

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 80400**

This is to certify that: **BRENDA FULFER  
KELLY FULFER  
PO BOX 455  
MERIDIAN, ID 83680**

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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 63-31631           | WR/LICENSE          | 1/23/2003            | 0.040 cfs             | N/A                     | N/A               | N/A                | GROUND WATER  |
| 63-31724           | WR/DECREED          | 5/9/1977             | 0.060 cfs             | 11.3 af                 | N/A               | N/A                | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 63-31631              | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 63-31724              | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 63-31631               | 63-31631                         | 0.040 cfs            | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 63-31724               | 63-31724                         | 0.060 cfs            | 11.3 af                | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>0.100 cfs</b>     | <b>N/A</b>             | <b>N/A</b>        | <b>N/A</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 12<sup>th</sup> day of August, 2016.

  
for \_\_\_\_\_  
Chief, Water Allocation Bureau

**SUPPORT DATA**

**IN FILE # 63-31631**

Transfer No. 80400

# **WATER RIGHT NO. 63-31631**

## **As Modified by Transfer No. 80400**

In accordance with the approval of Transfer No. 80400, Water Right No. 63-31631 is now described as follows:

**Right Holder:** FULFER PROPERTIES LLC  
2350 W MC MILLAN RD  
MERIDIAN, ID 83646

**Priority Date:** 1/23/2003

**Source:** GROUND WATER

**BENEFICIAL USE**  
COMMERCIAL

**From** 01/01 **To** 12/31

**Diversion Rate**  
0.040 cfs  
0.040 cfs

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

GROUND WATER NENW Sec 24 Twp 02N Rge 01E ADA County  
GROUND WATER NENW Sec 24 Twp 02N Rge 01E ADA County

### **PLACE OF USE: COMMERCIAL**

|     |     |     | 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 | 01E | 24  |    |    |    |    | X  | X  |    |    |    |    |    |    |    |    |    |    |        |

### **CONDITIONS OF APPROVAL**

1. The commercial use authorized under this right shall not exceed 2500 gallons per day.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. 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.
4. Commercial use is for an office and dust abatement.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 80400

**WATER RIGHT NO. 63-31631**

**As Modified by Transfer No. 80400**

**CONDITIONS OF APPROVAL**

6. 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. 63-31724**  
**As Modified by Transfer No. 80400**

In accordance with the approval of Transfer No. 80400, Water Right No. 63-31724 is now described as follows:

**Right Holder:** BRENDA FULFER  
 KELLY FULFER  
 PO BOX 455  
 MERIDIAN, ID 83680

**Priority Date:** 5/9/1977

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| INDUSTRIAL            | 01/01       | to 12/31  | 0.060 cfs             | 11.3 af                 |
|                       |             |           | 0.060 cfs             | 11.3 af                 |

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

|              |      |                                   |
|--------------|------|-----------------------------------|
| GROUND WATER | NENW | Sec 24 Twp 02N Rge 01E ADA County |
| GROUND WATER | NENW | Sec 24 Twp 02N Rge 01E ADA 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 |        |
| 02N | 01E | 24  |    |    |    |    | X  | X  |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Industrial use is for dust abatement for a gravel pit.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

