

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81802**

This is to certify that: **PINNACLE GREAT PLAINS OPERATING CO LLC**
10333 N MERIDIAN ST STE 425
INDIANAPOLIS, IN 46290

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>
31-12206	WR/DECREED	3/9/1970	3.820 cfs	668.5 af	N/A	191.0	GROUND WATER
31-7030A	WR/DECREED	3/9/1970	3.660 cfs	639.8 af	N/A	182.8	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
31-7030B	WR/DECREED	3/9/1970	1.600 cfs	280.0 af	80.0	115.0	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>
31-12206	YES	NO	YES	NO	NO	NO
31-7030A	YES	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>
31-12206	31-12397	1.250 cfs	218.0 af	62.3	130.1	31-12206	2.570 cfs	450.5 af	N/A	128.7
31-7030A	31-12398	1.360 cfs	237.3 af	67.8	130.1	31-7030A	2.300 cfs	402.5 af	N/A	115.0
COMBINED TOTALS		2.610 cfs	455.3 af	130.1	130.1		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 14th day of August, 2017.



SUPPORT DATA for Chief, Water Allocation Bureau

Transfer No. 81802

IN FILE # 31-7030A

WATER RIGHT NO. 31-12206
As Modified by Transfer No. 81802

In accordance with the approval of Transfer No. 81802, Water Right No. 31-12206 is now described as follows:

Right Holder: PINNACLE GREAT PLAINS OPERATING CO LLC
 10333 N MERIDIAN ST STE 425
 INDIANAPOLIS, IN 46290

Priority Date: 3/9/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	05/01	to 11/01	2.570 cfs	450.5 af
			2.570 cfs	450.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec 8 Twp 07N Rge 37E JEFFERSON 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	
07N	37E	8													33.0	32.6	31.0	32.1	128.7

POU Total Acres: 128.7

CONDITIONS OF APPROVAL

1. Rights 31-7030A, 31-12206, 31-12397, and 31-12398 when combined shall not exceed a total diversion rate of 7.10 cfs.
2. The use of water for irrigation under this right may begin as early as April 1, provided other elements of the right are not exceeded. The use of water before May 1, under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. 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 No. 81802

WATER RIGHT NO. 31-12397 **As Modified by Transfer No. 81802**

In accordance with the approval of Transfer No. 81802, Water Right No. 31-12397 is now described as follows:

Right Holder: PINNACLE GREAT PLAINS OPERATING CO LLC
 10333 N MERIDIAN ST STE 425
 INDIANAPOLIS, IN 46290

Priority Date: 3/9/1970

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 11/01

Diversion Rate

1.250 cfs

1.250 cfs

Diversion Volume

218.0 af

218.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNE

Sec 17 Twp 07N Rge 37E JEFFERSON 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	
07N	37E	8													4.5			5.4	9.9
07N	37E	9											29.7	29.6					59.3
07N	37E	17	26.4	33.7			0.8												60.9

Right Acre Limit: 62.3

POU Total Acres: 130.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 62.3 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12397 and 31-12398 when combined shall not exceed the irrigation of 130.1 acres.
3. Rights 31-7030A, 31-12206, 31-12397, and 31-12398 when combined shall not exceed a total diversion rate of 7.10 cfs.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. 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. 110.

Transfer No. 81802

WATER RIGHT NO. 31-12397
As Modified by Transfer No. 81802

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 81802, 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than February 22, 2002.
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. 31-7030A
As Modified by Transfer No. 81802

In accordance with the approval of Transfer No. 81802, Water Right No. 31-7030A is now described as follows:

Right Holder: PINNACLE GREAT PLAINS OPERATING CO LLC
 10333 N MERIDIAN ST STE 425
 INDIANAPOLIS, IN 46290

Priority Date: 3/9/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	5/01	to 11/01	2,300 cfs	402.5 af
			2,300 cfs	402.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 17 Twp 07N Rge 37E JEFFERSON 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	
07N	37E	17					30.9	38.6	14.8	3.8									88.1
07N	37E	18	24.1			2.8													26.9

POU Total Acres: 115.0

CONDITIONS OF APPROVAL

1. Rights 31-7030A, 31-12206, 31-12397, and 31-12398 when combined shall not exceed a total diversion rate of 7.10 cfs.
2. The use of water for irrigation under this right may begin as early as April 1, provided other elements of the right are not exceeded. The use of water before May 1, under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. 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 No. 81802

WATER RIGHT NO. 31-12398
As Modified by Transfer No. 81802

In accordance with the approval of Transfer No. 81802, Water Right No. 31-12398 is now described as follows:

Right Holder: PINNACLE GREAT PLAINS OPERATING CO LLC
 10333 N MERIDIAN ST STE 425
 INDIANAPOLIS, IN 46290

Priority Date: 3/9/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	5/01	to 11/01	1.360 cfs	237.3 af
			1.360 cfs	237.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 17 Twp 07N Rge 37E JEFFERSON 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	
07N	37E	8													4.5			5.4	9.9
07N	37E	9											29.7	29.6					59.3
07N	37E	17	26.4	33.7			0.8												60.9

Right Acre Limit: 67.8
 POU Total Acres: 130.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 67.8 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12397 and 31-12398 when combined shall not exceed the irrigation of 130.1 acres.
3. Rights 31-7030A, 31-12206, 31-12397, and 31-12398 when combined shall not exceed a total diversion rate of 7.10 cfs.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. 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. 110.

