

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80446**

This is to certify that: PEP LLC
1356 S 3000 W
ABERDEEN, ID 83210

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>
35-8362	WR/LICENSE	10/23/1984	2.470 cfs	760.0 af	N/A	190.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>PQU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-8362	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>
35-8362	35-8362	2.470 cfs	760.0 af	190.0	480.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.470 cfs	760.0 af	190.0	N/A		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 9th day of December, 2015.

for 
Chief, Water Allocation Bureau

WATER RIGHT NO. 35-8362**As Modified by Transfer No. 80446**

In accordance with the approval of Transfer No. 80446, Water Right No. 35-8362 is now described as follows:

Right Holder: PEP LLC
1356 S 3000 W
ABERDEEN, ID 83210

Priority Date: 10/23/1984

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 10/31

Diversion Rate

2.470 cfs

2.470 cfs

Diversion Volume

760.0 af

760.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWSWNE

Sec 33 Twp 04S Rge 30E 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	
04S	30E	32	40.0	40.0	40.0	40.0													160.0
04S	30E	33	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									320.0

Right Acre Limit: 190.0

POU Total Acres: 480.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 190 acres within the authorized place of use in a single irrigation season.
2. This right is limited to the irrigation of a specific 190 acres within the 480 acre place of use authorized by this right in a single irrigation season. The specific 190.0 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 190.0 acre to be irrigated within the 480 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
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. 120.

Transfer No. 80446

WATER RIGHT NO. 35-8362

As Modified by Transfer No. 80446

CONDITIONS OF APPROVAL

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 80446, 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. 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.
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.

