

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79929**

This is to certify that: LAYNE F HAMILTON
839 W RIVERTON RD
BLACKFOOT, ID 83221
AND
THOMPSON BROTHERS LLC
749 W HWY 39
BLACKFOOT, ID 83221

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>
27-12146	WR/DECREED	11/14/1960	0.120 cfs	24.0 af	N/A	6.0	GROUND WATER
27-2129A	WR/DECREED	9/11/1961	1.780 cfs	356.0 af	89.0	126.7	GROUND WATER
27-7299	WR/DECREED	1/26/1982	1.890 cfs	402.5 af	N/A	115.0	GROUND WATER
27-7412	WR/LICENSE	6/20/1985	2.320 cfs	612.0 af	N/A	153.0	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>
27-12146	NO	YES	YES	YES	NO	NO
27-2129A	YES	YES	YES	YES	NO	NO
27-7299	NO	YES	YES	YES	NO	NO
27-7412	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>
27-12146	27-12146	0.120 cfs	21.0 af	6.0	304.0	N/A	N/A	N/A	N/A	N/A
27-2129A	27-12275	0.600 cfs	120.0 af	30.0	304.0	27-2129A	1.180 cfs	236.0 af	59.0	126.7
27-7299	27-7299	1.890 cfs	402.5 af	115.0	304.0	N/A	N/A	N/A	N/A	N/A
27-7412	27-7412	2.320 cfs	612.0 af	153.0	304.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		4.930 cfs	1155.5 af	304.0	304.0		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 79929

IN FILE # 27-2129A

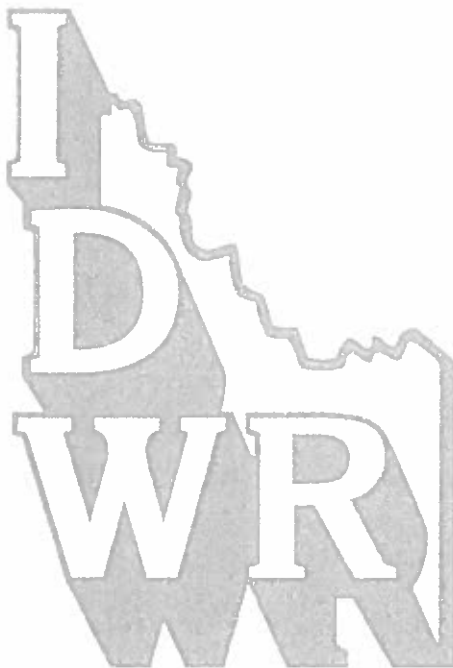
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79929

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 23rd day of February, 2016.


for Chief, Water Allocation Bureau



WATER RIGHT NO. 27-2129A**As Modified by Transfer No. 79929**

In accordance with the approval of Transfer No. 79929, Water Right No. 27-2129A is now described as follows:

Right Holder: LAYNE F HAMILTON
839 W RIVERTON RD
BLACKFOOT, ID 83221

Priority Date: 9/11/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	1.180 cfs	236.0 af
			1.180 cfs	236.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESWSE Sec 22 Twp 03S Rge 34E BINGHAM 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	
03S	34E	22									7.5			36.6			6.7		50.8
											L 3								
03S	34E	22															24.2		24.2
																	L 6		
03S	34E	27		33.3						18.4									51.7
				L 1															

Right Acre Limit: 59.0
POU Total Acres: 126.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 59 acres within the place of use described above in a single irrigation season.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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 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. 27-12275**As Modified by Transfer No. 79929**

In accordance with the approval of Transfer No. 79929, Water Right No. 27-12275 is now described as follows:

Right Holder: LAYNE F HAMILTON
839 W RIVERTON RD
BLACKFOOT, ID 83221

Priority Date: 9/11/1961

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.600 cfs
0.600 cfs

Diversion Volume
120.0 af
120.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

L5 (SESE)
NENW

Sec 21 Twp 03S Rge 34E BINGHAM County
Sec 28 Twp 03S Rge 34E BINGHAM 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	
03S	34E	21												11.0	11.0		33.5	35.0	90.5
03S	34E	22											4.0	36.0					42.0
03S	34E	28			5.5														
03S	34E	28					35.0	18.0	30.0	2.5			15.5						106.5
03S	34E	28						4.5	10.5				6.0						21.0
03S	34E	29	1.0			27.0									16.0				44.0

Right Acre Limit: 30.0

POU Total Acres: 304.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 30 acres within the authorized place of use in a single irrigation season.
2. Rights 27-7299, 27-7412, 27-12146 and 27-12275 when combined shall not exceed the irrigation of 304 acres.
3. 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.

