

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80759**

This is to certify that: **B & B FARMS
C/O BYRON JENSEN
5975 W 3800 S
REXBURG, ID 83440**

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>
22-10624	WR/DECREED	10/31/1987	1.270 cfs	461.7 af	N/A	1578.9	GROUND WATER
22-2201A	WR/DECREED	10/19/1981	13.900 cfs	5065.0 af	1447.0	1578.9	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>
22-10624	NO	YES	YES	YES	NO	NO
22-2201A	NO	YES	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>
22-10624	22-10624	1.270 cfs	461.7 af	131.9	1578.9	N/A	N/A	N/A	N/A	N/A
22-2201A	22-2201A	13.900 cfs	5065.0 af	1447.0	1578.9	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		13.900 cfs	5526.7 af	1578.9	1578.9		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 12th day of May, 2016.

for 
Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 22-2201A

Transfer No. 80759

WATER RIGHT NO. 22-10624**As Modified by Transfer No. 80759**

In accordance with the approval of Transfer No. 80759, Water Right No. 22-10624 is now described as follows:

Right Holder: B & B FARMS
C/O BYRON JENSEN
5975 W 3800 S
REXBURG, ID 83440

Priority Date: 10/31/1987

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From
04/01**To**
to 10/31**Diversion Rate**

1.270 cfs

1.270 cfs

Diversion Volume

461.7 af

461.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 1	Twp 05N Rge 40E	MADISON County
GROUND WATER	NWSW	Sec 1	Twp 05N Rge 40E	MADISON County
GROUND WATER	NESW	Sec 12	Twp 05N Rge 40E	MADISON County
GROUND WATER	NWNE	Sec 14	Twp 05N Rge 40E	MADISON 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	
05N	40E	1			46.0	21.4			31.5	44.7	34.0	22.9	40.0	40.0	9.0	39.3	22.5		351.3
					L 2	L 1			L 4	L 3									
05N	40E	2			42.5	42.5				25.0	7.7				40.0	39.5	32.4	40.0	269.6
					L 2	L 1				L 3									
05N	40E	11	39.0	31.5	40.0	38.0	4.0			11.4	8.4			0.3	40.0	40.0	34.2	23.3	310.1
05N	40E	12		1.2			34.5	40.0	40.0	18.8	36.4	39.7	29.3	39.5					279.4
05N	40E	13					40.0	38.5	36.7	38.2	36.2	32.4	29.7	36.5					288.2
05N	40E	14	3.0	5.5		1.0	37.0	10.7	11.3	11.8									80.3

Right Acre Limit: 131.9

POU Total Acres: 1578.9

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 131.9 acres within the place of use described for this right.
2. Rights 22-2201A and 22-10624 when combined shall not exceed a total diversion rate of 13.90 cfs, a total annual maximum diversion volume of 5526.7 af at the field headgate, and the irrigation of 1578.9 acres.
3. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

Transfer No. 80759

WATER RIGHT NO. 22-10624
As Modified by Transfer No. 80759

CONDITIONS OF APPROVAL

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Diversion of water from the additional wells authorized under Transfer 80759 located in NESW Sec. 12 and NWNE Sec. 14, T05N, R40E, shall not exceed a total combined maximum diversion rate of 7.00 cfs.
6. This right is based upon an enlargement of Right No. 22-2201A pursuant to Section 42-1426, Idaho Code.
7. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
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. 22-2201A
As Modified by Transfer No. 80759

In accordance with the approval of Transfer No. 80759, Water Right No. 22-2201A is now described as follows:

Right Holder: B & B FARMS
C/O BYRON JENSEN
5975 W 3800 S
REXBURG, ID 83440

Priority Date: 10/19/1961

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
13.900 cfs
13.900 cfs

Diversion Volume
5065.0 af
5065.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 1	Twp 05N Rge 40E	MADISON County
GROUND WATER	NWSW	Sec 1	Twp 05N Rge 40E	MADISON County
GROUND WATER	NESW	Sec 12	Twp 05N Rge 40E	MADISON County
GROUND WATER	NWNE	Sec 14	Twp 05N Rge 40E	MADISON 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	
05N	40E	1			46.0	21.4			31.5	44.7	34.0	22.9	40.0	40.0	9.0	39.3	22.5		351.3
					L 2	L 1			L 4	L 3									
05N	40E	2			42.5	42.5				25.0	7.7				40.0	39.5	32.4	40.0	269.6
					L 2	L 1				L 3									
05N	40E	11	39.0	31.5	40.0	38.0	4.0			11.4	8.4			0.3	40.0	40.0	34.2	23.3	310.1
05N	40E	12		1.2			34.5	40.0	40.0	18.8	36.4	39.7	29.3	39.5					279.4
05N	40E	13					40.0	38.5	36.7	38.2	36.2	32.4	29.7	36.5					288.2
05N	40E	14	3.0	5.5		1.0	37.0	10.7	11.3	11.8									80.3

Right Acre Limit: 1447.0

POU Total Acres: 1578.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1447.0 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2201A and 22-10624 when combined shall not exceed a total diversion rate of 13.90 cfs, a total annual maximum diversion volume of 5526.7 af at the field headgate, and the irrigation of 1578.9 acres.

