

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81614**

This is to certify that: **JONES & WIDERBURG FARMS**
82 S 150 E
BURLEY, ID 83318

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>
43-13056	WR/DECREED	3/15/1987	1.540 cfs	660.0 af	165.0	1029.0	GROUND WATER
43-13645	WR/DECREED	10/1/1964	4.160 cfs	1518.3 af	505.1	901.0	GROUND WATER
43-13647	WR/DECREED	9/17/1973	0.490 cfs	98.0 af	24.5	901.0	GROUND WATER
43-13649	WR/DECREED	9/17/1973	5.590 cfs	2092.8 af	523.2	901.0	GROUND WATER
43-7040	WR/DECREED	12/29/1972	4.120 cfs	1196.0 af	299.0	1029.0	GROUND WATER
43-7062	WR/DECREED	4/9/1976	5.510 cfs	2260.0 af	565.0	1029.0	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>
43-13056	NO	NO	YES	YES	NO	NO
43-13645	NO	NO	YES	YES	NO	NO
43-13647	NO	NO	YES	YES	NO	NO
43-13649	NO	NO	YES	YES	NO	NO
43-7040	NO	NO	YES	YES	NO	NO
43-7062	NO	NO	YES	YES	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>
43-13056	43-13056	1.540 cfs	660.0 af	165.0	2758.0	N/A	N/A	N/A	N/A	N/A
43-13645	43-13645	4.160 cfs	1518.3 af	505.1	2744.0	N/A	N/A	N/A	N/A	N/A
43-13647	43-13647	0.490 cfs	98.0 af	24.5	2744.0	N/A	N/A	N/A	N/A	N/A
43-13649	43-13649	5.590 cfs	2092.8 af	523.2	2744.0	N/A	N/A	N/A	N/A	N/A
43-7040	43-7040	4.120 cfs	1196.0 af	299.0	2744.0	N/A	N/A	N/A	N/A	N/A
43-7062	43-7062	5.510 cfs	2260.0 af	565.0	2744.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		19.870 cfs	6260.0 af	1565.0	2744.0		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 81614

IN FILE # 43-7040

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81614

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 27th day of July, 2017.

Pamela S. Skaggs

Pamela S. Skaggs Water Rights Supervisor



WATER RIGHT NO. 43-7040
As Modified by Transfer No. 81614

In accordance with the approval of Transfer No. 81614, Water Right No. 43-7040 is now described as follows:

Right Holder: JONES & WIDERBURG FARMS
82 S 150 E
BURLEY, ID 83318

Priority Date: 12/29/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	4.120 cfs	1196.0 af
			4.120 cfs	1196.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 15 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESW	Sec 16 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NENW	Sec 17 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESW	Sec 17 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENE	Sec 20 Twp 10S Rge 28E	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	
10S	28E	8									9.0	1.0	37.0	40.0	2.0	7.0	40.0	40.0	176.0
10S	28E	9											40.0	40.0			40.0	40.0	160.0
10S	28E	10											24.0						24.0
10S	28E	15						40.0	40.0			40.0							120.0
10S	28E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
10S	28E	17	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
10S	28E	20	4.0	40.0	40.0	40.0	40.0	40.0	27.0	40.0	40.0	33.0	40.0	40.0	40.0	40.0	40.0	40.0	584.0
10S	28E	21		40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0						400.0

Right Acre Limit: 299.0

POU Total Acres: 2744.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 299 acres within the authorized place of use in a single irrigation season.
2. Rights 43-7040, 43-7062, and 43-13056 when combined shall not exceed a total diversion rate of 9.63 cfs, a total annual maximum diversion volume of 4116 af at the field headgate, and the irrigation of 1029 acres.

