

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80953**

This is to certify that: LUANN S BRANCH AND
NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

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>
43-10238	WR/DECREED	9/1/1961	3.200 cfs	1156.0 af	289.0	585.0	GROUND WATER
43-12960	WR/DECREED	6/30/1985	1.440 cfs	N/A	134.0	585.0	GROUND WATER
43-12994	WR/DECREED	11/15/1973	0.960 cfs	N/A	73.0	213.0	CASSIA CREEK
43-12995	WR/DECREED	6/30/1985	0.880 cfs	N/A	63.0	213.0	GROUND WATER
43-193	WR/DECREED	4/1/1894	3.900 cfs	N/A	479.0	585.0	CASSIA CREEK
43-194	WR/DECREED	4/30/1885	3.000 cfs	N/A	479.0	585.0	CASSIA CREEK
43-195	WR/DECREED	4/30/1880	1.200 cfs	N/A	479.0	585.0	CASSIA CREEK
43-2361	WR/DECREED	2/24/1951	3.000 cfs	N/A	150.0	213.0	GROUND WATER
43-2422	WR/DECREED	2/15/1955	3.100 cfs	648.0 af	162.0	585.0	GROUND WATER
43-293A	WR/DECREED	4/30/1880	1.400 cfs	N/A	69.0	213.0	CASSIA CREEK
43-296A	WR/DECREED	4/1/1894	1.070 cfs	N/A	140.0	213.0	CASSIA CREEK
43-302	WR/DECREED	4/30/1885	1.200 cfs	N/A	71.0	213.0	CASSIA CREEK

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>
43-10238	NO	NO	YES	YES	NO	NO
43-12960	NO	NO	YES	YES	NO	NO
43-12994	NO	NO	YES	NO	NO	NO
43-12995	NO	NO	YES	YES	NO	NO
43-193	NO	NO	YES	NO	NO	NO
43-194	NO	NO	YES	NO	NO	NO
43-195	NO	NO	YES	NO	NO	NO
43-2361	NO	NO	YES	YES	NO	NO
43-2422	NO	NO	YES	YES	NO	NO
43-293A	NO	NO	YES	NO	NO	NO
43-296A	NO	NO	YES	NO	NO	NO
43-302	NO	NO	YES	NO	NO	NO

SUPPORT DATA

Transfer No. 80953

IN FILE # 43-193

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80953**

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>
43-10238	43-10238	3.200 cfs	1156.0 af	289.0	826.0	N/A	N/A	N/A	N/A	N/A
43-12960	43-12960	1.440 cfs	N/A	134.0	826.0	N/A	N/A	N/A	N/A	N/A
43-12994	43-12994	0.960 cfs	N/A	73.0	826.0	N/A	N/A	N/A	N/A	N/A
43-12995	43-12995	0.880 cfs	N/A	63.0	826.0	N/A	N/A	N/A	N/A	N/A
43-193	43-193	3.900 cfs	N/A	467.0	826.0	N/A	N/A	N/A	N/A	N/A
43-194	43-194	3.000 cfs	N/A	467.0	826.0	N/A	N/A	N/A	N/A	N/A
43-195	43-195	1.200 cfs	N/A	467.0	826.0	N/A	N/A	N/A	N/A	N/A
43-2361	43-2361	3.000 cfs	N/A	150.0	826.0	N/A	N/A	N/A	N/A	N/A
43-2422	43-2422	3.100 cfs	648.0 af	162.0	826.0	N/A	N/A	N/A	N/A	N/A
43-293A	43-293A	1.400 cfs	N/A	69.0	826.0	N/A	N/A	N/A	N/A	N/A
43-296A	43-296A	1.070 cfs	N/A	140.0	826.0	N/A	N/A	N/A	N/A	N/A
43-302	43-302	1.200 cfs	N/A	71.0	826.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		22.030 cfs	N/A	798.0	826.0		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 13th day of December, 2017.



Southern Region Manager

WATER RIGHT NO. 43-12960**As Modified by Transfer No. 80953**

In accordance with the approval of Transfer No. 80953, Water Right No. 43-12960 is now described as follows:

Right Holder: BRANCH FARMS LLC
PO BOX 24
MALTA, ID 83342

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From 03/15 **To** 11/15

Diversion Rate

1.440 cfs

1.440 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	NESE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SENW	Sec 30 Twp 12S Rge 27E	CASSIA County
GROUND WATER	L2 (SWNW)	Sec 30 Twp 12S Rge 27E	CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 134.0

POU Total Acres: 826.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 134 acres within the authorized place of use in a single irrigation season.
2. Rights 43-02422, 43-10238, & 43-12960 when combined shall not exceed a total diversion rate of 6.3 cfs and a total annual maximum diversion volume of 1804 af at the field headgate.
3. Rights 43-00193, 43-00194, 43-00195, 43-02422, 43-10238, & 43-12960 when combined shall not exceed the irrigation of 585 acres.

