

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81903**

This is to certify that: **WHITNAH RANCHES INC**
3145 CENTER PLEASANT VALLEY RD
AMERICAN FALLS, ID 83211

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-13261	WR/DECREED	1/13/1975	0.110 cfs	N/A	N/A	220.0	GROUND WATER
35-13654	WR/DECREED	12/19/1975	0.160 cfs	41.2 af	10.3	11.0	GROUND WATER
35-13656	WR/DECREED	4/1/1987	0.010 cfs	2.8 af	0.7	11.0	GROUND WATER
35-7467	WR/DECREED	1/13/1975	2.260 cfs	N/A	209.0	220.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-13261	NO	NO	YES	NO	NO	NO
35-13654	NO	YES	YES	NO	NO	NO
35-13656	NO	YES	YES	NO	NO	NO
35-7467	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-13261	35-13261	0.110 cfs	44.0 af	11.0	231.0	N/A	N/A	N/A	N/A	N/A
35-13654	35-13654	0.160 cfs	41.2 af	10.3	231.0	N/A	N/A	N/A	N/A	N/A
35-13656	35-13656	0.010 cfs	2.8 af	0.7	231.0	N/A	N/A	N/A	N/A	N/A
35-7467	35-7467	2.260 cfs	836.0 af	209.0	231.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.420 cfs	924.0 af	231.0	231.0		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 20th day of October, 2017.


Water Resources Program Manager

SUPPORT DATA

IN FILE # 35-7467

Transfer No. 81903

WATER RIGHT NO. 35-7467**As Modified by Transfer No. 81903**

In accordance with the approval of Transfer No. 81903, Water Right No. 35-7467 is now described as follows:

Right Holder: WHITNAH RANCHES INC
3145 CENTER PLEASANT VALLEY RD
AMERICAN FALLS, ID 83211

Priority Date: 1/13/1975

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 4/01 **To** 11/01

Diversion Rate
2.260 cfs
2.260 cfs

Diversion Volume
836.0 af
836.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNWNW Sec 33 Twp 07S Rge 30E POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	30E	28											38.0	35.0					73.0
07S	30E	29															8.0	39.0	47.0
07S	30E	32	33.5	4.0	0.5	18.0													56.0
07S	30E	33					21.0	30.0	4.0										55.0

Right Acre Limit: 209.0

POU Total Acres: 231.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 209.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7467 and 35-13261 when combined shall not exceed a total diversion rate of 2.26 cfs, a total annual maximum diversion volume of 880.0 af at the field headgate, and the irrigation of 220.0 acres.
3. Rights 35-7467, 35-13261, 35-13654 and 35-13656 when combined shall not exceed a total diversion rate of 2.42 cfs, a total annual maximum diversion volume of 924.0 af at the field headgate, and the irrigation of 231.0 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.

Transfer No. 81903

WATER RIGHT NO. 35-7467
As Modified by Transfer No. 81903

CONDITIONS OF APPROVAL

5. 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. Prior to the diversion and use of water under Transfer approval 81903, 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. 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. 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. Right No.35-13261 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. 35-13261**As Modified by Transfer No. 81903**

In accordance with the approval of Transfer No. 81903, Water Right No. 35-13261 is now described as follows:

Right Holder: WHITNAH RANCHES INC
3145 CENTER PLEASANT VALLEY RD
AMERICAN FALLS, ID 83211

Priority Date: 1/13/1975

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
4/01

To
to 10/31

Diversion Rate
0.110 cfs
0.110 cfs

Diversion Volume
44.0 af
44.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNWNW Sec 33 Twp 07S Rge 30E POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	30E	28											38.0	35.0					73.0
07S	30E	29															8.0	39.0	47.0
07S	30E	32	33.5	4.0	0.5	18.0													56.0
07S	30E	33					21.0	30.0	4.0										55.0

Right Acre Limit: 11.0
POU Total Acres: 231.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 11.0 acres within the place of use described for this right.
2. Rights 35-7467 and 35-13261 when combined shall not exceed a total diversion rate of 2.26 cfs, a total annual maximum diversion volume of 880.0 af at the field headgate, and the irrigation of 220.0 acres.
3. Rights 35-7467, 35-13261, 35-13654 and 35-13656 when combined shall not exceed a total diversion rate of 2.42 cfs, a total annual maximum diversion volume of 924.0 af at the field headgate, and the irrigation of 231.0 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.

