

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81399**

This is to certify that: IDAHO WATER CO LLC
C/O DEL KOHTZ
1135 VALLEY RD S
EDEN, ID 83325

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>
29-4179	WR/DECREED	6/20/1902	0.440 cfs	N/A	N/A	34.0	PORTNEUF RIVER
29-65A	WR/DECREED	7/1/1902	0.500 cfs	N/A	N/A	25.0	PORTNEUF RIVER

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>
29-4179	YES	YES	YES	YES	NO	NO
29-65A	YES	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>
29-4179	29-14203	0.220 cfs	N/A	17.1	3231.3	29-4179	0.220 cfs	N/A	N/A	16.9
29-65A	29-14202	0.400 cfs	N/A	20.0	3231.3	29-65A	0.100 cfs	N/A	N/A	5.0
COMBINED TOTALS		0.620 cfs	N/A	37.1	3231.3		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 3rd day of May, 2017.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 81399

IN FILE # 29-65A

WATER RIGHT NO. 29-65A

As Modified by Transfer No. 81399

In accordance with the approval of Transfer No. 81399, Water Right No. 29-65A is now described as follows:

Right Holder: RICHARD J DAVIS
MARSHA DAVIS
4281 W OLD HWY 91
INKOM, ID 83250

Priority Date: 7/1/1902

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 09/15

Diversion Rate
0.100 cfs
0.100 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER L1 (SWNWNE) Sec 12 Twp 09S Rge 36E BANNOCK 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	
09S	36E	1						5.0											5.0
								L 4											

POU Total Acres: 5.0

CONDITIONS OF APPROVAL

1. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after September 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 20, 2004.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. Water is delivered through Lewis-Goodenough Ditch.
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. 81399

WATER RIGHT NO. 29-14202**As Modified by Transfer No. 81399**

In accordance with the approval of Transfer No. 81399, Water Right No. 29-14202 is now described as follows:

Right Holder: IDAHO WATER CO LLC
C/O DEL KOHTZ
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 7/1/1902

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 09/15

Diversion Rate

0.400 cfs

0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER
PORTNEUF RIVER

SESESE
NENWSE

Sec 1 Twp 07S Rge 34E BANNOCK County
Sec 1 Twp 07S Rge 34E BANNOCK 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	
06S	33E	1			39.8										39.1	39.7	0.8	22.6	142.0
06S	33E	4												12.5			23.1		35.6
06S	33E	9					39.0	39.3	29.2	28.7	40.3	40.2	16.2	29.4					262.3
06S	33E	11							34.4		15.1	27.2	40.4	41.0	39.6	34.1		26.9	258.7
06S	33E	12	40.6	40.3	40.3	40.9	40.7	40.5	28.5	40.4	39.0	3.3		6.1	13.9		29.7		402.2
06S	33E	14	19.9	24.7			4.1	8.1		1.0						11.6			69.4
06S	33E	15						40.3	19.7	19.9	16.5								96.4
06S	33E	16	2.7		29.2	32.0	39.9	40.0	39.3	29.2	40.1	31.1	29.8	15.3	37.9	3.1			369.6
06S	33E	17			21.0	39.5			38.6	40.2	19.6	39.7		39.8	39.1		79.3		356.8
					L 2														
06S	33E	20															2.1		2.1
06S	34E	6	15.7						1.4		1.3								18.4
			L 1								L 6								
06S	34E	7	4.4			32.1								6.9					43.4
			L 1			L 6													
06S	34E	9			15.5											24.9			40.4
					L 7											L 10			
06S	34E	13								19.7								5.0	24.7
									L 6								L 16		
06S	34E	14			1.1						0.8			2.0					3.9
					L 7						L 2			L 9					
06S	34E	15			0.9	2.5				17.3		25.0		20.7	17.4	1.3	0.4		85.5
					L 7	L 8				L 6		L 12		L 14	L 9		L 15	L 16	
06S	34E	16										10.7					12.0		22.7
												L 12					L 15		
06S	34E	17			25.0	5.9								7.9	0.7				39.5
06S	34E	21		1.8		22.0										1.6			25.4
				L 2		L 8										L 10			
06S	34E	22	0.6	0.6	16.4						32.9								50.5
			L 1	L 2	L 7						L 11								
06S	34E	23										10.6		2.3					12.9

Transfer No. 81399

WATER RIGHT NO. 29-14202**As Modified by Transfer No. 81399****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	
06S	34E	24							5.4	0.6	3.2	0.9	3.1	1.2					14.4
									L 5	L 6	L 11	L 12	L 13	L 14					
06S	34E	25				2.4	0.6		30.9	31.8	9.5		9.0	29.5	10.0			23.7	147.4
						L 8									L 9			L 16	
06S	34E	26					2.1								1.2		3.8		7.1
06S	34E	27							14.2	4.1	2.4					8.7		6.9	36.3
									L 12	L 6	L 11								
06S	34E	34	2.3																2.3
06S	34E	35	3.2			0.6			0.1		4.7	0.3			6.9	3.7	0.7		20.2
													L 12			L 10	L 15	L 16	
06S	34E	36		34.7			36.8	32.6	24.1	5.9	10.9			2.3		25.0	5.7	14.1	194.1
				L 2							L 11			L 14		L 10	L 15	L 16	
07S	34E	1	21.0	2.1	36.9	10.6									24.1	30.4	29.5	4.9	159.5
			L 1	L 2															
07S	34E	12	31.4	3.9															35.3
07S	35E	6						7.0	7.4	21.6	6.8	36.1				1.1		5.6	85.6
								L 4	L 5			L 6							
07S	35E	7		0.2		7.7	0.1		11.7	1.1			0.4		2.9	7.0	19.9	25.3	76.3
									L 2				L 4						
07S	35E	17	0.4	1.7	27.5	29.5	0.1		0.5						28.5	0.4	1.8		90.4

Right Acre Limit: 20.0

POU Total Acres: 3231.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 20.0 acres within the authorized place of use in a single irrigation season.
2. Water rights 29-14202 and 29-14203 are limited to the irrigation of a specific 37.1 acres within the 3,231.3 acre place of use authorized by this right in a single irrigation season. The specific 37.1 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 37.1 acres to be irrigated within the 3,231.3 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.
3. 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).
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. 29D.
5. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after September 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 20, 2004.

