

Name on W-9 _____ Approved by BS Processed by BS Date May 1, 2011

Name on W-9 _____ Approved by BS Processed by BS Date May 14, 2014

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/21/2016

WATER RIGHT NO. 25-14385

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO WATER CO LLC C/O DEL KOHTZ 1135 VALLEY RD S EDEN, ID 83325 (208) 825-5617
Original Owner	RALPH MC QUAIN RT 2 RUPERT, ID

Priority Date: 08/19/1952

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.05 CFS	12.4 AFA
Total Diversion			0.05 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 21	Township 01N	Range 38E	BONNEVILLE County
GROUND WATER	SWNE	Sec. 28	Township 01N	Range 38E	BONNEVILLE County

IRRIGATION Use:

Acre Limit: 3.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01N	38E	21		SWSW	1.4		SESW	8.5						
				SWSE	13.8		SESE	14.4						
		28		NENE	6.7		NWNE	7		SWNE	8.2			
				NENW	7.7		SENE	5.6						
				NWSE	0.1									
		29		SWNE	4.1									

Total Acres: 77.5

Conditions of Approval:

1. X27 This right is limited to the irrigation of 3.1 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 25-14383 and 25-14385 when combined shall not exceed the irrigation of 8.8 acres.
3. X35 Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.
Beginning on the date of approval of Transfer 77439, the irrigation uses under rights 25-14383 and 25-14385 when combined are limited to the following schedule of allowed use. The right holder shall file a notice of intent with the Department prior to the increased use of water under
4. 113 the rights each time an increase according to the schedule is sought. Year 2013 through 2017 the rights are limited to 0.03 cfs, 8.4 afa and 2.1 acres. Year 2018 through 2023 the rights are limited to 0.11 cfs, 28.8 afa and 7.2 acres. Year 2024 and beyond the rights are limited to 0.13 cfs, 35.2 afa and 8.8 acres.
Use of water under this right will be regulated by a watermaster with responsibility for the
5. R05 distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in
7. 214 accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
Upon specific notification of the Department, the right holder shall install and maintain data
8. 213 loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. R64 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.

- | | |
|--------|---|
| 10.004 | This right does not grant any right-of-way or easement across the land of another. |
| 11.046 | Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department. |
| 12.T07 | The right holder shall accomplish the change authorized by this transfer within one years of the date of this approval. |
| 13.T08 | 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.T19 | 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. |

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Robert L. Harris
Holden, Kidwell, Hahn & Crapo, P.L.L.C.
PO Box 50130
Idaho Falls, ID 83405

Instrument # 1522800

IDAHO FALLS, BONNEVILLE, IDAHO

4-22-2016 04:41:07 PM No. of Pages: 15

Recorded for : HOLDEN KIDWELL

RONALD LONGMORE

Fee: 52.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY



(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Idaho Water Company LLC, an Idaho limited liability company whose address is 1135 Valley Road South, Eden, Idaho 83325, ("Grantor") does hereby grant, bargain, sell, assign, and convey unto **Taylor Mountain Water and Sewer District**, a water and sewer district organized pursuant to Chapter 32 of Title 42 of the Idaho Code, whose address is c/o Robert L. Harris, Holden, Kidwell, Hahn & Crapo, P.L.L.C., 1000 Riverwalk Dr., Ste. 200, P.O. Box 50130, Idaho Falls, Idaho 83405 ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right title and interest in the Water Rights or portions thereof described on **Exhibit A** hereto (collectively the "Water Rights").

Grantor hereby covenants and warrants to Grantee as follows:

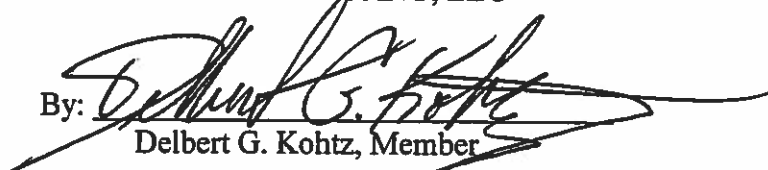
- (A) Grantor is the owner of the Water Rights;
- (B) Grantor has not conveyed any of the Water Rights to anyone other than Grantee;
- (C) The Water Rights are free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Rights to Grantee.

Grantor makes no other covenants or warranties as to the Water Rights.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 21st day of April, 2016.

IDAHO WATER COMPANY, LLC

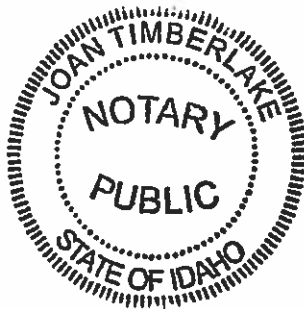
By: 

Delbert G. Kohtz, Member

STATE OF IDAHO)
) ss.
County of BONNEVILLE)

On this 21st day of April, 2016, before me, a Notary Public for said County and State, personally appeared DELBERT G. KOHTZ, known or identified to me, to be one of the members of the limited liability company of IDAHO WATER COMPANY, LLC, and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



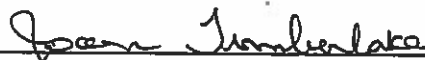

NOTARY PUBLIC FOR IDAHO
Residing at: Idaho Falls ID
My commission expires: 7/23/2018

EXHIBIT A

WATER RIGHT NOS. 25-14287, 25-14301, 25-14304, 25-14313, 25-14383, and 25-14385.