Transfer No. 80953

WATER RIGHT NO. 43-12960
As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

4. Rights 43-00193, 43-00194, 43-00195, 43-293A, 43-296A, 43-302, 43-2361, 43-02422, 43-10238, 43-12960, 43-12994 & 43-12995 when combined shall not exceed a total diversion rate of 22.03 cfs and the irrigation of 798 acres.
5. Rights 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, and 43-12995 are limited to the irrigation of a specific 798.0 acres within the 826.0 acre place of use authorized by this right in a single irrigation season. The specific 798.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 798.0 acres to be irrigated within the 826.0 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.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Section 42-222, Idaho Code, or other Department approval.
8. 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. 143.
9. 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).
10. This right is an expansion of Right No. 43-2422 & 43-10238 pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 43-12994**As Modified by Transfer No. 80953**

In accordance with the approval of Transfer No. 80953, Water Right No. 43-12994 is now described as follows:

Right Holder: NOLAN K BRANCH AND/OR
LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 11/15/1973

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE
IRRIGATION

From 03/15 **to** 11/15

Diversion Rate
0.960 cfs
0.960 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK NESE Sec 25 Twp 12S Rge 26E CASSIA County
CASSIA CREEK NENENE Sec 14 Twp 13S Rge 26E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
											L 3	L 4							
12S	27E	30					40.0	51.0	51.0	40.0									182.0
							L 1	L 2											

Right Acre Limit: 73.0

POU Total Acres: 826.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 73 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12995 when combined shall not exceed the irrigation of 213 acres.
3. Rights 43-00193, 43-00194, 43-00195, 43-293A, 43-296A, 43-302, 43-2361, 43-02422, 43-10238, 43-12960, 43-12994 & 43-12995 when combined shall not exceed a total diversion rate of 22.03 cfs and the irrigation of 798 acres.

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WATER RIGHT NO. 43-12994
As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

4. Rights 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, and 43-12995 are limited to the irrigation of a specific 798.0 acres within the 826.0 acre place of use authorized by this right in a single irrigation season. The specific 798.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 798.0 acres to be irrigated within the 826.0 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.
5. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.
7. 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. 43C.
8. 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).
9. This right is based upon an enlargement of Rights 43-293A, 43-296A, and 43-302 pursuant to Section 42-1426, Idaho Code.
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.
12. 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. 43-296A

As Modified by Transfer No. 80953

In accordance with the approval of Transfer No. 80953, Water Right No. 43-296A is now described as follows:

Right Holder: LUANN S BRANCH AND/OR
NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 4/1/1894

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

1.070 cfs

1.070 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK
CASSIA CREEK

NESE
NENENE

Sec 25 Twp 12S Rge 26E CASSIA County
Sec 14 Twp 13S Rge 26E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 140.0

POU Total Acres: 826.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12995 when combined shall not exceed the irrigation of 213 acres.
3. Rights 43-00193, 43-00194, 43-00195, 43-293A, 43-296A, 43-302, 43-2361, 43-02422, 43-10238, 43-12960, 43-12994 & 43-12995 when combined shall not exceed a total diversion rate of 22.03 cfs and the irrigation of 798 acres.

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WATER RIGHT NO. 43-296A
As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

4. Rights 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, and 43-12995 are limited to the irrigation of a specific 798.0 acres within the 826.0 acre place of use authorized by this right in a single irrigation season. The specific 798.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 798.0 acres to be irrigated within the 826.0 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.
5. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. 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. 43C.
7. 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).
8. When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.
9. Right No. 43-12994 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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.
12. 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. 43-302
As Modified by Transfer No. 80953

In accordance with the approval of Transfer No. 80953, Water Right No. 43-302 is now described as follows:

Right Holder: LUANN S BRANCH AND/OR
 NOLAN K BRANCH
 PO BOX 24
 MALTA, ID 83342-0024

Priority Date: 4/30/1885

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE

IRRIGATION

From 03/15 **to** 11/15

Diversion Rate

1.200 cfs
 1.200 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK
 CASSIA CREEK

NESE
 NENENE

Sec 25 Twp 12S Rge 26E CASSIA County
 Sec 14 Twp 13S Rge 26E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
							L 1	L 2											

Right Acre Limit: 71.0

POU Total Acres: 826.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12995 when combined shall not exceed the irrigation of 213 acres.
3. Rights 43-00193, 43-00194, 43-00195, 43-293A, 43-296A, 43-302, 43-2361, 43-02422, 43-10238, 43-12960, 43-12994 & 43-12995 when combined shall not exceed a total diversion rate of 22.03 cfs and the irrigation of 798 acres.

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WATER RIGHT NO. 43-302

As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

4. Rights 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, and 43-12995 are limited to the irrigation of a specific 798.0 acres within the 826.0 acre place of use authorized by this right in a single irrigation season. The specific 798.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 798.0 acres to be irrigated within the 826.0 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.
5. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. 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. 43C.
7. 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).
8. When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.
9. Right No. 43-12994 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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.
12. 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. 43-2422**As Modified by Transfer No. 80953**

In accordance with the approval of Transfer No. 80953, Water Right No. 43-2422 is now described as follows:

Right Holder: BRANCH FARMS LLC
PO BOX 24
MALTA, ID 83342

Priority Date: 2/15/1955

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From 03/15 **to** 11/15

Diversion Rate

3.100 cfs
3.100 cfs

Diversion Volume

648.0 af
648.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	NESE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 30 Twp 12S Rge 27E	CASSIA County
GROUND WATER	L2 (SWNW)	Sec 30 Twp 12S Rge 27E	CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 162.0

POU Total Acres: 826.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 162 acres within the authorized place of use in a single irrigation season.
2. Rights 43-02422, 43-10238, & 43-12960 when combined shall not exceed a total diversion rate of 6.3 cfs and a total annual maximum diversion volume of 1804 af at the field headgate.
3. Rights 43-00193, 43-00194, 43-00195, 43-02422, 43-10238, & 43-12960 when combined shall not exceed the irrigation of 585 acres.

