

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 80496**

This is to certify that: **LIBERTY PARK IRRIGATION CO INC**  
**C/O LARRY HANSEN**  
**5293 S 4300 W**  
**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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 1-104              | WR/DECREED          | 6/1/1885             | 8.000 cfs             | N/A                     | N/A               | N/A                | SNAKE RIVER   |
| 1-105              | WR/DECREED          | 6/1/1886             | 38.000 cfs            | N/A                     | N/A               | N/A                | SNAKE RIVER   |
| 1-106              | WR/DECREED          | 6/1/1887             | 38.000 cfs            | N/A                     | N/A               | N/A                | SNAKE RIVER   |
| 1-107              | WR/DECREED          | 6/1/1888             | 38.000 cfs            | N/A                     | N/A               | N/A                | SNAKE RIVER   |
| 1-108              | WR/DECREED          | 6/1/1889             | 38.000 cfs            | N/A                     | N/A               | N/A                | SNAKE RIVER   |
| 1-253              | WR/DECREED          | 1/22/1916            | 16.000 cfs            | N/A                     | N/A               | N/A                | SNAKE RIVER   |
| 1-316              | WR/DECREED          | 4/1/1939             | 20.000 cfs            | N/A                     | N/A               | N/A                | SNAKE RIVER   |

**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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 1-104                 | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 1-105                 | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 1-106                 | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 1-107                 | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 1-108                 | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 1-253                 | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 1-316                 | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 1-104                  | 1-104                            | 8.000 cfs            | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 1-105                  | 1-105                            | 38.000 cfs           | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 1-106                  | 1-106                            | 38.000 cfs           | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 1-107                  | 1-107                            | 38.000 cfs           | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 1-108                  | 1-108                            | 38.000 cfs           | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 1-253                  | 1-253                            | 16.000 cfs           | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 1-316                  | 1-316                            | 20.000 cfs           | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>6.000 cfs</b>     | <b>N/A</b>             | <b>N/A</b>        | <b>4229.0</b>      |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Transfer No. 80496

SUPPORT DATA

IN FILE #

1-104

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 80496

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 May, 2016.

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



**WATER RIGHT NO. 1-104**

**As Modified by Transfer No. 80496**

In accordance with the approval of Transfer No. 80496, Water Right No. 1-104 is now described as follows:

**Right Holder:** LIBERTY PARK IRRIGATION CO INC  
C/O NICK THOMASON  
5293 S 4300 W  
REXBURG, ID 83440

**Priority Date:** 6/2/1885

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**  
IRRIGATION

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

**Diversion Rate**  
8.000 cfs  
8.000 cfs

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

|             |           |                        |                |     |
|-------------|-----------|------------------------|----------------|-----|
| SNAKE RIVER | L7 (SWSW) | Sec 6 Twp 04N Rge 40E  | MADISON County |     |
| SNAKE RIVER | NENE      | Sec 21 Twp 05N Rge 39E | MADISON County | (R) |
| SNAKE RIVER | NWSE      | Sec 21 Twp 05N Rge 39E | MADISON County | (I) |

**CONDITIONS OF APPROVAL**

1. Diversion of water from the point of re-diversion authorized under Transfer 80496 located in the NENE, Sec. 21, T05N, R39E, shall not exceed a maximum diversion rate of 6.00 cfs.
2. Place of use is within the area served by Liberty Park Irrigation Company.
3. 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.
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. 01.
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.
6. When notified by the watermaster, the right holder shall install and maintain measuring devices of a type acceptable to the Department at the point of injection and point of re-diversion.
7. Point of injection into Spring Slough. Point of rediversion from a shallow ground water well hydrologically connected to Spring Slough.

