

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79699**

This is to certify that: IDAHO WATER CO LLC
C/O DEL KOHTZ
1135 VALLEY RD S
EDEN, ID 83325

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>
36-2117	WR/DECREED	4/14/1951	2.130 cfs	640.0 af	160.0	511.0	GROUND WATER
36-2594	WR/DECREED	10/29/1964	1.070 cfs	N/A	160.0	511.0	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>
36-7639	WR/DECREED	8/24/1976	1.450 cfs	336.0 af	84.0	499.1	GROUND WATER
36-2153B	WR/DECREED	11/27/1951	2.750 cfs	620.0 af	155.0	499.1	GROUND WATER
36-8147	WR/LICENSE	3/1/1983	1.600 cfs	320.0 af	80.0	499.1	GROUND WATER
36-8289	WR/LICENSE	6/26/1985	0.040 cfs	8.0 af	2.0	499.1	GROUND WATER
36-16947	WR/DECREED	8/24/1976	0.520 cfs	120.0 af	30.0	499.1	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>
36-2117	YES	YES	YES	NO	YES	YES
36-2594	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>
36-2117	36-17039	0.160 cfs	37.0 af	N/A	N/A	36-2117	1.970 cfs	592.4 af	148.1	499.1
36-2594	36-17038	0.080 cfs	37.0 af	N/A	N/A	36-2594	0.990 cfs	N/A	148.1	499.1
COMBINED TOTALS		0.240 cfs	37.0 af	N/A	N/A		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 79699

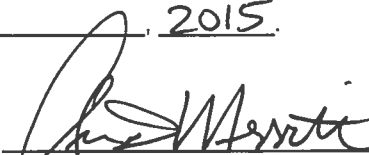
IN FILE # 36-2117

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79699

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 March, 2015.



Southern Region Manager



WATER RIGHT NO. 36-2594**As Modified by Transfer No. 79699**

In accordance with the approval of Transfer No. 79699, Water Right No. 36-2594 is now described as follows:

Right Holder: MYRON A HUETTIG AND
ELLEN M HUETTIG
1369 S 2000 E
HAZELTON, ID 83335

Priority Date: 10/29/1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.990 cfs 0.990 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENWSW	Sec 28 Twp 10S Rge 20E JEROME County
GROUND WATER	NESESE	Sec 29 Twp 10S Rge 20E JEROME County
GROUND WATER	NWNWSW	Sec 29 Twp 10S Rge 20E JEROME County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	20E	28						40.0	40.0			28.1							108.1
10S	20E	29							38.0	40.0	40.0	36.0	39.0	39.0	40.0	40.0	39.0	40.0	391.0

Right Acre Limit: 148.1

POU Total Acres: 499.1

CONDITIONS OF APPROVAL

1. Rights 36-2594 and 36-2117 when combined shall not exceed a total annual maximum diversion volume of 592.4 af at the field headgate, and the irrigation of 148.1 acres.
2. Pursuant to Transfer approval 70383, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
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.

WATER RIGHT NO. 36-2594

As Modified by Transfer No. 79699

CONDITIONS OF APPROVAL

4. Pursuant to Transfer approval 70383, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 36-7639, 36-16947, 36-2153B, 36-2594, 36-2117, 36-8147, and 36-8289 shall not exceed 9.28 cfs, nor total combined annual volume of 1996.4 af.
6. Rights 36-2153 B, 36-2594, 36-2117, 36-8147, and 36-8289 when combined shall not exceed a total diversion rate of 7.31 cfs.
7. 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 lands above.
8. 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. 36-17038**As Modified by Transfer No. 79699**

In accordance with the approval of Transfer No. 79699, Water Right No. 36-17038 is now described as follows:

Right Holder: ELLEN M HUETTIG AND
MYRON A HUETTIG
1369 S 2000 E
HAZELTON, ID 83335

Priority Date: 10/29/1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1 /1	to 12/31	0.080 cfs	37.0 af
			0.080 cfs	37.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 33 Twp 08S Rge 17E JEROME County
GROUND WATER	NESE	Sec 33 Twp 08S Rge 17E JEROME County
GROUND WATER	NESE	Sec 33 Twp 08S Rge 17E JEROME 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	
08S	17E	33													X				0.0