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WATER RIGHT NO. 43-2422

As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

4. Rights 43-00193, 43-00194, 43-00195, 43-293A, 43-296A, 43-302, 43-2361, 43-02422, 43-10238, 43-12960, 43-12994 & 43-12995 when combined shall not exceed a total diversion rate of 22.03 cfs and the irrigation of 798 acres.
5. Rights 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, and 43-12995 are limited to the irrigation of a specific 798.0 acres within the 826.0 acre place of use authorized by this right in a single irrigation season. The specific 798.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 798.0 acres to be irrigated within the 826.0 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.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Section 42-222, Idaho Code, or other Department approval.
8. 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. 143.
9. 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).
10. Right No. 43-12960 is an expansion of rights 43-2422 and 43-10238 pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 43-10238**As Modified by Transfer No. 80953**

In accordance with the approval of Transfer No. 80953, Water Right No. 43-10238 is now described as follows:

Right Holder: BRANCH FARMS LLC
PO BOX 24
MALTA, ID 83342

Priority Date: 9/1/1961

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From 03/15 **to** 11/15

Diversion Rate

3.200 cfs
3.200 cfs

Diversion Volume

1156.0 af
1156.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	NESE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 30 Twp 12S Rge 27E	CASSIA County
GROUND WATER	L2 (SWNW)	Sec 30 Twp 12S Rge 27E	CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
											L 3	L 4							
12S	27E	30					40.0	51.0	51.0	40.0									182.0
							L 1	L 2											

Right Acre Limit: 289.0

POU Total Acres: 826.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 289 acres within the authorized place of use in a single irrigation season.
2. Rights 43-02422, 43-10238, & 43-12960 when combined shall not exceed a total diversion rate of 6.3 cfs and a total annual maximum diversion volume of 1804 af at the field headgate.
3. Rights 43-00193, 43-00194, 43-00195, 43-02422, 43-10238, & 43-12960 when combined shall not exceed the irrigation of 585 acres.

Transfer No. 80953

WATER RIGHT NO. 43-10238

As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

4. Rights 43-00193, 43-00194, 43-00195, 43-293A, 43-296A, 43-302, 43-2361, 43-02422, 43-10238, 43-12960, 43-12994 & 43-12995 when combined shall not exceed a total diversion rate of 22.03 cfs and the irrigation of 798 acres.
5. Rights 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, and 43-12995 are limited to the irrigation of a specific 798.0 acres within the 826.0 acre place of use authorized by this right in a single irrigation season. The specific 798.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 798.0 acres to be irrigated within the 826.0 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.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Section 42-222, Idaho Code, or other Department approval.
8. 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. 143.
9. 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).
10. Right No. 43-12960 is an expansion of rights 43-2422 and 43-10238 pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 43-12995**As Modified by Transfer No. 80953**

In accordance with the approval of Transfer No. 80953, Water Right No. 43-12995 is now described as follows:

Right Holder: NOLAN K BRANCH AND/OR
LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From 03/15 **To** 11/15

Diversion Rate

0.880 cfs
0.880 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	NESE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SENW	Sec 30 Twp 12S Rge 27E	CASSIA County
GROUND WATER	L2 (SWNW)	Sec 30 Twp 12S Rge 27E	CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
											L 3	L 4							
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 63.0

POU Total Acres: 826.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 63 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2361 and 43-12995 when combined shall not exceed a total diversion rate of 3.00 cfs and a total annual maximum diversion volume of 600 af at the field headgate.
3. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12995 when combined shall not exceed the irrigation of 213 acres.

Transfer No. 80953

WATER RIGHT NO. 43-12995

As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

4. Rights 43-00193, 43-00194, 43-00195, 43-293A, 43-296A, 43-302, 43-2361, 43-02422, 43-10238, 43-12960, 43-12994 & 43-12995 when combined shall not exceed a total diversion rate of 22.03 cfs and the irrigation of 798 acres.
5. Rights 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, and 43-12995 are limited to the irrigation of a specific 798.0 acres within the 826.0 acre place of use authorized by this right in a single irrigation season. The specific 798.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 798.0 acres to be irrigated within the 826.0 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.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Section 42-222, Idaho Code, or other Department approval.
8. 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. 143.
9. 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).
10. This right is an expansion of Right No. 43-2361 pursuant to Section 42-1416B, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 43-2361**As Modified by Transfer No. 80953**

In accordance with the approval of Transfer No. 80953, Water Right No. 43-2361 is now described as follows:

