

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80316**

This is to certify that: **OAK VALLEY LAND CO LLC**
468 S 800 W
BURLEY, ID 83318

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>
45-13941	WR/DECREED	5/21/1962	1.010 cfs	236.1 af	N/A	N/A	GROUND WATER
45-13943	WR/DECREED	9/11/1967	0.920 cfs	222.5 af	N/A	N/A	GROUND WATER
45-13945	WR/DECREED	11/24/1981	1.240 cfs	156.2 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

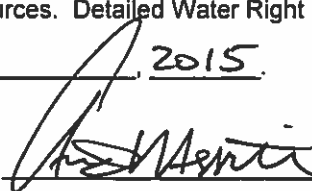
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-13941	NO	NO	YES	NO	NO	NO
45-13943	NO	NO	YES	NO	NO	NO
45-13945	NO	NO	YES	NO	NO	NO

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>
45-13941	45-13941	1.010 cfs	236.1 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-13943	45-13943	0.920 cfs	222.5 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-13945	45-13945	1.240 cfs	156.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.970 cfs	395.6 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 27th day of October, 2015.


Southern Region Manager

SUPPORT DATA

Transfer No. 80316

IN FILE # 45-13941

WATER RIGHT NO. 45-13941**As Modified by Transfer No. 80316**

In accordance with the approval of Transfer No. 80316, Water Right No. 45-13941 is now described as follows:

Right Holder: OAK VALLEY LAND CO LLC
468 S 800 W
BURLEY, ID 83318

Priority Date: 5/21/1962

Source: GROUND WATER

BENEFICIAL USE

	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	1.010 cfs	236.1 af
STOCKWATER	01/01	to 12/31	1.010 cfs	236.1 af
			1.010 cfs	236.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSWNE	Sec 13 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNW	Sec 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	L3 (SWNWSW)	Sec 19 Twp 11S Rge 22E	CASSIA 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	
11S	21E	24		X	X		X	X	X	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	
11S	21E	24		X	X		X	X	X	X									

CONDITIONS OF APPROVAL

1. Rights 45-13941 and 45-13943 when combined shall not exceed a total diversion rate of 1.93 cfs or a total annual maximum diversion volume of 248.9 af.
2. Rights 45-13941, 45-13943 and 45-13945 when combined shall not exceed a total diversion rate of 1.97 cfs or a total annual maximum diversion volume of 395.6 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. 140.

Transfer No. 80316

WATER RIGHT NO. 45-13941

As Modified by Transfer No. 80316

CONDITIONS OF APPROVAL

4. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Pursuant to Transfer approval 72004, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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. This right does not grant any right-of-way or easement across the land of another.
9. Commercial use is for a dairy.
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. 45-13943**As Modified by Transfer No. 80316**

In accordance with the approval of Transfer No. 80316, Water Right No. 45-13943 is now described as follows:

Right Holder: OAK VALLEY LAND CO LLC
468 S 800 W
BURLEY, ID 83318

Priority Date: 9/11/1967

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL
STOCKWATER

From

01/01
01/01

To

to 12/31
to 12/31

Diversion Rate

0.920 cfs
0.920 cfs
0.920 cfs

Diversion Volume

222.5 af
222.5 af
222.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSWNE	Sec 13 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNW	Sec 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	L3 (SWNWSW)	Sec 19 Twp 11S Rge 22E	CASSIA 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	21E	24		X	X		X	X	X	X									

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	21E	24		X	X		X	X	X	X									

CONDITIONS OF APPROVAL

1. Rights 45-13941 and 45-13943 when combined shall not exceed a total diversion rate of 1.93 cfs or a total annual maximum diversion volume of 248.9 af.
2. Rights 45-13941, 45-13943 and 45-13945 when combined shall not exceed a total diversion rate of 1.97 cfs or a total annual maximum diversion volume of 395.6 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. 140.

Transfer No. 80316

WATER RIGHT NO. 45-13943

As Modified by Transfer No. 80316

CONDITIONS OF APPROVAL

4. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Pursuant to Transfer approval 72004, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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. This right does not grant any right-of-way or easement across the land of another.
9. Commercial use is for a dairy.
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. 45-13945**As Modified by Transfer No. 80316**

In accordance with the approval of Transfer No. 80316, Water Right No. 45-13945 is now described as follows:

Right Holder: OAK VALLEY LAND CO LLC
468 S 800 W
BURLEY, ID 83318

Priority Date: 11/24/1981

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL
STOCKWATER

From

01/01
01/01

to

To

12/31
to 12/31

Diversion Rate

1.240 cfs
1.240 cfs
1.240 cfs

Diversion Volume

156.2 af
156.2 af
156.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSWNE	Sec 13 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNE	Sec 23 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NWNWNW	Sec 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	L3 (SWNWSW)	Sec 19 Twp 11S Rge 22E	CASSIA 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	21E	24		X	X		X	X	X	X									

