

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79876**

This is to certify that: **BNH PROPERTIES LLC**
PO BOX 367
SPANISH FORK, UT 84660

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>
74-15672	WR/DECREED	4/15/1885	0.790 cfs	N/A	N/A	76.3	WITHINGTON CREEK
74-15708	WR/DECREED	8/17/1915	6.950 cfs	N/A	N/A	231.5	LEMHI RIVER
74-2165B	WR/DECREED	11/6/1913	2.080 cfs	N/A	N/A	89.0	LEMHI 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>
74-15672	NO	NO	YES	NO	NO	NO
74-15708	NO	NO	YES	NO	NO	NO
74-2165B	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>
74-15672	74-15672	0.790 cfs	N/A	76.3	76.3	N/A	N/A	N/A	N/A	N/A
74-15708	74-15708	6.950 cfs	N/A	231.5	319.6	N/A	N/A	N/A	N/A	N/A
74-2165B	74-2165B	2.080 cfs	N/A	88.1	319.6	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		9.030 cfs	N/A	319.6	319.6		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 4th day of April, 2016.


for Chief, Water Allocation Bureau

Transfer No. 79876

SUPPORT DATA
IN FILE # 74-2165B

WATER RIGHT NO. 74-15708

As Modified by Transfer No. 79876

In accordance with the approval of Transfer No. 79876, Water Right No. 74-15708 is now described as follows:

Right Holder: BNH PROPERTIES LLC
PO BOX 367
SPANISH FORK, UT 84660

Priority Date: 8/18/1915

Source: LEMHI RIVER

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

03/15

to 11/15

To

Diversion Rate

6.950 cfs

6.950 cfs

LOCATION OF POINT(S) OF DIVERSION

LEMHI RIVER

SENW

Sec 3 Twp 20N Rge 23E LEMHI 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	
20N	23E	4			23	6.7			25	16	33	28		23	18	40	26		238.7
20N	23E	5	12.0		0.4	35.0									33.0	0.5			80.9
			L 1																

Right Acre Limit: 231.5

POU Total Acres: 319.6

CONDITIONS OF APPROVAL

1. Rights 74-15672 and 74-15708 when combined shall not exceed the irrigation of 231.5 acres.
2. Rights 74-2165B, 74-15708, and 74-15672 when combined shall not exceed the irrigation of 319.6 acres.
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. 74, Lemhi River.
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. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

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WATER RIGHT NO. 74-15708
As Modified by Transfer No. 79876

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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. 74-2165B**As Modified by Transfer No. 79876**

In accordance with the approval of Transfer No. 79876, Water Right No. 74-2165B is now described as follows:

Right Holder: BNH PROPERTIES LLC
PO BOX 367
SPANISH FORK, UT 84660

Priority Date: 11/6/1913

Source: LEMHI RIVER

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

2.080 cfs

2.080 cfs

LOCATION OF POINT(S) OF DIVERSION

LEMHI RIVER

SENW

Sec 03 Twp 20N Rge 23E LEMHI 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	
20N	23E	4			23	6.7			25	16	33	28		23	18	40	26		238.7
20N	23E	5	12.0		0.4	35.0									33.0	0.5			80.9
			L 1																

Right Acre Limit: 88.1

POU Total Acres: 319.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 88.1 acres within the authorized place of use in a single irrigation season.
2. Rights 74-2165B, 74-15708, and 74-15672 when combined shall not exceed the irrigation of 319.6 acres.
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. 74, Lemhi River.
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. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

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WATER RIGHT NO. 74-2165B
As Modified by Transfer No. 79876

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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. 74-15672

As Modified by Transfer No. 79876

In accordance with the approval of Transfer No. 79876, Water Right No. 74-15672 is now described as follows:

Right Holder: BNH PROPERTIES LLC
PO BOX 367
SPANISH FORK, UT 84660

Priority Date: 4/15/1885

Source: WITHINGTON CREEK

Tributary: LEMHI RIVER

BENEFICIAL USE

IRRIGATION

From

03/15

to

To

11/15

Diversion Rate

0.790 cfs

0.790 cfs

LOCATION OF POINT(S) OF DIVERSION

WITHINGTON CREEK

SESE

Sec 4 Twp 20N Rge 23E LEMHI 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	
20N	23E	4			23.0	6.7									18.0	28.0	0.6		76.3

Right Acre Limit: 76.3

POU Total Acres: 76.3

CONDITIONS OF APPROVAL

1. Rights 74-15672 and 74-15708 when combined shall not exceed the irrigation of 231.5 acres.
2. Rights 74-2165B, 74-15708, and 74-15672 when combined shall not exceed the irrigation of 319.6 acres.
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. 74J, Withington Creek.
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. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