Right Holder: LUANN S BRANCH AND/OR
NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 2/24/1951

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From 03/15 to 11/15
03/15 to 11/15

Diversion Rate

3.000 cfs
0.090 cfs
3.000 cfs

Diversion Volume

600.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	NESE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWSE	Sec 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SENW	Sec 30 Twp 12S Rge 27E	CASSIA County
GROUND WATER	L2 (SWNW)	Sec 30 Twp 12S Rge 27E	CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 150.0

POU Total Acres: 826.0

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	26E	24													X	X	X	X	
12S	26E	25	X	X	X	X									X	X	X	X	
12S	27E	19									X	X	X	X					
												L 3	L 4						
12S	27E	30					X	X	X	X		X							
								L 1	L 2			L 3							

Transfer No. 80953

WATER RIGHT NO. 43-2361

As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

1. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
2. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. This right is limited to the irrigation of 150 acres within the authorized place of use in a single irrigation season.
4. Rights 43-2361 and 43-12995 when combined shall not exceed a total diversion rate of 3.00 cfs and a total annual maximum diversion volume of 600 af at the field headgate.
5. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12995 when combined shall not exceed the irrigation of 213 acres.
6. Rights 43-00193, 43-00194, 43-00195, 43-293A, 43-296A, 43-302, 43-2361, 43-02422, 43-10238, 43-12960, 43-12994 & 43-12995 when combined shall not exceed a total diversion rate of 22.03 cfs and the irrigation of 798 acres.
7. Rights 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, and 43-12995 are limited to the irrigation of a specific 798.0 acres within the 826.0 acre place of use authorized by this right in a single irrigation season. The specific 798.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 798.0 acres to be irrigated within the 826.0 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.
8. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Section 42-222, Idaho Code, or other Department approval.
9. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. 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. 143.
11. 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).

WATER RIGHT NO. 43-2361
As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

12. Right No. 43-12995 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 43-193**As Modified by Transfer No. 80953**

In accordance with the approval of Transfer No. 80953, Water Right No. 43-193 is now described as follows:

Right Holder: BRANCH FARMS LLC
PO BOX 24
MALTA, ID 83342

Priority Date: 4/1/1894

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE
IRRIGATION

From 03/15 **to** 11/15

Diversion Rate
3.900 cfs
3.900 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK

SWSWNW

Sec 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
							L 1	L 2											

Right Acre Limit: 467.0

POU Total Acres: 826.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 467 acres within the authorized place of use in a single irrigation season.
2. Rights 43-193, 43-194, 43-195 when combined shall not exceed the irrigation of 467 acres.
3. Rights 43-00193, 43-00194, 43-00195, 43-02422, 43-10238, & 43-12960 when combined shall not exceed the irrigation of 585 acres.
4. Rights 43-00193, 43-00194, 43-00195, 43-293A, 43-296A, 43-302, 43-2361, 43-02422, 43-10238, 43-12960, 43-12994 & 43-12995 when combined shall not exceed a total diversion rate of 22.03 cfs and the irrigation of 798 acres.

Transfer No. 80953

WATER RIGHT NO. 43-193

As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

5. Rights 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, and 43-12995 are limited to the irrigation of a specific 798.0 acres within the 826.0 acre place of use authorized by this right in a single irrigation season. The specific 798.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 798.0 acres to be irrigated within the 826.0 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.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. 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. 43C.
8. 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).
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-194**As Modified by Transfer No. 80953**

In accordance with the approval of Transfer No. 80953, Water Right No. 43-194 is now described as follows:

Right Holder: BRANCH FARMS LLC
PO BOX 24
MALTA, ID 83342

Priority Date: 4/30/1885

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
3.000 cfs
3.000 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK

SWSWNW

Sec 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
12S	27E	30					40.0	51.0	51.0	40.0		L 3	L 4						182.0
								L 1	L 2										

Right Acre Limit: 467.0

POU Total Acres: 826.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 467 acres within the authorized place of use in a single irrigation season.
2. Rights 43-193, 43-194, 43-195 when combined shall not exceed the irrigation of 467 acres.
3. Rights 43-00193, 43-00194, 43-00195, 43-02422, 43-10238, & 43-12960 when combined shall not exceed the irrigation of 585 acres.
4. Rights 43-00193, 43-00194, 43-00195, 43-293A, 43-296A, 43-302, 43-2361, 43-02422, 43-10238, 43-12960, 43-12994 & 43-12995 when combined shall not exceed a total diversion rate of 22.03 cfs and the irrigation of 798 acres.