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WATER RIGHT NO. 43-7040
As Modified by Transfer No. 81614

CONDITIONS OF APPROVAL

3. Rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649 when combined shall not exceed a total diversion rate of 19.87 cfs, a total annual maximum diversion volume of 6,260.0 af at the field headgate, and the irrigation of 1,565.0 acres.
4. Rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649 are limited to the irrigation of a specific 1,565.0 acres within the 2,744.0 acre place of use authorized by these rights in a single irrigation season. The specific 1,565.0 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1,565.0 acres to be irrigated within the 2,744.0 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 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Right no. 43-13056 is an enlargement of right nos. 43-7040 & 43-7062 pursuant to section 42-1426, Idaho Code.
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. 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.
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. 43-13645**As Modified by Transfer No. 81614**

In accordance with the approval of Transfer No. 81614, Water Right No. 43-13645 is now described as follows:

Right Holder: JONES & WIDERBURG FARMS
82 S 150 E
BURLEY, ID 83318

Priority Date: 10/1/1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/01	4.160 cfs	1518.3 af
			4.160 cfs	1518.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 15 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESW	Sec 16 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NENW	Sec 17 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESW	Sec 17 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENE	Sec 20 Twp 10S Rge 28E	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	
10S	28E	8									9.0	1.0	37.0	40.0	2.0	7.0	40.0	40.0	176.0
10S	28E	9											40.0	40.0			40.0	40.0	160.0
10S	28E	10											24.0						24.0
10S	28E	15						40.0	40.0			40.0							120.0
10S	28E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
10S	28E	17	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
10S	28E	20	4.0	40.0	40.0	40.0	40.0	40.0	27.0	40.0	40.0	33.0	40.0	40.0	40.0	40.0	40.0	40.0	584.0
10S	28E	21		40.0			40.0	40.0	40.0	40.0	40.0	40.0	40.0						400.0

Right Acre Limit: 505.1

POU Total Acres: 2744.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 505.1 acres within the place of use described above in a single irrigation season.
2. Rights 43-13645, 43-13647, and 43-13649 when combined shall not exceed a total diversion rate of 10.24 cfs, a total annual maximum diversion volume of 2,144 af at the field headgate, and the irrigation of 536 acres.

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WATER RIGHT NO. 43-13645

As Modified by Transfer No. 81614

CONDITIONS OF APPROVAL

3. Rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649 when combined shall not exceed a total diversion rate of 19.87 cfs, a total annual maximum diversion volume of 6,260.0 af at the field headgate, and the irrigation of 1,565.0 acres.
4. Rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649 are limited to the irrigation of a specific 1,565.0 acres within the 2,744.0 acre place of use authorized by these rights in a single irrigation season. The specific 1,565.0 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1,565.0 acres to be irrigated within the 2,744.0 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.
6. 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.
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. 143.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 43-13647**As Modified by Transfer No. 81614**

In accordance with the approval of Transfer No. 81614, Water Right No. 43-13647 is now described as follows:

Right Holder: JONES & WIDERBURG FARMS
82 S 150 E
BURLEY, ID 83318

Priority Date: 9/17/1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.490 cfs	98.0 af
			0.490 cfs	98.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 15 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESW	Sec 16 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NENW	Sec 17 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESW	Sec 17 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENE	Sec 20 Twp 10S Rge 28E	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	
10S	28E	8									9.0	1.0	37.0	40.0	2.0	7.0	40.0	40.0	176.0
10S	28E	9											40.0	40.0			40.0	40.0	160.0
10S	28E	10											24.0						24.0
10S	28E	15						40.0	40.0			40.0							120.0
10S	28E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
10S	28E	17	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
10S	28E	20	4.0	40.0	40.0	40.0	40.0	40.0	27.0	40.0	40.0	33.0	40.0	40.0	40.0	40.0	40.0	40.0	584.0
10S	28E	21		40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0						400.0

Right Acre Limit: 24.5

POU Total Acres: 2744.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 24.5 acres within the place of use described above in a single irrigation season.
2. Rights 43-13645, 43-13647, and 43-13649 when combined shall not exceed a total diversion rate of 10.24 cfs, a total annual maximum diversion volume of 2144 af at the field headgate, and the irrigation of 536 acres.