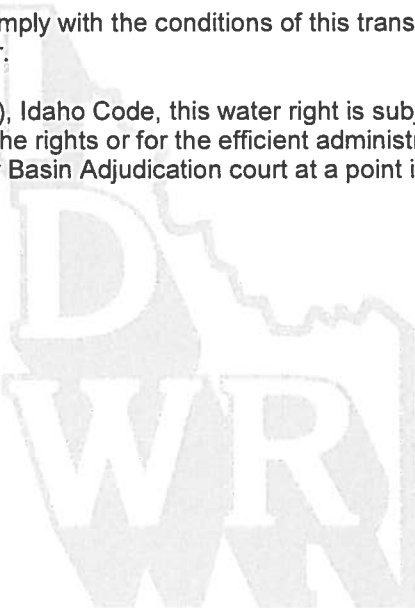
CONDITIONS OF APPROVAL

1. Rights 36-17038 and 36-17039 when combined shall not exceed a total diversion rate of 0.24 cfs and a total annual maximum diversion volume of 37.0 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.
3. Prior to the diversion and use of water under Transfer approval 79699, 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.

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WATER RIGHT NO. 36-17038
As Modified by Transfer No. 79699

CONDITIONS OF APPROVAL

5. 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).
 6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 8. 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.
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WATER RIGHT NO. 36-2117**As Modified by Transfer No. 79699**

In accordance with the approval of Transfer No. 79699, Water Right No. 36-2117 is now described as follows:

Right Holder: MYRON A HUETTIG AND
ELLEN M HUETTIG
1369 S 2000 E
HAZELTON, ID 83335

Priority Date: 4/14/1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.970 cfs	592.4 af
			1.970 cfs	592.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENWSW	Sec 28 Twp 10S Rge 20E	JEROME County
GROUND WATER	NESESE	Sec 29 Twp 10S Rge 20E	JEROME County
GROUND WATER	NWNWSW	Sec 29 Twp 10S Rge 20E	JEROME 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	
10S	20E	28						40.0	40.0			28.1							108.1
10S	20E	29							38.0	40.0	40.0	36.0	39.0	39.0	40.0	40.0	39.0	40.0	391.0

Right Acre Limit: 148.1

POU Total Acres: 499.1

CONDITIONS OF APPROVAL

1. Rights 36-2594 and 36-2117 when combined shall not exceed a total annual maximum diversion volume of 592.4 af at the field headgate, and the irrigation of 148.1 acres.
2. Pursuant to Transfer approval 70383, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
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.

WATER RIGHT NO. 36-2117

As Modified by Transfer No. 79699

CONDITIONS OF APPROVAL

4. Pursuant to Transfer approval 70383, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 36-7639, 36-16947, 36-2153B, 36-2594, 36-2117, 36-8147, and 36-8289 shall not exceed 9.28 cfs, nor total combined annual volume of 1996.4 af.
6. Rights 36-2153 B, 36-2594, 36-2117, 36-8147, and 36-8289 when combined shall not exceed a total diversion rate of 7.31 cfs.
7. 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 lands above.
8. 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. 36-17039
As Modified by Transfer No. 79699

In accordance with the approval of Transfer No. 79699, Water Right No. 36-17039 is now described as follows:

Right Holder: ELLEN M HUETTIG AND
MYRON A HUETTIG
1369 S 2000 E
HAZELTON, ID 83335

Priority Date: 4/14/1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1 /1	to 12/31	0.160 cfs	37.0 af
			0.160 cfs	37.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 33 Twp 08S Rge 17E JEROME County
GROUND WATER	NESE	Sec 33 Twp 08S Rge 17E JEROME County
GROUND WATER	NESE	Sec 33 Twp 08S Rge 17E JEROME 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	
08S	17E	33													X				0.0

CONDITIONS OF APPROVAL

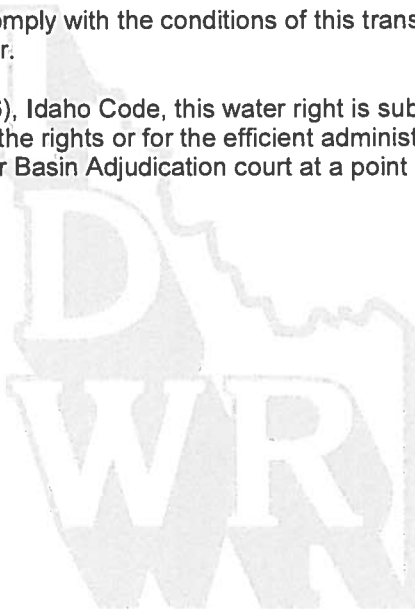
1. Rights 36-17038 and 36-17039 when combined shall not exceed a total diversion rate of 0.24 cfs and a total annual maximum diversion volume of 37.0 af.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. Prior to the diversion and use of water under Transfer approval 79699, 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.