Transfer No. 80953

WATER RIGHT NO. 43-194
As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

5. Rights 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, and 43-12995 are limited to the irrigation of a specific 798.0 acres within the 826.0 acre place of use authorized by this right in a single irrigation season. The specific 798.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 798.0 acres to be irrigated within the 826.0 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.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. 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.43C.
8. 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).
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-195**As Modified by Transfer No. 80953**

In accordance with the approval of Transfer No. 80953, Water Right No. 43-195 is now described as follows:

Right Holder: BRANCH FARMS LLC
PO BOX 24
MALTA, ID 83342

Priority Date: 4/30/1880

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
1.200 cfs
1.200 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK

SWSWNW

Sec 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
12S	27E	30					40.0	51.0	51.0	40.0		L 3	L 4						182.0
								L 1	L 2										

Right Acre Limit: 467.0

POU Total Acres: 826.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 467 acres within the authorized place of use in a single irrigation season.
2. Rights 43-193, 43-194, 43-195 when combined shall not exceed the irrigation of 467 acres.
3. Rights 43-00193, 43-00194, 43-00195, 43-02422, 43-10238, & 43-12960 when combined shall not exceed the irrigation of 585 acres.
4. Rights 43-00193, 43-00194, 43-00195, 43-293A, 43-296A, 43-302, 43-2361, 43-02422, 43-10238, 43-12960, 43-12994 & 43-12995 when combined shall not exceed a total diversion rate of 22.03 cfs and the irrigation of 798 acres.

Transfer No. 80953

WATER RIGHT NO. 43-195
As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

5. Rights 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, and 43-12995 are limited to the irrigation of a specific 798.0 acres within the 826.0 acre place of use authorized by this right in a single irrigation season. The specific 798.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 798.0 acres to be irrigated within the 826.0 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.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. 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.43C.
8. 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).
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-293A**As Modified by Transfer No. 80953**

In accordance with the approval of Transfer No. 80953, Water Right No. 43-293A is now described as follows:

Right Holder: LUANN S BRANCH AND/OR
NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 4/30/1880

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE
IRRIGATION

From 03/15 **to** 11/15

Diversion Rate
1.400 cfs
1.400 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK
CASSIA CREEK

NESE
NENENE

Sec 25 Twp 12S Rge 26E CASSIA County
Sec 14 Twp 13S Rge 26E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
											L 3	L 4							
12S	27E	30					40.0	51.0	51.0	40.0									182.0
							L 1	L 2											

Right Acre Limit: 69.0

POU Total Acres: 826.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 69 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12995 when combined shall not exceed the irrigation of 213 acres.
3. Rights 43-00193, 43-00194, 43-00195, 43-293A, 43-296A, 43-302, 43-2361, 43-02422, 43-10238, 43-12960, 43-12994 & 43-12995 when combined shall not exceed a total diversion rate of 22.03 cfs and the irrigation of 798 acres.

