

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78277, 78278 & 78279

This is to certify that: TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME, ID 83647

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>
61-11974	WR/DECREE	6/17/1966	4.240 cfs	890.0 af	212.0	373.0	GROUND WATER
61-12186	WR/DECREE	8/30/1971	4.210 cfs	842.9 af	210.7	540.0	GROUND WATER
61-12204	WR/LICENSE	10/29/1993	1.720 cfs	632.2 af	158.0	540.0	GROUND WATER
61-12206	WR/DECREE	6/4/1976	0.400 cfs	105.4 af	26.3	540.0	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>
61-11974	NO	YES	YES	NO	NO	NO
61-12186	YES	YES	YES	NO	NO	NO
61-12204	NO	YES	YES	NO	NO	NO
61-12206	NO	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>
61-11974	61-11974	4.240 cfs	890.0 af	212.0	465.0	N/A	N/A	N/A	N/A	N/A
61-12186	61-12277	2.120 cfs	152.4 af	27.7	373.0	61-12186	2.090 cfs	690.5 af	183.0	465.0
61-12204	61-12204	1.720 cfs	632.2 af	158.0	373.0	N/A	N/A	N/A	N/A	N/A
61-12206	61-12206	0.400 cfs	105.4 af	26.3	373.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		8.540 cfs	2356.1 af	578.5	838.0		2.09 cfs	690.5 af	183.0	465.0

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 7th day of June, 2016.

SUPPORT DATA

IN FILE # 01-11974


for Chief, Water Allocation Bureau

Transfer No. 78277, 78278 & 78279

WATER RIGHT NO. 61-12186**As Modified by Transfer No. 78279**

In accordance with the approval of Transfer No. 78279, Water Right No. 61-12186 is now described as follows:

Right Holder: TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME, ID 83647

Priority Date: 8/30/1971

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

2.090 cfs

2.090 cfs

Diversion Volume

690.5 af

690.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNE

Sec 26 Twp 04S Rge 06E ELMORE County

GROUND WATER

SWNW

Sec 35 Twp 04S Rge 06E ELMORE 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	
04S	06E	35					40.0	32.0	38.0	39.0	39.0	40.0	39.0	39.0					306.0
05S	06E	2					30.0	30.0	11.0	11.0	38.0	39.0							159.0
							L3	L4											

Right Acre Limit: 183.0

POU Total Acres: 465.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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 8/26/2014.

WATER RIGHT NO. 61-12186
As Modified by Transfer No. 78279

CONDITIONS OF APPROVAL

4. Rights 61-11974 and 61-12186 are limited to the irrigation of a specific 366.5 acres within the 465.0 acre place of use authorized by this right in a single irrigation season. The specific 366.5 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 366.5 acres to be irrigated within the 465.0 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.
5. This right is limited to the irrigation of 183.0 acres within the authorized place of use in a single irrigation season.
6. Rights 61-11974 and 61-12186 when combined shall not exceed a total diversion rate of 4.30 cfs, a total annual maximum diversion volume of 1,466.1 af at the field headgate, and the irrigation of 366.5 acres.
7. 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 place of use.
8. 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.
9. 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 10/26/2000.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. The following rights are diverted through point(s) of diversion described above: 61-11974 and 61-12186.

WATER RIGHT NO. 61-12277**As Modified by Transfer No. 78279**

In accordance with the approval of Transfer No. 78279, Water Right No. 61-12277 is now described as follows:

Right Holder: TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME, ID 83647

Priority Date: 8/30/1971

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

2.120 cfs

2.120 cfs

Diversion Volume

152.4 af

152.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSW

Sec 11 Twp 04S Rge 05E ELMORE 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	
04S	05E	10	20.0			40.0									39.0			39.0	138.0
04S	05E	11						25.0	39.0				38.0	39.0					141.0
04S	05E	14						39.0	39.0				16.0						94.0

Right Acre Limit: 27.7

POU Total Acres: 373.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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 8/26/2014.

WATER RIGHT NO. 61-12277
As Modified by Transfer No. 78279

CONDITIONS OF APPROVAL

4. Rights 61-12204, 61-12206 and 61-12277 are limited to the irrigation of a specific 212.0 acres within the 373.0 acre place of use authorized by this right in a single irrigation season. The specific 212.0 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 212.0 acres to be irrigated within the 373.0 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.
5. This right is limited to the irrigation of 27.7 acres within the authorized place of use in a single irrigation season.
6. 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 place of use.
7. 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.
8. 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 10/26/2000.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The following rights are diverted through point(s) of diversion described above: 61-12204, 61-12206, and 61-12277.

