

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80488**

This is to certify that: **MOSS FARMS INC**
3286 N 3350 W
MOORE, ID 83255

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>
34-2421	WR/DECREED	6/6/1961	1.280 cfs	224.0 af	64.0	70.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
34-381A	WR/DECREED	9/26/1894	2.400 cfs	N/A	120.0	200.0	BIG LOST RIVER
34-182	WR/DECREED	6/1/1883	1.600 cfs	N/A	80.0	200.0	BIG LOST RIVER
34-2379F	WR/DECREED	8/8/1960	2.110 cfs	392.0 af		112.0	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>
34-2421	YES	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>
34-2421	34-14525	0.640 cfs	112.0 af	N/A	32.0	34-2421	0.640 cfs	112.0 af	N/A	32.0
COMBINED TOTALS		0.640 cfs	112.0 af	32.0	32.0		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 14th day of December, 2015.


for Chief, Water Allocation Bureau

Transfer No. 80488

SUPPORT DATA

24-2421

FILE

WATER RIGHT NO. 34-2421
As Modified by Transfer No. 80488

In accordance with the approval of Transfer No. 80488, Water Right No. 34-2421 is now described as follows:

Right Holder: WIGHT ENTERPRISES LLC
 3798 W 4050 N
 MOORE, ID 83255

Priority Date: 6/6/1961

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.640 cfs
 0.640 cfs

Diversion Volume
 112.0 af
 112.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 12 Twp 06N Rge 25E BUTTE 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	
06N	25E	12							32.0										32.0

POU Total Acres: 32.0

CONDITIONS OF APPROVAL

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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WATER RIGHT NO. 34-14525
As Modified by Transfer No. 80488

In accordance with the approval of Transfer No. 80488, Water Right No. 34-14525 is now described as follows:

Right Holder: WIGHT ENTERPRISES LLC
 3798 W 4050 N
 MOORE, ID 83255

Priority Date: 6/6/1961

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	0.640 cfs	112.0 af
			0.640 cfs	112.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSE Sec 31 Twp 06N Rge 26E BUTTE 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	
06N	26E	31																	
06N	26E	32											12.0				7.0	13.0	20.0

POU Total Acres: 32.0

CONDITIONS OF APPROVAL

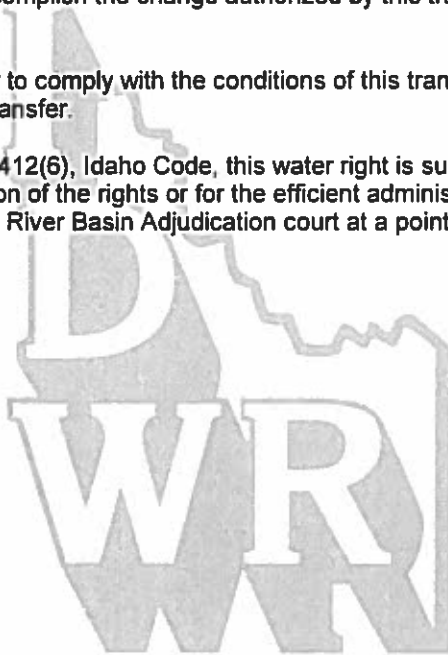
1. Rights 34-182, 34-381A, 34-2379F, and 34-14525 when combined shall not exceed a total diversion rate of 5.2 cfs, and the irrigation of 200 acres.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. 34.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. 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.

Transfer No. 80488

WATER RIGHT NO. 34-14525
As Modified by Transfer No. 80488

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 80488, 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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. 34-381A **As Modified by Transfer No. 80488**

In accordance with the approval of Transfer No. 80488, Water Right No. 34-381A is now described as follows:

Right Holder: MOSS FARMS INC
 3286 N 3350 W
 MOORE, ID 83255

Priority Date: 9/26/1894

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

From 5/01 **To** 10/15

Diversion Rate
 2,400 cfs
 2,400 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SENWSE Sec 14 Twp 06N Rge 25E CUSTER County
 BIG LOST RIVER SENW Sec 32 Twp 06N Rge 26E CUSTER 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	
06N	26E	31			32.0	28.0									35.0	35.0	9.0	16.0	155.0
06N	26E	32							6.0			22.0	17.0						45.0

Right Acre Limit: 120.0

POU Total Acres: 200.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120 acres within the authorized place of use in a single irrigation season.
2. Rights 34-182, 34-381A and 34-2379F when combined shall not exceed a total diversion rate of 5.2 cfs and the irrigation of 200 acres.
3. Rights 34-182, 34-381A, 34-2379F, and 34-14525 when combined shall not exceed a total diversion rate of 5.2 cfs, and the irrigation of 200 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.

Transfer No. 80488

WATER RIGHT NO. 34-381A
As Modified by Transfer No. 80488

CONDITIONS OF APPROVAL

6. 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. 34.
7. 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).
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 34-182

As Modified by Transfer No. 80488

In accordance with the approval of Transfer No. 80488, Water Right No. 34-182 is now described as follows:

Right Holder: MOSS FARMS INC
3286 N 3350 W
MOORE, ID 83255

Priority Date: 6/1/1883

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

5/01

To

to 10/15

Diversion Rate

1.600 cfs

1.600 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER
BIG LOST RIVER

SEWSE
SEW

Sec 14, Twp 06N Rge 25E CUSTER County
Sec 32 Twp 06N Rge 26E CUSTER 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	
06N	26E	31			32.0	28.0									35.0	35.0	9.0	16.0	155.0
06N	26E	32							6.0			22.0	17.0						45.0

Right Acre Limit: 80.0

POU Total Acres: 200.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80 acres within the authorized place of use in a single irrigation season.
2. Rights 34-182, 34-381A and 34-2379F when combined shall not exceed a total diversion rate of 5.2 cfs and the irrigation of 200 acres.
3. Rights 34-182, 34-381A, 34-2379F, and 34-14525 when combined shall not exceed a total diversion rate of 5.2 cfs, and the irrigation of 200 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.

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WATER RIGHT NO. 34-182
As Modified by Transfer No. 80488

CONDITIONS OF APPROVAL

6. 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. 34.
7. 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).
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 34-2379F
As Modified by Transfer No. 80488

In accordance with the approval of Transfer No. 80488, Water Right No. 34-2379F is now described as follows:

Right Holder: MOSS FARMS INC
 3286 N 3350 W
 MOORE, ID 83255

Priority Date: 8/8/1960

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 11/01	2.110 cfs	392.0 af
			2.110 cfs	392.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESESW Sec 31 Twp 06N Rge 26E BUTTE 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	
06N	26E	31			6.0	18.0									35.0	30.0			89.0
06N	26E	32							3.0			20.0							23.0

POU Total Acres: 112.0

CONDITIONS OF APPROVAL

1. Rights 34-182, 34-381A and 34-2379F when combined shall not exceed a total diversion rate of 5.2 cfs and the irrigation of 200.0 acres.
2. Rights 34-182, 34-381A, 34-2379F, and 34-14525 when combined shall not exceed a total diversion rate of 5.2 cfs, and the irrigation of 200 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. 34.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 76291, 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.

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WATER RIGHT NO. 34-2379F
As Modified by Transfer No. 80488

CONDITIONS OF APPROVAL

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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
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.