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WATER RIGHT NO. 36-17039
As Modified by Transfer No. 79699

CONDITIONS OF APPROVAL

5. 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).
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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. 36-7639**As Modified by Transfer No. 79699**

In accordance with the approval of Transfer No. 79699, Water Right No. 36-7639 is now described as follows:

Right Holder: ELLEN M HUETTIG AND/OR
MYRON A HUETTIG
1369 S 2000 E
HAZELTON, ID 83335

Priority Date: 8/24/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.450 cfs	336.0 af
			1.450 cfs	336.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENWSW	Sec 28 Twp 10S Rge 20E	JEROME County
GROUND WATER	NESESE	Sec 29 Twp 10S Rge 20E	JEROME County
GROUND WATER	NWNWSW	Sec 29 Twp 10S Rge 20E	JEROME 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	
10S	20E	28						40.0	40.0			28.1							108.1
10S	20E	29							38.0	40.0	40.0	36.0	39.0	39.0	40.0	40.0	39.0	40.0	391.0

Right Acre Limit: 84.0

POU Total Acres: 499.1

CONDITIONS OF APPROVAL

1. Use of this right is combined with water from North Side Canal Co. Ltd.
2. This right is limited to the irrigation of 84 acres within the place of use described above in a single irrigation season.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-7639, 36-16947, 36-2153B, 36-2594, 36-2117, 36-8147, and 36-8289 shall not exceed 9.28 cfs, nor total combined annual volume of 1996.4 af.
4. 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 lands above.

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WATER RIGHT NO. 36-7639

As Modified by Transfer No. 79699

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. 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.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. Pursuant to Transfer approval 70383, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
9. Pursuant to Transfer approval 70383, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
10. The right holder shall cease irrigation of .74 acre previously authorized under this right, and consolidate use of water on the remaining 84 acres.
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. 36-2153B**As Modified by Transfer No. 79699**

In accordance with the approval of Transfer No. 79699, Water Right No. 36-2153B is now described as follows:

Right Holder: STAR FALLS FARMS LLC
1369 S 2000 E
HAZELTON, ID 83335

Priority Date: 11/27/1951

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	2.750 cfs	620.0 af
			2.750 cfs	620.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENWSW	Sec 28 Twp 10S Rge 20E	JEROME County
GROUND WATER	NESESE	Sec 29 Twp 10S Rge 20E	JEROME County
GROUND WATER	NWNWSW	Sec 29 Twp 10S Rge 20E	JEROME County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	20E	28						40.0	40.0			28.1							108.1
10S	20E	29							38.0	40.0	40.0	36.0	39.0	39.0	40.0	40.0	39.0	40.0	391.0

Right Acre Limit: 155.0

POU Total Acres: 499.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 155 acres within the place of use described above in a single irrigation season.
2. Rights 36-2153 B, 36-2594, 36-2117, 36-8147, and 36-8289 when combined shall not exceed a total diversion rate of 7.31 cfs.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-7639, 36-16947, 36-2153B, 36-2594, 36-2117, 36-8147, and 36-8289 shall not exceed 9.28 cfs, nor total combined annual volume of 1996.4 af.
4. 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 lands above.

