

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81369**

This is to certify that: **WALKER LAND & CATTLE LLC
C/O MIKE BARNES OR TERRY WADSWORTH
1070 RIVERWALK DR STE 200
IDAHO FALLS, ID 83402**

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>
31-10699	WR/DECREED	5/1/1981	1.820 cfs	495.6 af	N/A	141.6	GROUND WATER
31-2435	WR/DECREED	4/6/1967	10.000 cfs	1820.0 af	N/A	520.0	GROUND WATER
31-7136	WR/DECREED	9/11/1974	2.030 cfs	366.8 af	N/A	120.4	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>
31-7137	WR/DECREED	9/11/1974	1.910 cfs	408.0 af		134.0	GROUND WATER
31-7138	WR/DECREED	9/11/1974	2.340 cfs	396.0 af		132.0	GROUND WATER
31-2365A	WR/DECREED	4/18/1958	1.820 cfs	455.0 af		130.0	GROUND WATER
31-2374D	WR/DECREED	2/20/1959	0.980 cfs	280.0 af		80.0	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>
31-10699	NO	YES	YES	YES	NO	NO
31-2435	NO	NO	YES	YES	NO	NO
31-7136	NO	YES	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>
31-10699	31-10699	1.820 cfs	495.6 af	141.6	782.0	N/A	N/A	N/A	N/A	N/A
31-2435	31-2435	10.000 cfs	1820.0 af	520.0	782.0	N/A	N/A	N/A	N/A	N/A
31-7136	31-7136	2.030 cfs	366.8 af	120.4	782.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		12.030 cfs	2682.4 af	782.0	782.0		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 81369

IN FILE # 31-2435

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81369

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 10th day of May, 2017.


Water Resources Program Manager



WATER RIGHT NO. 31-10699**As Modified by Transfer No. 81369**

In accordance with the approval of Transfer No. 81369, Water Right No. 31-10699 is now described as follows:

Right Holder: WALKER LAND & CATTLE LLC
C/O MIKE BARNES OR TERRY WADSWORTH
1070 RIVERWALK DR STE 200
IDAHO FALLS, ID 83402

Priority Date: 5/1/1981

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 10/31

Diversion Rate

1.820 cfs

1.820 cfs

Diversion Volume

495.6 af

495.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWNENE

Sec 23 Twp 08N Rge 36E JEFFERSON County

GROUND WATER

SWNESE

Sec 23 Twp 08N Rge 36E JEFFERSON County

GROUND WATER

SWSENW

Sec 26 Twp 08N Rge 36E 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	
08N	36E	23	32.5	32.5	32.5	32.5	32.5			32.5	32.5			32.5	32.5	32.5	32.5	32.5	390.0
08N	36E	24						32.5	32.5			32.5	32.5						130.0
08N	36E	26		32.5	36.0		30.5			33.0	33.0			29.5		35.0	32.5		262.0

Right Acre Limit: 141.6

POU Total Acres: 782.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 141.6 acres within the place of use described for this right.
2. Rights 31-7136 and 31-10699 when combined shall not exceed a total diversion rate of 2.03 cfs.
3. Rights 31-2435, 31-7136 and 31-10699 when combined shall not exceed a total diversion rate of 12.03 cfs and the irrigation of 782.0 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. 110.
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.

Transfer No. 81369

WATER RIGHT NO. 31-10699
As Modified by Transfer No. 81369

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 81369, 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 3.5 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. 31-7136 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. 31-7136**As Modified by Transfer No. 81369**

In accordance with the approval of Transfer No. 81369, Water Right No. 31-7136 is now described as follows:

Right Holder: WALKER LAND & CATTLE LLC
C/O MIKE BARNES OR TERRY WADSWORTH
1070 RIVERWALK DR STE 200
IDAHO FALLS, ID 83402

Priority Date: 9/11/1974

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 11/01	2.030 cfs	366.8 af
			2.030 cfs	366.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 23 Twp 08N Rge 36E	JEFFERSON County
GROUND WATER	SWNE	Sec 23 Twp 08N Rge 36E	JEFFERSON County
GROUND WATER	SWS	Sec 26 Twp 08N Rge 36E	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	
08N	36E	23	32.5	32.5	32.5	32.5	32.5			32.5	32.5			32.5	32.5	32.5	32.5	32.5	390.0
08N	36E	24						32.5	32.5			32.5	32.5						130.0
08N	36E	26		32.5	36.0		30.5			33.0	33.0			29.5		35.0	32.5		262.0

Right Acre Limit: 120.4

POU Total Acres: 782.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120.4 acres within the authorized place of use in a single irrigation season.
2. Rights 31-7136 and 31-10699 when combined shall not exceed a total diversion rate of 2.03 cfs.
3. Rights 31-2435, 31-7136 and 31-10699 when combined shall not exceed a total diversion rate of 12.03 cfs and the irrigation of 782.0 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. 110.

