

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80982**

This is to certify that: BUTTE & MARKET LAKE CANAL CO
C/O MARIE WELLS
PO BOX 283
ROBERTS, ID 83444

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>
1-10036	WR/DECREED	10/16/1890	350.790 cfs	N/A	N/A	20479.0	SNAKE RIVER
1-302	WR/DECREED	4/1/1939	120.000 cfs	N/A	N/A	20479.0	SNAKE RIVER
1-80B	WR/DECREED	6/1/1884	2.302 cfs	N/A	115.0	20479.0	SNAKE RIVER

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>
35-2927	WR/DECREED	3/25/1941	6.000 cfs	N/A	5080.0	N/A	TAYLOR SLOUGH

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>
1-10036	NO	NO	YES	YES	NO	NO
1-302	NO	NO	YES	YES	NO	NO
1-80B	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>
1-10036	1-10036	350.790 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1-302	1-302	120.000 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1-80B	1-80B	2.302 cfs	N/A	115.0	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		473.092 cfs	N/A	20479.0	20479.0		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 80982

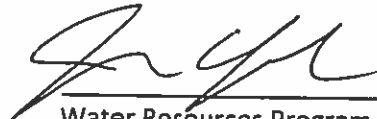
IN FILE # 1-80B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80982

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 30th day of August, 2016.


Water Resources Program Manager



WATER RIGHT NO. 1-80B

As Modified by Transfer No. 80982

In accordance with the approval of Transfer No. 80982, Water Right No. 1-80B is now described as follows:

Right Holder: BUTTE & MARKET LAKE CANAL CO
C/O MARIE WELLS
PO BOX 283
ROBERTS, ID 83444

Priority Date: 6/1/1884

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
2.302 cfs
2.302 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER
SNAKE RIVER

NWSE
NWNW

Sec 15 Twp 04N Rge 37E JEFFERSON County
Sec 22 Twp 05N Rge 38E MADISON County

CONDITIONS OF APPROVAL

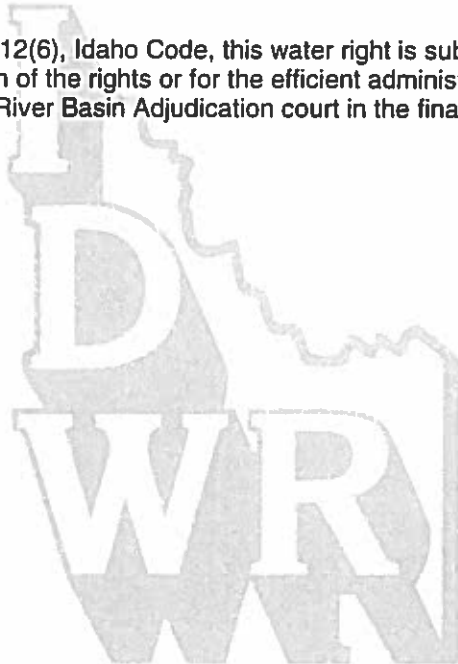
1. This right is limited to the irrigation of 115 acres within the authorized place of use in a single irrigation season.
2. Rights 1-80B, 1-302, 1-10036, and 35-2927 when combined shall not exceed the irrigation of 20,479 acres.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
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. 1.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Place of use is within the area served by Butte & Market Lake Canal Company.
7. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
8. Water is delivered through Butte & Market Lake Canal.

Transfer No. 80982

WATER RIGHT NO. 1-80B
As Modified by Transfer No. 80982

CONDITIONS OF APPROVAL

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. 1-10036
As Modified by Transfer No. 80982

In accordance with the approval of Transfer No. 80982, Water Right No. 1-10036 is now described as follows:

Right Holder: BUTTE & MARKET LAKE CANAL CO
C/O MARIE WELLS
PO BOX 283
ROBERTS, ID 83444

Priority Date: 10/16/1890

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
350.790 cfs
350.790 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER
SNAKE RIVER

NWSE
NWNW

Sec 15 Twp 04N Rge 37E JEFFERSON County
Sec 22 Twp 05N Rge 38E MADISON County

CONDITIONS OF APPROVAL

1. Rights 1-80B, 1-302, 1-10036, and 35-2927 when combined shall not exceed the irrigation of 20,479 acres.
2. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
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. 1.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Place of use is within the area served by Butte & Market Lake Canal Company.
6. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
7. Water is delivered through Butte & Market Lake Canal.
8. This right does not grant any right-of-way or easement across the land of another.

