

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81240**

This is to certify that: **NATURAL GUARDIAN LLC**
PO BOX 50277
IDAHO FALLS, ID 83402
AND
SOUTH INTERCHANGE PROPERTIES LLC
3910 W YELLOWSTONE HWY
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>
21-13178	WR/DECREED	11/29/1971	0.020 cfs	6.3 af	1.8	160.0	GROUND WATER
21-13179	WR/DECREED	11/29/1971	0.002 cfs	0.7 af	0.2	160.0	GROUND WATER
35-13974	WR/DECREED	2/16/1972	3.550 cfs	1058.8 af	N/A	264.7	GROUND WATER
35-13975	WR/DECREED	2/16/1972	0.100 cfs	29.2 af	N/A	7.3	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>
21-13178	NO	YES	YES	NO	NO	NO
21-13179	NO	YES	YES	NO	NO	NO
35-13974	YES	YES	YES	NO	NO	NO
35-13975	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>
21-13178	35-14485	0.020 cfs	6.3 af	1.8	23.8	N/A				
21-13179	35-14486	0.002 cfs	0.7 af	0.2	23.8	N/A				
35-13974	35-14484	0.190 cfs	58.0 af	14.5	23.8	35-13974	3.360 cfs	1000.8 af	N/A	250.2
35-13975	35-13975	0.100 cfs	29.2 af	7.3	23.8	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.312 cfs	94.2 af	23.8	23.8		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 21-13178

Transfer No. 81240

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81240

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 29th day of November, 2016.



Water Resources Program Manager



WATER RIGHT NO. 35-13974**As Modified by Transfer No. 81240**

In accordance with the approval of Transfer No. 81240, Water Right No. 35-13974 is now described as follows:

Right Holder: NATURAL GUARDIAN LLC
PO BOX 50277
IDAHO FALLS, ID 83402

Priority Date: 2/16/1972

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
3.360 cfs
3.360 cfs

Diversion Volume
1000.8 af
1000.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec 9 Twp 02N Rge 36E BONNEVILLE 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	
02N	36E	16	24.0	16.8	25.2	24.0	11.5			5.0	34.4			28.2	6.5	40.0	30.5	4.1	250.2

POU Total Acres: 250.2

CONDITIONS OF APPROVAL

1. 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. 120.
2. Prior to the diversion and use of water under Transfer approval 69808, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
3. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. 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 lands above.

Transfer No. 81240

WATER RIGHT NO. 35-13974
As Modified by Transfer No. 81240

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) 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. 35-14484

As Modified by Transfer No. 81240

In accordance with the approval of Transfer No. 81240, Water Right No. 35-14484 is now described as follows:

Right Holder: NATURAL GUARDIAN LLC
PO BOX 50277
IDAHO FALLS, ID 83402

Priority Date: 2/16/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.190 cfs	58.0 af
			0.190 cfs	58.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 8 Twp 01N Rge 37E BONNEVILLE 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	
01N	37E	8	0.8	5.1	13.3	3.8	0.8												23.8

Right Acre Limit: 14.5

POU Total Acres: 23.8

CONDITIONS OF APPROVAL

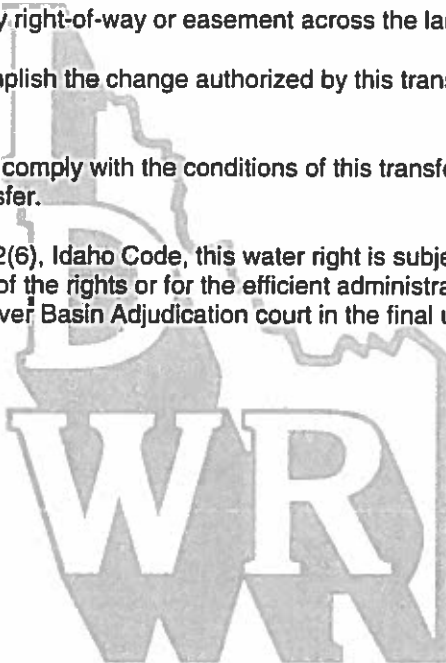
1. This right is limited to the irrigation of 14.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13975, 35-14484, 35-14485 and 35-14486 when combined shall not exceed the irrigation of 23.8 acres.
3. Use of water under this right will be regulated by a watermaster 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. 120.
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.
5. Prior to the diversion and use of water under Transfer approval 81240, 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.