Transfer No. 81614

WATER RIGHT NO. 43-13647

As Modified by Transfer No. 81614

CONDITIONS OF APPROVAL

3. Rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649 when combined shall not exceed a total diversion rate of 19.87 cfs, a total annual maximum diversion volume of 6,260.0 af at the field headgate, and the irrigation of 1,565.0 acres.
4. Rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649 are limited to the irrigation of a specific 1,565.0 acres within the 2,744.0 acre place of use authorized by these rights in a single irrigation season. The specific 1,565.0 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1,565.0 acres to be irrigated within the 2,744.0 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.
6. 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.
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. 143.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 43-13649**As Modified by Transfer No. 81614**

In accordance with the approval of Transfer No. 81614, Water Right No. 43-13649 is now described as follows:

Right Holder: JONES & WIDERBURG FARMS
82 S 150 E
BURLEY, ID 83318

Priority Date: 9/17/1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	01/01	to 12/31	5.590 cfs	2092.8 af
			5.590 cfs	2092.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 15 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESW	Sec 16 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NENW	Sec 17 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESW	Sec 17 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENE	Sec 20 Twp 10S Rge 28E	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	
10S	28E	8									9.0	1.0	37.0	40.0	2.0	7.0	40.0	40.0	176.0
10S	28E	9											40.0	40.0			40.0	40.0	160.0
10S	28E	10											24.0						24.0
10S	28E	15						40.0	40.0			40.0							120.0
10S	28E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
10S	28E	17	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
10S	28E	20	4.0	40.0	40.0	40.0	40.0	40.0	27.0	40.0	40.0	33.0	40.0	40.0	40.0	40.0	40.0	40.0	584.0
10S	28E	21		40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0						400.0

Right Acre Limit: 523.2

POU Total Acres: 2744.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 523.2 acres within the place of use described above in a single irrigation season.
2. Rights 43-13645, 43-13647, and 43-13649 when combined shall not exceed a total diversion rate of 10.24 cfs, a total annual maximum diversion volume of 2144 af at the field headgate, and the irrigation of 536 acres.

Transfer No. 81614

WATER RIGHT NO. 43-13649

As Modified by Transfer No. 81614

CONDITIONS OF APPROVAL

3. Rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649 when combined shall not exceed a total diversion rate of 19.87 cfs, a total annual maximum diversion volume of 6,260.0 af at the field headgate, and the irrigation of 1,565.0 acres.
4. Rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649 are limited to the irrigation of a specific 1,565.0 acres within the 2,744.0 acre place of use authorized by these rights in a single irrigation season. The specific 1,565.0 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1,565.0 acres to be irrigated within the 2,744.0 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. 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.
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. 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. 43-7062**As Modified by Transfer No. 81614**

In accordance with the approval of Transfer No. 81614, Water Right No. 43-7062 is now described as follows:

Right Holder: JONES & WIDERBURG FARMS
82 S 150 E
BURLEY, ID 83318

Priority Date: 4/9/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	5.510 cfs	2260.0 af
			5.510 cfs	2260.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 15 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESW	Sec 16 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NENW	Sec 17 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESW	Sec 17 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENE	Sec 20 Twp 10S Rge 28E	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	
10S	28E	8									9.0	1.0	37.0	40.0	2.0	7.0	40.0	40.0	176.0
10S	28E	9											40.0	40.0			40.0	40.0	160.0
10S	28E	10											24.0						24.0
10S	28E	15						40.0	40.0			40.0							120.0
10S	28E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
10S	28E	17	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
10S	28E	20	4.0	40.0	40.0	40.0	40.0	40.0	27.0	40.0	40.0	33.0	40.0	40.0	40.0	40.0	40.0	40.0	584.0
10S	28E	21		40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					400.0

Right Acre Limit: 565.0

POU Total Acres: 2744.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 565 acres within the authorized place of use in a single irrigation season.
2. Rights 43-7040, 43-7062, and 43-13056 when combined shall not exceed a total diversion rate of 9.63 cfs, a total annual maximum diversion volume of 4116 af at the field headgate, and the irrigation of 1029 acres.

Transfer No. 81614

WATER RIGHT NO. 43-7062
As Modified by Transfer No. 81614

CONDITIONS OF APPROVAL

3. Rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649 when combined shall not exceed a total diversion rate of 19.87 cfs, a total annual maximum diversion volume of 6,260.0 af at the field headgate, and the irrigation of 1,565.0 acres.
4. 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.
5. Right no. 43-13056 is an enlargement of right nos. 43-7040 & 43-7062 pursuant to section 42-1426, Idaho Code.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 143.
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. 43-13056**As Modified by Transfer No. 81614**

In accordance with the approval of Transfer No. 81614, Water Right No. 43-13056 is now described as follows:

