

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81368**

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>
31-2365B	WR/DECREED	4/18/1958	0.420 cfs	105.0 af	N/A	30.0	GROUND WATER
31-7093	WR/DECREED	9/18/1973	1.920 cfs	396.0 af	N/A	132.0	GROUND WATER
31-7136	WR/DECREED	9/11/1974	2.190 cfs	396.0 af	N/A	130.0	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>
31-2365B	NO	NO	YES	YES	NO	NO
31-7093	NO	NO	YES	YES	NO	NO
31-7136	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>
31-2365B	31-2365B	0.420 cfs	105.0 af	30.0	171.6	N/A	N/A	N/A	N/A	N/A
31-7093	31-7093	1.920 cfs	396.0 af	132.0	171.6	N/A	N/A	N/A	N/A	N/A
31-7136	31-12388	0.160 cfs	29.2 af	9.6	171.6	31-7136	2.030 cfs	366.8 af	N/A	120.4
COMBINED TOTALS		2.500 cfs	530.2 af	171.6	171.6		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 28th day of February, 2017.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 81368

IN FILE # 31-2365B

WATER RIGHT NO. 31-7093
As Modified by Transfer No. 81368

In accordance with the approval of Transfer No. 81368, Water Right No. 31-7093 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: 9/18/1973

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	1.920 cfs	396.0 af
			1.920 cfs	396.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESESW	Sec 28 Twp 08N Rge 37E FREMONT County
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			5.0	5.0			5.0	5.0	38.0	5.0		34.0	5.0	37.6	32.0		171.6

Right Acre Limit: 132.0

POU Total Acres: 171.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 132.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2365B, 31-7093 and 31-12388 when combined shall not exceed the irrigation of 171.6 acres.
3. Use of water under this right will 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. 81368

WATER RIGHT NO. 31-7093
As Modified by Transfer No. 81368

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 81368, 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. 31-7136
As Modified by Transfer No. 81368

In accordance with the approval of Transfer No. 81368, 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

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 11/01

Diversion Rate

2.030 cfs

2.030 cfs

Diversion Volume

366.8 af

366.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESESE

Sec 28 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	27										22.9	32.5						55.4
08N	37E	28													32.5			32.5	65.0

POU Total Acres: 120.4

CONDITIONS OF APPROVAL

1. Right No. 31-10699 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
2. Rights 31-2365A, 31-2374D, 31-7136, 31-7137, 31-7138 and 31-10699 when combined shall not exceed a total diversion rate of 9.08 cfs.
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. 81368

WATER RIGHT NO. 31-12388
As Modified by Transfer No. 81368

In accordance with the approval of Transfer No. 81368, Water Right No. 31-12388 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

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.160 cfs
 0.160 cfs

Diversion Volume
 29.2 af
 29.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESESW Sec 28 Twp 08N Rge 37E FREMONT County
 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				5.0	5.0			5.0	5.0	38.0	5.0		34.0	5.0	37.6	32.0		171.6

Right Acre Limit: 9.6

POU Total Acres: 171.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 9.6 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2365B, 31-7093 and 31-12388 when combined shall not exceed the irrigation of 171.6 acres.
3. Use of water under this right will 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.

WATER RIGHT NO. 31-12388
As Modified by Transfer No. 81368

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 81368, 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. 31-2365B
As Modified by Transfer No. 81368

In accordance with the approval of Transfer No. 81368, Water Right No. 31-2365B 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: 4/18/1958

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

to 10/31

To

Diversion Rate

0.420 cfs
 0.420 cfs

Diversion Volume

105.0 af
 105.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESESW Sec 28 Twp 08N Rge 37E FREMONT County
 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				5.0	5.0			5.0	5.0	38.0	5.0		34.0	5.0	37.6	32.0		171.6

Right Acre Limit: 30.0

POU Total Acres: 171.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 30.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2365B, 31-7093 and 31-12388 when combined shall not exceed the irrigation of 171.6 acres.
3. Use of water under this right will 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.