Transfer No. 80496

**WATER RIGHT NO. 1-104**

**As Modified by Transfer No. 80496**

**CONDITIONS OF APPROVAL**

8. To offset depletions to Spring Slough caused by the re-diversion of water from the ground water well located in the NENE of Section 21, T05N, R39E, the right holder shall inject an amount of water into Spring Slough on a real-time basis greater than or equal to the amount diverted from the well.
9. The shallow ground water well authorized as a point of re-diversion, located in the NENE, Sec. 21, T05N, R39E, shall not be deepened without an approved water right transfer authorizing the change.
10. Water is delivered through Liberty Park Canal.
11. The right holder shall accomplish the change authorized by this transfer within one 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.
13. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

## WATER RIGHT NO. 1-105

### As Modified by Transfer No. 80496

In accordance with the approval of Transfer No. 80496, Water Right No. 1-105 is now described as follows:

**Right Holder:** LIBERTY PARK IRRIGATION CO INC  
C/O NICK THOMASON  
5293 S 4300 W  
REXBURG, ID 83440

**Priority Date:** 6/1/1886

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**  
IRRIGATION

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

**Diversion Rate**  
38.000 cfs  
38.000 cfs

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

|             |           |                        |                |     |
|-------------|-----------|------------------------|----------------|-----|
| SNAKE RIVER | L7 (SWSW) | Sec 6 Twp 04N Rge 40E  | MADISON County |     |
| SNAKE RIVER | NENE      | Sec 21 Twp 05N Rge 39E | MADISON County | (R) |
| SNAKE RIVER | NWSE      | Sec 21 Twp 05N Rge 39E | MADISON County | (I) |

**CONDITIONS OF APPROVAL**

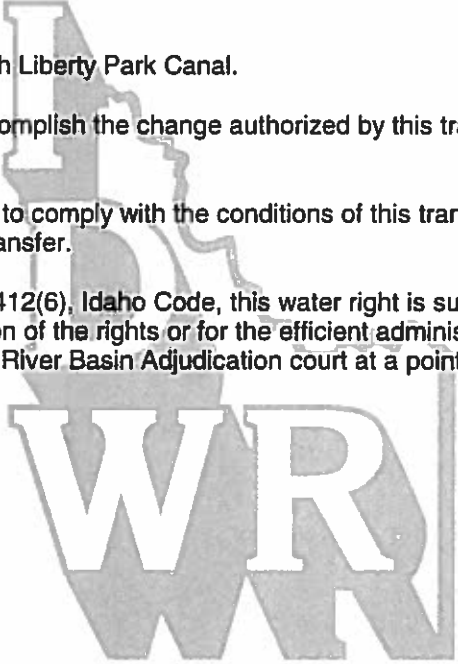
1. Diversion of water from the point of re-diversion authorized under Transfer 80496 located in the NENE, Sec. 21, T05N, R39E, shall not exceed a maximum diversion rate of 6.00 cfs.
2. Place of use is within the area served by Liberty Park Irrigation Company.
3. The boundary encompassing the place of 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.
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. 01.
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.
6. When notified by the watermaster, the right holder shall install and maintain measuring devices of a type acceptable to the Department at the point of injection and point of re-diversion.
7. Point of injection into Spring Slough. Point of rediversion from a shallow ground water well hydrologically connected to Spring Slough.

Transfer No. 80496

**WATER RIGHT NO. 1-105**

**As Modified by Transfer No. 80496**

**CONDITIONS OF APPROVAL**

8. To offset depletions to Spring Slough caused by the re-diversion of water from the ground water well located in the NENE of Section 21, T05N, R39E, the right holder shall inject an amount of water into Spring Slough on a real-time basis greater than or equal to the amount diverted from the well.
  9. The shallow ground water well authorized as a point of re-diversion, located in the NENE, Sec. 21, T05N, R39E, shall not be deepened without an approved water right transfer authorizing the change.
  10. Water is delivered through Liberty Park Canal.
  11. The right holder shall accomplish the change authorized by this transfer within one 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.
  13. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
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## WATER RIGHT NO. 1-106

### As Modified by Transfer No. 80496

In accordance with the approval of Transfer No. 80496, Water Right No. 1-106 is now described as follows:

**Right Holder:** LIBERTY PARK IRRIGATION CO INC  
C/O NICK THOMASON  
5293 S 4300 W  
REXBURG, ID 83440

**Priority Date:** 6/1/1887

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**  
IRRIGATION

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

**Diversión Rate**  
38,000 cfs  
38,000 cfs

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

|             |           |                        |                |     |
|-------------|-----------|------------------------|----------------|-----|
| SNAKE RIVER | L7 (SWSW) | Sec 6 Twp 04N Rge 40E  | MADISON County |     |
| SNAKE RIVER | NENE      | Sec 21 Twp 05N Rge 39E | MADISON County | (R) |
| SNAKE RIVER | NWSE      | Sec 21 Twp 05N Rge 39E | MADISON County | (I) |

