

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80499**

This is to certify that: **BOISE VALLEY FEEDERS LLC**
2201 RIDGEWAY RD
PARMA, ID 83660

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>
63-31262	WR/LICENSE	6/6/2001	1.620 cfs	365.0 af	N/A	81.0	GROUND WATER
63-3359	WR/DECREED	6/28/1963	2.410 cfs	542.3 af	99.5	139.0	GROUND WATER
63-7874	WR/DECREED	11/19/1973	2.760 cfs	621.0 af	78.0	139.0	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>
63-32049	WR/LICENSE	11/8/2004	3.680 cfs	704.0 af		134.0	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>
63-31262	NO	NO	NO	YES	NO	NO
63-3359	NO	NO	NO	YES	NO	NO
63-7874	NO	NO	NO	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>
63-31262	63-31262	1.620 cfs	365.0 af	N/A	81.0	N/A	N/A	N/A	N/A	N/A
63-3359	63-3359	2.410 cfs	542.3 af	99.5	139.0	N/A	N/A	N/A	N/A	N/A
63-7874	63-7874	2.760 cfs	621.0 af	78.0	139.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		5.600 cfs	1260.5 af	139.0	220.0		N/A	N/A	N/A	N/A

SUPPORT DATA
IN FILE # 63-3359

Transfer No. 80499

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80499

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 October, 2016.



for Chief, Water Allocation Bureau



WATER RIGHT NO. 63-7874**As Modified by Transfer No. 80499**

In accordance with the approval of Transfer No. 80499, Water Right No. 63-7874 is now described as follows:

Right Holder: BOISE VALLEY FEEDERS LLC
2201 RIDGEWAY RD
PARMA, ID 83660

Priority Date: 11/19/1973

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

03/15
01/01

to

To

11/15
12/31

Diversion Rate

1.560 cfs
1.200 cfs
2.760 cfs

Diversion Volume

351.0 af
270.0 af
621.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW
GROUND WATER SESW
GROUND WATER NWSE

Sec 13 Twp 06N Rge 05W PAYETTE County
Sec 13 Twp 06N Rge 05W PAYETTE County
Sec 14 Twp 06N Rge 05W PAYETTE 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	
06N	05W	11															12.0	3.0	15.0
06N	05W	13										3.0							3.0
06N	05W	14	25.0	9.0	30.0	25.0									20.0	12.0			121.0

Right Acre Limit: 78.0

POU Total Acres: 139.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	13						X	X		X	X							
06N	05W	14	X			X													

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 78 acres within the authorized place of use in a single irrigation season.

Transfer No. 80499

WATER RIGHT NO. 63-7874
As Modified by Transfer No. 80499

CONDITIONS OF APPROVAL

2. Rights 63-3359 and 63-7874 when combined shall not exceed a total diversion rate of 2.78 cfs and a total diversion volume of 625.5 afa for the irrigation of 139 acres; a total diversion rate of 1.20 cfs and a total diversion volume of 270 afa for stockwater use; and a total combined rate of 3.98 cfs and a total combined annual diversion volume of 895.5 AF at the field headgate.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/3/2009.
7. Stockwater use is for 20,000 beef cattle.
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. 63-3359**As Modified by Transfer No. 80499**

In accordance with the approval of Transfer No. 80499, Water Right No. 63-3359 is now described as follows:

Right Holder: BOISE VALLEY FEEDERS LLC
2201 RIDGEWAY RD
PARMA, ID 83660

Priority Date: 6/28/1963

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

03/15
01/01

to 11/15
to 12/31

To**Diversion Rate**

1.990 cfs
0.420 cfs
2.410 cfs

Diversion Volume

447.8 af
94.5 af
542.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW
GROUND WATER SESW
GROUND WATER NWSE

Sec 13 Twp 06N Rge 05W PAYETTE County
Sec 13 Twp 06N Rge 05W PAYETTE County
Sec 14 Twp 06N Rge 05W PAYETTE 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	
06N	05W	11															12.0	3.0	15.0
06N	05W	13										3.0							3.0
06N	05W	14	25.0	9.0	30.0	25.0									20.0	12.0			121.0

Right Acre Limit: 99.5

POU Total Acres: 139.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	13						X	X			X	X						
06N	05W	14	X			X													

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 99.5 acres within the authorized place of use in a single irrigation season.