Descriptions of the above water rights are on the following pages.

WATER RIGHT NO. 25-14287**As Modified by Transfer No. 80651**

In accordance with the approval of Transfer No. 80651, Water Right No. 25-14287 is now described as follows:

Right Holder: M PATRICK DUFFIN AND
PATRICIA C DUFFIN
3270 E 17TH ST
IDAHO FALLS, ID 83406-6758

Priority Date: 8/10/1966

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.020 cfs

0.020 cfs

Diversion Volume

3.8 af

3.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSE

Sec 21 Twp 01N Rge 38E BONNEVILLE County

GROUND WATER

SWNE

Sec 28 Twp 01N Rge 38E BONNEVILLE 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	
01N	38E	21											1.4	8.5			13.8	14.4	38.1
01N	38E	28	6.7	7.0	8.2		7.7			5.8						0.1			35.3
01N	38E	29			4.1														4.1

Right Acre Limit:

1.1

POU Total Acres:

77.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.1 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14287, 25-14301, 25-14304 and 25-14313 when combined shall not exceed the irrigation of 5.6 acres.
3. Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.
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. 120.

WATER RIGHT NO. 25-14287

As Modified by Transfer No. 80651

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 to 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. 25-14301**As Modified by Transfer No. 80651**

In accordance with the approval of Transfer No. 80651, Water Right No. 25-14301 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 7/27/1972

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.020 cfs

0.020 cfs

Diversion Volume

4.9 af

4.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

SWSE
SWNE

Sec 21 Twp 01N Rge 38E BONNEVILLE County
Sec 28 Twp 01N Rge 38E BONNEVILLE 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	
01N	38E	21																	
01N	38E	28	6.7	7.0	8.2		7.7			5.6			1.4	8.5			13.8	14.4	38.1
01N	38E	29			4.1														4.1

Right Acre Limit: 1.3

POU Total Acres: 77.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.3 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14287, 25-14301, 25-14304 and 25-14313 when combined shall not exceed the irrigation of 5.6 acres.
3. Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.
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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 80651

WATER RIGHT NO. 25-14301
As Modified by Transfer No. 80651

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 25-14304**As Modified by Transfer No. 80651**

In accordance with the approval of Transfer No. 80651, Water Right No. 25-14304 is now described as follows:

Right Holder: CHYANNE RASMUSSEN And
ALLEN RASMUSSEN
560 RANDY DR
IDAHO FALLS, ID 83401

Priority Date: 8/10/1966

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.020 cfs

0.020 cfs

Diversion Volume

4.2 af

4.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

SWSE
SWNE

Sec 21 Twp 01N Rge 38E BONNEVILLE County
Sec 28 Twp 01N Rge 38E BONNEVILLE 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	
01N	38E	21											1.4	8.5			13.8	14.4	38.1
01N	38E	28	6.7	7.0	8.2		7.7			5.6						0.1			35.3
01N	38E	29			4.1														4.1

Right Acre Limit: 1.2

POU Total Acres: 77.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.2 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14287, 25-14301, 25-14304 and 25-14313 when combined shall not exceed the irrigation of 5.6 acres.
3. Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.
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. 120.

WATER RIGHT NO. 25-14304

As Modified by Transfer No. 80651

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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.
9. This right does not grant any right of way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 25-14313**As Modified by Transfer No. 80651**

In accordance with the approval of Transfer No. 80651, Water Right No. 25-14313 is now described as follows:

Right Holder: KENNETH B NEIDER AND
MARGO Y NEIDER
2387 PTARMIGAN WAY
IDAHO FALLS, ID 83401

Priority Date: 8/10/1966

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 11/01

Diversion Rate

0.040 cfs

0.040 cfs

Diversion Volume

7.0 af

7.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSE

Sec 21 Twp 01N Rge 38E BONNEVILLE County

GROUND WATER

SWNE

Sec 28 Twp 01N Rge 38E BONNEVILLE 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	
01N	38E	21											1.4	8.5			13.8	14.4	38.1
01N	38E	28	6.7	7.0	8.2		7.7			5.8						0.1			35.3
01N	38E	29			4.1														4.1

Right Acre Limit: 2.0

POU Total Acres: 77.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.0 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14287, 25-14301, 25-14304 and 25-14313 when combined shall not exceed the irrigation of 5.6 acres.
3. Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.
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. 120.

WATER RIGHT NO. 25-14313

As Modified by Transfer No. 80651

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 25-14383**As Modified by Transfer No. 80651**

In accordance with the approval of Transfer No. 80651, Water Right No. 25-14383 is now described as follows:

Right Holder: IDAHO WATER CO LLC
C/O DEL KOHTZ
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 8/19/1952

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.080 cfs
0.080 cfs

Diversion Volume
22.8 af
22.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 21 Twp 01N Rge 38E BONNEVILLE County
GROUND WATER SWNE Sec 28 Twp 01N Rge 38E BONNEVILLE 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	
01N	38E	21											1.4	8.5			13.8	14.4	38.1
01N	38E	28	6.7	7.0	8.2		7.7			5.6						0.1			35.3
01N	38E	29			4.1														4.1

Right Acre Limit: 5.7

POU Total Acres: 77.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.7 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14383 and 25-14385 when combined shall not exceed the irrigation of 8.8 acres.
3. Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.