Right Holder: JONES & WIDERBURG FARMS
82 S 150 E
BURLEY, ID 83318

Priority Date: 3/15/1987

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.540 cfs	660.0 af
			1.540 cfs	660.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 15 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESW	Sec 16 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NENW	Sec 17 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NESW	Sec 17 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SENE	Sec 20 Twp 10S Rge 28E	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	
10S	28E	8									9.0	1.0	37.0	40.0	2.0	7.0	40.0	40.0	176.0
10S	28E	9											40.0	40.0			40.0	40.0	160.0
10S	28E	10											24.0						24.0
10S	28E	15						40.0	40.0			40.0							120.0
10S	28E	16	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
10S	28E	17	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
10S	28E	20	4.0	40.0	40.0	40.0	40.0	40.0	27.0	40.0	40.0	33.0	40.0	40.0	40.0	40.0	40.0	40.0	584.0
10S	28E	21		40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0						400.0

Right Acre Limit: 165.0

POU Total Acres: 2744.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 165 acres within the authorized place of use in a single irrigation season.
2. Rights 43-7040, 43-7062, and 43-13056 when combined shall not exceed a total diversion rate of 9.63 cfs, a total annual maximum diversion volume of 4116 af at the field headgate, and the irrigation of 1029 acres.

Transfer No. 81614

WATER RIGHT NO. 43-13056

As Modified by Transfer No. 81614

CONDITIONS OF APPROVAL

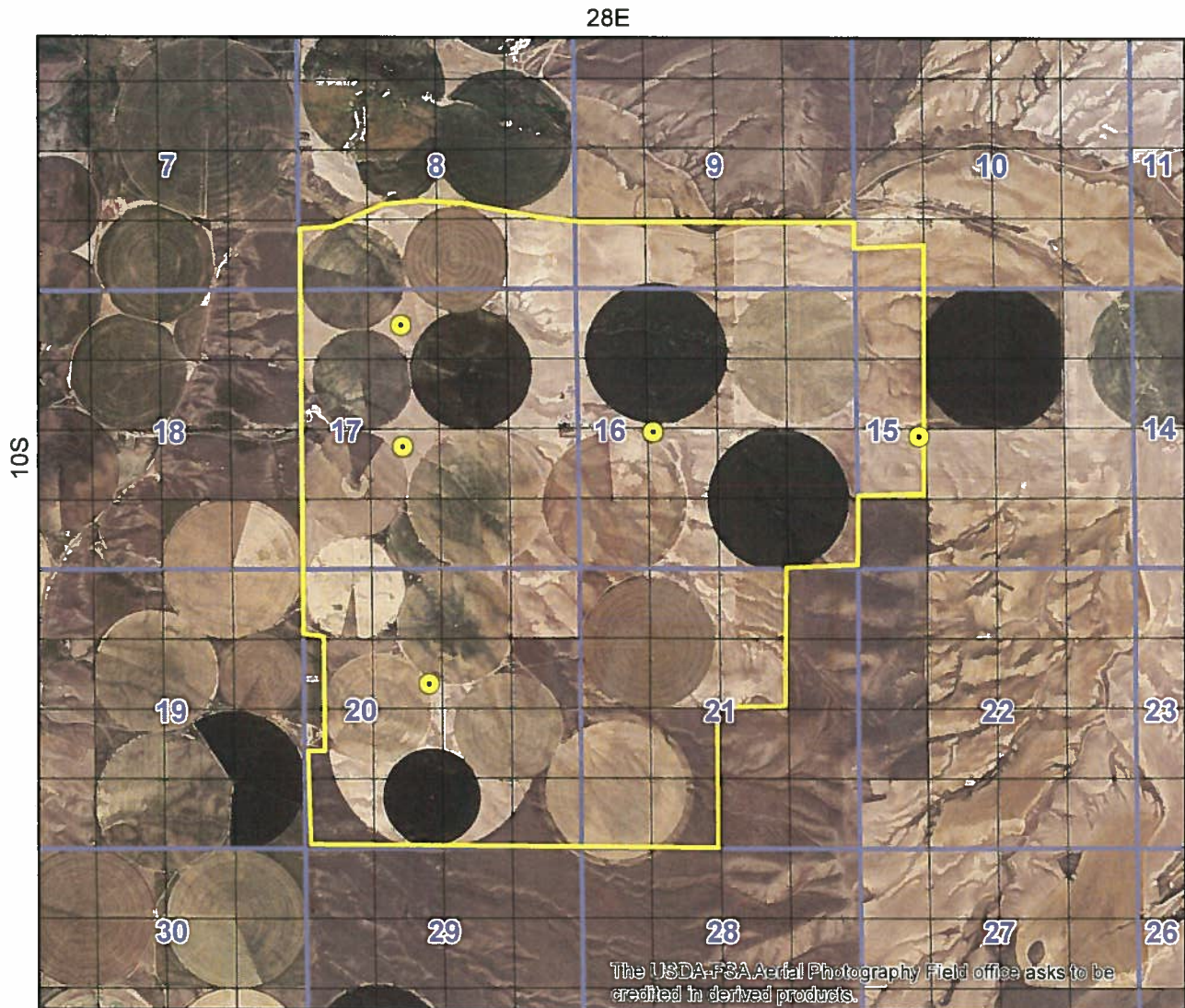
3. Rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649 when combined shall not exceed a total diversion rate of 19.87 cfs, a total annual maximum diversion volume of 6,260.0 af at the field headgate, and the irrigation of 1,565.0 acres.
4. Rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649 are limited to the irrigation of a specific 1,565.0 acres within the 2,744.0 acre place of use authorized by these rights in a single irrigation season. The specific 1,565.0 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1,565.0 acres to be irrigated within the 2,744.0 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 is based upon an enlargement of right nos. 43-7040 & 43-7062 pursuant to section 42-1426, Idaho Code.
6. 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.
7. 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.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. 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.
10. 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).
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.

