

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78846**

This is to certify that: **CROSS E LAND LLC**
358 S 2750 E
DECLO, ID 83323

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>
43-10597A	WR/DECREED	6/30/1985	2.960 cfs	N/A	188.5	1706.5	GROUND WATER
43-2574D	WR/DECREED	7/19/1963	16.260 cfs	6072.0 af	1518.0	1706.5	GROUND WATER
43-2576D	WR/DECREED	3/24/1964	10.560 cfs	6072.0 af	1518.0	1706.5	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>
43-10597A	NO	NO	NO	YES	NO	NO
43-2574D	NO	NO	NO	YES	NO	NO
43-2576D	NO	NO	NO	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>
43-10597A	43-10597A	2.960 cfs	N/A	188.5	1706.5	N/A	N/A	N/A	N/A	N/A
43-2574D	43-2574D	16.260 cfs	6072.0 af	1518.0	1706.5	N/A	N/A	N/A	N/A	N/A
43-2576D	43-2576D	10.560 cfs	6072.0 af	1518.0	1706.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		26.820 cfs	6072.0 af	1706.5	1706.5		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 May, 2015.


Southern Region Manager

SUPPORT DATA

IN FILE # 43-2574D

Transfer No. 78846

WATER RIGHT NO. 43-2574D**As Modified by Transfer No. 78846**

In accordance with the approval of Transfer No. 78846, Water Right No. 43-2574D is now described as follows:

Right Holder: CROSS E LAND LLC
358 S 2750 E
DECLO, ID 83323

Priority Date: 7/20/1963

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	16.260 cfs	6072.0 af
STOCKWATER	01/01	to 12/31	2.000 cfs	
			16.260 cfs	6072.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESE	Sec 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NESE	Sec 14 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NENE	Sec 23 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESE	Sec 23 Twp 11S Rge 27E	CASSIA 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	
11S	27E	11	37.0	35.0	40.0	34.0	20.0			35.0	38.0	35.0	40.0	40.0	30.0	40.0	40.0	39.0	503.0
11S	27E	14	39.0	40.0	40.0	40.0	40.0	40.0	31.0	40.0	40.0	15.0	2.5	38.0	39.0	40.0	40.0	39.0	563.5
11S	27E	23	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0

Right Acre Limit: 1518.0

POU Total Acres: 1706.5

CONDITIONS OF APPROVAL

1. Rights 43-2574D and 43-2576D when combined shall not exceed the irrigation of 1518 acres.
2. Rights 43-2574D, 43-2576D, and 43-10597A when combined shall not exceed a total diversion rate of 26.82 cfs, a total annual maximum diversion volume of 6072 af at the field headgate, and the irrigation of 1706.5 acres.
3. The point of diversion located in the NESE, S14, T11S, R27E, is limited to a maximum diversion rate of 6.00 cfs.
4. Right No. 43-10597A is an expansion of this right pursuant to Section 42-1416B, Idaho Code.

Transfer No. 78846

WATER RIGHT NO. 43-2574D
As Modified by Transfer No. 78846

CONDITIONS OF APPROVAL

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
8. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
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. 43-2576D**As Modified by Transfer No. 78846**

In accordance with the approval of Transfer No. 78846, Water Right No. 43-2576D is now described as follows:

Right Holder: CROSS E LAND LLC
358 S 2750 E
DECLO, ID 83323

Priority Date: 3/24/1964

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 11/01

Diversion Rate
10.563 cfs
10.560 cfs

Diversion Volume
6072.0 af
6072.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESE	Sec 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NESE	Sec 14 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NENE	Sec 23 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESE	Sec 23 Twp 11S Rge 27E	CASSIA 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	
11S	27E	11	37.0	35.0	40.0	34.0	20.0			35.0	38.0	35.0	40.0	40.0	30.0	40.0	40.0	39.0	503.0
11S	27E	14	39.0	40.0	40.0	40.0	40.0	40.0	31.0	40.0	40.0	15.0	2.5	38.0	39.0	40.0	40.0	39.0	563.5
11S	27E	23	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0

Right Acre Limit: 1518.0

POU Total Acres: 1706.5

CONDITIONS OF APPROVAL

1. Rights 43-2574D and 43-2576D when combined shall not exceed the irrigation of 1518 acres.
2. Rights 43-2574D, 43-2576D, and 43-10597A when combined shall not exceed a total diversion rate of 26.82 cfs, a total annual maximum diversion volume of 6072 af at the field headgate, and the irrigation of 1706.5 acres.
3. The point of diversion located in the NESE, S14, T11S, R27E, is limited to a maximum diversion rate of 6.00 cfs.
4. Right No. 43-10597A is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Transfer No. 78846

WATER RIGHT NO. 43-2576D
As Modified by Transfer No. 78846

CONDITIONS OF APPROVAL

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. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
8. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
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. 43-10597A
As Modified by Transfer No. 78846

In accordance with the approval of Transfer No. 78846, Water Right No. 43-10597A is now described as follows:

Right Holder: CROSS E LAND LLC
 358 S 2750 E
 DECLO, ID 83323

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
 2.960 cfs
 2.960 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESE	Sec 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NESE	Sec 14 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NENE	Sec 23 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESE	Sec 23 Twp 11S Rge 27E	CASSIA 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	
11S	27E	11	37.0	35.0	40.0	34.0	20.0			35.0	38.0	35.0	40.0	40.0	30.0	40.0	40.0	39.0	503.0
11S	27E	14	39.0	40.0	40.0	40.0	40.0	40.0	31.0	40.0	40.0	15.0	2.5	38.0	39.0	40.0	40.0	39.0	563.5
11S	27E	23	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0

Right Acre Limit: 188.5

POU Total Acres: 1706.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 188.5 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2574D, 43-2576D, and 43-10597A when combined shall not exceed a total diversion rate of 26.82 cfs, a total annual maximum diversion volume of 6072 af at the field headgate, and the irrigation of 1706.5 acres.
3. The point of diversion located in the NESE, S14, T11S, R27E, is limited to a maximum diversion rate of 6.00 cfs.
4. This right is an expansion of Right Nos. 43-2574D and 43-2576D pursuant to Section 42-1416B, Idaho Code.

Transfer No. 78846

WATER RIGHT NO. 43-10597A
As Modified by Transfer No. 78846

CONDITIONS OF APPROVAL

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
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. 78846

Rights: 43-2574D, 43-2576D and 43-10597A

This map depicts the IRRIGATION 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.



The USDA-RSA Aerial Photography Field office asks to be credited in derived products.

27E

28E

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

0 0.5 1 2 Miles