Transfer No. 81240

WATER RIGHT NO. 35-14484
As Modified by Transfer No. 81240

CONDITIONS OF APPROVAL

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 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 35-13975**As Modified by Transfer No. 81240**

In accordance with the approval of Transfer No. 81240, Water Right No. 35-13975 is now described as follows:

Right Holder: NATURAL GUARDIAN LLC
PO BOX 50277
IDAHO FALLS, ID 83402

Priority Date: 2/16/1972

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.100 cfs
0.100 cfs

Diversion Volume
29.2 af
29.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 8 Twp 01N Rge 37E BONNEVILLE 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	
01N	37E	8	0.8	5.1	13.3	3.8	0.8												23.8

Right Acre Limit: 7.3

POU Total Acres: 23.8

CONDITIONS OF APPROVAL

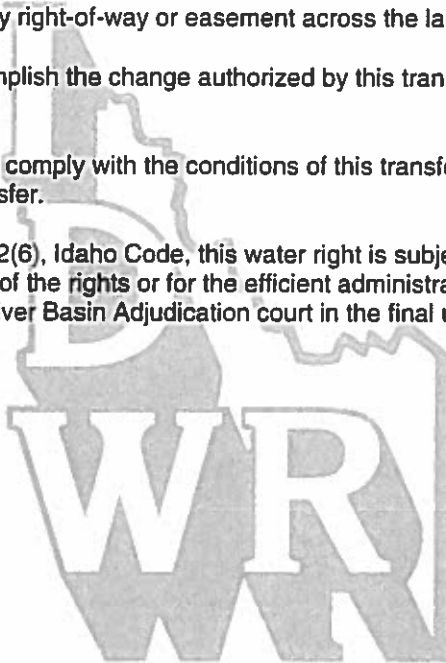
1. This right is limited to the irrigation of 7.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13975, 35-14484, 35-14485 and 35-14486 when combined shall not exceed the irrigation of 23.8 acres.
3. Use of water under this right will be regulated by a watermaster 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. 120.
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.
5. Prior to the diversion and use of water under Transfer approval 81240, 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.

Transfer No. 81240

WATER RIGHT NO. 35-13975
As Modified by Transfer No. 81240

CONDITIONS OF APPROVAL

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 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 35-14485
As Modified by Transfer No. 81240

In accordance with the approval of Transfer No. 81240, Water Right No. 35-14485 is now described as follows:

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

Priority Date: 11/29/1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.020 cfs	6.3 af
			0.020 cfs	6.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 8 Twp 01N Rge 37E BONNEVILLE 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	
01N	37E	8	0.8	5.1	13.3	3.8	0.8												23.8

Right Acre Limit: 1.8
 POU Total Acres: 23.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14485 and 35-14486 when combined shall not exceed the irrigation of 2.0 acres.
3. Rights 35-13975, 35-14484, 35-14485 and 35-14486 when combined shall not exceed the irrigation of 23.8 acres.
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. 120.
5. 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. 35-14485
As Modified by Transfer No. 81240

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 81240, 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.
7. 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.
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 35-14486**As Modified by Transfer No. 81240**

In accordance with the approval of Transfer No. 81240, Water Right No. 35-14486 is now described as follows:

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

Priority Date: 11/29/1971

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.002 cfs
0.002 cfs

Diversion Volume
0.7 af
0.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 8 Twp 01N Rge 37E BONNEVILLE 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	
01N	37E	8	0.8	5.1	13.3	3.8	0.8												23.8

Right Acre Limit: 0.2

POU Total Acres: 23.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14485 and 35-14486 when combined shall not exceed the irrigation of 2.0 acres.
3. Rights 35-13975, 35-14484, 35-14485 and 35-14486 when combined shall not exceed the irrigation of 23.8 acres.
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. 120.
5. 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. 81240

WATER RIGHT NO. 35-14486
As Modified by Transfer No. 81240

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 81240, 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.
7. 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.
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 81240

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

0 487.5 975 1,950 Feet

1 inch = 1,088 feet