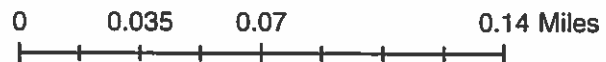
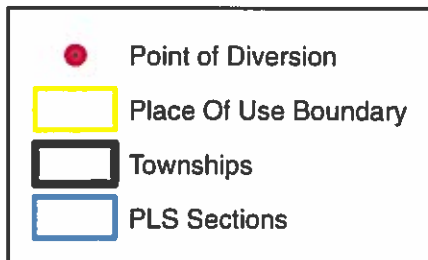
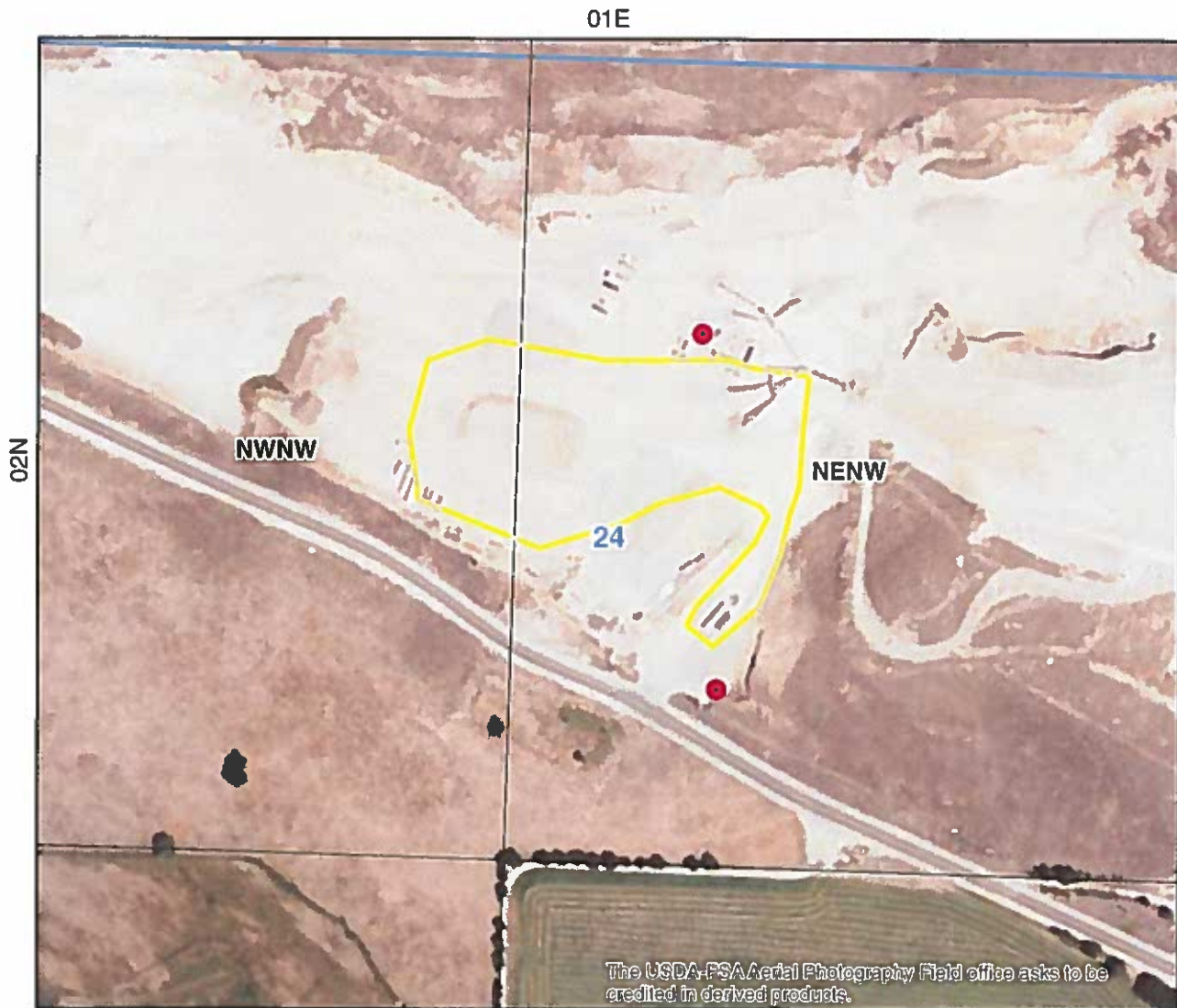
Transfer No. 80400

State of Idaho  
Department of Water Resources

# Attachment to Application for Transfer No. 80400

Water Right No. 63-31631

This map depicts the COMMERCIAL 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.



State of Idaho  
Department of Water Resources

# Attachment to Application for Transfer No. 80400

Water Right No. 63-31724

This map depicts the INDUSTRIAL 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.

