

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79982

This is to certify that: BALL FARMS LTD PARTNERSHIP
2612 E 2300 N
HAMER, ID 83425
AND
CIRCLE B FARMS LTD PARTNERSHIP
2583 E 2100 N
HAMER, ID 83425

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
31-7040A	WR/DECREED	6/5/1985	5.900 cfs	1032.5 af	N/A	295.0	GROUND WATER
31-7100B	WR/DECREED	1/16/1974	2.540 cfs	462.0 af	N/A	132.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
31-7040A	YES	YES	YES	NO	NO	NO
31-7100B	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
31-7040A	31-12367	0.160 cfs	28.0 af	8.0	140.0	31-7040A	5.740 cfs	1004.5 af	N/A	287.0
31-7100B	31-7100B	2.540 cfs	462.0 af	132.0	140.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.700 cfs	490.0 af	140.0	140.0		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 1st day of June, 2015.


for _____
Chief, Water Allocation Bureau

Transfer No. 79982

SUPPORT DATA

IN FILE # 31-7040A

WATER RIGHT NO. 31-7040A
As Modified by Transfer No. 79982

In accordance with the approval of Transfer No. 79982, Water Right No. 31-7040A is now described as follows:

Right Holder: CIRCLE B FARMS LTD PARTNERSHIP
 2583 E 2100 N
 HAMER, ID 83425

Priority Date: 6/5/1985

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	5.740 cfs	1004.5 af
			5.740 cfs	1004.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENWNW Sec 12 Twp 07N Rge 36E JEFFERSON 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	
07N	36E	12					39.0	15.5	39.5	40.0	40.0	39.0	35.5	38.5					287.0

POU Total Acres: 287.0

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. This water right enjoys the benefit of unqualified subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02, 02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37, 02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026.

WATER RIGHT NO. 31-12367 **As Modified by Transfer No. 79982**

In accordance with the approval of Transfer No. 79982, Water Right No. 31-12367 is now described as follows:

Right Holder: CIRCLE B FARMS LTD PARTNERSHIP
 2583 E 2100 N
 HAMER, ID 83425

Priority Date: 6/5/1985

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	0.160 cfs	28.0 af
			0.160 cfs	28.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESWSE Sec 20 Twp 08N Rge 36E JEFFERSON 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	
08N	36E	20																2.5	2.5
08N	36E	28						28.0	26.0										54.0
08N	36E	29	38.5	5.0	4.0	36.0													83.5

Right Acre Limit: 8.0
 POU Total Acres: 140.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 8 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12367 and 31-7100B when combined shall not exceed the irrigation of 140 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. 110.
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.

WATER RIGHT NO. 31-12367
As Modified by Transfer No. 79982

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79982, 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 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.
8. This water right enjoys the benefit of unqualified subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02, 02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37, 02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026.
9. Place of use in T8N, R36E, S28, SWNW does not include federal public lands.
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. 31-7100B**As Modified by Transfer No. 79982**

In accordance with the approval of Transfer No. 79982, Water Right No. 31-7100B is now described as follows:

Right Holder: CIRCLE B FARMS LTD PARTNERSHIP
2583 E 2100 N
HAMER, ID 83425
AND
BALL FARMS LTD PARTNERSHIP
2612 E 2300 N
HAMER, ID 83425

Priority Date: 1/16/1974

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/15

Diversion Rate
2.540 cfs
2.540 cfs

Diversion Volume
462.0 af
462.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESWSE Sec 20 Twp 08N Rge 36E JEFFERSON 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	
08N	36E	20																	2.5
08N	36E	28						28.0	26.0										54.0
08N	36E	29	38.5	5	4	36													83.5

Right Acre Limit: 132.0

POU Total Acres: 140.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 132 acres within the authorized place of use in a single irrigation season.
2. Rights 31-12367 and 31-7100B when combined shall not exceed the irrigation of 140 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. 110.
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.

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WATER RIGHT NO. 31-7100B
As Modified by Transfer No. 79982

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79982, 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 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.
8. Place of use in T8N, R36E, S28, SWNW does not include federal public lands.
9. The period of use for the irrigation described under this right may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/18/2002.
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.