State of Idaho
Department of Water Resources

Attachment to Transfer 81614

Water Rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 & 43-13649

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 0.425 0.85 1.7 Miles

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





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

August 2, 2017

JONES & WIDERBURG FARMS
82 S 150 E
BURLEY ID 83318

Re: Transfer No: 81614

Water Right No(s).:

43-7040, 43-7062, 43-13056, 43-13645, 43-13647, 43-13649

Transfer Approval Notice

Dear Water Right Holder and Other Interested Parties:

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) 287-4951.

Sincerely,



Pamela Skaggs
Water Rights Supervisor

Enclosure

c:

BROCKWAY ENGINEERING PLLC C/O GREG SULLIVAN,
WATER DISTRICT #143

CERTIFICATE OF SERVICE

I hereby certify that on August 3, 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.: 81614

Water Right No(s):

43-7040, 43-7062, 43-13056, 43-13645, 43-13647, 43-13649

JONES & WIDERBURG FARMS

82 S 150 E

BURLEY ID 83318

BROCKWAY ENGINEERING PLLC

C/O GREG SULLIVAN

2016 N WASHINGTON ST STE 4

TWIN FALLS ID 83301

WATER DISTRICT #143

NATHAN ERICKSON

650 ADDISON AVE W STE 500

TWIN FALLS ID 83301



Darla Block

Technical Records Specialist

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.

**** 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

IDAHO DEPT OF WATER RESOURCES UIC
PO BOX 83720
BOISE, ID 83720

ORDER NUMBER 49387

Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 13 day of July 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.

Noelle R. Smith
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 6-13-2023

NOELLE R. SMITH
Notary Public
State of Idaho

PUBLISHED ON: 07/06/2017, 07/13/2017

TOTAL AD COST: 78.84

FILED ON: 7/13/2017

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81614**

JONES & WIDERBURG FARMS, 82 S 150 E, BURLEY, ID 83318; has filed Application No. 81614 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13056, 43-13645, 43-13647, 43-13649, 43-7040, 43-7062; to see a full description of these rights and the proposed transfer, please see <http://www.idwr.idaho.gov/water-rights/transfers/search.html>. The purpose of the transfer is to change a portion of the above rights as follows: create a 2,744 acre permissible place of use, add existing wells to all of the water rights and drill an additional well located at NWSW S15, T10S, R28E. This is located SE of the corner of Laynes Rd. and Yale Rd. in Cassia County.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800. 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, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 7/24/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
PUBLISH: July 6 and 13, 2017

RECEIVED

JUL 17 2017

**DEPARTMENT OF
WATER RESOURCES**

Gym
7-25-17