

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81987**

This is to certify that: **PRIVATE CAPITAL GROUP INC**
160 W CANYON CREST RD
ALPINE, UT 84004

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>
11-7597	WR/DECREED	4/15/1877	10.03 cfs	N/A	N/A	284.2	BEAR RIVER
11-7601	WR/DECREED	4/15/1885	0.80 cfs	N/A	N/A	39.8	BEAR RIVER

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>
11-7597	NO	YES	YES	NO	NO	NO
11-7601	NO	YES	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>
11-7597	11-7597	10.030 cfs	N/A	284.2	324.0	N/A	N/A	N/A	N/A	N/A
11-7601	11-7601	0.800 cfs	N/A	39.8	324.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		10.830 cfs	N/A	324.0	324.0		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 23rd day of February, 2019.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 81987

IN FILE # 11-7597

WATER RIGHT NO. 11-7597**As Modified by Transfer No. 81987**

In accordance with the approval of Transfer No. 81987, Water Right No. 11-7597 is now described as follows:

Right Holder: PRIVATE CAPITAL GROUP INC
160 W CANYON CREST RD
ALPINE, UT 84004

Priority Date: 4/15/1877

Source: BEAR RIVER

Tributary: GREAT SALT LAKE

BENEFICIAL USE

IRRIGATION
IRRIGATION

From

04/15
07/01

to

To

07/01
to 09/30

Diversion Rate

10.030 cfs
6.690 cfs
10.030 cfs

LOCATION OF POINT(S) OF DIVERSION

BEAR RIVER

L2 (NWNE)

Sec 06 Twp 15S Rge 46E BEAR LAKE 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	
15S	45E	2									27.0			39.4		4.9	38.4	12.5	122.2
15S	45E	11	21.5	30.4	39.7	33.9	39.6	3.6		18.3									187.0
15S	45E	12						14.8											14.8

Right Acre Limit: 284.2

POU Total Acres: 324.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 284.2 acres within the authorized place of use in a single irrigation season.
2. Rights 11-7597 and 11-7601 when combined shall not exceed the irrigation of 324 acres.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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. 11.

Transfer No. 81987

WATER RIGHT NO. 11-7597
As Modified by Transfer No. 81987

CONDITIONS OF APPROVAL

5. This right is a Meadow Right subject to the administration provisions set forth on page 19 of the Decree in Preston Montpelier Irr. Co. v. Dingle Irr. Co, et. al., (Mar. 7, 1924, 5th Jud. Dist. Ct.) (AKA "Terrell Decree").
6. Water is delivered through the Nuffer Ditch.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
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.



WATER RIGHT NO. 11-7601
As Modified by Transfer No. 81987

In accordance with the approval of Transfer No. 81987, Water Right No. 11-7601 is now described as follows:

Right Holder: PRIVATE CAPITAL GROUP INC
 160 W CANYON CREST RD
 ALPINE, UT 84004

Priority Date: 4/15/1885

Source: BEAR RIVER

Tributary: GREAT SALT LAKE

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 09/30

Diversion Rate

0.800 cfs

0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BEAR RIVER

L2 (NWNE)

Sec 06 Twp 15S Rge 46E BEAR LAKE 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	
15S	45E	2									27.0			39.4		4.9	38.4	12.5	122.2
15S	45E	11	21.5	30.4	39.7	33.9	39.6	3.6		18.3									187.0
15S	45E	12						14.8											14.8

Right Acre Limit: 39.8

POU Total Acres: 324.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 39.8 acres within the authorized place of use in a single irrigation season.
2. Rights 11-7597 and 11-7601 when combined shall not exceed the irrigation of 324 acres.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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. 11.
5. This right is an Agricultural Right subject to the administration provisions set forth on page 19 of the Decree in Preston Montpelier Irr. Co. v. Dingle Irr. Co, et. al., (Mar. 7, 1924, 5th Jud. Dist. Ct.) (AKA "Terrell Decree").