Transfer No. 80982

WATER RIGHT NO. 1-10036
As Modified by Transfer No. 80982

CONDITIONS OF APPROVAL

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. 1-302
As Modified by Transfer No. 80982

In accordance with the approval of Transfer No. 80982, Water Right No. 1-302 is now described as follows:

Right Holder: BUTTE & MARKET LAKE CANAL CO
C/O MARIE WELLS
PO BOX 283
ROBERTS, ID 83444

Priority Date: 4/1/1939

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
120.000 cfs
120.000 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER
SNAKE RIVER

NWSE
NWNW

Sec 15 Twp 04N Rge 37E JEFFERSON County
Sec 22 Twp 05N Rge 38E MADISON County

CONDITIONS OF APPROVAL

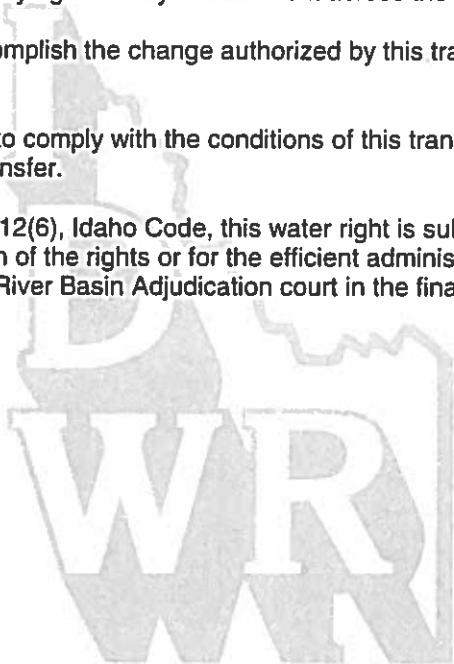
1. Rights 1-80B, 1-302, 1-10036, and 35-2927 when combined shall not exceed the irrigation of 20,479 acres.
2. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. Use of water under this right will be 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. 1.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Place of use is within the area served by Butte & Market Lake Canal Company.
6. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
7. Water is delivered through Butte & Market Lake Canal.

WATER RIGHT NO. 1-302

As Modified by Transfer No. 80982

CONDITIONS OF APPROVAL

8. The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.
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. 35-2927
As Modified by Transfer No. 80982

In accordance with the approval of Transfer No. 80982, Water Right No. 35-2927 is now described as follows:

Right Holder: BUTTE & MARKET LAKE CANAL CO
C/O MARIE WELLS
PO BOX 283
ROBERTS, ID 83444

Priority Date: 3/25/1941

Source: TAYLOR SLOUGH **Tributary:** SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 4/01 **To** 10/31