#### **CONDITIONS OF APPROVAL**

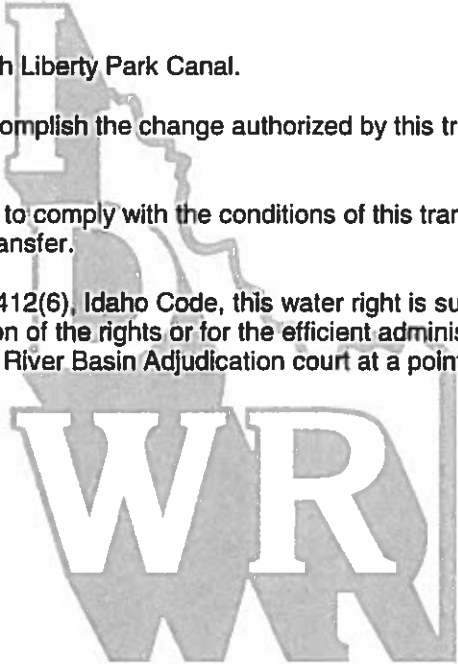
1. Diversion of water from the point of re-diversion authorized under Transfer 80496 located in the NENE, Sec. 21, T05N, R39E, shall not exceed a maximum diversion rate of 6.00 cfs.
2. Place of use is within the area served by Liberty Park Irrigation Company.
3. The boundary encompassing the place of 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.
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. 01.
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.
6. When notified by the watermaster, the right holder shall install and maintain measuring devices of a type acceptable to the Department at the point of injection and point of re-diversion.
7. Point of injection into Spring Slough. Point of rediversion from a shallow ground water well hydrologically connected to Spring Slough.

Transfer No. 80496

**WATER RIGHT NO. 1-106**

**As Modified by Transfer No. 80496**

**CONDITIONS OF APPROVAL**

8. To offset depletions to Spring Slough caused by the re-diversion of water from the ground water well located in the NENE of Section 21, T05N, R39E, the right holder shall inject an amount of water into Spring Slough on a real-time basis greater than or equal to the amount diverted from the well.
  9. The shallow ground water well authorized as a point of re-diversion, located in the NENE, Sec. 21, T05N, R39E, shall not be deepened without an approved water right transfer authorizing the change.
  10. Water is delivered through Liberty Park Canal.
  11. The right holder shall accomplish the change authorized by this transfer within one 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.
  13. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
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**WATER RIGHT NO. 1-107**

**As Modified by Transfer No. 80496**

In accordance with the approval of Transfer No. 80496, Water Right No. 1-107 is now described as follows:

**Right Holder:** LIBERTY PARK IRRIGATION CO INC  
C/O NICK THOMASON  
5293 S 4300 W  
REXBURG, ID 83440

**Priority Date:** 6/1/1888

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**  
IRRIGATION

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

**Diversión Rate**  
38,000 cfs  
38,000 cfs

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

|             |           |                        |                |     |
|-------------|-----------|------------------------|----------------|-----|
| SNAKE RIVER | L7 (SWSW) | Sec 6 Twp 04N Rge 40E  | MADISON County |     |
| SNAKE RIVER | NENE      | Sec 21 Twp 05N Rge 39E | MADISON County | (R) |
| SNAKE RIVER | NWSE      | Sec 21 Twp 05N Rge 39E | MADISON County | (I) |

**CONDITIONS OF APPROVAL**

1. Diversion of water from the point of re-diversion authorized under Transfer 80496 located in the NENE, Sec. 21, T05N, R39E, shall not exceed a maximum diversion rate of 6.00 cfs.
2. Place of use is within the area served by Liberty Park Irrigation Company.
3. 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.
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. 01.
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.
6. When notified by the watermaster, the right holder shall install and maintain measuring devices of a type acceptable to the Department at the point of injection and point of re-diversion.
7. Point of injection into Spring Slough. Point of rediversion from a shallow ground water well hydrologically connected to Spring Slough.

