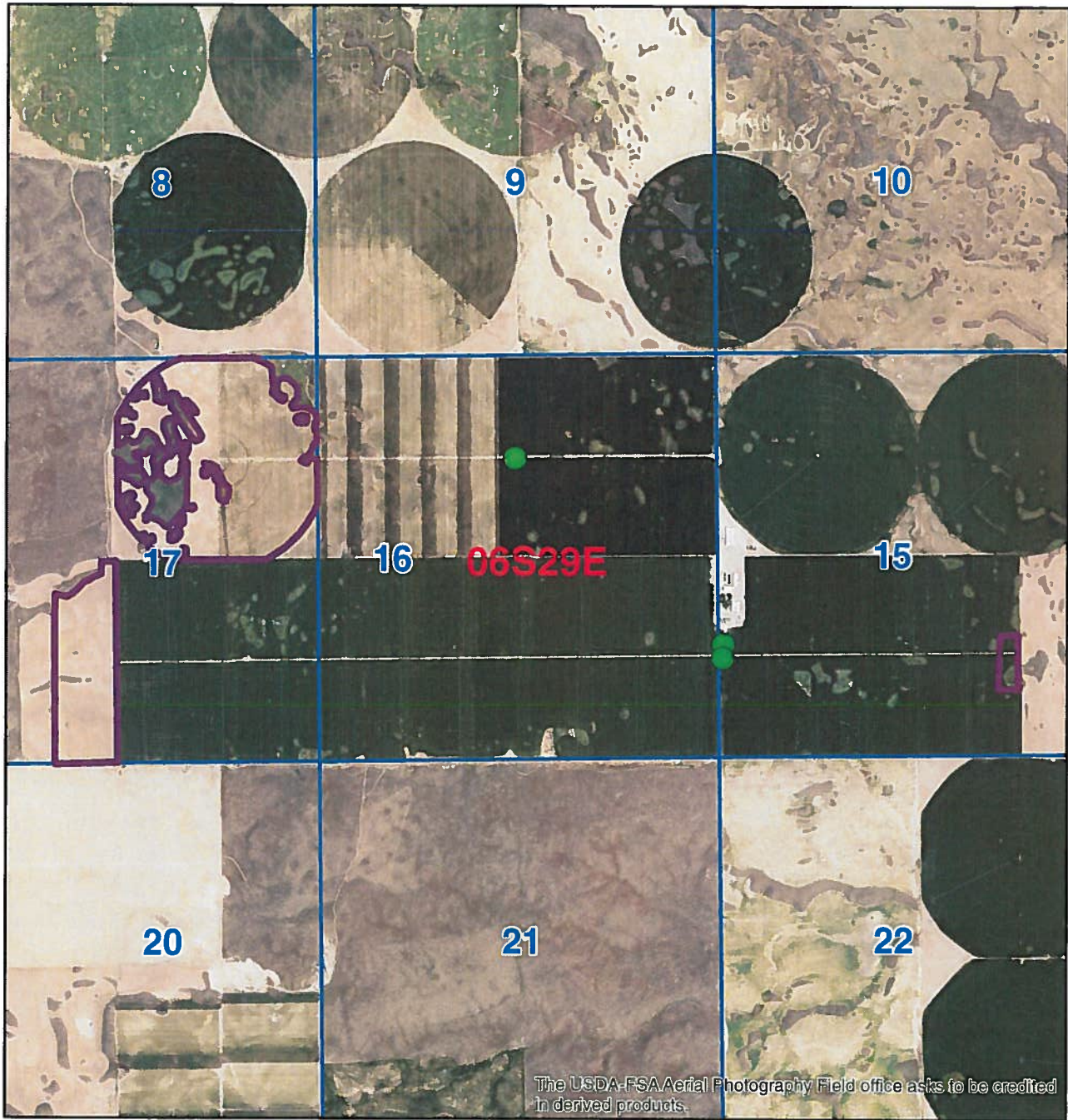
**WATER RIGHT NO. 35-8932**  
**As Modified by Transfer No. 81333**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 81333, 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. As resources allow, the Department will conduct one or more in-person field examinations of the authorized place of use for this right during the 2018 and 2019 irrigation seasons and thereafter as the Department deems appropriate to verify that the pivot system is not irrigating outside of the authorized place of use of this right, particularly the rock patches that are not authorized to be irrigated.
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 lands above.
8. This right is for the use of trust water, and it is subject to review 20 years after August 2, 1991 to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
9. Noncompliance with any condition of this right is cause for the director to issue a notice of violation, cancel, or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.
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.

# Attachment to Transfer Approval 81333

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

0 900 1,800 3,600 Feet

1 inch = 2,094 feet