WATER RIGHT NO. 61-11974**As Modified by Transfer No. 78277**

In accordance with the approval of Transfer No. 78277, Water Right No. 61-11974 is now described as follows:

Right Holder: TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME, ID 83647

Priority Date: 6/17/1966

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

4.240 cfs

4.240 cfs

Diversion Volume

890.0 af

890.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNE

Sec 26 Twp 04S Rge 06E ELMORE County

GROUND WATER

SWNW

Sec 35 Twp 04S Rge 06E ELMORE 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	
04S	06E	35					40.0	32.0	38.0	39.0	39.0	40.0	39.0	39.0					306.0
05S	06E	2					30.0	30.0	11.0	11.0	38.0	39.0							159.0
							L3	L4											

Right Acre Limit: 212.0

POU Total Acres: 465.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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 8/26/2014.

WATER RIGHT NO. 61-11974
As Modified by Transfer No. 78277

CONDITIONS OF APPROVAL

4. Rights 61-11974 and 61-12186 are limited to the irrigation of a specific 366.5 acres within the 465.0 acre place of use authorized by this right in a single irrigation season. The specific 366.5 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 366.5 acres to be irrigated within the 465.0 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.
5. This right is limited to the irrigation of 212 acres within the place of use described above in a single irrigation season.
6. Rights 61-11974 and 61-12186 when combined shall not exceed a total diversion rate of 4.30 cfs, a total annual maximum diversion volume of 1,466.1 af at the field headgate, and the irrigation of 366.5 acres.
7. 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 place of use.
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The following rights are diverted through point(s) of diversion described above: 61-11974 and 61-12186.

WATER RIGHT NO. 61-12204**As Modified by Transfer No. 78278**

In accordance with the approval of Transfer No. 78278, Water Right No. 61-12204 is now described as follows:

Right Holder: TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME, ID 83647

Priority Date: 10/29/1993

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

1.720 cfs

1.720 cfs

Diversion Volume

632.2 af

632.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSW

Sec 11, Twp 04S Rge 05E ELMORE 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	
04S	05E	10	20.0			40.0									39.0			39.0	138.0
04S	05E	11						25.0	39.0				38.0	39.0					141.0
04S	05E	14						39.0	39.0				16.0						94.0

Right Acre Limit: 158.0

POU Total Acres: 373.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Rights 61-12204, 61-12206 and 61-12277 are limited to the irrigation of a specific 212.0 acres within the 373.0 acre place of use authorized by this right in a single irrigation season. The specific 212.0 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 212.0 acres to be irrigated within the 373.0 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.
4. This right is limited to the irrigation of 158.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 78278

WATER RIGHT NO. 61-12204
As Modified by Transfer No. 78278

CONDITIONS OF APPROVAL

5. 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 place of use.
6. 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.
7. 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 the date of this approval.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The following rights are diverted through point(s) of diversion described above: 61-12204, 61-12206, and 61-12277.

WATER RIGHT NO. 61-12206

As Modified by Transfer No. 78278

In accordance with the approval of Transfer No. 78278, Water Right No. 61-12206 is now described as follows:

Right Holder: TLK PROPERTIES LLLP
650 N 2ND EAST ST
MOUNTAIN HOME, ID 83647

Priority Date: 6/4/1976

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

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

Diversion Rate
0.400 cfs
0.400 cfs

Diversion Volume
105.4 af
105.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSW Sec 11 Twp 04S Rge 05E ELMORE 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	
04S	05E	10	20.0			40.0									39.0			39.0	138.0
04S	05E	11						25.0	39.0				38.0	39.0					141.0
04S	05E	14						39.0	39.0				18.0						94.0

Right Acre Limit: 26.3

POU Total Acres: 373.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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 8/26/2014.

