

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80039

This is to certify that: **BOOTJACK LIMITED PARTNERSHIP**
PO BOX 856
SHOSHONE, ID 83352

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>
37-10146	WR/DECREED	1/1/1950	0.040 cfs	N/A	N/A	N/A	GROUND WATER
37-20396	WR/DECREED	3/16/1982	0.080 cfs	25.8 af	N/A	N/A	GROUND WATER
37-8361	WR/LICENSE	6/16/1988	0.030 cfs	0.5 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

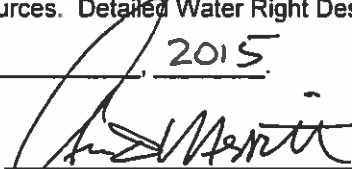
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-10146	NO	NO	YES	YES	NO	NO
37-20396	NO	NO	YES	YES	NO	NO
37-8361	NO	NO	YES	YES	NO	NO

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>
37-10146	37-10146	0.040 cfs	14.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37-20396	37-20396	0.080 cfs	25.8 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
37-8361	37-8361	0.030 cfs	0.5 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.150 cfs	40.9 af	0.0	0.0		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 5th day of November, 2015.


Southern Region Manager

SUPPORT DATA

IN FILE # 37-8361

Transfer No. 80039

WATER RIGHT NO. 37-8361**As Modified by Transfer No. 80039**

In accordance with the approval of Transfer No. 80039, Water Right No. 37-8361 is now described as follows:

Right Holder: BOOTJACK LIMITED PARTNERSHIP
PO BOX 856
SHOSHONE, ID 83352

Priority Date: 6/16/1988

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL

From

1/01

to

To

12/31

Diversion Rate

0.030 cfs

0.030 cfs

Diversion Volume

0.5 af

0.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NENENE

Sec 11 Twp 05S Rge 17E LINCOLN County

GROUND WATER

NENENE

Sec 11 Twp 05S Rge 17E LINCOLN County

GROUND WATER

SESWSE

Sec 2 Twp 05S Rge 17E LINCOLN 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	
05S	17E	2																X	
05S	17E	11	X																0

CONDITIONS OF APPROVAL

1. This right is for the use of trust water, and it is subject to review 20 years after its initial permit approval date of July 10, 1992, to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
2. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right or shall provide mitigation sufficient to offset the injury caused to the minimum stream flow water rights by the use of water pursuant to this right.
3. Rights 37-8361, 37-10146, and 37-20396 when combined shall not exceed a total diversion rate of 0.15 cfs and a total annual maximum diversion volume of 40.9 af.
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. 130.

Transfer No. 80039

WATER RIGHT NO. 37-8361

As Modified by Transfer No. 80039

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80039, 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. This right does not grant any right-of-way or easement across the land of another.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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.

WATER RIGHT NO. 37-10146**As Modified by Transfer No. 80039**

In accordance with the approval of Transfer No. 80039, Water Right No. 37-10146 is now described as follows:

Right Holder: BOOTJACK LIMITED PARTNERSHIP
PO BOX 856
SHOSHONE, ID 83352

Priority Date: 1/1/1950

Source: GROUND WATER

BENEFICIAL USE

DOMESTIC
STOCKWATER

From

1/01
1/01

To

to 12/31
to 12/31

Diversion Rate

0.040 cfs
0.040 cfs
0.040 cfs

Diversion Volume

14.6 af
14.6 af
14.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 11 Twp 05S Rge 17E LINCOLN County
GROUND WATER NENENE Sec 11 Twp 05S Rge 17E LINCOLN County
GROUND WATER SESWSE Sec 2 Twp 05S Rge 17E LINCOLN County

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	17E	11	X																

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	17E	2																X	
05S	17E	11	X																

CONDITIONS OF APPROVAL

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. Rights 37-8361, 37-10146, and 37-20396 when combined shall not exceed a total diversion rate of 0.15 cfs and a total annual maximum diversion volume of 40.9 af.
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. 130.