Diversion Rate
6.000 cfs
6.000 cfs

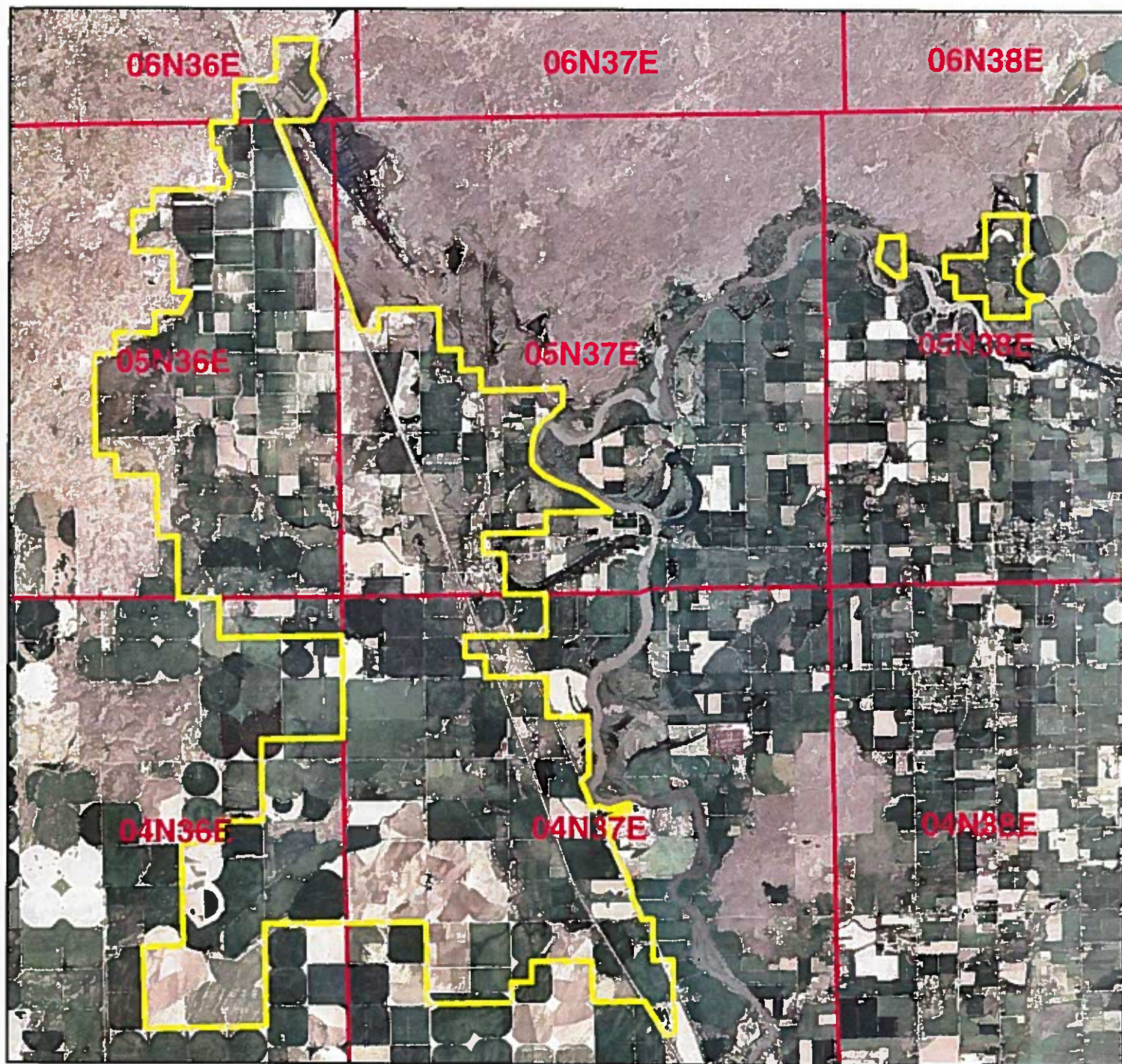
LOCATION OF POINT(S) OF DIVERSION

TAYLOR SLOUGH NWNENW Sec 36 Twp 05N Rge 36E JEFFERSON County

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5080 acres within the authorized place of use in a single irrigation season.
2. Rights 1-80B, 1-302, 1-10036, and 35-2927 when combined shall not exceed the irrigation of 20,479 acres.
3. Place of use is within the area served by Butte & Market Lake Canal Company.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
5. 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.

State of Idaho
Department of Water Resources
Water Rights: 1-80B, 1-302, 1-10036, and 35-2927
Date: 8/26/2016



0 2 4 8 Miles



Legend

-  BMLCC_boundary
-  Township/Range

Map prepared by Michael Holliday