Transfer No. 81903

WATER RIGHT NO. 35-13261
As Modified by Transfer No. 81903

CONDITIONS OF APPROVAL

5. 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. Prior to the diversion and use of water under Transfer approval 81903, 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. 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. 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. This right is based upon an enlargement of Right No. 35-7467 pursuant to Section 42-1426, Idaho Code.
10. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
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. 35-13654**As Modified by Transfer No. 81903**

In accordance with the approval of Transfer No. 81903, Water Right No. 35-13654 is now described as follows:

Right Holder: WHITNAH RANCHES INC
3145 CENTER PLEASANT VALLEY RD
AMERICAN FALLS, ID 83211

Priority Date: 12/19/1975

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
0.160 cfs
0.160 cfs

Diversion Volume
41.2 af
41.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 33 Twp 07S Rge 30E POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	30E	28											38.0	35.0					73.0
07S	30E	29															8.0	39.0	47.0
07S	30E	32	33.5	4.0	0.5	18.0													56.0
07S	30E	33					21.0	30.0	4.0										55.0

Right Acre Limit: 10.3

POU Total Acres: 231.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13654 and 35-13656 when combined shall not exceed a total diversion rate of 0.16 cfs, a total annual maximum diversion volume of 44.0 af at the field headgate, and the irrigation of 11.0 acres.
3. Rights 35-7467, 35-13261, 35-13654 and 35-13656 when combined shall not exceed a total diversion rate of 2.42 cfs, a total annual maximum diversion volume of 924.0 af at the field headgate, and the irrigation of 231.0 acres.
4. 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

Transfer No. 81903

WATER RIGHT NO. 35-13654
As Modified by Transfer No. 81903

CONDITIONS OF APPROVAL

5. 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. Prior to the diversion and use of water under Transfer approval 81903, 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. 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Right No. 35-13656 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. 35-13656**As Modified by Transfer No. 81903**

In accordance with the approval of Transfer No. 81903, Water Right No. 35-13656 is now described as follows:

Right Holder: WHITNAH RANCHES INC
3145 CENTER PLEASANT VALLEY RD
AMERICAN FALLS, ID 83211

Priority Date: 4/1/1987

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
0.010 cfs
0.010 cfs

Diversion Volume
2.8 af
2.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 33 Twp 07S Rge 30E POWER 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	
07S	30E	28											38.0	35.0					73.0
07S	30E	29															8.0	39.0	47.0
07S	30E	32	33.5	4.0	0.5	18.0													56.0
07S	30E	33					21.0	30.0	4.0										55.0

Right Acre Limit: 0.7
POU Total Acres: 231.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 0.7 acres within the place of use described for this right.
2. Rights 35-13654 and 35-13656 when combined shall not exceed a total diversion rate of 0.16 cfs, a total annual maximum diversion volume of 44.0 af at the field headgate, and the irrigation of 11.0 acres.
3. Rights 35-7467, 35-13261, 35-13654 and 35-13656 when combined shall not exceed a total diversion rate of 2.42 cfs, a total annual maximum diversion volume of 924.0 af at the field headgate, and the irrigation of 231.0 acres.
4. 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