WATER RIGHT NO. 27-12275

As Modified by Transfer No. 79929

CONDITIONS OF APPROVAL

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. Prior to the diversion and use of water under Transfer approval 79929, 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.
6. 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.
7. The place of use located within Section 29, T3S R34E, is further described as Tract 41.
8. Place of use does not include federal public lands.
9. The following rights are diverted through point(s) of diversion described above: 27-7299, 27-7412, 27-12146, and 27-12275.
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 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. 27-7299
As Modified by Transfer No. 79929

In accordance with the approval of Transfer No. 79929, Water Right No. 27-7299 is now described as follows:

Right Holder: THOMPSON BROTHERS LLC
 749 W HWY 39
 BLACKFOOT, ID 83221

Priority Date: 1/26/1982

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 05/01 **To** 11/01

Diversion Rate
 1.890 cfs
 1.890 cfs

Diversion Volume
 402.5 af
 402.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
 GROUND WATER

L5 (SESE)
 NENW

Sec 21 Twp 03S Rge 34E BINGHAM County
 Sec 28 Twp 03S Rge 34E BINGHAM 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	
03S	34E	21												11.0	11.0		33.5	35.0	90.5
														L 3	L 13		L 4	L 5	
03S	34E	22									4.0	38.0							42.0
											L 4								
03S	34E	28						4.5	10.51				6.0						21.0
								L 11	L 12				L 13						
03S	34E	28		5.5			35.0	18.0	30.0	2.5		15.5							106.5
								L 1	L 2			L 3							
03S	34E	29	1.0			27.0									16.0				44.0

Right Acre Limit: 115.0

POU Total Acres: 304.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 115 acres within the authorized place of use in a single irrigation season.
2. Rights 27-7299, 27-7412, 27-12146 and 27-12275 when combined shall not exceed the irrigation of 304 acres.
3. 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.

WATER RIGHT NO. 27-7299
As Modified by Transfer No. 79929

CONDITIONS OF APPROVAL

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. Prior to the diversion and use of water under Transfer approval 79929, 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.
6. 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.
7. The place of use located within Section 29, T3S R34E, is further described as Tract 41.
8. Place of use does not include federal public lands.
9. The following rights are diverted through point(s) of diversion described above: 27-7299, 27-7412, 27-12146, and 27-12275.
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 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. 27-12146**As Modified by Transfer No. 79929**

In accordance with the approval of Transfer No. 79929, Water Right No. 27-12146 is now described as follows:

Right Holder: THOMPSON BROTHERS LLC
749 W HWY 39
BLACKFOOT, ID 83221

Priority Date: 11/14/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.120 cfs	21.0 af
			0.120 cfs	21.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L5 (SESE)	Sec 21 Twp 03S Rge 34E BINGHAM County
GROUND WATER	NENW	Sec 28 Twp 03S Rge 34E BINGHAM 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	
03S	34E	21												11.0	11.0		33.5	35.0	90.5
														L 3	L 13		L 4	L 5	
03S	34E	22									4.0	38.0							42.0
											L 4								
03S	34E	28						4.5	10.5			6.0							21.0
								L 11	L 12			L 13							
03S	34E	28		5.5			35.0	18.0	30.0	2.5		15.5							106.5
								L 1	L 2			L 3							
03S	34E	29	1.0			27.0									16.0				44.0

Right Acre Limit: 6.0

POU Total Acres: 304.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6 acres within the authorized place of use in a single irrigation season.
2. Rights 27-7299, 27-7412, 27-12146 and 27-12275 when combined shall not exceed the irrigation of 304 acres.
3. 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.

Transfer No. 79929

WATER RIGHT NO. 27-12146
As Modified by Transfer No. 79929

CONDITIONS OF APPROVAL

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. Prior to the diversion and use of water under Transfer approval 79929, 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.
6. 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.
7. The place of use located within Section 29, T3S R34E, is further described as Tract 41.
8. Place of use does not include federal public lands.
9. The following rights are diverted through point(s) of diversion described above: 27-7299, 27-7412, 27-12146, and 27-12275.
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 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. 27-7412**As Modified by Transfer No. 79929**

In accordance with the approval of Transfer No. 79929, Water Right No. 27-7412 is now described as follows:

Right Holder: THOMPSON BROTHERS LLC
749 W HWY 39
BLACKFOOT, ID 83221

Priority Date: 6/20/1985

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
2.320 cfs
2.320 cfs

Diversion Volume
612.0 af
612.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

L5 (SESE)
NENW

Sec 21 Twp 03S Rge 34E BINGHAM County
Sec 28 Twp 03S Rge 34E BINGHAM 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	
03S	34E	21												11.0	11.0		33.5	35.0	90.5
														L 3	L 13		L 4	L 5	
03S	34E	22										4.0	38.0						42.0
												L 4							
03S	34E	28						4.5	10.5				6.0						21.0
								L 11	L 12				L 13						
03S	34E	28		5.5			35.0	18.0	30.0	2.5		15.5							106.5
								L 1	L 2			L 3							
03S	34E	29	1.0			27.0									16.0				44.0

Right Acre Limit: 153.0

POU Total Acres: 304.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 153 acres within the authorized place of use in a single irrigation season.
2. Rights 27-7299, 27-7412, 27-12146 and 27-12275 when combined shall not exceed the irrigation of 304 acres.
3. 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.

WATER RIGHT NO. 27-7412
As Modified by Transfer No. 79929

CONDITIONS OF APPROVAL

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. Prior to the diversion and use of water under Transfer approval 79929, 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.
6. 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.
7. The place of use located within Section 29, T3S R34E, is further described as Tract 41.
8. Place of use does not include federal public lands.
9. The following rights are diverted through point(s) of diversion described above: 27-7299, 27-7412, 27-12146, and 27-12275.
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 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.