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	21E	24		X	X		X	X	X	X									

CONDITIONS OF APPROVAL

1. Rights 45-13941, 45-13943 and 45-13945 when combined shall not exceed a total diversion rate of 1.97 cfs or a total annual maximum diversion volume of 395.6 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. 140.
3. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 80316

WATER RIGHT NO. 45-13945

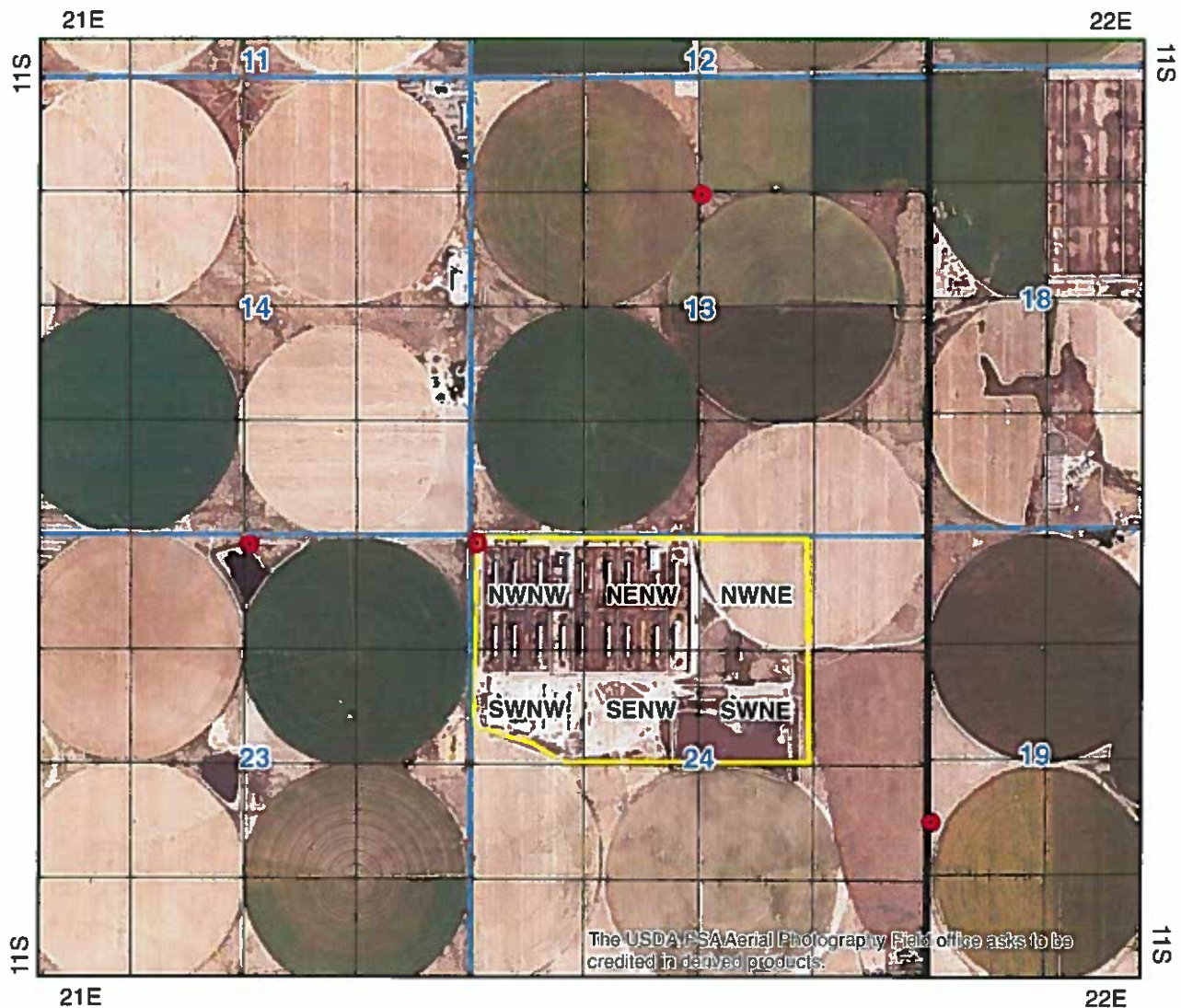
As Modified by Transfer No. 80316

CONDITIONS OF APPROVAL

4. Pursuant to Transfer approval 72004, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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. This right does not grant any right-of-way or easement across the land of another.
8. Commercial use is for a dairy.
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.

State of Idaho
Department of Water Resources
Attachment to Transfer No. 80316
Rights: 45-13941, 45-13943 & 45-13945

This map depicts the COMMERCIAL & 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.



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

0 0.25 0.5 1 Miles