Transfer No. 80499

WATER RIGHT NO. 63-3359
As Modified by Transfer No. 80499

CONDITIONS OF APPROVAL

2. Rights 63-3359 and 63-7874 when combined shall not exceed a total diversion rate of 2.78 cfs and a total diversion volume of 625.5 afa for the irrigation of 139 acres; a total diversion rate of 1.20 cfs and a total diversion volume of 270 afa for stockwater use; and a total combined rate of 3.98 cfs and a total combined annual diversion volume of 895.5 AF at the field headgate.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/6/2009.
7. Stockwater use is for 20,000 beef cattle.
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. 63-31262
As Modified by Transfer No. 80499

In accordance with the approval of Transfer No. 80499, Water Right No. 63-31262 is now described as follows:

Right Holder: BOISE VALLEY FEEDERS LLC
 2201 RIDGEWAY RD
 PARMA, ID 83660

Priority Date: 6/6/2001

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From 03/01 **To** 11/15

Diversion Rate

1.620 cfs
 1.620 cfs

Diversion Volume

365.0 af
 365.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW
 GROUND WATER SESW
 GROUND WATER NWSE

Sec 13 Twp 06N Rge 05W PAYETTE County
 Sec 13 Twp 06N Rge 05W PAYETTE County
 Sec 14 Twp 06N Rge 05W PAYETTE 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	
06N	05W	11															23.0		23.0
06N	05W	13									8.5								8.5
06N	05W	14	4.3	17.0	7.5						15.0				3.3	2.4			49.5

POU Total Acres: 81.0

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 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Water bearing zone to be appropriated is 350 to 605 feet.

Transfer No. 80499

WATER RIGHT NO. 63-31262

As Modified by Transfer No. 80499

CONDITIONS OF APPROVAL

5. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
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.



WATER RIGHT NO. 63-32049
As Modified by Transfer No. 80499

In accordance with the approval of Transfer No. 80499, Water Right No. 63-32049 is now described as follows:

Right Holder: BOISE VALLEY FEEDERS LLC
 2201 RIDGEWAY RD
 PARMA, ID 83660

Priority Date: 11/8/2004

Source: GROUND WATER

BENEFICIAL USE

INDUSTRIAL
 IRRIGATION

From 01/01 to 12/31
 03/01 to 11/15

Diversion Rate

1.000 cfs
 2.680 cfs
 3.680 cfs

Diversion Volume

101.0 af
 603.0 af
 704.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW Sec 13 Twp 06N Rge 05W PAYETTE County
 GROUND WATER SESW Sec 13 Twp 06N Rge 05W PAYETTE County
 GROUND WATER NWSE Sec 14 Twp 06N Rge 05W PAYETTE County

PLACE OF USE: INDUSTRIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	13						X	X		X	X							
06N	05W	14	X			X									X				

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	
06N	05W	24		33.0	35.0		33.0			33.0									134.0

POU Total Acres: 134.0

CONDITIONS OF APPROVAL

1. Industrial use is for feedlot dust control system.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. 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.

Transfer No. 80499

WATER RIGHT NO. 63-32049

As Modified by Transfer No. 80499

CONDITIONS OF APPROVAL

4. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
5. The following rights are diverted through point(s) of diversion described above: 63-3359, 63-7874, 63-31262, and 63-32049.



State of Idaho
Department of Water Resources

Attachment to Application for Transfer of Water Right

Transfer No. 80499 Water Right No. 63-7874

This map depicts the IRRIGATION and STOCKWATER 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.



Legend

-  POU Boundary - Irrigation
-  POU Boundary - Stockwater
-  Transfer POD
-  Township/Range
-  Sections
-  QQ



0 0.125 0.25 0.5 Miles



State of Idaho
Department of Water Resources

Attachment to Application for Transfer of Water Right

Transfer No. 80499 Water Right No. 63-3359

This map depicts the IRRIGATION and STOCKWATER 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.