WATER RIGHT NO. 25-14383

As Modified by Transfer No. 80651

CONDITIONS OF APPROVAL

4. Beginning on the date of approval of Transfer 77439, the irrigation uses under rights 25-14383 and 25-14385 when combined are limited to the following schedule of allowed use. The right holder shall file a notice of intent with the Department prior to the increased use of water under the rights each time an increase according to the schedule is sought.

Year 2013 through 2017 the rights are limited to 0.03 cfs, 8.4 afa and 2.1 acres.

Year 2018 through 2023 the rights are limited to 0.11 cfs, 28.8 afa and 7.2 acres.

Year 2024 and beyond the rights are limited to 0.13 cfs, 35.2 afa and 8.8 acres.

5. 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. 120.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. 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.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one years 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 25-14385**As Modified by Transfer No. 80651**

In accordance with the approval of Transfer No. 80651, Water Right No. 25-14385 is now described as follows:

Right Holder: IDAHO WATER CO LLC
C/O DEL KOHTZ
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 8/19/1952

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.050 cfs
0.050 cfs

Diversion Volume
12.4 af
12.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 21 Twp 01N Rge 38E BONNEVILLE County
GROUND WATER SWNE Sec 28 Twp 01N Rge 38E BONNEVILLE 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	
01N	38E	21											1.4	8.5			13.8	14.4	38.1
01N	38E	28	6.7	7.0	8.2		7.7			5.8						0.1			35.3
01N	38E	29			4.1														4.1

Right Acre Limit: 3.1

POU Total Acres: 77.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.1 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14383 and 25-14385 when combined shall not exceed the irrigation of 8.8 acres.
3. Rights 25-14287, 25-14301, 25-14304, 25-14313, 25-14383 and 25-14385 when combined shall not exceed the irrigation of 14.4 acres.

WATER RIGHT NO. 25-14385

As Modified by Transfer No. 80651

CONDITIONS OF APPROVAL

4. Beginning on the date of approval of Transfer 77439, the irrigation uses under rights 25-14383 and 25-14385 when combined are limited to the following schedule of allowed use. The right holder shall file a notice of intent with the Department prior to the increased use of water under the rights each time an increase according to the schedule is sought.

Year 2013 through 2017 the rights are limited to 0.03 cfs, 8.4 afa and 2.1 acres.

Year 2018 through 2023 the rights are limited to 0.11 cfs, 28.8 afa and 7.2 acres.

Year 2024 and beyond the rights are limited to 0.13 cfs, 35.2 afa and 8.8 acres.

5. 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. 120.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 80651, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. 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.
10. This right does not grant any right-of-way or easement across the land of another.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. The right holder shall accomplish the change authorized by this transfer within one years 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 6, 2016

Taylor Mountain Water & Sewer District
c/o Robert Harris
PO Box 50130
Idaho Falls ID 83405

RE: Change of Ownership for Water Right No(s). 25-14385

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 120



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

RECEIVED

APR 28 2016

Department of Water Resources
Eastern Region

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

Email: rharris@holdenlegal.com

April 26, 2016

Idaho Department of Water Resources
Attn: Blake Jordan
900 N. Skyline Drive, Ste. A
Idaho Falls, ID 83402-1718

RE: Notice of Change of Water Right Ownership for Water Right Nos. 25-14287, 25-14313, 25-14301, 25-14304, 25-14383, and 25-14385.

Dear Blake:

Enclosed for processing are six *Notices of Change of Water Right Ownership* for the above-referenced water rights. You are familiar with the transfers that were filed to move the above water rights into the service area of the Taylor Mountain Water and Sewer District. We previously submitted *Notices of Change of Water Right Ownership* for the first four water rights, but you agreed to hold on to those documents until those four water rights were conveyed from Idaho Water Company, LLC to Taylor Mountain Water and Sewer District. Enclosed is a deed conveying all six of the above water rights to the Taylor Mountain Water and Sewer District. We have included four *Notices of Change of Water Right Ownership* for the first water rights and ask that you substitute these in for the four that we previously submitted. We also previously submitted \$100.00 in filing fees to change the ownership for these four water rights.

In addition, Taylor Mountain Water and Sewer District purchased Water Right Nos. 25-14383 and 25-14385, which are currently in the name of Idaho Water Company LLC on the records of the Idaho Department of Water Resources. We have included two *Notices of Change of Water Right Ownership* to change the ownership of these water rights to the Taylor Mountain Water and Sewer District, and included an additional \$50.00 check for the filing fees associated with the change of ownership of these two water rights.

We appreciate your attention to this matter. If you have any questions or concerns, please let me know.

Best Regards,

Robert L. Harris

HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

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Established in 1896