WATER RIGHT NO. 29-14202

As Modified by Transfer No. 81399

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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. 29-4179**As Modified by Transfer No. 81399**

In accordance with the approval of Transfer No. 81399, Water Right No. 29-4179 is now described as follows:

Right Holder: LM BULL
5787 W PORTNEUF RD
POCATELLO, ID 83204

Priority Date: 6/20/1902

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.220 cfs

0.220 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER

SWSE

Sec 19 Twp 07S Rge 36E BANNOCK 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	36E	30		16.9															16.9

POU Total Acres: 16.9

CONDITIONS OF APPROVAL

1. 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. 29-14203**As Modified by Transfer No. 81399**

In accordance with the approval of Transfer No. 81399, Water Right No. 29-14203 is now described as follows:

Right Holder: IDAHO WATER CO LLC
C/O DEL KOHTZ
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 6/20/1902

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.220 cfs
0.220 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER
PORTNEUF RIVER

SESESE
NENWSE

Sec 1 Twp 07S Rge 34E BANNOCK County
Sec 1 Twp 07S Rge 34E BANNOCK 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	
06S	33E	1			39.8										39.1	39.7	0.8	22.6	142.0
06S	33E	4												12.5			23.1		35.6
06S	33E	9					39.0	39.3	29.2	28.7	40.3	40.2	16.2	29.4					262.3
06S	33E	11							34.4						41.0	39.6	34.1		258.7
06S	33E	12	40.6	40.3	40.3	40.9	40.7	40.5	26.5	40.4	39.0	3.3			6.1	13.9		29.7	402.2
06S	33E	14	19.9	24.7			4.1	8.1		1.0							11.6		69.4
06S	33E	15						40.3	19.7	19.9	16.5								96.4
06S	33E	16	2.7		29.2	32.0	39.9	40.0	39.3	29.2	40.1	31.1	29.8	15.3	37.9	3.1			369.6
06S	33E	17			21.0	39.5			38.6	40.2	19.6	39.7			39.8	39.1		79.3	356.8
						L 2													
06S	33E	20															2.1		2.1
06S	34E	6	15.7							1.4		1.3							18.4
			L 1									L 6							
06S	34E	7	4.4			32.1								6.9					43.4
			L 1			L 6													
06S	34E	9			15.5											24.9			40.4
					L 7											L 10			
06S	34E	13								19.7								5.0	24.7
										L 6								L 16	
06S	34E	14			1.1							0.8			2.0				3.9
					L 7							L 2			L 9				
06S	34E	15			0.9	2.5				17.3		25.0		20.7	17.4		1.3	0.4	85.5
					L 7	L 8				L 6		L 12		L 14	L 9		L 15	L 16	
06S	34E	16										10.7					12.0		22.7
												L 12					L 15		
06S	34E	17			25.0	5.9								7.9	0.7				39.5
06S	34E	21		1.8		22.0										1.6			25.4
				L 2		L 8										L 10			
06S	34E	22	0.6	0.6	16.4						32.9								50.5
			L 1	L 2	L 7						L 11								
06S	34E	23										10.6		2.3					12.9

Transfer No. 81399

WATER RIGHT NO. 29-14203**As Modified by Transfer No. 81399****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	
06S	34E	24							5.4	0.6	3.2	0.9	3.1	1.2					14.4
									L 5	L 6	L 11	L 12	L 13	L 14					
06S	34E	25				2.4	0.6		30.9	31.8	9.5		9.0	29.5	10.0			23.7	147.4
						L 8									L 9			L 16	
06S	34E	26					2.1								1.2		3.8		7.1
06S	34E	27							14.2	4.1	2.4					8.7		6.9	36.3
									L 12	L 6	L 11								
06S	34E	34	2.3																2.3
06S	34E	35	3.2			0.6			0.1		4.7	0.3				6.9	3.7	0.7	20.2
													L 12			L 10	L 15	L 16	
06S	34E	36		34.7			38.8	32.6	24.1	5.9	10.9			2.3		25.0	5.7	14.1	194.1
				L 2							L 11			L 14		L 10	L 15	L 16	
07S	34E	1	21.0	2.1	36.9	10.8									24.1	30.4	29.5	4.9	159.5
				L 1	L 2														
07S	34E	12		31.4	3.9														35.3
07S	35E	6						7.0	7.4	21.6	6.8	36.1				1.1		5.6	85.6
								L 4	L 5			L 6							
07S	35E	7		0.2		7.7	0.1		11.7	1.1			0.4		2.9	7.0	19.9	25.3	76.3
									L 2				L 4						
07S	35E	17	0.4	1.7	27.5	29.5	0.1		0.5						28.5	0.4	1.8		90.4

Right Acre Limit: 17.1

POU Total Acres: 3231.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 17.1 acres within the authorized place of use in a single irrigation season.
2. Water rights 29-14202 and 29-14203 are limited to the irrigation of a specific 37.1 acres within the 3,231.3 acre place of use authorized by this right in a single irrigation season. The specific 37.1 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 37.1 acres to be irrigated within the 3,231.3 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.
3. 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).
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. 29D.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 29-14203
As Modified by Transfer No. 81399

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