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WATER RIGHT NO. 11-7601
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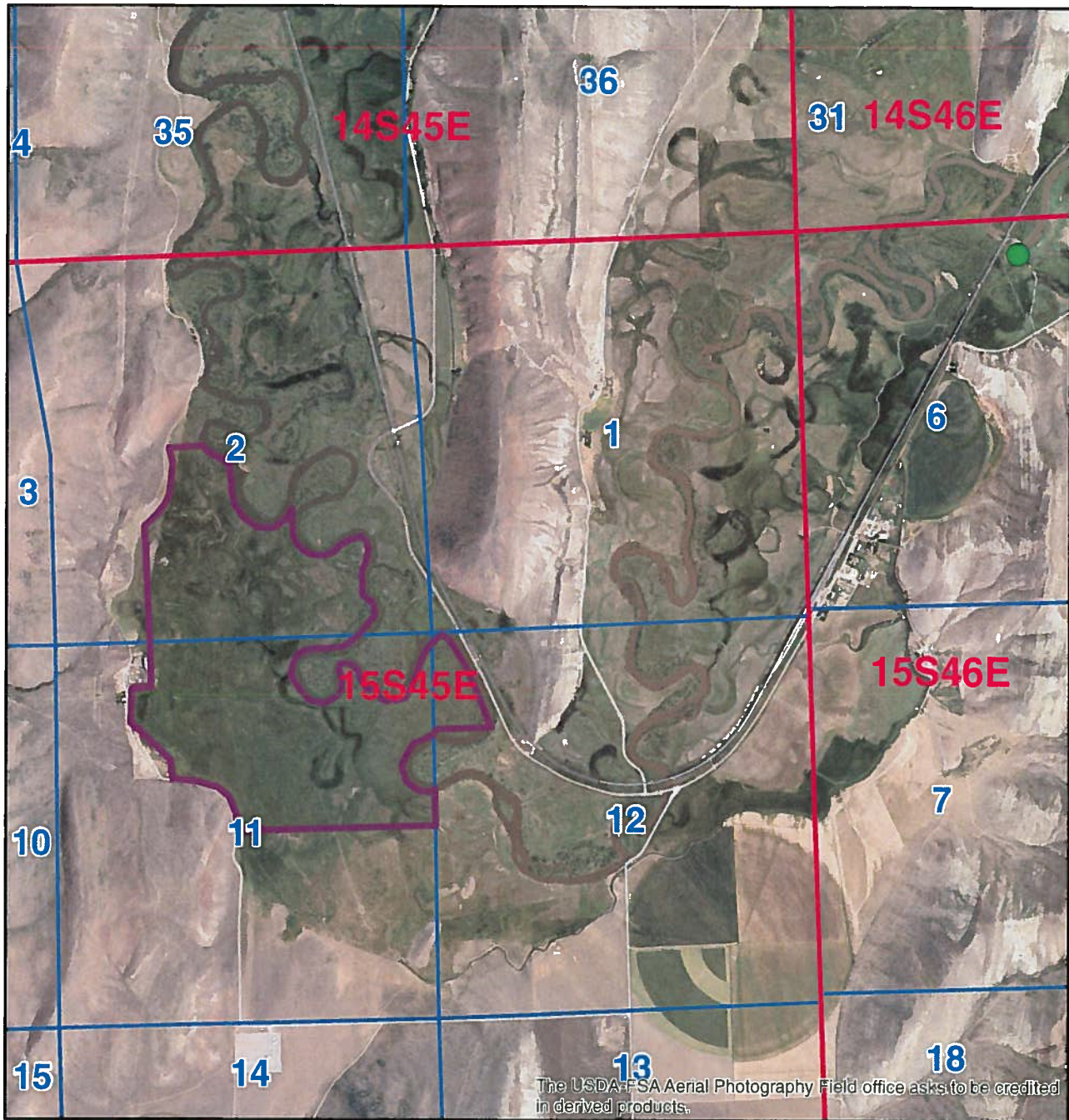
CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. Water is delivered through the Nuffer Ditch.
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.



Transfer Approval 81987

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

0 950 1,900 3,800 Feet

1 inch = 2,202 feet