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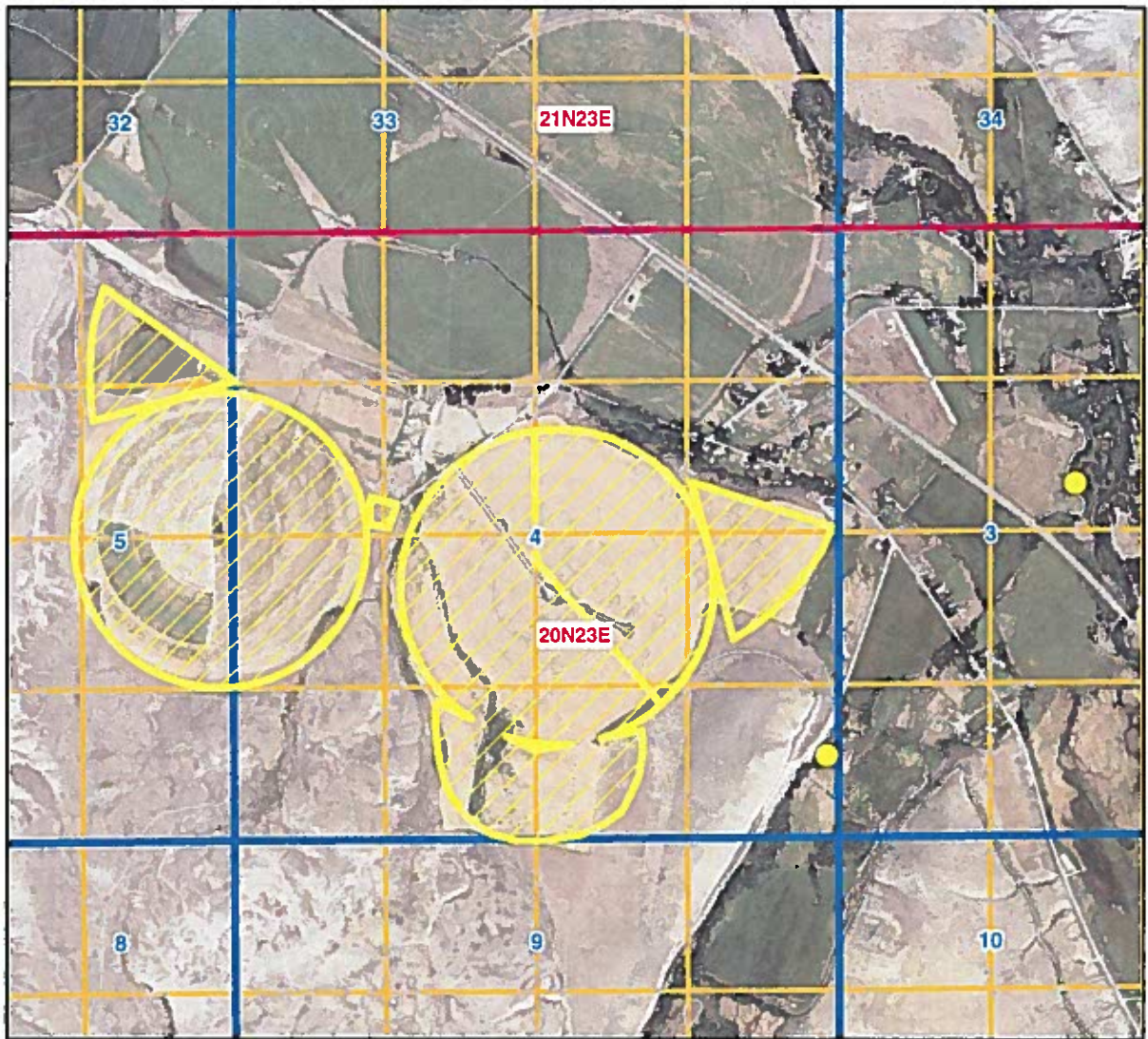
WATER RIGHT NO. 74-15672
As Modified by Transfer No. 79876

CONDITIONS OF APPROVAL

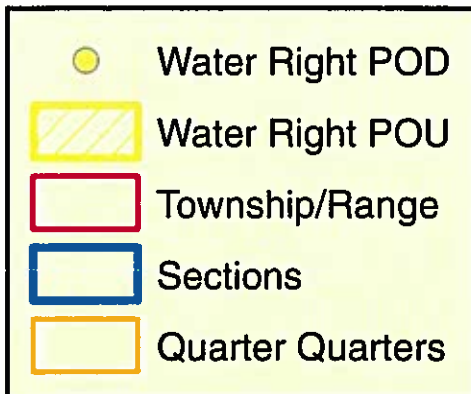
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Transfer Approval 79876



2013 Aerial Photo



0 1,500 3,000 Feet

