

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81085**

This is to certify that: **MPH FARMS**
2935 W 2050 S
ABERDEEN, ID 83210

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>
35-7857B	WR/LICENSE	5/9/1979	1.280 cfs	256.0 af	64.0	688.5	GROUND WATER
35-7920B	WR/LICENSE	9/29/1980	0.690 cfs	188.0 af	47.0	688.5	GROUND WATER
35-8606	WR/LICENSE	7/1/1985	6.070 cfs	1214.0 af	N/A	688.5	GROUND WATER
35-8626	WR/LICENSE	2/13/1986	1.880 cfs	516.0 af	129.0	688.5	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>
35-7857B	NO	NO	NO	YES	NO	NO
35-7920B	NO	NO	NO	YES	NO	NO
35-8606	NO	NO	NO	YES	NO	NO
35-8626	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>
35-7857B	35-7857B	1.280 cfs	256.0 af	64.0	688.5	N/A	N/A	N/A	N/A	N/A
35-7920B	35-7920B	0.690 cfs	188.0 af	47.0	688.5	N/A	N/A	N/A	N/A	N/A
35-8606	35-8606	6.070 cfs	1214.0 af	543.5	688.5	N/A	N/A	N/A	N/A	N/A
35-8626	35-8626	1.880 cfs	516.0 af	129.0	688.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		9.920 cfs	2174.0 af	543.5	688.5		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 8th day of September, 2016.



SUPPORT DATA

Water Resources Program Manager

Transfer No. 81085

IN FILE # 35-7857B

WATER RIGHT NO. 35-7857B
As Modified by Transfer No. 81085

In accordance with the approval of Transfer No. 81085, Water Right No. 35-7857B is now described as follows:

Right Holder: MPH FARMS
 2935 W 2050 S
 ABERDEEN, ID 83210

Priority Date: 5/9/1979

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	1.280 cfs	256.0 af
			1.280 cfs	256.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 8	Twp 06S Rge 29E POWER County
GROUND WATER	NWSW	Sec 9	Twp 06S Rge 29E POWER County
GROUND WATER	SESW	Sec 9	Twp 06S Rge 29E POWER 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	
06S	29E	8	38.0	39.0	40.0	39.0	39.0			39.0					39.0	38.0	37.5	38.0	386.5
06S	29E	9					35.0	38.0	36.0	36.0	39.0	40.0	39.0	39.0					302.0

Right Acre Limit: 64.0

POU Total Acres: 688.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 64 acres within the place of use described above in a single irrigation season.
2. Rights 35-7857B, 35-7920B, 35-8606, and 35-8626 when combined are limited to the irrigation of a specific 543.5 acres within the 688.5 acre place of use authorized by this right in a single irrigation season. The specific 543.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 543.5 acres to be irrigated within the 688.5 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.

WATER RIGHT NO. 35-7857B
As Modified by Transfer No. 81085

CONDITIONS OF APPROVAL

3. Prior to the diversion and use of water under Transfer approval 81085, 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.
4. 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.
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. 120.
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. This right is limited to two points of diversion, including one in the SESW of Section 9, Township 6 South, Range 29 East.
8. Upon completion of the second groundwater point of diversion authorized under Transfer 81085, the right holder shall notify the department of the well's location and request that the unused point of diversion be removed from the water right.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

WATER RIGHT NO. 35-7920B
As Modified by Transfer No. 81085

In accordance with the approval of Transfer No. 81085, Water Right No. 35-7920B is now described as follows:

Right Holder: MPH FARMS
 2935 W 2050 S
 ABERDEEN, ID 83210

Priority Date: 9/29/1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.690 cfs	188.0 af
			0.690 cfs	188.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 8	Twp 06S Rge 29E	POWER County
GROUND WATER	NWSW	Sec 9	Twp 06S Rge 29E	POWER County
GROUND WATER	SESW	Sec 9	Twp 06S Rge 29E	POWER 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	
06S	29E	8	38.0	39.0	40.0	39.0	39.0			39.0					39.0	38.0	37.5	38.0	386.5
06S	29E	9					35.0	38.0	36.0	36.0	39.0	40.0	39.0	39.0					302.0

Right Acre Limit: 47.0

POU Total Acres: 688.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 47 acres within the place of use described above in a single irrigation season.
2. Rights 35-7857B, 35-7920B, 35-8606, and 35-8626 when combined are limited to the irrigation of a specific 543.5 acres within the 688.5 acre place of use authorized by this right in a single irrigation season. The specific 543.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 543.5 acres to be irrigated within the 688.5 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.

