

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

AMENDED

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79380**

AMENDED

This is to certify that: **THOMAS LENO**
4236 N 1900 E
BUHL, ID 83316

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>
47-17589	WR/DECREED	12/25/1970	1.210 cfs	307.5 af	N/A	102.5	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>
47-7287	WR/DECREED	11/4/1974	N/A	24.8 af		50.9	MULE CREEK
47-14285	WR/DECREED	12/31/1969	2.450 cfs	N/A		122.6	MULE CREEK

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>
47-17589	YES	YES	YES	NO	YES	YES

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>
47-17589	47-17622	0.420 cfs	66.0 af	N/A	N/A	47-17589	0.600 cfs	152.7 af	N/A	50.9
COMBINED TOTALS		0.420 cfs	66.0 af	N/A	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 12th day of November, 2015.

SUPPORT DATA

IN FILE # 47-17589


Gary Spackman, Director

Transfer No. 79380

WATER RIGHT NO. 47-17589

As Modified by Transfer No. 79380

In accordance with the approval of Transfer No. 79380, Water Right No. 47-17589 is now described as follows:

Right Holder: THOMAS LENO
4236 N 1900 E
BUHL, ID 83316

Priority Date: 12/25/1970

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	0.600 cfs	152.7 af
			0.600 cfs	152.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSWSW Sec 20 Twp 16S Rge 16E TWIN FALLS 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	
16S	16E	20											29.6	12.0					41.6
16S	16E	29					9.3												9.3

POU Total Acres: 50.9

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands below.
2. 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.

Transfer No. 79380

WATER RIGHT NO. 47-17622
As Modified by Transfer No. 79380

In accordance with the approval of Transfer No. 79380, Water Right No. 47-17622 is now described as follows:

Right Holder: THOMAS LENO
 4236 N 1900 E
 BUHL, ID 83316

Priority Date: 12/25/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	01/01	to 12/31	0.420 cfs	66.0 af
STOCKWATER	01/01	to 12/31	0.420 cfs	66.0 af
			0.420 cfs	66.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 6	Twp 11S Rge 16E	TWIN FALLS County
GROUND WATER	SENE	Sec 6	Twp 11S Rge 16E	TWIN FALLS County
GROUND WATER	L2 (NWNE)	Sec 6	Twp 11S Rge 16E	TWIN FALLS County

PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	16E	6	X	X	X	X													0.0
			L 1	L 2															

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	16E	6	X	X	X	X													0.0
			L 1	L 2															

CONDITIONS OF APPROVAL

1. Prior to diversion of water under Transfer 79380, a totalizing measuring device of a type approved by the Department shall be installed and maintained on each of the wells authorized under water right 47-17622. The volume of water diverted from each well shall be measured and recorded monthly and reported annually to the Department. The static water levels of the wells shall be measured and recorded twice each year in April and October and reported annually to the Department.

Transfer No. 79380

WATER RIGHT NO. 47-17622
As Modified by Transfer No. 79380

CONDITIONS OF APPROVAL

2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare, and all applicable dairy operation standards of the Idaho Department of Agriculture. The dairy operation authorized under this approval shall comply with applicable city and county zoning and land use ordinances.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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. 47-7287

As Modified by Transfer No. 79380

In accordance with the approval of Transfer No. 79380, Water Right No. 47-7287 is now described as follows:

Right Holder: THOMAS LENO
4236 N 1900 E
BUHL, ID 83316

Priority Date: 11/4/1974

Source: MULE CREEK

Tributary: SHOSHONE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION FROM STORAGE	03/15	to 11/15		24.8 af
IRRIGATION STORAGE	01/01	to 12/31		24.8 af
				24.8 af

LOCATION OF POINT(S) OF DIVERSION

MULE CREEK SESWSW Sec 17 Twp 16S Rge 16E TWIN FALLS County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	16E	20											29.6	12.0					41.6
16S	16E	29					9.3												9.3

POU Total Acres: 50.9

CONDITIONS OF APPROVAL

1. 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.
2. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

Transfer No. 79380

WATER RIGHT NO. 47-14285**As Modified by Transfer No. 79380**

In accordance with the approval of Transfer No. 79380, Water Right No. 47-14285 is now described as follows:

Right Holder: THOMAS LENO
4236 N 1900 E
BUHL, ID 83316

Priority Date: 12/31/1969

Source: MULE CREEK

Tributary: SHOSHONE CREEK

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

2.450 cfs

2.450 cfs

LOCATION OF POINT(S) OF DIVERSION

MULE CREEK	SESWSW	Sec 17 Twp 16S Rge 16E	TWIN FALLS County
MULE CREEK	SESWSW	Sec 17 Twp 16S Rge 16E	TWIN FALLS County (I)
MULE CREEK	NESWNW	Sec 20 Twp 16S Rge 16E	TWIN FALLS County (R)

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	
16S	16E	20											29.6	6.0					35.6
16S	16E	29					7.0		20.0	14.0	12.0	34.0							87.0

POU Total Acres: 122.6

CONDITIONS OF APPROVAL

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre for irrigation of the place of use.
4. 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.

Transfer No. 79380