Transfer No. 81802

WATER RIGHT NO. 31-12398
As Modified by Transfer No. 81802

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 81802, 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than February 22, 2002.
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. 31-7030B

As Modified by Transfer No. 81802

In accordance with the approval of Transfer No. 81802, Water Right No. 31-7030B is now described as follows:

Right Holder: NICK R HILLMAN
2300 N 2800 E
HAMER, ID 83425

Priority Date: 3/9/1970

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

5/01

to 11/01

To

Diversion Rate

1.600 cfs

1.600 cfs

Diversion Volume

280.0 af

280.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWNE

Sec 18 Twp 07N Rge 37E JEFFERSON 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	
07N	37E	18	2.0	40.0	38.0											30.0	5.0		115.0

Right Acre Limit: 80.0

POU Total Acres: 115.0

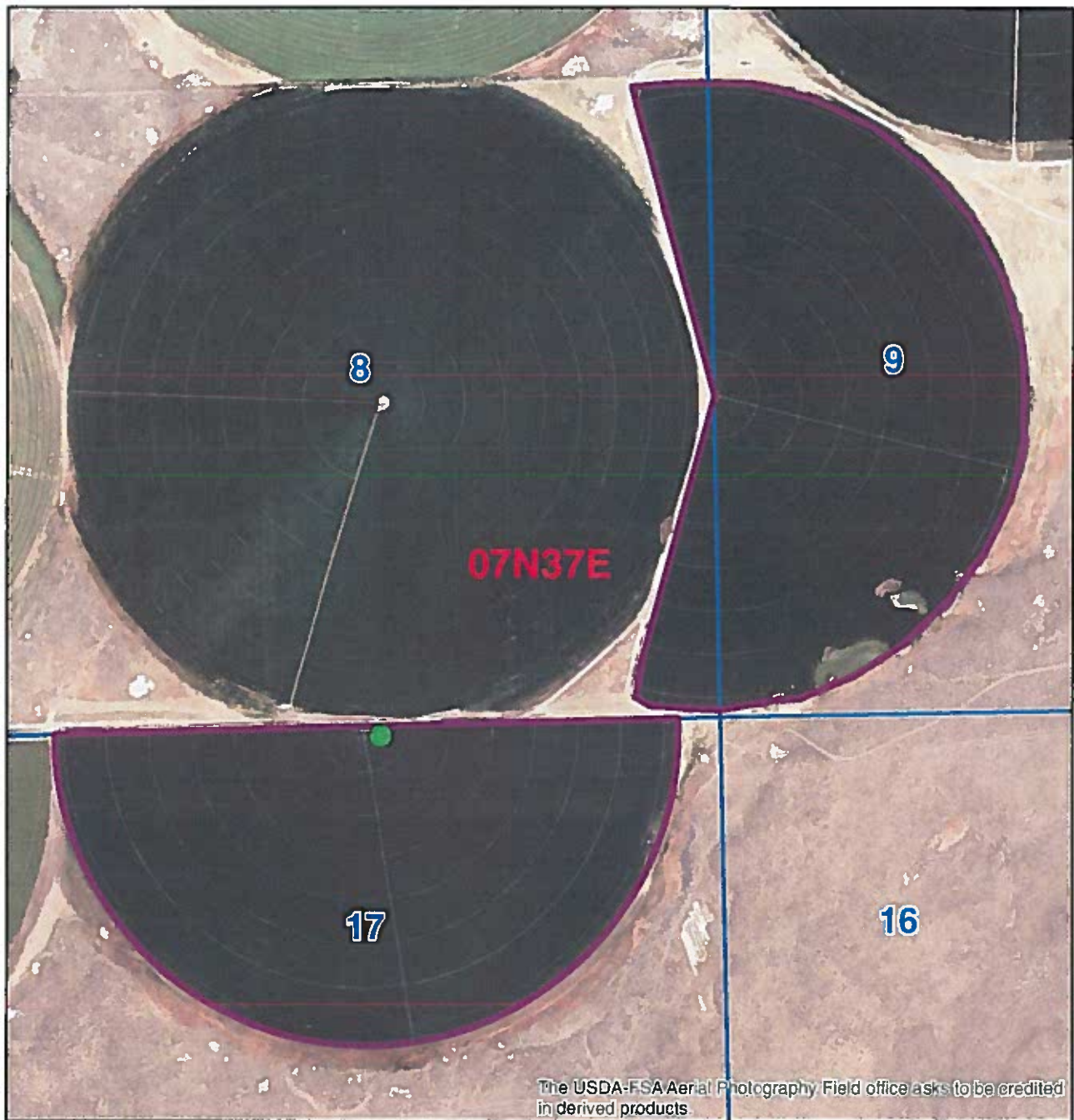
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80 acres within the authorized place of use in a single irrigation season.
2. Rights 31-7030B and 31-7188 when combined shall not exceed a total diversion rate of 2.3 cfs, a total annual maximum diversion volume of 402.5 af at the field headgate, and the irrigation of 115 acres.
3. The use of water for irrigation under this right may begin as early as April 1, provided other elements of the right are not exceeded. The use of water before May 1, under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. Right No. 31-7188 is also diverted through point of diversion described above.
5. 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 No. 81802

Transfer Approval 81802

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

0 295 590 1,180 Feet

1 inch = 658 feet