Legend

- POU Boundary - Irrigation
- POU Boundary - Stockwater
- Transfer POD
- Township/Range
- Sections
- QQ

0 0.125 0.25 0.5 Miles

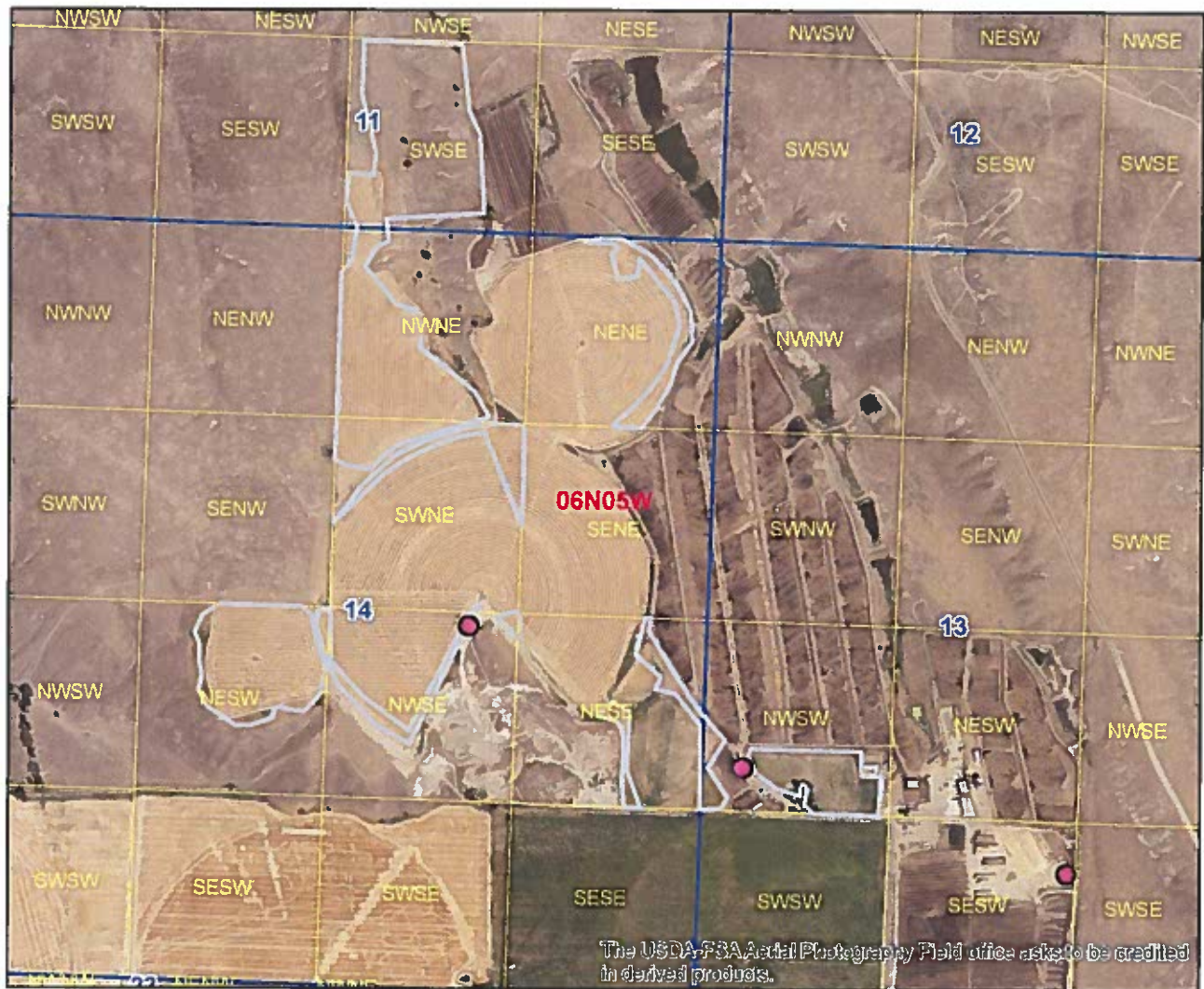


State of Idaho
Department of Water Resources

Attachment to Application for Transfer of Water Right

Transfer No. 80499 Water Right No. 63-31262

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.



Legend

- Transfer POD
- POU Boundary - Irrigation
- Township/Range
- Sections
- QQ



0 0.15 0.3 0.6 Miles