Transfer No. 80496

**WATER RIGHT NO. 1-107**

**As Modified by Transfer No. 80496**

**CONDITIONS OF APPROVAL**

8. To offset depletions to Spring Slough caused by the re-diversion of water from the ground water well located in the NENE of Section 21, T05N, R39E, the right holder shall inject an amount of water into Spring Slough on a real-time basis greater than or equal to the amount diverted from the well.
9. The shallow ground water well authorized as a point of re-diversion, located in the NENE, Sec. 21, T05N, R39E, shall not be deepened without an approved water right transfer authorizing the change.
10. Water is delivered through Liberty Park Canal.
11. The right holder shall accomplish the change authorized by this transfer within one 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.
13. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

**WATER RIGHT NO. 1-108**

**As Modified by Transfer No. 80496**

In accordance with the approval of Transfer No. 80496, Water Right No. 1-108 is now described as follows:

**Right Holder:** LIBERTY PARK IRRIGATION CO INC  
C/O NICK THOMASON  
5293 S 4300 W  
REXBURG, ID 83440

**Priority Date:** 6/1/1889

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**  
IRRIGATION

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

**Diversion Rate**  
38.000 cfs  
38.000 cfs

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

|             |           |                        |                |     |
|-------------|-----------|------------------------|----------------|-----|
| SNAKE RIVER | L7 (SWSW) | Sec 6 Twp 04N Rge 40E  | MADISON County |     |
| SNAKE RIVER | NENE      | Sec 21 Twp 05N Rge 39E | MADISON County | (R) |
| SNAKE RIVER | NWSE      | Sec 21 Twp 05N Rge 39E | MADISON County | (I) |

**CONDITIONS OF APPROVAL**

1. Diversion of water from the point of re-diversion authorized under Transfer 80496 located in the NENE, Sec. 21, T05N, R39E, shall not exceed a maximum diversion rate of 6.00 cfs.
2. Place of use is within the area served by Liberty Park Irrigation Company.
3. 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.
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. 01.
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.
6. When notified by the watermaster, the right holder shall install and maintain measuring devices of a type acceptable to the Department at the point of injection and point of re-diversion.
7. Point of injection into Spring Slough. Point of rediversion from a shallow ground water well hydrologically connected to Spring Slough.

Transfer No. 80496

**WATER RIGHT NO. 1-108**  
**As Modified by Transfer No. 80496**

**CONDITIONS OF APPROVAL**

8. To offset depletions to Spring Slough caused by the re-diversion of water from the ground water well located in the NENE of Section 21, T05N, R39E, the right holder shall inject an amount of water into Spring Slough on a real-time basis greater than or equal to the amount diverted from the well.
9. The shallow ground water well authorized as a point of re-diversion, located in the NENE, Sec. 21, T05N, R39E, shall not be deepened without an approved water right transfer authorizing the change.
10. Water is delivered through Liberty Park Canal.
11. The right holder shall accomplish the change authorized by this transfer within one 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.
13. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

**WATER RIGHT NO. 1-253**

**As Modified by Transfer No. 80496**

In accordance with the approval of Transfer No. 80496, Water Right No. 1-253 is now described as follows:

**Right Holder:** LIBERTY PARK IRRIGATION CO INC  
C/O NICK THOMASON  
5293 S 4300 W  
REXBURG, ID 83440

**Priority Date:** 1/22/1916

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**  
IRRIGATION

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

**Diversion Rate**  
16.000 cfs  
16.000 cfs

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

|             |           |                        |                |     |
|-------------|-----------|------------------------|----------------|-----|
| SNAKE RIVER | L7 (SWSW) | Sec 6 Twp 04N Rge 40E  | MADISON County |     |
| SNAKE RIVER | NENE      | Sec 21 Twp 05N Rge 39E | MADISON County | (R) |
| SNAKE RIVER | NWSE      | Sec 21 Twp 05N Rge 39E | MADISON County | (I) |