WATER RIGHT NO. 35-7920B
As Modified by Transfer No. 81085

CONDITIONS OF APPROVAL

3. Prior to the diversion and use of water under Transfer approval 81085, 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.
4. 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.
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. 120.
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. This water right is limited to two points of diversion, including one in the SESW of Section 9, Township 6 South, Range 29 East.
8. Upon completion of the second groundwater point of diversion authorized under Transfer 81085, the right holder shall notify the department of the well's location and request that the unused point of diversion be removed from the water right.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. 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. 35-8606
As Modified by Transfer No. 81085

In accordance with the approval of Transfer No. 81085, Water Right No. 35-8606 is now described as follows:

Right Holder: MPH FARMS
 2935 W 2050 S
 ABERDEEN, ID 83210

Priority Date: 7/1/1985

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
4/01	to 10/31	6.070 cfs	1214.0 af
		6.070 cfs	1214.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 8	Twp 06S Rge 29E	POWER County
GROUND WATER	NWSW	Sec 9	Twp 06S Rge 29E	POWER County
GROUND WATER	SESW	Sec 9	Twp 06S Rge 29E	POWER 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	
06S	29E	8	38.0	39.0	40.0	39.0	39.0			39.0					39.0	38.0	37.5	38.0	386.5
06S	29E	9					35.0	38.0	36.0	36.0	39.0	40.0	39.0	39.0					302.0

Right Acre Limit: 543.5

POU Total Acres: 688.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 543.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7857B, 35-7920B, 35-8606, and 35-8626 are limited to the irrigation of a specific 543.5 acres within the 688.5 acre place of use authorized by this right in a single irrigation season. The specific 543.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 543.5 acres to be irrigated within the 688.5 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.

WATER RIGHT NO. 35-8606

As Modified by Transfer No. 81085

CONDITIONS OF APPROVAL

3. Prior to the diversion and use of water under Transfer approval 81085, 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.
4. 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.
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. 120.
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. This right is for the use of trust water, and it is subject to review 5 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
8. This right is limited to two points of diversion, including one in the SESW of Section 9, Township 06 South, Range 29 East.
9. Upon completion of the second groundwater point of diversion authorized under Transfer 81085, the right holder shall notify the department of the well's location and request that the unused point of diversion be removed from the water right.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. 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. 35-8626**As Modified by Transfer No. 81085**

In accordance with the approval of Transfer No. 81085, Water Right No. 35-8626 is now described as follows:

Right Holder: MPH FARMS
2935 W 2050 S
ABERDEEN, ID 83210

Priority Date: 2/13/1986

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
4/01

To
to 10/31

Diversion Rate
1.880 cfs
1.880 cfs

Diversion Volume
516.0 af
516.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 8	Twp 06S Rge 29E	POWER County
GROUND WATER	NWSW	Sec 9	Twp 06S Rge 29E	POWER County
GROUND WATER	SESW	Sec 9	Twp 06S Rge 29E	POWER 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	
06S	29E	8	38.0	39.0	40.0	39.0	38.0	38.0	39.0	39.0					39.0	38.0	37.5	38.0	386.5
06S	29E	9					35.0	38.0	36.0	38.0	39.0	40.0	39.0	39.0					302.0

Right Acre Limit: 129.0

POU Total Acres: 688.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 129 acres within the place of use described above in a single irrigation season.
2. Rights 35-7857B, 35-7920B, 35-8606, and 35-8626 are limited to the irrigation of a specific 543.5 acres within the 688.5 acre place of use authorized by this right in a single irrigation season. The specific 543.5 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 543.5 acres to be irrigated within the 688.5 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.

WATER RIGHT NO. 35-8626
As Modified by Transfer No. 81085

CONDITIONS OF APPROVAL

3. Prior to the diversion and use of water under Transfer approval 81085, 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.
4. 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.
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. 120.
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. This right is for the use of trust water, and it is subject to review 5 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
8. This right is limited to two points of diversion, including one in the SESW of Section 9, Township 6 South, Range 29 East.
9. Upon completion of the second groundwater point of diversion authorized under Transfer 81085, the right holder shall notify the department of the well's location and request that the unused point of diversion be removed from the water right.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer Approval 81085

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

0 495 990 1,980 Feet

1 inch = 1,095 feet