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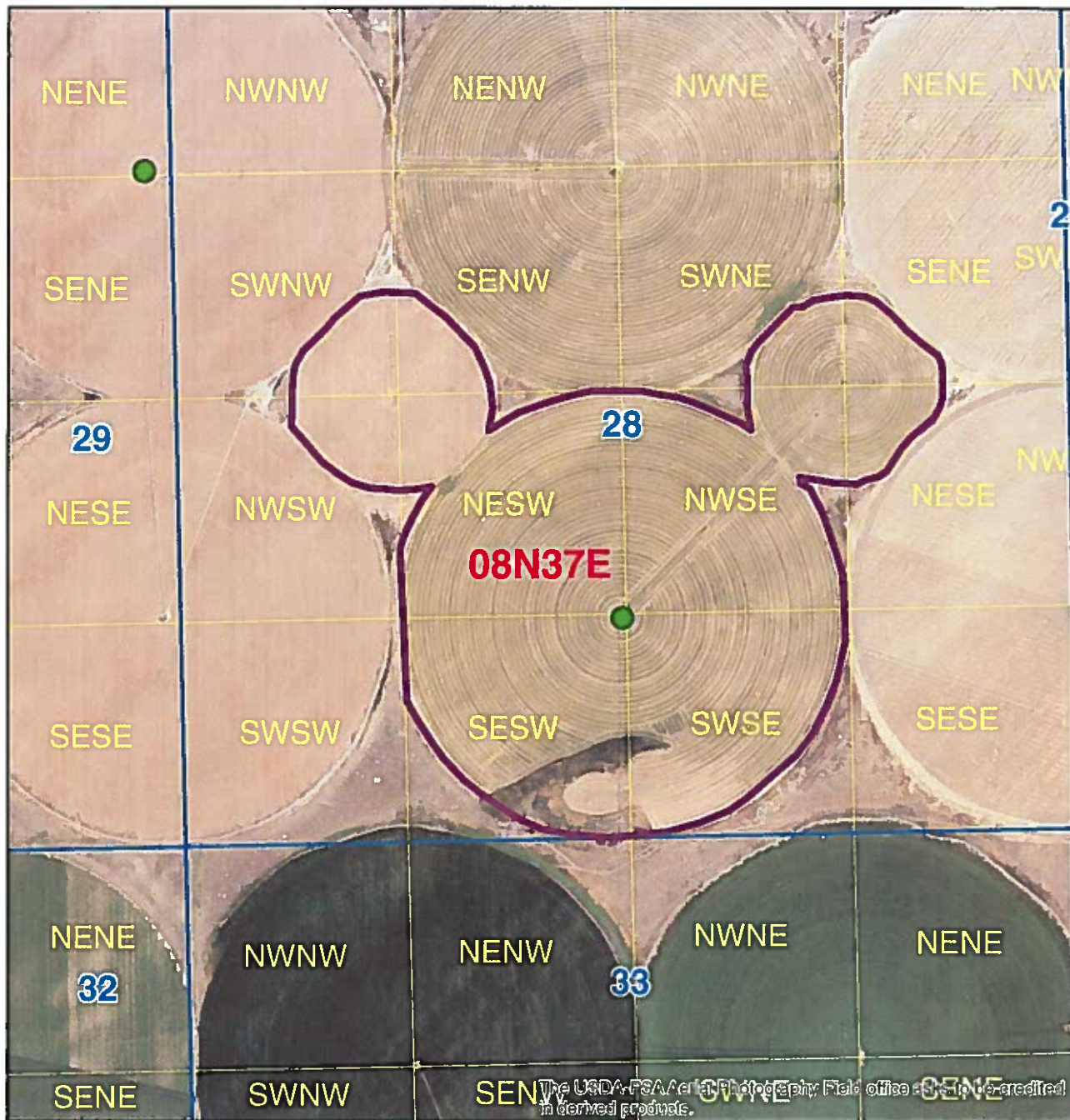
WATER RIGHT NO. 31-2365B
As Modified by Transfer No. 81368

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 81368, 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.

Transfer Approval 81368

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
 QQ



1 inch = 946 feet