Transfer No. 81369

WATER RIGHT NO. 31-7136
As Modified by Transfer No. 81369

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 81369, 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 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. Right No.31-10699 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. 31-2435**As Modified by Transfer No. 81369**

In accordance with the approval of Transfer No. 81369, Water Right No. 31-2435 is now described as follows:

Right Holder: WALKER LAND & CATTLE LLC
C/O MIKE BARNES OR TERRY WADSWORTH
1070 RIVERWALK DR STE 200
IDAHO FALLS, ID 83402

Priority Date: 4/6/1967

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 11/01	10.000 cfs	1820.0 af
			10.000 cfs	1820.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNENE	Sec 23 Twp 08N Rge 36E	JEFFERSON County
GROUND WATER	SWNESE	Sec 23 Twp 08N Rge 36E	JEFFERSON County
GROUND WATER	SWSENW	Sec 26 Twp 08N Rge 36E	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	
08N	36E	23	32.5	32.5	32.5	32.5	32.5			32.5	32.5			32.5	32.5	32.5	32.5	32.5	390.0
08N	36E	24						32.5	32.5			32.5	32.5						130.0
08N	36E	26		32.5	36.0		30.5			33.0	33.0			29.5		35.0	32.5		262.0

Right Acre Limit: 520.0

POU Total Acres: 782.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 520.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2435, 31-7136 and 31-10699 when combined shall not exceed a total diversion rate of 12.03 cfs and the irrigation of 782.0 acres.
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. 110.
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.

Transfer No. 81369

WATER RIGHT NO. 31-2435
As Modified by Transfer No. 81369

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 81369, 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.
6. 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.
7. 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.
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.

WATER RIGHT NO. 31-7137
As Modified by Transfer No. 81369

In accordance with the approval of Transfer No. 81369, Water Right No. 31-7137 is now described as follows:

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

Priority Date: 9/11/1974

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 1.910 cfs
 1.910 cfs

Diversion Volume
 408.0 af
 408.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENESE Sec 29 Twp 08N Rge 37E FREMONT 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	
08N	37E	28										33.5	33.5						67.0
08N	37E	29													33.5			33.5	67.0

POU Total Acres: 134.0

CONDITIONS OF APPROVAL

1. Rights 31-2374D and 31-7137 when combined shall not exceed the irrigation of 147.0 acres.
2. The following rights are diverted through point(s) of diversion described above: 31-2374D, 31-7137.
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.

WATER RIGHT NO. 31-7138
As Modified by Transfer No. 81369

In accordance with the approval of Transfer No. 81369, Water Right No. 31-7138 is now described as follows:

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

Priority Date: 9/11/1974

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 11/01	2.340 cfs	396.0 af
			2.340 cfs	396.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENENE Sec 29 Twp 08N Rge 37E FREMONT 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	
08N	37E	28		33.0	33.0		33.0			33.0									132.0

POU Total Acres: 132.0

CONDITIONS OF APPROVAL

1. The following rights are diverted through point(s) of diversion described above: 31-2365A, 31-7138.
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.

WATER RIGHT NO. 31-2365A**As Modified by Transfer No. 81369**

In accordance with the approval of Transfer No. 81369, Water Right No. 31-2365A is now described as follows:

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

Priority Date: 4/18/1958

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
4/01 to 10/31

Diversion Rate
1.820 cfs
1.820 cfs

Diversion Volume
455.0 af
455.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENENE Sec 29 Twp 08N Rge 37E FREMONT 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	
08N	37E	28						32.5	32.5										65.0
08N	37E	29	32.5			32.5													65.0

POU Total Acres: 130.0

CONDITIONS OF APPROVAL

1. The following rights are diverted through point(s) of diversion described above: 31-2365A, 31-7138.
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.

