

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 79451

This is to certify that: **IDAHO WATER CO LLC**  
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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 21-13121           | WR/DECREED          | 10/31/1986           | 0.080 cfs             | 19.4 af                 | 5.5               | 160.0              | GROUND WATER  |
| 21-13149           | WR/DECREED          | 1/27/1976            | 0.270 cfs             | 47.1 af                 | 13.5              | 159.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 21-13121              | YES          | YES        | YES        | YES            | NO                   | NO                   |
| 21-13149              | YES          | YES        | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|------------------------|--------------------------|------------------------------|-------------------------------|
| 21-13121               | 25-14411                         | 0.020 cfs            | 4.2 af                 | 1.2               | 4.0                | 21-13121                           | 0.050 cfs              | 13.1 af                  | 3.7                          | 159.0                         |
| 21-13149               | 25-14410                         | 0.060 cfs            | 9.8 af                 | 2.8               | 4.0                | 21-13149                           | 0.180 cfs              | 32.4 af                  | 9.3                          | 159.0                         |
| <b>COMBINED TOTALS</b> |                                  | 0.060 cfs            | 14.0 af                | 4.0               | 4.0                |                                    | 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 10<sup>th</sup> day of November, 2014.

  
for Chief, Water Allocation Bureau

\*The remaining portions for water rights 21-13121 and 21-13149 reflect the remaining totals after approval of transfers 79450 and 79451.

SUPPORT DATA

Transfer No. 79451

IN FILE # 21-13121

## WATER RIGHT NO. 21-13149

### As Modified by Transfer No. 79451

In accordance with the approval of Transfer No. 79451, Water Right No. 21-13149 is now described as follows:

**Right Holder:** IDAHO WATER CO LLC  
1135 VALLEY RD S  
EDEN, ID 83325

**Priority Date:** 1/27/1976

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From**  
04/01

**To**  
to 10/31

**Diversion Rate**  
0.180 cfs  
0.180 cfs

**Diversion Volume**  
32.4 af  
32.4 af

#### **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      SWNW                      Sec 20 Twp 09N Rge 42E    FREMONT 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 |        |
| 09N | 42E | 20  |    |    | 40.0 | 40.0 |    |    | 39.0 | 40.0 |    |    |    |    |    |    |    |    | 159.0  |

Right Acre Limit: 9.3

POU Total Acres: 159.0

#### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 9.3 acres within the authorized place of use in a single irrigation season.
2. Rights 21-13121 and 21-13149 when combined shall not exceed a total diversion rate of 0.18 cfs, a total annual maximum diversion volume of 45.5 af at the field headgate, and the irrigation of 13.0 acres.
3. Rights 21-13121 and 21-13149 are limited to the irrigation of a specific 13.0 acres within the 159.0 acre place of use authorized by this right in a single irrigation season. The specific 13.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 13.0 acres to be irrigated within the 159.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. 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.

Transfer No. 79451

**WATER RIGHT NO. 21-13149**  
**As Modified by Transfer No. 79451**

**CONDITIONS OF APPROVAL**

5. 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 lands above.
6. Any future action following transfer approval 76808, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right.
7. Right No. 21-13121 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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. 25-14410** **As Modified by Transfer No. 79451**

In accordance with the approval of Transfer No. 79451, Water Right No. 25-14410 is now described as follows:

**Right Holder:** IDAHO WATER CO LLC  
 1135 VALLEY RD S  
 EDEN, ID 83325

**Priority Date:** 1/27/1976

**Source:** GROUND WATER

**BENEFICIAL USE**  
 IRRIGATION

**From** 04/01 **To** 10/31

**Diversion Rate**  
 0.060 cfs  
 0.060 cfs

**Diversion Volume**  
 9.8 af  
 9.8 af

## **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER L4 (SENWNW) Sec 6 Twp 01N Rge 38E BONNEVILLE County  
 GROUND WATER L4 (SENWNW) Sec 6 Twp 01N Rge 38E BONNEVILLE 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 |        |
| 01N | 38E | 6   |    |    |    |    |    | 4.0 |    |    |    |    |    |    |    |    |    |    | 4.0    |
|     |     |     |    |    |    |    |    | L 4 |    |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 2.8