**CONDITIONS OF APPROVAL**

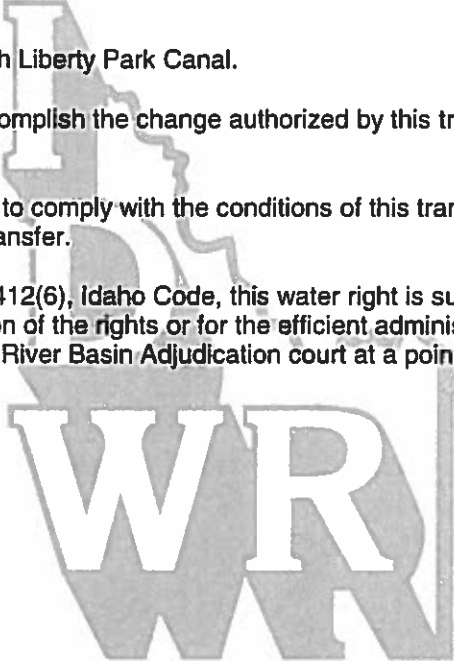
1. Diversion of water from the point of re-diversion authorized under Transfer 80496 located in the NENE, Sec. 21, T05N, R39E, shall not exceed a maximum diversion rate of 6.00 cfs.
2. Place of use is within the area served by Liberty Park Irrigation Company.
3. The boundary encompassing the place of 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.
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. 01.
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.
6. When notified by the watermaster, the right holder shall install and maintain measuring devices of a type acceptable to the Department at the point of injection and point of re-diversion.
7. Point of injection into Spring Slough. Point of rediversion from a shallow ground water well hydrologically connected to Spring Slough.

Transfer No. 80496

**WATER RIGHT NO. 1-253**

**As Modified by Transfer No. 80496**

**CONDITIONS OF APPROVAL**

8. To offset depletions to Spring Slough caused by the re-diversion of water from the ground water well located in the NENE of Section 21, T05N, R39E, the right holder shall inject an amount of water into Spring Slough on a real-time basis greater than or equal to the amount diverted from the well.
  9. The shallow ground water well authorized as a point of re-diversion, located in the NENE, Sec. 21, T05N, R39E, shall not be deepened without an approved water right transfer authorizing the change.
  10. Water is delivered through Liberty Park Canal.
  11. The right holder shall accomplish the change authorized by this transfer within one 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.
  13. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
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## WATER RIGHT NO. 1-316

### As Modified by Transfer No. 80496

In accordance with the approval of Transfer No. 80496, Water Right No. 1-316 is now described as follows:

**Right Holder:** LIBERTY PARK IRRIGATION CO INC  
C/O NICK THOMASON  
5293 S 4300 W  
REXBURG, ID 83440

**Priority Date:** 4/1/1939

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

**BENEFICIAL USE**  
IRRIGATION

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

**Diversion Rate**  
20,000 cfs  
20,000 cfs

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

|             |           |                        |                |     |
|-------------|-----------|------------------------|----------------|-----|
| SNAKE RIVER | L7 (SWSW) | Sec 6 Twp 04N Rge 40E  | MADISON County |     |
| SNAKE RIVER | NENE      | Sec 21 Twp 05N Rge 39E | MADISON County | (R) |
| SNAKE RIVER | NWSE      | Sec 21 Twp 05N Rge 39E | MADISON County | (I) |

#### **CONDITIONS OF APPROVAL**

1. Diversion of water from the point of re-diversion authorized under Transfer 80496 located in the NENE, Sec. 21, T05N, R39E, shall not exceed a maximum diversion rate of 6.00 cfs.
2. Place of use is within the area served by Liberty Park Irrigation Company.
3. 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.
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. 01.
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.
6. When notified by the watermaster, the right holder shall install and maintain measuring devices of a type acceptable to the Department at the point of injection and point of re-diversion.
7. Point of injection into Spring Slough. Point of rediversion from a shallow ground water well hydrologically connected to Spring Slough.

