

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81255**

This is to certify that: **DOWNEY PROPERTIES LLC
3064 S HIGHLAND DR
SALT LAKE CITY, UT 84106**

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>
29-2332	WR/DECREED	4/11/1953	1.760 cfs	444.5 af	127.0	237.0	GROUND WATER
29-7056	WR/DECREED	7/9/1970	1.320 cfs	402.5 af	115.0	237.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

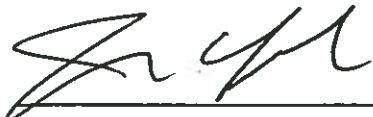
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-2332	NO	NO	YES	NO	NO	NO
29-7056	NO	NO	YES	NO	NO	NO

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>
29-2332	29-2332	1.760 cfs	444.5 af	127.0	237.0	N/A	N/A	N/A	N/A	N/A
29-7056	29-7056	1.320 cfs	402.5 af	115.0	237.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.760 cfs	747.0 af	237.0	237.0		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 5th day of January, 2017.



Water Resources Program Manager

SUPPORT DATA

Transfer No. 81255

IN FILE # 29-2332

WATER RIGHT NO. 29-2332**As Modified by Transfer No. 81255**

In accordance with the approval of Transfer No. 81255, Water Right No. 29-2332 is now described as follows:

Right Holder: DOWNEY PROPERTIES LLC
3064 S HIGHLAND DR
SALT LAKE CITY, UT 84106

Priority Date: 4/11/1953

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

1.760 cfs

1.760 cfs

Diversion Volume

444.5 af

444.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESE

Sec 28 Twp 11S Rge 37E 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	
11S	37E	28									40.0	33.0	31.0	30.0	14.0	36.0	31.0	22.0	237.0

Right Acre Limit: 127.0

POU Total Acres: 237.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 127 acres within the authorized place of use in a single irrigation season.
2. Rights 29-2332 and 29-7056 when combined shall not exceed a total diversion rate of 1.76 cfs, a total annual maximum diversion volume of 747 af at the field headgate, and the irrigation of 237 acres.
3. 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.
4. 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.
5. Use of water under this right is combined with water from Portneuf Marsh Valley Canal Co.

Transfer No. 81255

WATER RIGHT NO. 29-2332
As Modified by Transfer No. 81255

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. 29-7056**As Modified by Transfer No. 81255**

In accordance with the approval of Transfer No. 81255, Water Right No. 29-7056 is now described as follows:

Right Holder: DOWNEY PROPERTIES LLC
3064 S HIGHLAND DR
SALT LAKE CITY, UT 84106

Priority Date: 7/9/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	1.320 cfs	402.5 af
			1.320 cfs	402.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec 28 Twp 11S Rge 37E 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	
11S	37E	28									40.0	33.0	31.0	30.0	14.0	36.0	31.0	22.0	237.0

Right Acre Limit: 115.0

POU Total Acres: 237.0

CONDITIONS OF APPROVAL

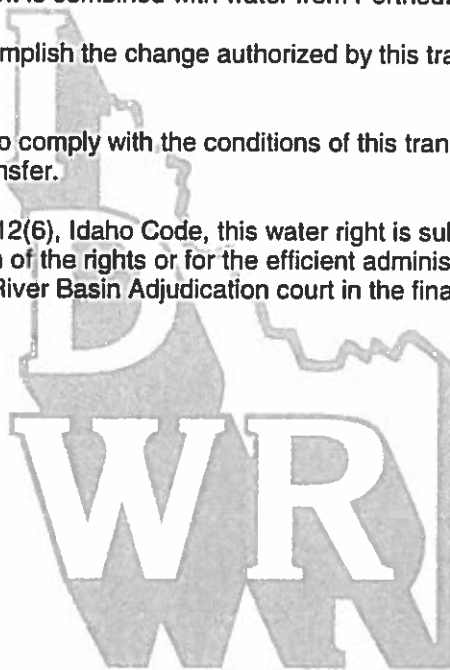
1. This right is limited to the irrigation of 115 acres within the authorized place of use in a single irrigation season.
2. Rights 29-2332 and 29-7056 when combined shall not exceed a total diversion rate of 1.76 cfs, a total annual maximum diversion volume of 747 af at the field headgate, and the irrigation of 237 acres.
3. 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.
4. 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.

WATER RIGHT NO. 29-7056

As Modified by Transfer No. 81255

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/22/2004.
6. Use of water under this right is combined with water from Portneuf Marsh Valley Canal Co.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.



Transfer Approval 81255

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

0 370 740 1,480 Feet

1 inch = 822 feet