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WATER RIGHT NO. 37-10146

As Modified by Transfer No. 80039

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under Transfer approval 80039, 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.
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.
6. This right does not grant any right-of-way or easement across the land of another.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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. 37-20396**As Modified by Transfer No. 80039**

In accordance with the approval of Transfer No. 80039, Water Right No. 37-20396 is now described as follows:

Right Holder: BOOTJACK LIMITED PARTNERSHIP
PO BOX 856
SHOSHONE, ID 83352

Priority Date: 3/16/1982

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL
STOCKWATER

From

01/01
01/01

to
to

To

12/31
12/31

Diversion Rate

0.080 cfs
0.080 cfs
0.080 cfs

Diversion Volume

25.8 af
25.8 af
25.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 11 Twp 05S Rge 17E LINCOLN County
GROUND WATER NENENE Sec 11 Twp 05S Rge 17E LINCOLN County
GROUND WATER SESWSE Sec 2 Twp 05S Rge 17E LINCOLN County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	17E	2																x	
05S	17E	11	x																

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	17E	2																x	
05S	17E	11	x																

CONDITIONS OF APPROVAL

1. Rights 37-8361, 37-10146, and 37-20396 when combined shall not exceed a total diversion rate of 0.15 cfs and a total annual maximum diversion volume of 40.9 af.
2. 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. 130.

Transfer No. 80039

WATER RIGHT NO. 37-20396

As Modified by Transfer No. 80039

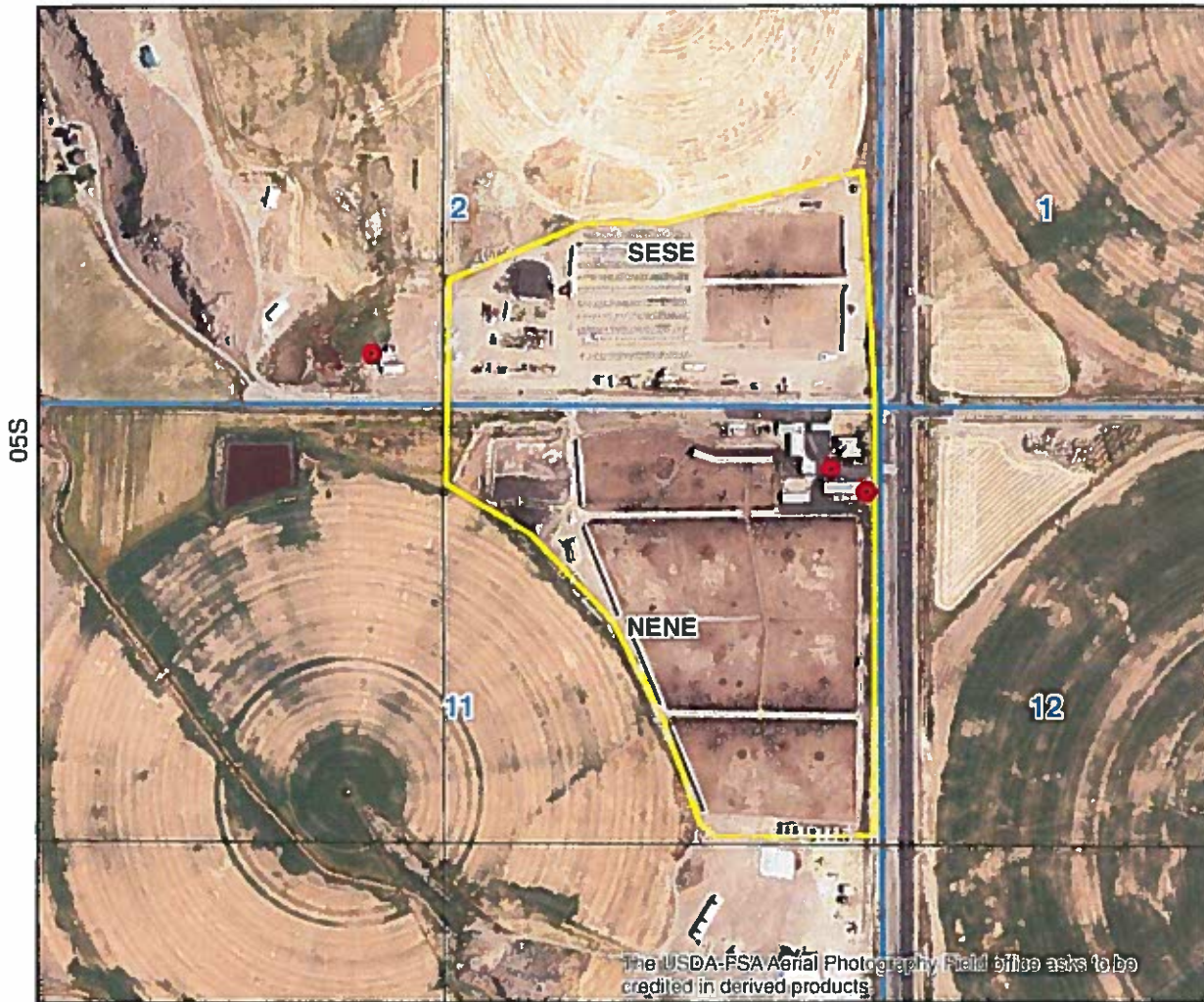
CONDITIONS OF APPROVAL

3. Prior to the diversion and use of water under Transfer approval 80039, 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.
4. 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.
5. This right does not grant any right-of-way or easement across the land of another.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