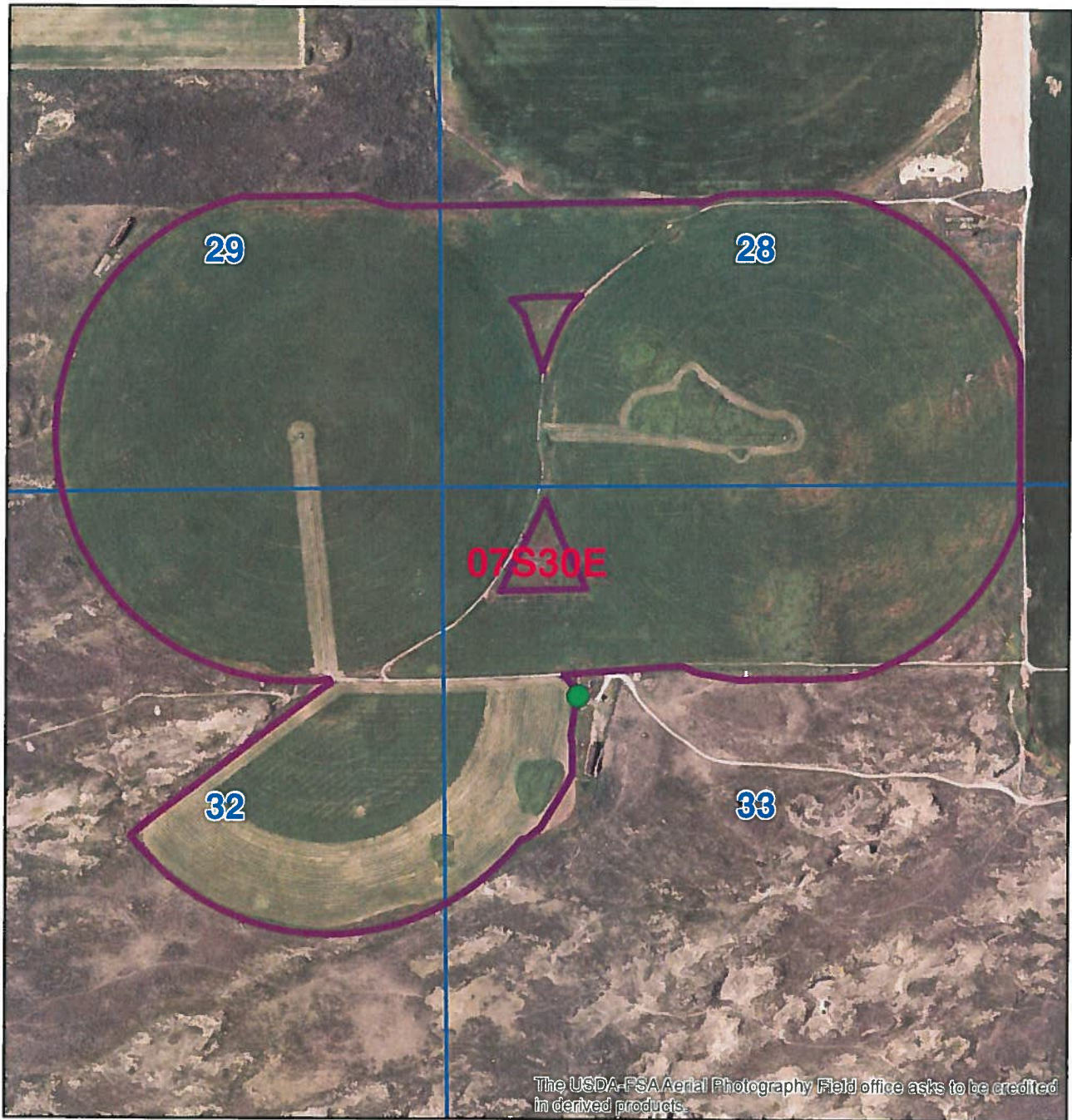
WATER RIGHT NO. 35-13656
As Modified by Transfer No. 81903

CONDITIONS OF APPROVAL

5. 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. Prior to the diversion and use of water under Transfer approval 81903, 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. 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. This right is based upon an enlargement of Right No. 35-13654 pursuant to Section 42-1426, Idaho Code.
10. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
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.

Transfer Approval 81903

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



Legend

- Water Right POD
- ▭ Water Right POU
- ▭ Township/Range
- ▭ Sections

0 325 650 1,300 Feet

1 inch = 720 feet

