

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81491

This is to certify that: ALAN HENNEBOLD
1555 W HIGHWAY 39
PINGREE, ID 83262

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
35-2867	WR/DECREED	3/10/1967	2.160 cfs	528.0 af	N/A	132.0	GROUND WATER
35-8156	WR/LICENSE	6/10/1983	0.480 cfs	N/A	N/A	132.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
35-2867	YES	YES	NO	NO	NO	NO
35-8156	YES	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
35-2867	35-14531	0.020 cfs	4.0 af	N/A	1.0	35-2867	2.140 cfs	524.0 af	N/A	131.0
35-8156	35-14530	0.010 cfs	4.0 af	N/A	1.0	35-8156	0.470 cfs	N/A	N/A	131.0
COMBINED TOTALS		0.020 cfs	4.0 af	N/A	1.0		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 12th day of July, 2017.



Water Resources Program Manager

SUPPORT DATA

Transfer No. 81491

IN FILE # 35-2867

WATER RIGHT NO. 35-8156

As Modified by Transfer No. 81491

In accordance with the approval of Transfer No. 81491, Water Right No. 35-8156 is now described as follows:

Right Holder: MB HOLDINGS LLC
1321 W 400 S
PINGREE, ID 83262

Priority Date: 6/10/1983

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

From 4/01 To 10/31 Diversion Rate
0.470 cfs
0.470 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec 4 Twp 04S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE					
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
04S	33E	4			15.0					8.0	30.0				38.0	40.0			131.0	
POU Total Acres:			131.0																	

POU Total Acres: 131.0

CONDITIONS OF APPROVAL

1. This right uses the same well as Right 35-02867 and when combined with Right 35-02867 shall not exceed an annual volume 524 acre feet nor a diversion rate of 0.02 cubic feet per second per acre. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.
2. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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WATER RIGHT NO. 35-14530
As Modified by Transfer No. 81491

In accordance with the approval of Transfer No. 81491, Water Right No. 35-14530 is now described as follows:

Right Holder: ALAN HENNEBOLD REVOCABLE TRUST
 PO BOX 73
 PINGREE, ID 83262

Priority Date: 6/10/1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.010 cfs	4.0 af
			0.010 cfs	4.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENW Sec 4 Twp 04S Rge 33E BINGHAM 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	
04S	33E	4			1.0														1.0

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

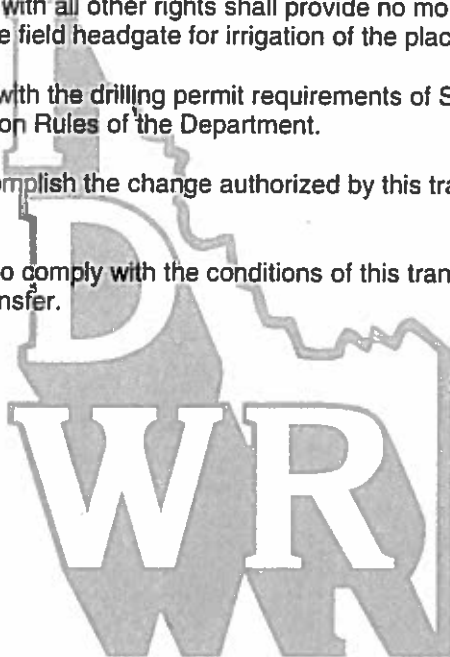
1. Rights 35-14530 and 35-14531 when combined shall not exceed a total diversion rate of 0.02 cfs, a total annual maximum diversion volume of 4.0 af at the field headgate, and the irrigation of 1 acre.
2. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
3. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
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.

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WATER RIGHT NO. 35-14530
As Modified by Transfer No. 81491

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. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
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. 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.



WATER RIGHT NO. 35-2867

As Modified by Transfer No. 81491

In accordance with the approval of Transfer No. 81491, Water Right No. 35-2867 is now described as follows:

Right Holder: MB HOLDINGS LLC
1321 W 400 S
PINGREE, ID 83262

Priority Date: 3/10/1967

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
4/01

To
to 11/01

Diversion Rate
2.140 cfs
2.140 cfs

Diversion Volume
524.0 af
524.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSWNE Sec 4 Twp 04S Rge 33E BINGHAM 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	
04S	33E	4			15.0					7.0	30.0				40.0	39.0			131.0

POU Total Acres: 131.0

CONDITIONS OF APPROVAL

1. Use of this right is combined with water from Aberdeen Springfield Canal Co.
2. 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.

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WATER RIGHT NO. 35-14531

As Modified by Transfer No. 81491

In accordance with the approval of Transfer No. 81491, Water Right No. 35-14531 is now described as follows:

Right Holder: ALAN HENNEBOLD REVOCABLE TRUST
PO BOX 73
PINGREE, ID 83262

Priority Date: 3/10/1967

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

From
4/01

To
to 11/01

Diversion Rate
0.020 cfs
0.020 cfs

Diversion Volume
4.0 af
4.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENW Sec 4 Twp 04S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	33E	4			1.0														1.0

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. Rights 35-14530 and 35-14531 when combined shall not exceed a total diversion rate of 0.02 cfs, a total annual maximum diversion volume of 4.0 af at the field headgate, and the irrigation of 1 acre.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. 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.
4. 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.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

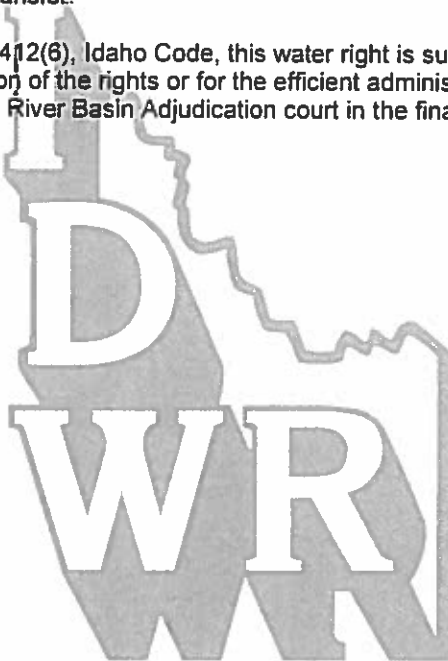
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WATER RIGHT NO. 35-14531

As Modified by Transfer No. 81491

CONDITIONS OF APPROVAL

7. Use of this right is combined with water from Aberdeen Springfield Canal Co.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 81491

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 37.5 75 150 Feet

1 inch = 85 feet