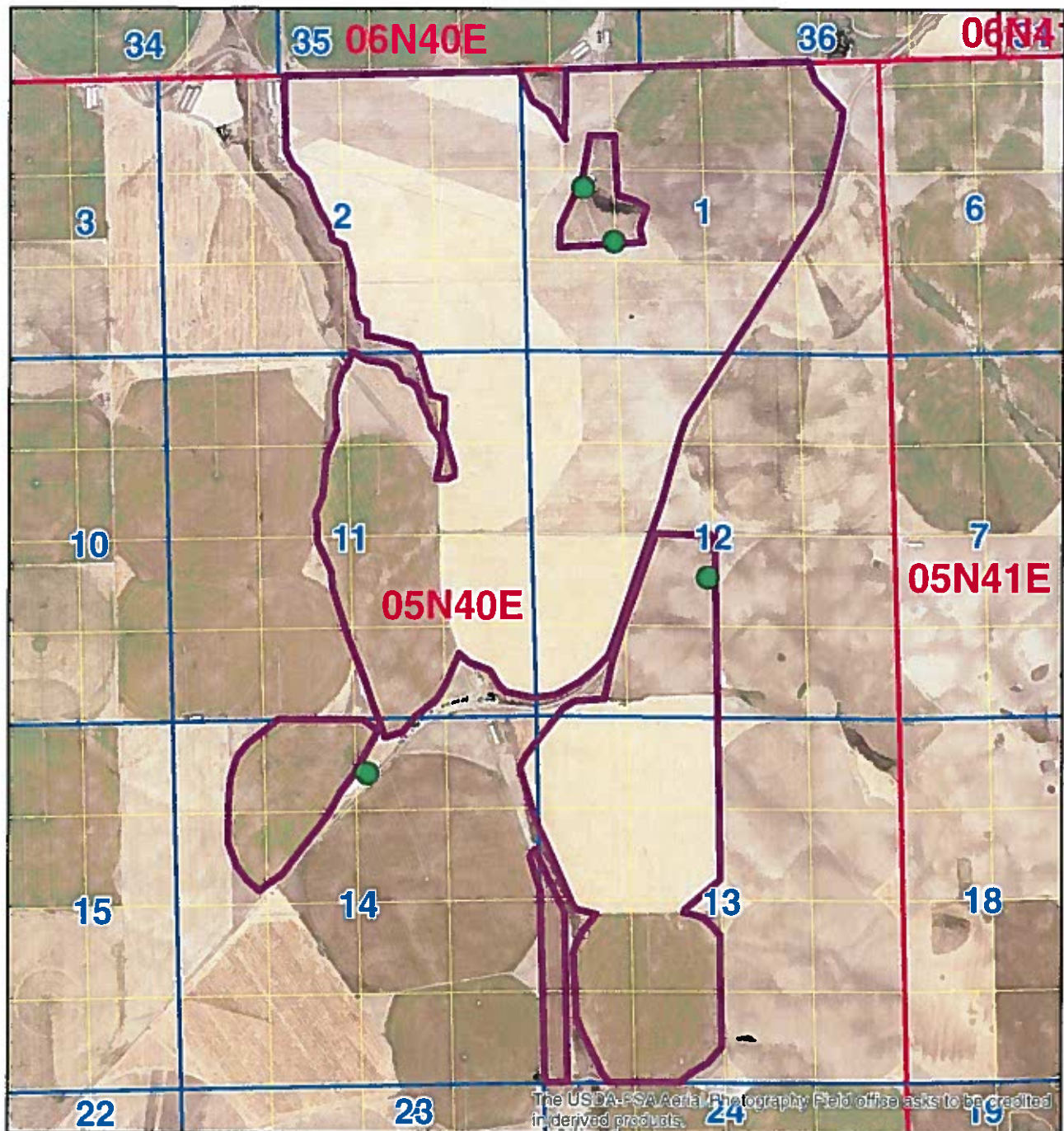
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WATER RIGHT NO. 22-2201A
As Modified by Transfer No. 80759

CONDITIONS OF APPROVAL

3. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Diversion of water from the additional wells authorized under Transfer 80759 located in NESW Sec. 12 and NWE Sec. 14, T05N, R40E, shall not exceed a total combined maximum diversion rate of 7.00 cfs.
6. Right No. 22-10624 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 Approval 80759



Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections
- QQ

0 1,000 2,000 4,000 Feet

1 inch = 2,290 feet