WATER RIGHT NO. 31-2374D**As Modified by Transfer No. 81369**

In accordance with the approval of Transfer No. 81369, Water Right No. 31-2374D is now described as follows:

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

Priority Date: 2/20/1959

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 10/31

Diversion Rate

0.980 cfs

0.980 cfs

Diversion Volume

280.0 af

280.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SENESE

Sec 29 Twp 08N Rge 37E FREMONT 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	
08N	37E	29													40.0			40.0	80.0

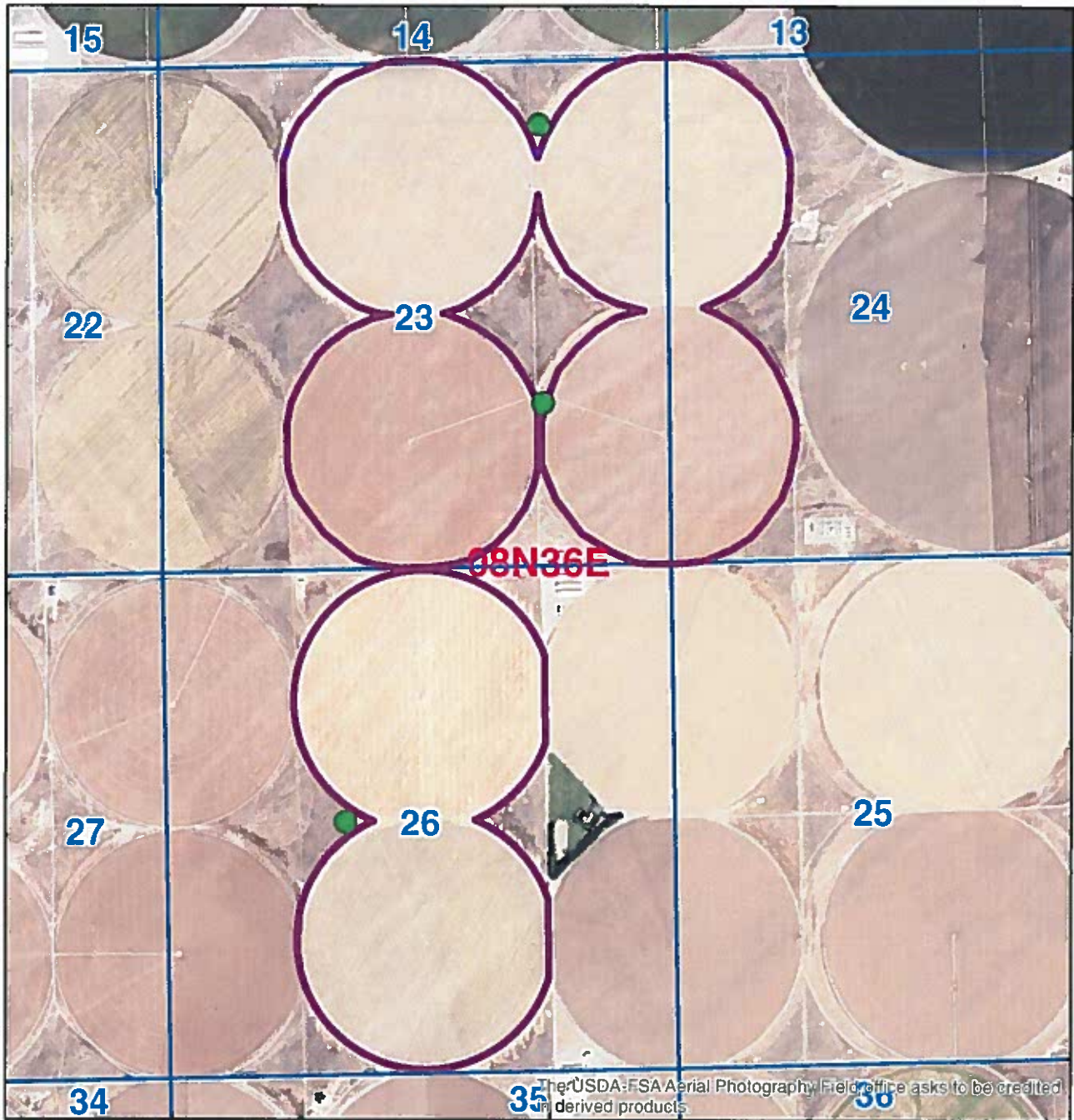
POU Total Acres: 80.0

CONDITIONS OF APPROVAL

1. Rights 31-2374D and 31-7137 when combined shall not exceed the irrigation of 147.0 acres.
2. The following rights are diverted through point(s) of diversion described above: 31-2374D, 31-7137.
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 Approval 81369

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

0 750 1,500 3,000 Feet

1 inch = 1,673 feet

