

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81212

This is to certify that: IDAHO WATER CO LLC
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>
61-12269	WR/DECREED	2/21/1971	1.640 cfs	504.0 af	N/A	126.0	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>
61-12290	WR/DECREED	3/24/1970	2.750 cfs	747.4 af	165.5	468.0	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>
61-12269	NO	YES	YES	NO	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>
61-12269	61-12269	1.640 cfs	504.0 af	126.0	468.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.640 cfs	504.0 af	126.0	468.0		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 30th day of January, 2017.


Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 61-12269

Transfer No. 81212

WATER RIGHT NO. 61-12269**As Modified by Transfer No. 81212**

In accordance with the approval of Transfer No. 81212, Water Right No. 61-12269 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 2/21/1971

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
1.640 cfs
1.640 cfs

Diversion Volume
504.0 af
504.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L5 (NWSW) Sec 19 Twp 04S Rge 05E ELMORE County
GROUND WATER NENE Sec 30 Twp 04S Rge 05E ELMORE 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	
04S	05E	19									40.0	40.0	40.0	40.0	28.0	40.0	40.0	40.0	308.0
04S	05E	30	40.0	40.0	40.0	40.0						L5	L8						160.0

Right Acre Limit: 126.0

POU Total Acres: 468.0

CONDITIONS OF APPROVAL

1. 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 place of use.
2. This right is limited to the irrigation of a specific 126.0 acres within the 468.0 acre place of use authorized by this right in a single irrigation season. The specific 126.0 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 126.0 acres to be irrigated within the 468.0 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.
3. Rights 61-12269 and 61-12290 when combined shall not exceed the irrigation of 291.5 acres.

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WATER RIGHT NO. 61-12269

As Modified by Transfer No. 81212

CONDITIONS OF APPROVAL

4. 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. 161.
5. Prior to the diversion and use of water under Transfer approval 81212, 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. 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 10/26/2000.
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. 61-12290**As Modified by Transfer No. 81212**

In accordance with the approval of Transfer No. 81212, Water Right No. 61-12290 is now described as follows:

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

Priority Date: 3/24/1970

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 4 /01 **To** 10/31

Diversion Rate
2.750 cfs
2.750 cfs

Diversion Volume
747.4 af
747.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L5 (NWSW) Sec 19 Twp 04S Rge 05E ELMORE County
GROUND WATER NENE Sec 30 Twp 04S Rge 05E ELMORE 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	
04S	05E	19									40.0	40.0	40.0	40.0	28.0	40.0	40.0	40.0	308.0
04S	05E	30	40.0	40.0	40.0	40.0						L 5	L 8						160.0

Right Acre Limit: 165.5

POU Total Acres: 468.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 165.5 acres within the 468 acre place of use authorized by this right in a single irrigation season. The specific 165.5 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 165.5 acres to be irrigated within the 468 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.
2. Rights 61-12269 and 61-12290 when combined shall not exceed the irrigation of 291.5 acres.
3. 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 place of use.

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WATER RIGHT NO. 61-12290

As Modified by Transfer No. 81212

CONDITIONS OF APPROVAL

4. 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. 161.
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. 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 October 26, 2000.
7. The diversion and use of water described in Transfer 78560 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
8. Place of use does not include federal public lands.
9. 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 No. 81212
Water Right(s): 61-12269

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