WATER RIGHT NO. 36-2153B

As Modified by Transfer No. 79699

CONDITIONS OF APPROVAL

5. 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.
6. Pursuant to Transfer approval 70383, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
7. Pursuant to Transfer approval 70383, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the originating approval/SRBA partial decree date.
9. 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. 36-8147**As Modified by Transfer No. 79699**

In accordance with the approval of Transfer No. 79699, Water Right No. 36-8147 is now described as follows:

Right Holder: MYRON A HUETTIG AND
ELLEN M HUETTIG
1369 S 2000 E
HAZELTON, ID 83335

Priority Date: 3/1/1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.600 cfs	320.0 af
			1.600 cfs	320.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENWSW	Sec 28 Twp 10S Rge 20E	JEROME County
GROUND WATER	NESESE	Sec 29 Twp 10S Rge 20E	JEROME County
GROUND WATER	NWNWSW	Sec 29 Twp 10S Rge 20E	JEROME County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	20E	28						40.0	40.0			28.1							108.1
10S	20E	29							38.0	40.0	40.0	36.0	39.0	39.0	40.0	40.0	39.0	40.0	391.0

Right Acre Limit: 80.0

POU Total Acres: 499.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
2. Rights 36-2153B, 36-2594, 36-2117, 36-8147, and 36-8289 when combined shall not exceed a total diversion rate of 7.31 cfs.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-7639, 36-16947, 36-2153B, 36-2594, 36-2117, 36-8147, and 36-8289 shall not exceed 9.28 cfs, nor total combined annual volume of 1996.4 af.
4. 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 lands above.

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WATER RIGHT NO. 36-8147
As Modified by Transfer No. 79699

CONDITIONS OF APPROVAL

5. 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.
6. Pursuant to Transfer approval 70383, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
7. Pursuant to Transfer approval 70383, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 36-8289**As Modified by Transfer No. 79699**

In accordance with the approval of Transfer No. 79699, Water Right No. 36-8289 is now described as follows:

Right Holder: STAR FALLS FARMS LLC
1369 S 2000 E
HAZELTON, ID 83335

Priority Date: 6/26/1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.040 cfs	8.0 af
			0.040 cfs	8.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENWSW	Sec 28 Twp 10S Rge 20E	JEROME County
GROUND WATER	NESESE	Sec 29 Twp 10S Rge 20E	JEROME County
GROUND WATER	NWNWSW	Sec 29 Twp 10S Rge 20E	JEROME County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	20E	28						40.0	40.0			28.1							108.1
10S	20E	29							38.0	40.0	40.0	36.0	39.0	39.0	40.0	40.0	39.0	40.0	391.0

Right Acre Limit: 2.0
POU Total Acres: 499.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2 acres within the place of use described above in a single irrigation season.
2. Rights 36-2153B, 36-2594, 36-2117, 36-8147, and 36-8289 when combined shall not exceed a total diversion rate of 7.31 cfs.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-7639, 36-16947, 36-2153B, 36-2594, 36-2117, 36-8147, and 36-8289 shall not exceed 9.28 cfs, nor total combined annual volume of 1996.4 af.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 36-8289

As Modified by Transfer No. 79699

CONDITIONS OF APPROVAL

5. 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.
6. 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.
7. Pursuant to Transfer approval 70383, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
8. Pursuant to Transfer approval 70383, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. 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. 36-16947**As Modified by Transfer No. 79699**

In accordance with the approval of Transfer No. 79699, Water Right No. 36-16947 is now described as follows:

Right Holder: STAR FALLS FARMS LLC
1369 S 2000 E
HAZELTON, ID 83335

Priority Date: 8/24/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.520 cfs	120.0 af
			0.520 cfs	120.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENWSW	Sec 28 Twp 10S Rge 20E	JEROME County
GROUND WATER	NESESE	Sec 29 Twp 10S Rge 20E	JEROME County
GROUND WATER	NWNWSW	Sec 29 Twp 10S Rge 20E	JEROME County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	20E	28						40.0	40.0			28.1							108.1
10S	20E	29							38.0	40.0	40.0	36.0	39.0	39.0	40.0	40.0	39.0	40.0	391.0

Right Acre Limit: 30.0

POU Total Acres: 499.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 30 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 36-7639, 36-16947, 36-2153B, 36-2594, 36-2117, 36-8147, and 36-8289 shall not exceed 9.28 cfs, nor total combined annual volume of 1996.4 af.
3. 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 lands above.
4. Use of this right is combined with water from North Side Canal Co. Ltd.