WATER RIGHT NO. 61-12206
As Modified by Transfer No. 78278

CONDITIONS OF APPROVAL

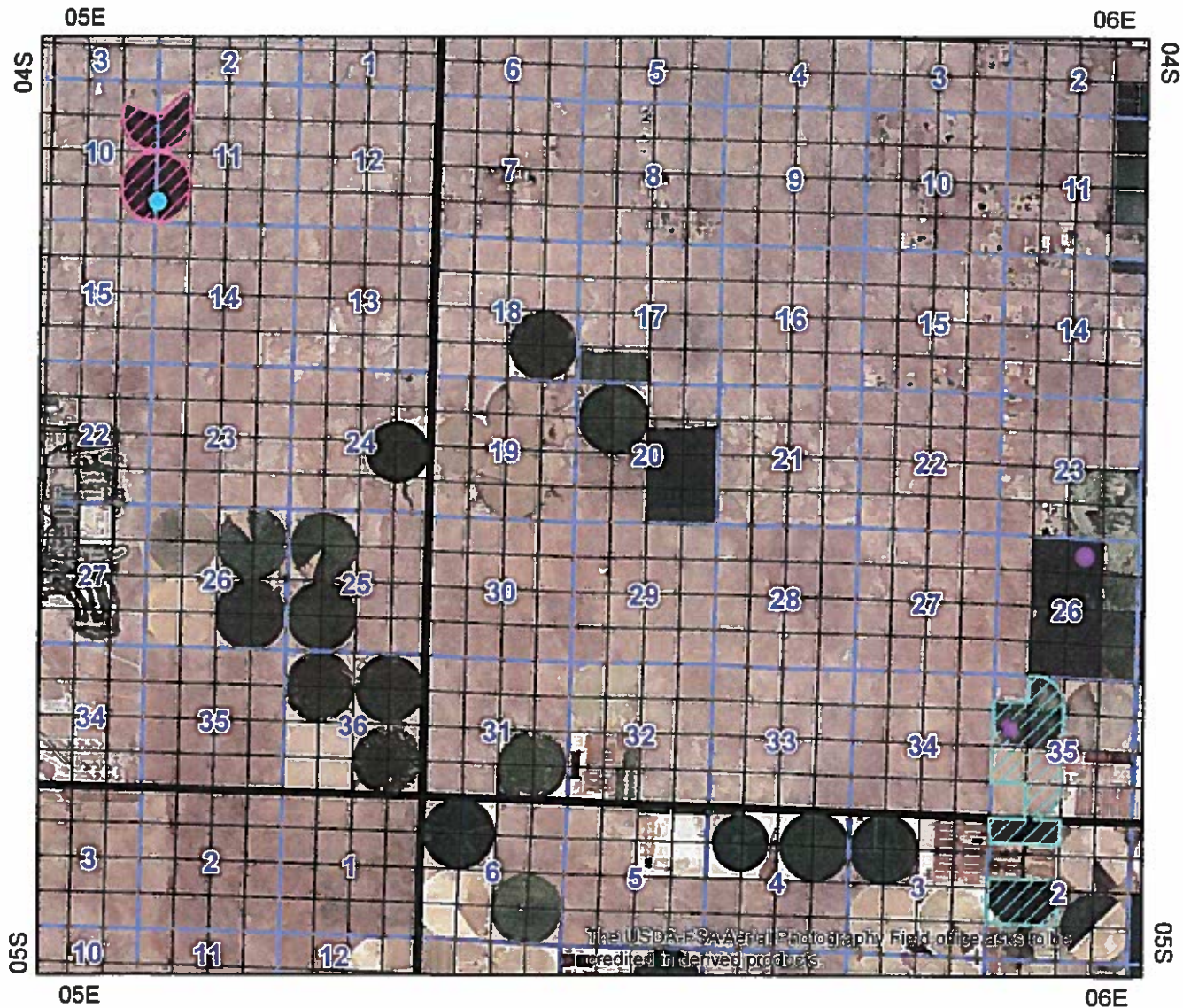
4. Rights 61-12204, 61-12206 and 61-12277 are limited to the irrigation of a specific 212.0 acres within the 373.0 acre place of use authorized by this right in a single irrigation season. The specific 212.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 212.0 acres to be irrigated within the 373.0 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.
5. This right is limited to the irrigation of 26.3 acres within the authorized place of use in a single irrigation season.
6. 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 place of use.
7. 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.
8. 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 10/26/2000.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The following rights are diverted through point(s) of diversion described above: 61-12204, 61-12206, and 61-12277.

State of Idaho
Department of Water Resources

Attachment to Application for Transfer

78277, 78278 and 78279

This map depicts the IRRIGATION place of use for the water right(s) at the time of this approval and is attached to the approval document solely for illustrative purposes.



- 61-11974 & 61-12186 POD
- 61-11974 & 61-12186 Irrigated POU
- 61-12204, 61-12206 & 61-12277 POD
- 61-12204, 61-12206 & 61-12277 Irrigated POU
- Townships
- PLS Sections
- Quarter Quarters

0 0.75 1.5 3 Miles