Transfer No. 80496

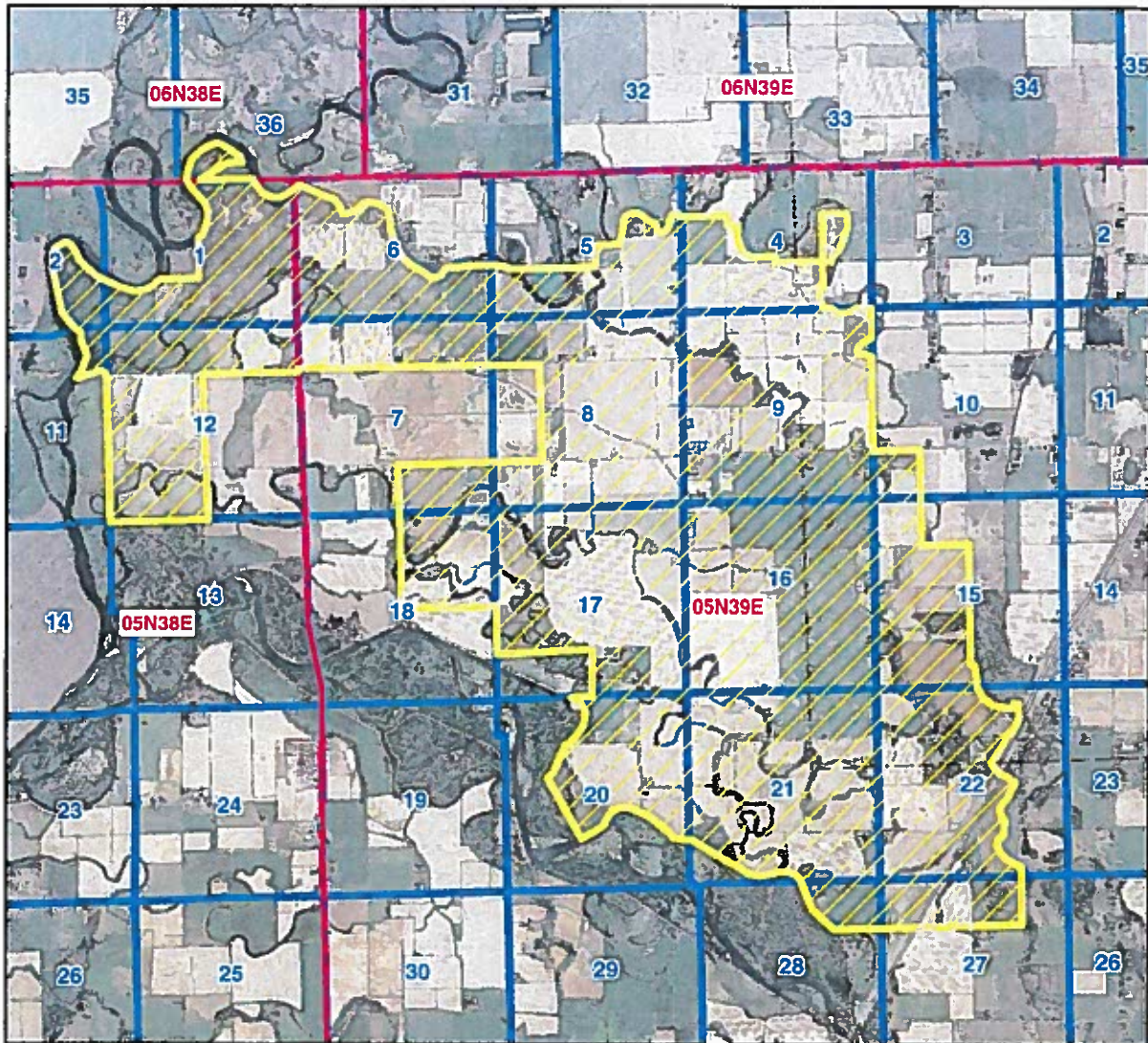
**WATER RIGHT NO. 1-316**

**As Modified by Transfer No. 80496**

**CONDITIONS OF APPROVAL**

8. To offset depletions to Spring Slough caused by the re-diversion of water from the ground water well located in the NENE of Section 21, T05N, R39E, the right holder shall inject an amount of water into Spring Slough on a real-time basis greater than or equal to the amount diverted from the well.
9. The shallow ground water well authorized as a point of re-diversion, located in the NENE, Sec. 21, T05N, R39E, shall not be deepened without an approved water right transfer authorizing the change.
10. Water is delivered through Liberty Park Canal.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one 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.
14. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

**Liberty Park Irrigation Company Inc.  
Digital Service Area (4,229 Irrigated Acres)**



**2013 Aerial Photo**