Transfer No. 80953

WATER RIGHT NO. 43-293A

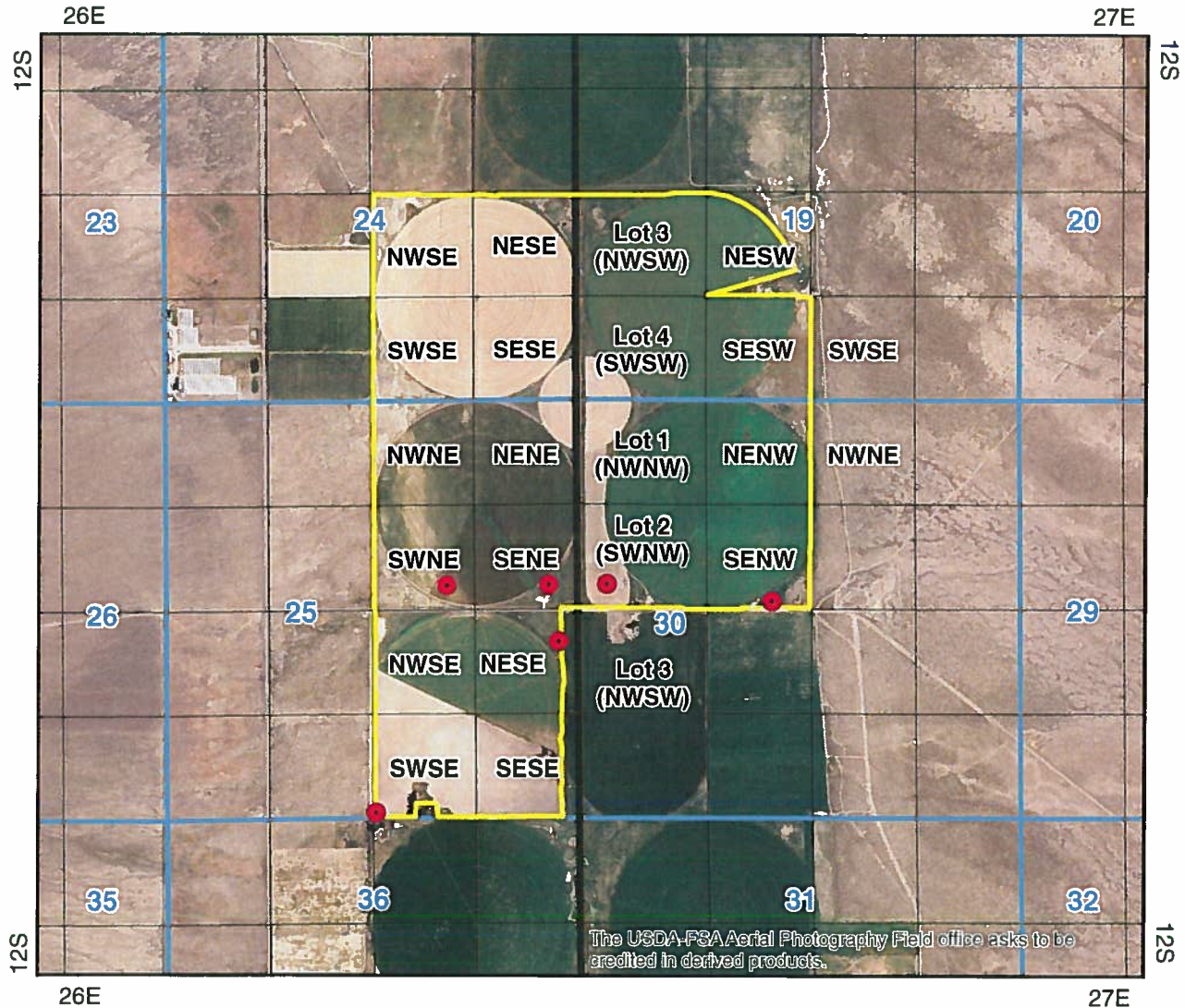
As Modified by Transfer No. 80953

CONDITIONS OF APPROVAL

4. Rights 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, and 43-12995 are limited to the irrigation of a specific 798.0 acres within the 826.0 acre place of use authorized by this right in a single irrigation season. The specific 798.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 798.0 acres to be irrigated within the 826.0 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.
5. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. 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. 43C.
7. 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).
8. When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.
9. Right No. 43-12994 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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.
12. 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.

State of Idaho
Department of Water Resources
Attachment to Transfer # 80953
43-2361, 43-2422, 43-10238, 43-12995, and 43-12960

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



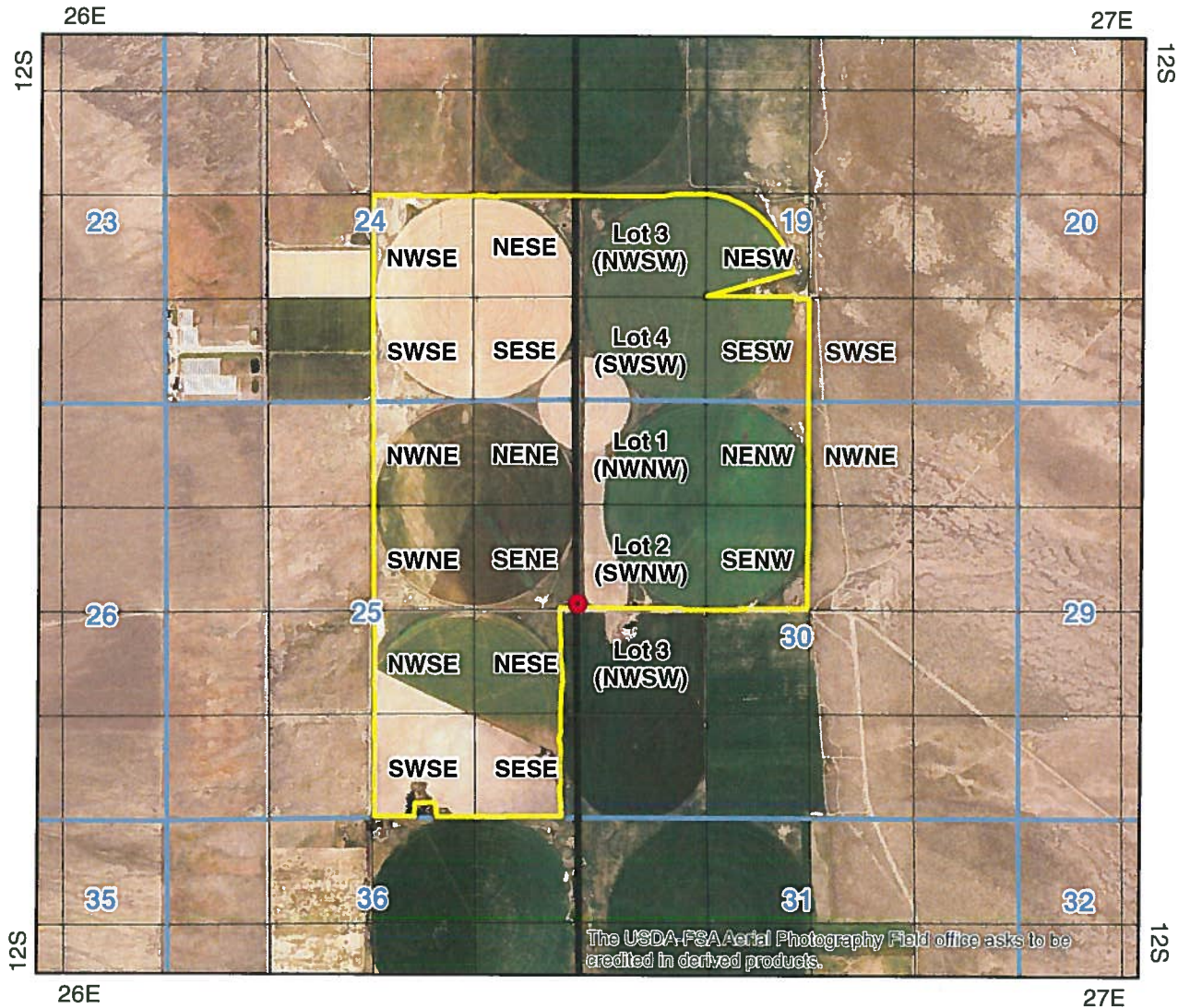
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

