

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 80867**

This is to certify that: **ROTH INVESTMENTS LLC**  
539 S 800 E  
JEROME, ID 83338

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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 36-16683           | WR/LICENSE          | 2/26/1980            | 17.650 cfs            | 3793.2 af               | 948.3             | 1111.5             | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 36-16683              | YES          | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 36-16683               | 36-17075                         | 0.040 cfs            | 9.2 af                 | 2.3               | 240.4              | 36-16683                           | 17.610 cfs            | 3784.0 af               | 946.0                       | 1109.2                       |
| <b>COMBINED TOTALS</b> |                                  | <b>0.040 cfs</b>     | <b>9.2 af</b>          | <b>2.3</b>        | <b>240.4</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 28<sup>th</sup> day of November, 2016.

  
Southern Region Manager

SUPPORT DATA

IN FILE # 36-16683

Transfer No. 80867

**WATER RIGHT NO. 36-16683**  
**As Modified by Transfer No. 80867**

In accordance with the approval of Transfer No. 80867, Water Right No. 36-16683 is now described as follows:

**Right Holder:** ROTH INVESTMENTS LLC  
 539 S 800 E  
 JEROME, ID 83338

**Priority Date:** 2/26/1980

**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  | 17.610 cfs            | 3784.0 af               |
|                       |             |           | 17.610 cfs            | 3784.0 af               |

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

|              |      |                                      |
|--------------|------|--------------------------------------|
| GROUND WATER | NWNW | Sec 11 Twp 08S Rge 17E JEROME County |
| GROUND WATER | NWNE | Sec 15 Twp 08S Rge 17E JEROME County |
| GROUND WATER | SWNW | Sec 15 Twp 08S Rge 17E JEROME 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   |        |
| 08S | 17E | 2   |      |      |      |      |      |      |      |      | 38.0 |      | 40.0 | 38.0 |      |      |      |      | 116.0  |
| 08S | 17E | 10  | 37.2 | 39.5 | 39.6 | 39.5 |      |      |      |      |      |      |      |      | 39.6 | 39.6 | 39.6 | 39.5 | 314.1  |
| 08S | 17E | 11  |      |      |      |      | 32.2 | 39.8 | 39.9 | 23.0 | 6.4  | 10.0 | 23.1 | 2.2  |      |      |      |      | 176.6  |
| 08S | 17E | 14  |      |      |      |      |      | 33.1 | 22.0 |      |      | 8.2  |      |      |      |      |      |      | 63.3   |
| 08S | 17E | 15  | 39.5 | 39.5 | 39.4 | 35.9 | 39.5 | 39.5 | 39.5 | 39.5 | 39.8 | 37.7 |      |      | 9.8  | 39.6 |      |      | 439.2  |

Right Acre Limit: 946.0

POU Total Acres: 1109.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 946 acres within the place of use described above in a single irrigation season.
2. 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.
3. 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 June 5, 2009.

Transfer No. 80867

**WATER RIGHT NO. 36-16683**

**As Modified by Transfer No. 80867**

**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. 130.
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.
6. Prior to the diversion and use of water under Transfer approval 75191 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. 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.

**WATER RIGHT NO. 36-17075****As Modified by Transfer No. 80867**

In accordance with the approval of Transfer No. 80867, Water Right No. 36-17075 is now described as follows:

**Right Holder:** ROTH INVESTMENTS LLC  
539 S 800 E  
JEROME, ID 83338

**Priority Date:** 2/26/1980

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

**To**

to 10/31

**Diversion Rate**

0.040 cfs

0.040 cfs

**Diversion Volume**

9.2 af

9.2 af

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

GROUND WATER

NENE

Sec 11 Twp 08S Rge 17E JEROME 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  |        |
| 08S | 17E | 1   |      |      |    |    |      |      |      |      |    |    | 1.8 |    |    |    |     |     | 1.8    |
| 08S | 17E | 2   |      |      |    |    |      |      |      |      |    |    |     |    |    |    | 6.1 | 3.5 | 9.6    |
| 08S | 17E | 11  | 40.0 | 29.0 |    |    |      |      |      |      |    |    |     |    |    |    |     |     | 69.0   |
| 08S | 17E | 12  |      |      |    |    | 40.0 | 40.0 | 40.0 | 40.0 |    |    |     |    |    |    |     |     | 160.0  |

