

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 81253**

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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 29-13992           | WR/DECREED          | 10/17/1960           | 0.870 cfs             | 370.1 af                | N/A               | 153.0              | GROUND WATER  |
| 29-7489A           | WR/DECREED          | 10/11/1985           | 2.020 cfs             | 402.5 af                | N/A               | 115.0              | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

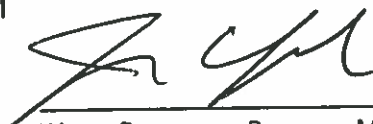
| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 29-13992              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 29-7489A              | NO           | NO         | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 29-13992               | 29-13992                         | 0.870 cfs            | 369.3 af               | 153.0             | 268.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 29-7489A               | 29-7489A                         | 2.020 cfs            | 402.5 af               | 115.0             | 268.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>2.890 cfs</b>     | <b>771.8 af</b>        | <b>268.0</b>      | <b>268.0</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

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 5<sup>th</sup> day of January, 2017.

  
Water Resources Program Manager

SUPPORT DATA

IN FILE # 29-7489A

Transfer No. 81253

**WATER RIGHT NO. 29-7489A****As Modified by Transfer No. 81253**

In accordance with the approval of Transfer No. 81253, Water Right No. 29-7489A is now described as follows:

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

**Priority Date:** 10/11/1985

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From**  
04/01

**To**  
to 11/01

**Diversion Rate**  
2.020 cfs  
2.020 cfs

**Diversion Volume**  
402.5 af  
402.5 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |        |                                       |
|--------------|--------|---------------------------------------|
| GROUND WATER | SWSWNE | Sec 20 Twp 11S Rge 37E BANNOCK County |
| GROUND WATER | NESE   | Sec 20 Twp 11S Rge 37E BANNOCK County |
| GROUND WATER | NENWSE | Sec 20 Twp 11S Rge 37E 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   |        |
| 11S | 37E | 20  |    | 33.0 | 33.0 |    | 34.0 |    |    | 33.0 |    |    |    |    | 34.0 | 34.0 | 34.0 | 33.0 | 268.0  |

Right Acre Limit: 115.0

POU Total Acres: 268.0

**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 29-7489A and 29-13992 when combined shall not exceed the irrigation of 268 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 81253

**WATER RIGHT NO. 29-7489A**  
**As Modified by Transfer No. 81253**

**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.



**WATER RIGHT NO. 29-13992****As Modified by Transfer No. 81253**

In accordance with the approval of Transfer No. 81253, Water Right No. 29-13992 is now described as follows:

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

**Priority Date:** 10/17/1960

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From**  
04/01

**To**  
to 10/31

**Diversion Rate**  
0.870 cfs  
0.870 cfs

**Diversion Volume**  
369.3 af  
369.3 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |        |                         |                |
|--------------|--------|-------------------------|----------------|
| GROUND WATER | SWSWNE | Sec 20, Twp 11S Rge 37E | BANNOCK County |
| GROUND WATER | NESE   | Sec 20, Twp 11S Rge 37E | BANNOCK County |
| GROUND WATER | NENWSE | Sec 20, Twp 11S Rge 37E | 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   |        |
| 11S | 37E | 20  |    | 33.0 | 33.0 |    | 34.0 |    |    | 33.0 |    |    |    |    | 34.0 | 34.0 | 34.0 | 33.0 | 268.0  |

Right Acre Limit: 153.0

POU Total Acres: 268.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 153 acres within the authorized place of use in a single irrigation season.
2. Rights 29-7489A and 29-13992 when combined shall not exceed the irrigation of 268 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. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