WATER RIGHT NO. 36-16947

As Modified by Transfer No. 79699

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. 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.
8. Pursuant to Transfer approval 70383, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
9. Pursuant to Transfer approval 70383, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
10. The right holder shall cease irrigation of .26 acre previously authorized under this right, and consolidate use of water on the remaining 30 acres.
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. 79699

Rights: 36-17038 & 36-17039

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



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

0 0.075 0.15 0.3 Miles

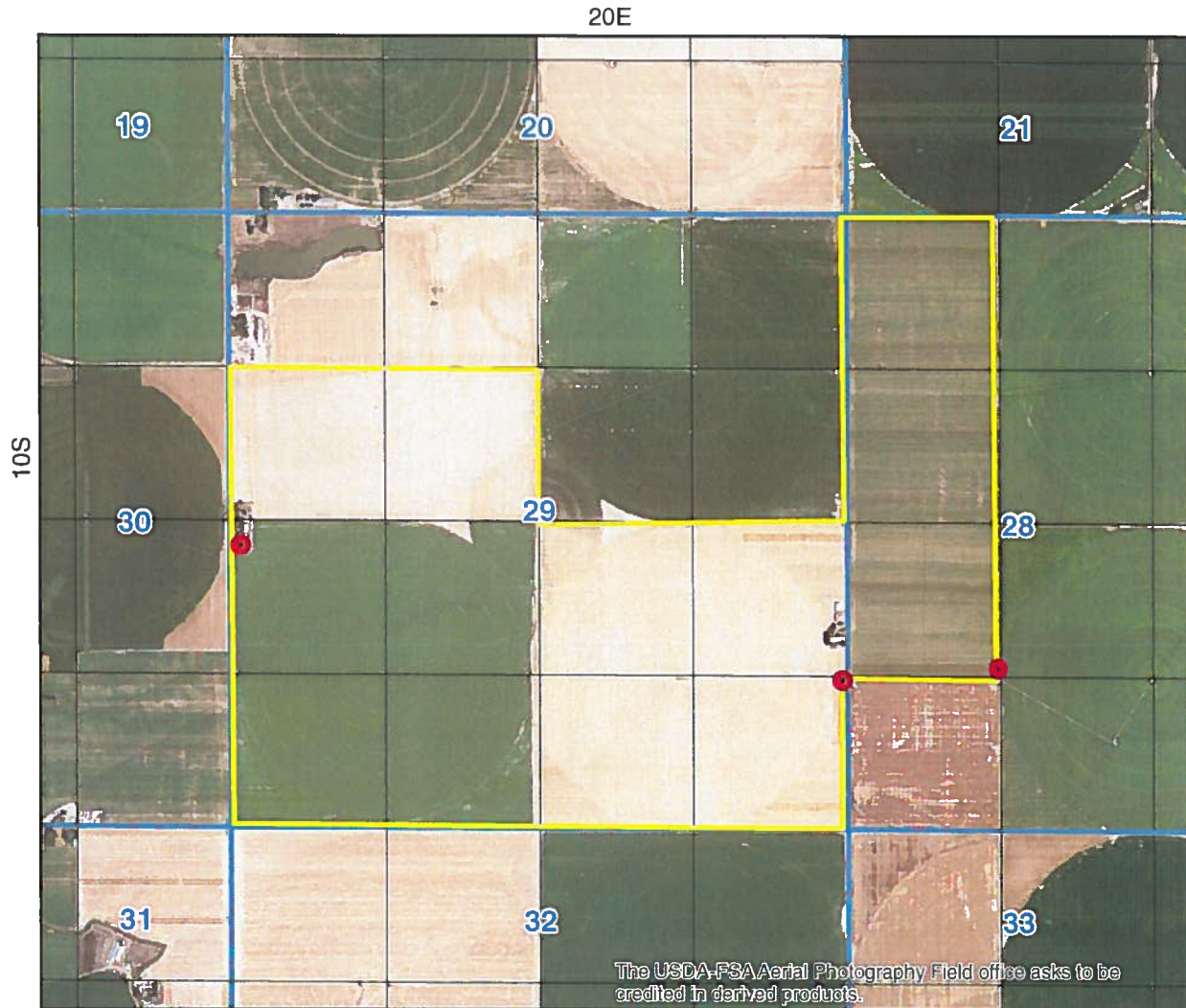


State of Idaho
Department of Water Resources

Attachment To Transfer No. 79699

Rights: 36-2117, 36-2594, 36-2153B, 36-7639, 36-8147, 36-8289 & 36-16947

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.



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

0 0.175 0.35 0.7 Miles