State of Idaho
Department of Water Resources

Attachment to Transfer # 80953

43-193, 45-194, and 43-195

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



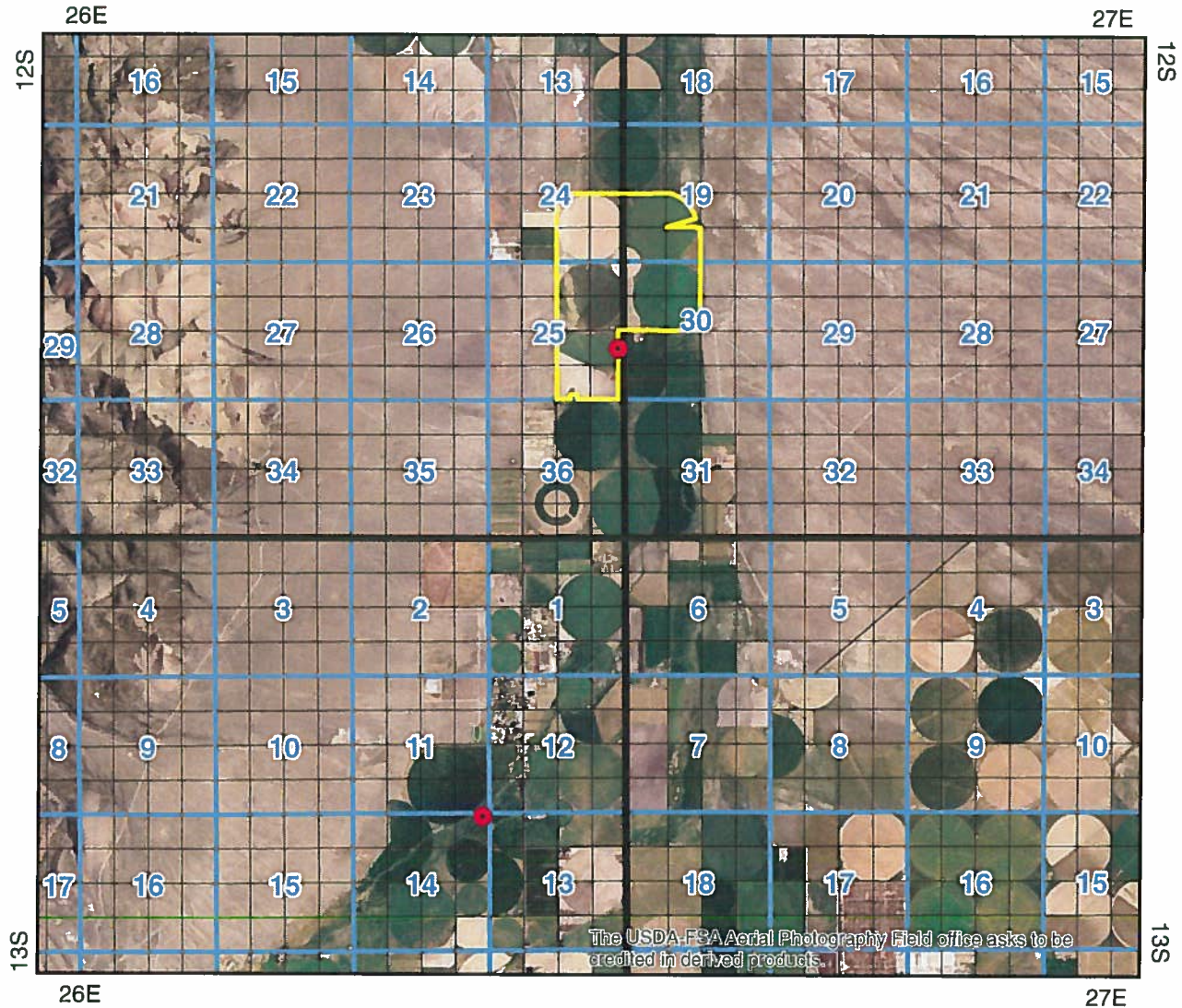
0 0.275 0.55 1.1 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections



State of Idaho
Department of Water Resources
Attachment to Transfer # 80953
43-293A, 43-296A, 43-302, and 43-12994

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.75 1.5 3 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 18, 2017

NOLAN K BRANCH
LUANN S BRANCH
PO BOX 24
MALTA ID 83342-0024

Re: Transfer No: 80953

Water Right No(s): 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361,
43-2422, 43-10238, 43-12960, 43-12994, 43-12995

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with a small "C" at the beginning and a long, sweeping line extending to the right.