Right Acre Limit: 2.3

POU Total Acres: 240.4

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 2.3 acres within the place of use described above in a single irrigation season.
2. This right is limited to the irrigation of a specific 2.3 acres within the 240.4 acre place of use authorized by this right in a single irrigation season. The specific 2.3 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 2.3 acres to be irrigated within the 240.4 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. 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. 80867

**WATER RIGHT NO. 36-17075**

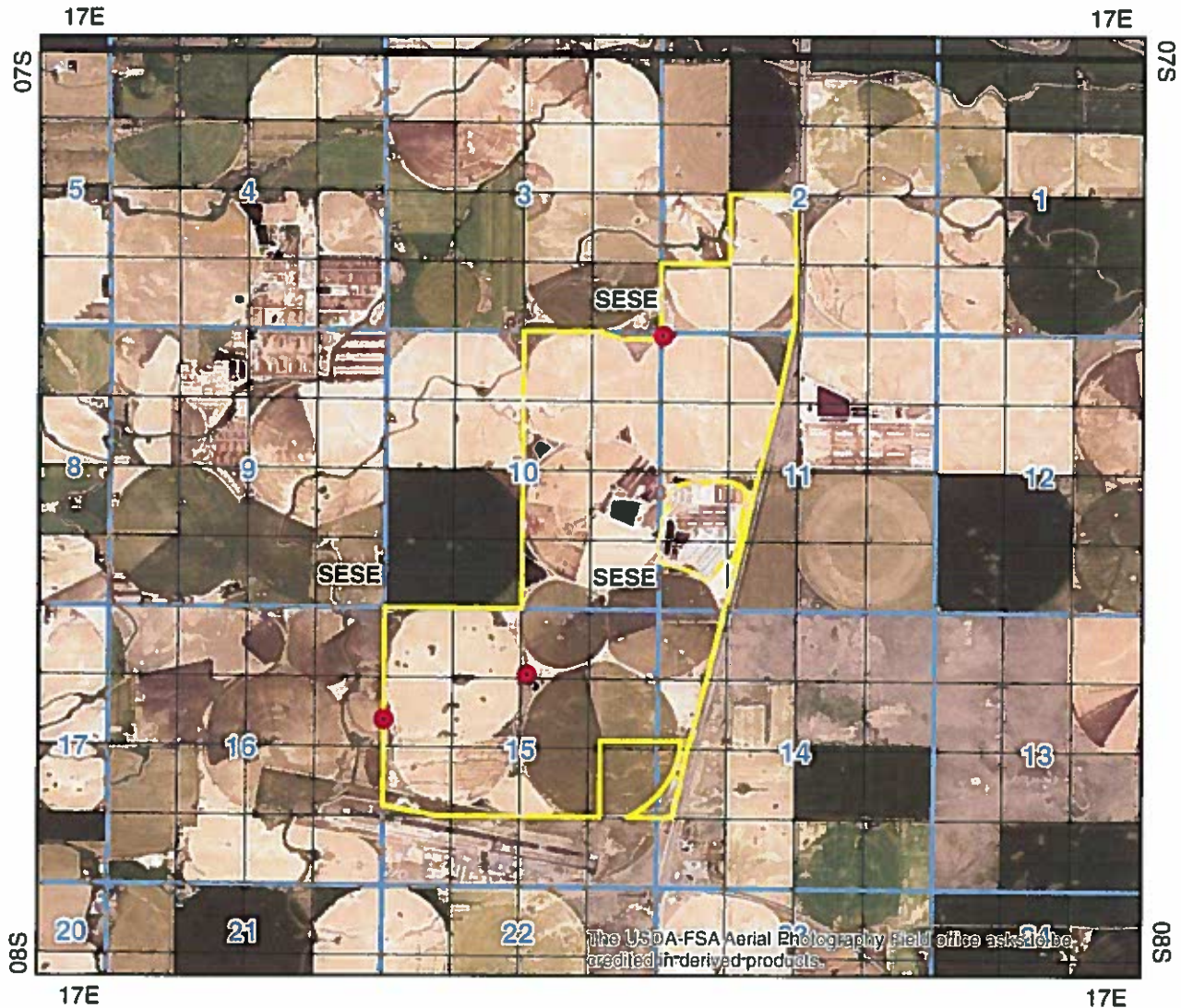
**As Modified by Transfer No. 80867**

**CONDITIONS OF APPROVAL**

4. 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 June 5, 2009.
5. 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. 130.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 80867 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.
8. 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.
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.