State of Idaho
Department of Water Resources
Attachment to Transfer No. 80039
Rights: 37-10146 & 37-20396

This map depicts the STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

17E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

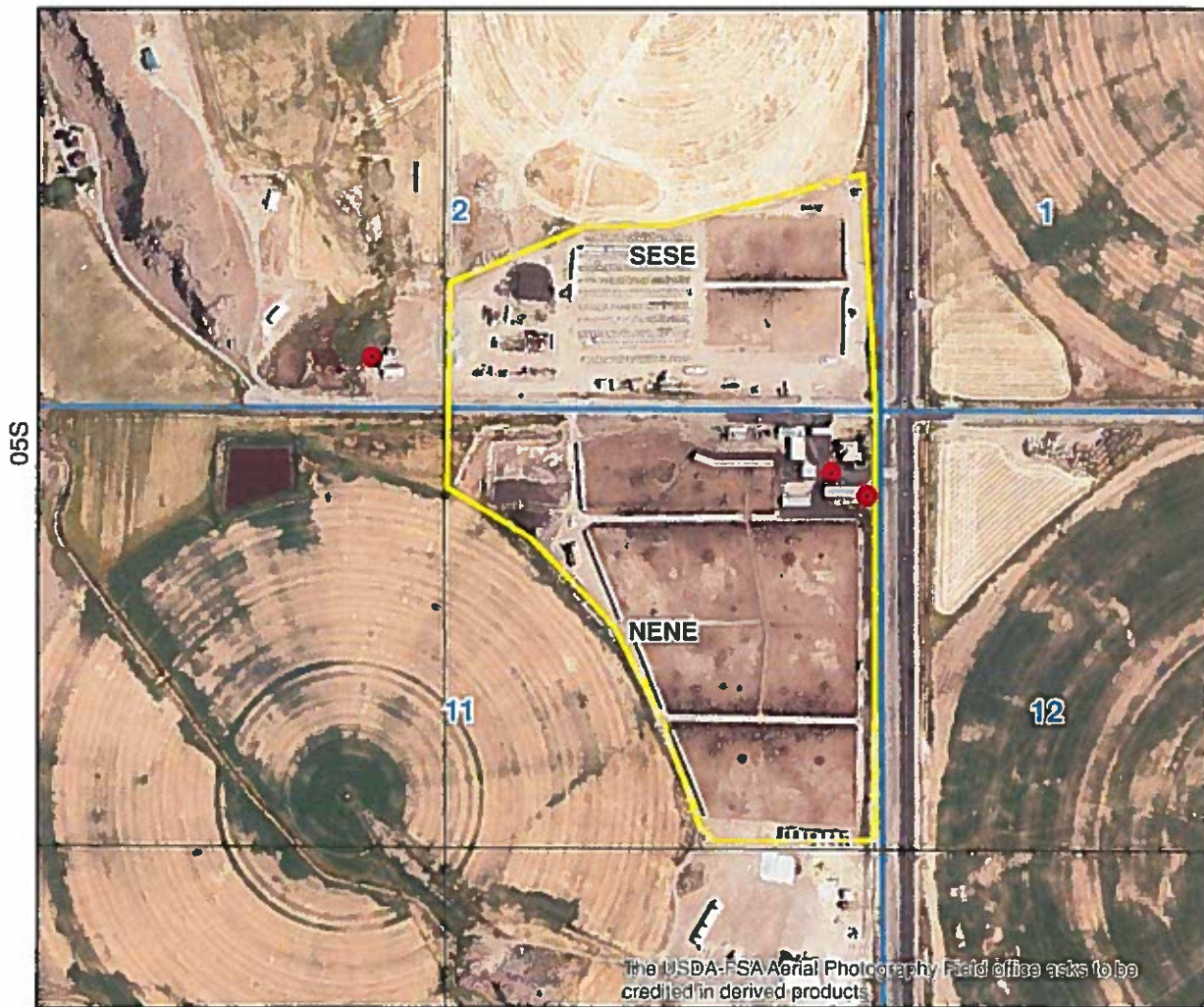
0 0.05 0.1 0.2 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer No. 80039
Rights: 37-8361 & 37-20396