Corey Skinner
Southern Regional Manager

Enclosure

cc:

BRANCH FARMS LLC
PO BOX 24
MALTA ID 83342

WATER DISTRICT 43C
ROGER MUSSER
917 PARK LN
POCATELLO ID 83201

WATER DISTRICT 143
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301

CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 80953

Water Right No(s): 43-193, 43-194, 43-195, 43-293A, 43-296A, 43-302, 43-2361, 43-2422, 43-10238, 43-12960, 43-12994, 43-12995

**NOLAN K BRANCH
LUANN S BRANCH
PO BOX 24
MALTA ID 83342-0024**

**BRANCH FARMS LLC
PO BOX 24
MALTA ID 83342**

**WATER DISTRICT 43C
ROGER MUSSER
917 PARK LN
POCATELLO ID 83201**

**WATER DISTRICT 143
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301**

via e-mail



**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

No. W 70993	Due no later than Feb 28, 2017 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. BRANCH FARMS LLC NOLAN BRANCH PO BOX 24 MALTA ID 83342		NOLAN BRANCH 45 WEST 400 NORTH MALTA ID 83342			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	NOLAN BRANCH	PO BOX 24	MALTA	ID		83342
MEMBER	LUANN BRANCH	PO BOX 24	MALTA	ID		83342
5. Organized Under the Laws of: ID W 70993		6. Annual Report must be signed.* Signature: nolan branch Name (type or print): nolan branch Date: 12/25/2016 Title: member				
Processed 12/25/2016		* Electronically provided signatures are accepted as original signatures.				

MEMORANDUM

Date: April 4, 2017
To: Transfer ~~89053 File~~ 80953
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to create a new 826 permissible place of use for 5 ground water rights (9.3 cfs) and 7 Cassia Creek water rights (12.73 cfs) that allow for the total combined diversion of 22.03 cfs and the irrigation of 798 acres. The proposed PPU is located approximately 2.3-3.8 mi. north of the center of the City of Malta. The transfer also proposes moving 73 acres of two ground water rights and 4 Cassia Creek water rights into the new 826 PPU from an adjacent farm to the south to reflect current irrigation practices. After transfer approval a total of 798 acres of irrigation will be allowed on the farm within the new 826 permissible place of use.

The property and points of diversion are located within the Raft River CGWA, Water District 43C and Water District 143. Watermaster comments will be solicited.

- **Authority to File:**
The applicant is listed as the current owner of the water rights involved with the transfer according to IDWR records.
- **Water Right Validity:**
The water rights from Cassia Creek and the ground water rights were decreed in 2002. Aerial photography indicates that the lands involved with the transfer have been irrigated in recent years.
- **Injury to Other Water Rights:**
None anticipated or foreseen. Surface water diversions are not changing.
- **Enlargement of Use:**
 - None anticipated or foreseen.
- **Local Public Interest:**
Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect of the Agricultural Base of the Area:**
None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

*** Proof of Publication ***

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

ORDER NUMBER 41141

Ruby Aufderheide

(Legals Clerk)

STATE OF IDAHO)
 .SS
COUNTY OF TWIN FALLS)

On this 23rd day of February in the year of 2017 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Melody M. Xoumanivong
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 4/21/2017

PUBLISHED ON: 02/16/2017, 02/23/2017



NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80953
NOLAN K BRANCH and LUANN S BRANCH, PO BOX 24, MALTA, ID 83342-0024; has filed Application No. 80953 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10238, 43-12960, 43-12994, 43-12995, 43-193, 43-194, 43-195, 43-2361, 43-2422, 43-293A, 43-296A, 43-302; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to create a new 826 permissible place of use for 5 ground water rights (9.3 cfs) and 7 Cassia Creek water rights (12.73 cfs) that allow for the total combined diversion of 22.03 cfs and the irrigation of 798 acres. The proposed PPU is located approximately 2.3 to 3.8 mi. north of the center of the City of Malta. The transfer also proposes moving 73 acres of ground water rights into the new 826 PPU from an adjacent farm to the south to reflect current irrigation practices. For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before **March 6, 2017**. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
PUBLISH: February 16 and 23, 2017

✓ ok DM 3/3/2017

TOTAL AD COST: 96.30
FILED ON: 2/23/2017

RECEIVED

MAR 02 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
Department of Water Resources
Transfer of Water Right(s)
RECOMMENDATION FORM

RECEIVED

FEB 16 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

Transfer Application No.: 80953

Water Right No(s): 43-193, etc.

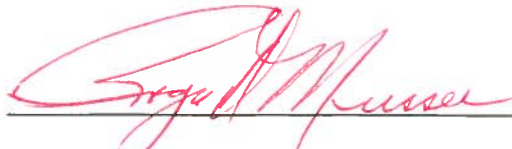
Transfer Applicant's Name: NOLAN K BRANCH
LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

Water master's Recommendation:

- a) ✓ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this 13th day of February, 2017

Water District No. 43C



Water master's Signature

Roger D. Musser

Printed Name

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 80953
Water Right No: 43-193, etc.
Applicant Name: Nolan & Luann Branch

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: February 14, 2017

Water District 143



Nathan Erickson, Watermaster