State of Idaho  
Department of Water Resources  
**Attachment to Transfer # 80867**  
36-16683

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.



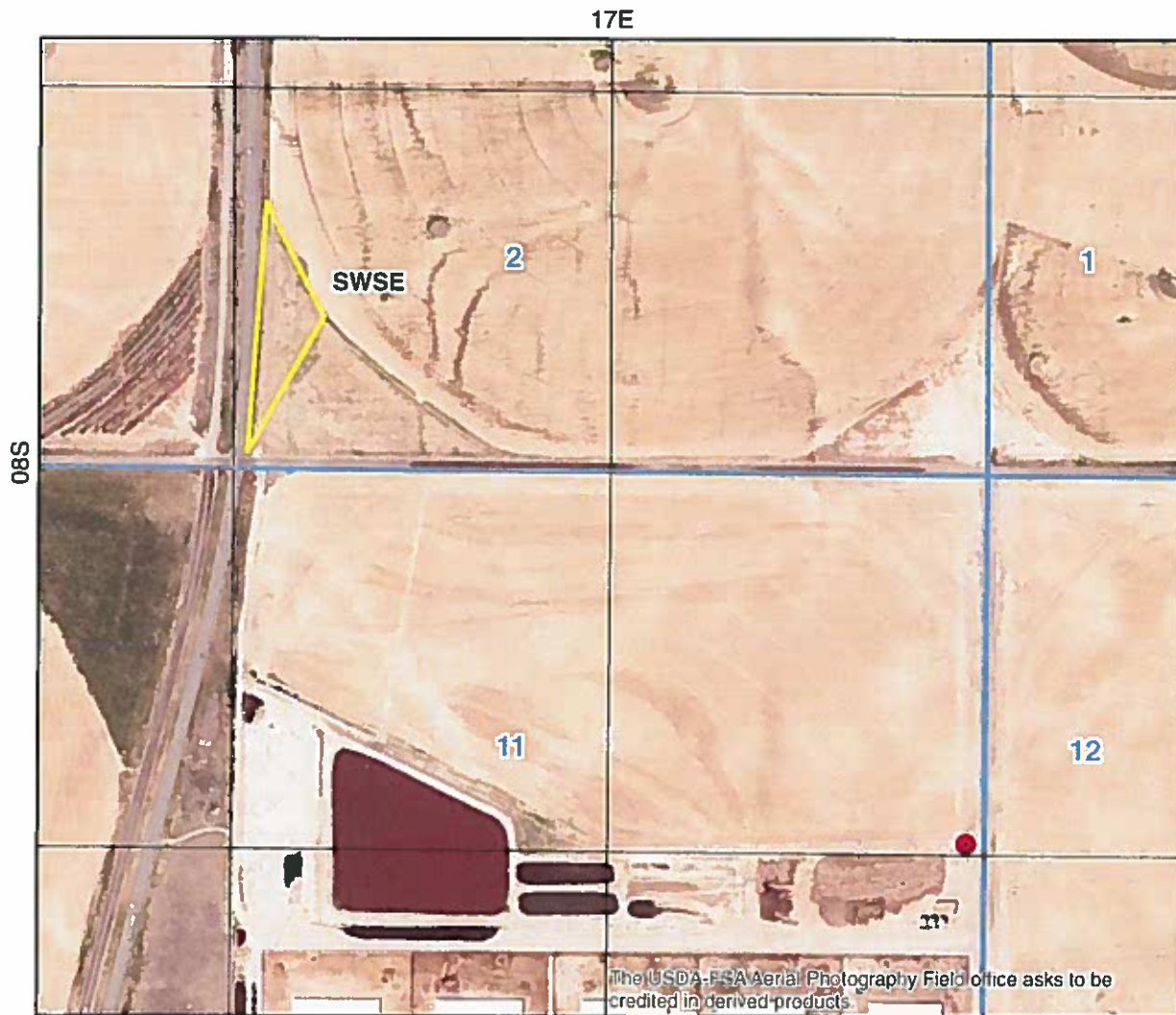
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.4 0.8 1.6 Miles



State of Idaho  
Department of Water Resources  
**Attachment to Transfer # 80867**  
36-17075

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.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.075 0.15 0.3 Miles