POU Total Acres: 4.0

## **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 2.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14410 and 35-14411 when combined shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 14.0 af at the field headgate, and the irrigation of 4.0 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. 120.
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. 25-14410**  
**As Modified by Transfer No. 79451**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 79451, 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 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. Right No. 35-14411 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) 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. 21-13121** **As Modified by Transfer No. 79451**

In accordance with the approval of Transfer No. 79451, Water Right No. 21-13121 is now described as follows:

**Right Holder:** IDAHO WATER CO LLC  
 1135 VALLEY RD S  
 EDEN, ID 83325

**Priority Date:** 10/31/1986

**Source:** GROUND WATER

**BENEFICIAL USE**  
 IRRIGATION

**From**  
 04/01

**To**  
 to 10/31

**Diversion Rate**  
 0.050 cfs  
 0.050 cfs

**Diversion Volume**  
 13.1 af  
 13.1 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWNW Sec 20 Twp 09N Rge 42E FREMONT 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 |        |
| 09N | 42E | 20  |    |    | 40.0 | 40.0 |    |    | 39.0 | 40.0 |    |    |    |    |    |    |    |    | 159.0  |

Right Acre Limit: 3.7  
 POU Total Acres: 159.0

**CONDITIONS OF APPROVAL**

1. This right is for an enlargement of 3.7 acres within the place of use described for this right.
2. Rights 21-13121 and 21-13149 when combined shall not exceed a total diversion rate of 0.18 cfs, a total annual maximum diversion volume of 45.5 af at the field headgate, and the irrigation of 13.0 acres.
3. Rights 21-13121 and 21-13149 are limited to the irrigation of a specific 13.0 acres within the 159.0 acre place of use authorized by this right in a single irrigation season. The specific 13.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 13.0 acres to be irrigated within the 159.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. 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.

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**WATER RIGHT NO. 21-13121**  
**As Modified by Transfer No. 79451**

**CONDITIONS OF APPROVAL**

5. 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 lands above.
6. Any future action following transfer approval 76808, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right.
7. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
8. This right is based upon an enlargement of Right No. 21-13149 pursuant to Section 42-1426, Idaho Code.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) 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. 25-14411****As Modified by Transfer No. 79451**

In accordance with the approval of Transfer No. 79451, Water Right No. 25-14411 is now described as follows:

**Right Holder:** IDAHO WATER CO LLC  
1135 VALLEY RD S  
EDEN, ID 83325

**Priority Date:** 10/31/1986

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

**To**

to 10/31

**Diversion Rate**

0.020 cfs

0.020 cfs

**Diversion Volume**

4.2 af

4.2 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER  
GROUND WATER

L4 (SENWNW)  
L4 (SENWNW)

Sec 6  
Sec 6

Twp 01N Rge 38E  
Twp 01N Rge 38E

BONNEVILLE County  
BONNEVILLE 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 |        |
| 01N | 38E | 6   |    |    |    |    |    | 4.0 |    |    |    |    |    |    |    |    |    |    | 4.0    |
|     |     |     |    |    |    |    |    | L4  |    |    |    |    |    |    |    |    |    |    |        |

Right Acre Limit: 1.2

POU Total Acres: 4.0

**CONDITIONS OF APPROVAL**

1. This right is for an enlargement of 1.2 acres within the place of use described for this right.
2. Rights 35-14410 and 35-14411 when combined shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 14.0 af at the field headgate, and the irrigation of 4.0 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. 120.
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. 25-14411**  
**As Modified by Transfer No. 79451**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 79451, 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 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. This right is based upon an enlargement of Right No. 35-14410 pursuant to Section 42-1426, Idaho Code.
9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.