

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

82065

RECEIVED

NOV 22 2017

Department of Water Resources
Eastern Region

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Houghland Farms, Inc.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☒ ☐ #10 Other. Please describe: Spreadsheet used to calculate change in acres for determination of applicable filing fee.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Houghland Farms, Inc. Phone _____
Mailing address 1842 W 800 S, Pingree, ID 83262-1253 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Luke H. Marchant Phone (208) 523-0620
Mailing address PO Box 50130, Idaho Falls, ID 83405 Email lmarchant@holdenlegal.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.



Signature of Applicant or Authorized Representative

Luke H. Marchant, Attorney

Print Name and Title if applicable

11/22/2017

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Change condition on water rights
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

The purpose of this Application for Transfer is to change the point of diversion and place of use for 77.8 acres of Water Right No. 35-14140 and 5.2 acres of Water Right No. 35-14142. These 83 acres will be combined with Water Right Nos. 35-14141 and 35-14143 to create a 148.2 acre place of use. This transfer will change condition X35 on Water Right Nos. 35-14141 and 35-14143 so that the three water rights (35-14141, 35-14143, and the transferred portions of 35-14140 and 35-14143), when combined, are limited to the irrigation of 148.2 acres. There will no longer be a 161 acre place of use and it will not be necessary to change the place of use in the future or submit an electronic shape file.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	35-14141	0.84 cfs/198.4 ac-ft	Irrigation	04/15 to 10/01	Ground water
☒ ☐	35-14143	0.22 cfs/62.4 ac-ft	Irrigation	04/15 to 10/01	Ground water
☐ ☒	35-14140	1.31 cfs/311.2 ac-ft	Irrigation	04/15 to 10/01	Ground water
☐ ☒	35-14142	0.07 cfs/20.8 ac-ft	Irrigation	04/15 to 10/01	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.44 cfs and/or 592.8 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.4 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		SW	SE	SW	19	04S	33E	Bingham	Ground water	
		Per Transfer Memo No. 24, Part 12 it is not necessary to run an ESPA analysis because the proposed point of diversion is in a model grid cell adjacent to the current point of diversion.								

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	33E	19									29.8	23.8	26.7	28.5					108.8
		30					20.9	18.5											39.4
Total Acres (for irrigation use)																			148.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Well and pump into pressurized pipeline.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete [Attachment WSB](#).

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

It will no longer be irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

**Attachment No. 2a
Water Right Ownership
Documentation**

82065

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/20/2017

WATER RIGHT NO. 35-14140

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOUGHLAND FARMS INC 1842 W 800 S PINGREE, ID 83262-1253 2083282245
Original Owner	AETNA LIFE INSURANCE CO 151 FARMINGTON AVE HARTFORD, CT 06156

Priority Date: 04/08/1970

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/01	4.11 CFS	977.6 AFA
Total Diversion			4.11 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESWNE|Sec. 30|Township 04S|Range 33E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	33E	19		SWSE	28.1		SESE	27						

30	NENE 26.9	NWNE 28.8	SWNE 33	SENE 34
	NESE 34	NWSE 32.6		

Total Acres: 244.4

Conditions of Approval:

1. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and 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 before 4/15 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 01/31/2002
2. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/20/2017

WATER RIGHT NO. 35-14141

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOUGHLAND FARMS INC 1842 W 800 S PINGREE, ID 83262-1253 2083282245
Original Owner	AETNA LIFE INSURANCE CO 151 FARMINGTON AVE HARTFORD, CT 06156

Priority Date: 04/08/1970

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/01	0.84 CFS	198.4 AFA
Total Diversion			0.84 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWSESW|Sec. 19|Township 04S|Range 33E|BINGHAM County

IRRIGATION Use:

Acre Limit: 49.6

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	32E	24		NESE	0.5									
	33E	19		SWNW	0.1									
				NESW	31.7		NWSW	25.4		SWSW	27.1		SESW	35.6
		30		NENW	23.1		NWNW	17.5						

Total Acres: 161

Conditions of Approval:

1. X27 This right is limited to the irrigation of 49.6 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14141 and 35-14143 when combined shall not exceed the irrigation of 65.2 acres. Rights 35-14141 and 35-14143 are limited to the irrigation of a specific 65.2 acres within the 161.0 acre place of use authorized by this right in a single irrigation season. The specific 65.2 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an
3. 206 electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 65.2 acres to be irrigated within the 161.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. R05 Use of water under this right will 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.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 214 Prior to the diversion and use of water under Transfer approval 77285, 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.
7. 213 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.
8. R64 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.
9. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and 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 before 4/15 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 01/31/2002
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 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 may be

determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:**Licensed Date:****Decreed Date:** 01/31/2002**Enlargement Use Priority Date:****Enlargement Statute Priority Date:****Water Supply Bank Enrollment Date Accepted:****Water Supply Bank Enrollment Date Removed:****Application Received Date:****Protest Deadline Date:****Number of Protests:** 0**Other Information:****State or Federal:** S**Owner Name Connector:****Water District Number:** 120**Generic Max Rate per Acre:** 0.02**Generic Max Volume per Acre:** 4**Combined Acres Limit:** 65.2**Combined Volume Limit:****Combined Rate Limit:****Civil Case Number:****Old Case Number:****Decree Plaintiff:****Decree Defendant:****Swan Falls Trust or Nontrust:****Swan Falls Dismissed:****DLE Act Number:****Cary Act Number:****Mitigation Plan:** False

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/20/2017

WATER RIGHT NO. 35-14142

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOUGHLAND FARMS INC 1842 W 800 S PINGREE, ID 83262-1253 2083282245
Original Owner	AETNA LIFE INSURANCE CO 151 FARMINGTON AVE HARTFORD, CT 06156

Priority Date: 04/08/1970

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/01	1.99 CFS	553.6 AFA
Total Diversion			1.99 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESWNW|Sec. 29|Township 04S|Range 33E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	33E	29		NWNW	38		SWNW	39						

NESW

30.1

NWSW

31.3

Total Acres: 138.4

Conditions of Approval:

1. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and 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 before 4/15 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 01/31/2002
2. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/20/2017

WATER RIGHT NO. 35-14143

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOUGHLAND FARMS INC 1842 W 800 S PINGREE, ID 83262-1253 2083282245
Original Owner	AETNA LIFE INSURANCE CO 151 FARMINGTON AVE HARTFORD, CT 06156

Priority Date: 04/08/1970

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/01	0.22 CFS	62.4 AFA
Total Diversion			0.22 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWSESW|Sec. 19|Township 04S|Range 33E|BINGHAM County

IRRIGATION Use:

Acre Limit: 15.6

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	32E	24		NESE	0.5									
	33E	19		SWNW	0.1									
				NESW	31.7		NWSW	25.4		SWSW	27.1		SESW	35.6
		30		NENW	23.1		NWNW	17.5						

Total Acres: 161

Conditions of Approval:

1. X27 This right is limited to the irrigation of 15.6 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14141 and 35-14143 when combined shall not exceed the irrigation of 65.2 acres. Rights 35-14141 and 35-14143 are limited to the irrigation of a specific 65.2 acres within the 161.0 acre place of use authorized by this right in a single irrigation season. The specific 65.2 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 65.2 acres to be irrigated within the 161.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
3. 206
4. R05 Use of water under this right will 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.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 214 Prior to the diversion and use of water under Transfer approval 77285, 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.
7. 213 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.
8. R64 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.
9. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and 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 before 4/15 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 01/31/2002
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 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 may be

determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 65.2

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Attachment No. 7a

GIS Maps

82065



2015 NAIP Photo



Prepared by:
Luke H. Marchant
11/22/2017

Attachment No. 7b
GIS Shapefile

**(Will be sent via email upon
request from IDWR)**

Attachment No. 10

Other

82065

[illegible][illegible][illegible]

Total positive change in acres	0.0
Total negative change in acres	-77.8
Total Allowed Diversion Rate	4.11
Rate/Acre	0.0168
Diversion Rate for Positive Change in Acres	0.0000
Diversion Rate for Negative Change in Acres	1.3083

PLACE OF USE DESCRIPTION <u>AFTER</u> PROPOSED CHANGES
1. <u>USE</u> OF THE <u>PROPOSED</u> CHANGES

PLACE OF USE DESCRIPTION BEFORE PROPOSED CHANGES	PROPOSED CHANGES

CHANGE IN ACRES

Total positive change in acres	0.0	Used for calculating fitting the
Total negative change in acres	-5.2	
Total Misused Diversion Rate	1.99	
Rate/Acre	0.0344	
Diversion Rate for Positive Change in Acres	0.0000	
Diversion Rate for Negative Change in Acres	0.0748	