This map depicts the COMMERCIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

17E



0 0.05 0.1 0.2 Miles

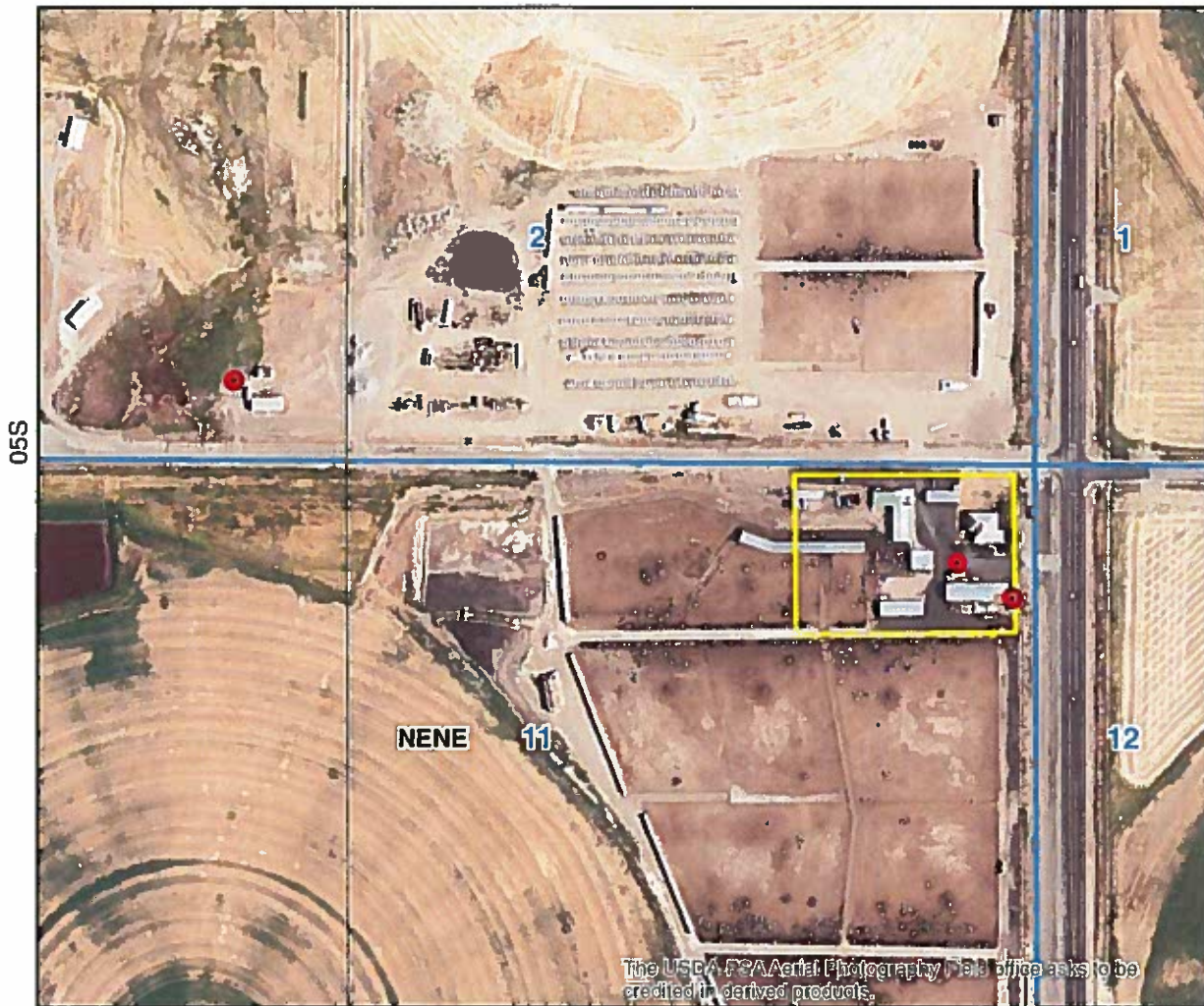
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections



State of Idaho
Department of Water Resources
Attachment to Transfer No. 80039
Right: 37-10146

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

17E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.0425 0.085 0.17 Miles