Transfer No. 81253

**WATER RIGHT NO. 29-13992**  
**As Modified by Transfer No. 81253**

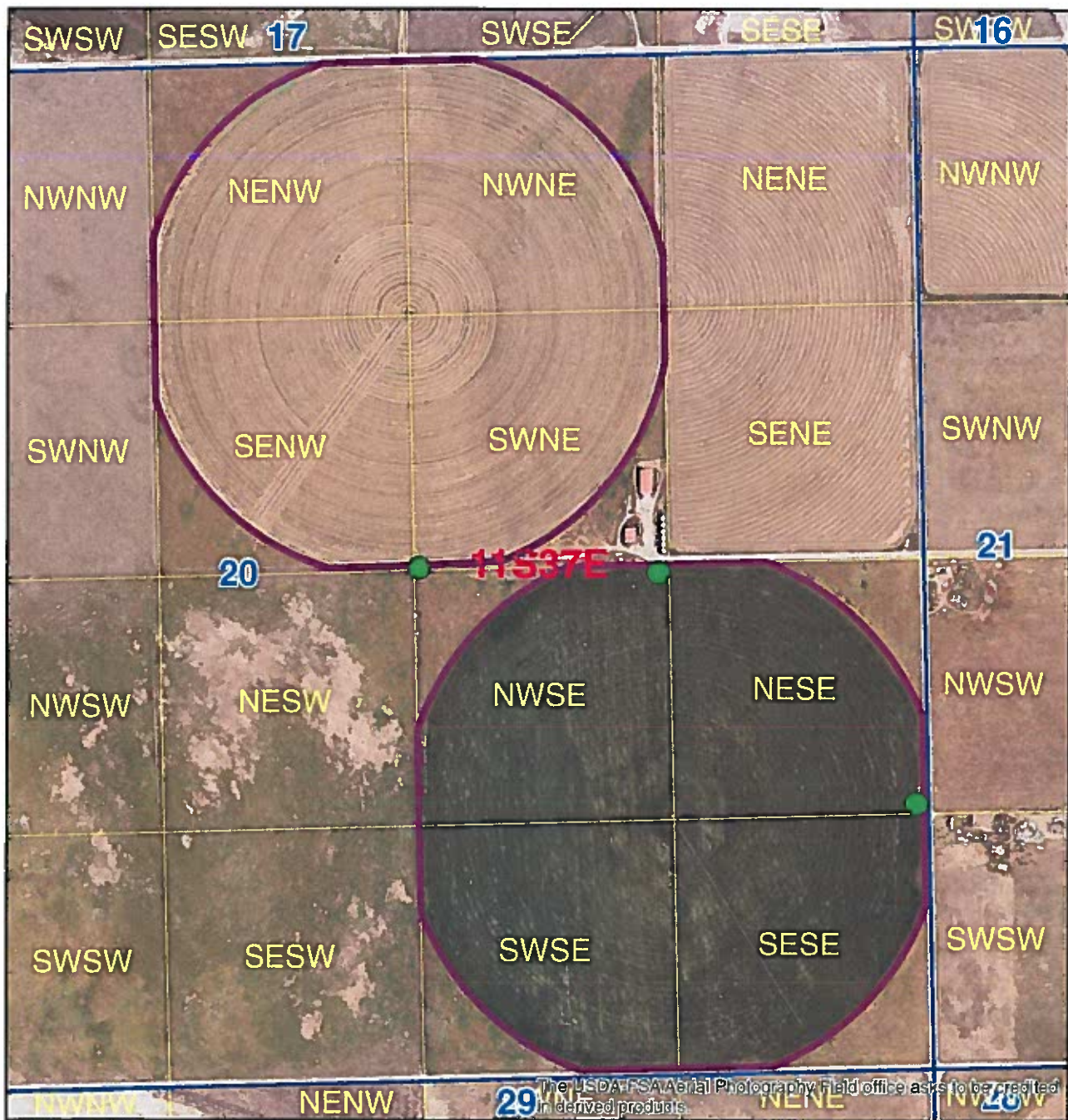
**CONDITIONS OF APPROVAL**

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.



# Transfer Approval 81253

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

0 375 750 1,500 Feet

1 inch = 829 feet

