

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 78255**

This is to certify that: **THE VALLEY CLUB INC**  
**PO BOX 252**  
**SUN VALLEY, ID 83353**

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>  |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|----------------|
| 37-2623            | WR/DECREED          | 10/12/1959           | 3.050 cfs             | 431.4 af                | N/A               | 143.8              | GROUND WATER   |
| 37-494             | WR/DECREED          | 5/1/1886             | 2.000 cfs             | N/A                     | N/A               | 143.8              | BIG WOOD RIVER |
| 37-495             | WR/DECREED          | 7/1/1892             | 2.800 cfs             | N/A                     | N/A               | 143.8              | BIG WOOD RIVER |
| 37-577BU           | WR/DECREED          | 3/24/1883            | 1.200 cfs             | N/A                     | N/A               | 143.8              | BIG WOOD RIVER |
| 37-577BV           | WR/DECREED          | 3/24/1883            | 1.690 cfs             | N/A                     | N/A               | 143.8              | BIG WOOD RIVER |
| 37-657B            | WR/DECREED          | 5/1/1881             | 1.650 cfs             | N/A                     | 78.1              | 89.0               | BIG WOOD RIVER |
| 37-833K            | WR/DECREED          | 11/12/1936           | 0.750 cfs             | N/A                     | N/A               | 143.8              | BIG WOOD RIVER |

**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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 37-2623               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-494                | NO           | NO         | YES        | NO             | NO                   | YES                  |
| 37-495                | NO           | NO         | YES        | NO             | NO                   | YES                  |
| 37-577BU              | NO           | NO         | YES        | NO             | NO                   | YES                  |
| 37-577BV              | NO           | NO         | YES        | NO             | NO                   | YES                  |
| 37-657B               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-833K               | NO           | NO         | YES        | NO             | NO                   | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 37-2623                | 37-2623                          | 2.840 cfs            | 399.0 af               | 133.0             | 276.2              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-494                 | 37-494                           | 2.000 cfs            | N/A                    | 133.0             | 276.2              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-495                 | 37-495                           | 2.800 cfs            | N/A                    | 133.0             | 276.2              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-577BU               | 37-577BU                         | 1.200 cfs            | N/A                    | 133.0             | 276.2              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-577BV               | 37-577BV                         | 1.690 cfs            | N/A                    | 133.0             | 276.2              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-657B                | 37-657B                          | 1.650 cfs            | N/A                    | 75.3              | 276.2              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-833K                | 37-833K                          | 0.750 cfs            | N/A                    | 133.0             | 276.2              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>10.090 cfs</b>    | <b>N/A</b>             | <b>208.3</b>      | <b>276.2</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

**SUPPORT DATA**

Transfer No. 78255

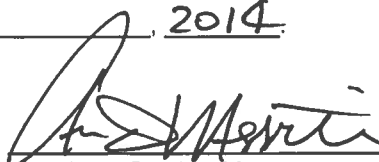
**IN FILE # 37-494**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 78255

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 20<sup>th</sup> day of May, 2014.

  
Southern Region Manager



**WATER RIGHT NO. 37-657B****As Modified by Transfer No. 78255**

In accordance with the approval of Transfer No. 78255, Water Right No. 37-657B is now described as follows:

**Right Holder:** THE VALLEY CLUB INC  
PO BOX 252  
SUN VALLEY, ID 83353

**Priority Date:** 5/1/1881

**Source:** BIG WOOD RIVER

**Tributary:** MALAD RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| AESTHETIC STORAGE     | 01/01       | to 12/31  |                       | 13.4 af                 |
| DIVERSION TO STORAGE  | 04/01       | to 11/01  | 0.120 cfs             |                         |
| IRRIGATION            | 04/01       | to 11/01  | 1.530 cfs             |                         |
| RECREATION STORAGE    | 01/01       | to 12/31  | 1.650 cfs             | 13.4 af                 |

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

BIG WOOD RIVER SWNW Sec 20 Twp 03N Rge 18E BLAINE County

**PLACE OF USE: AESTHETIC STORAGE**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 29  | X  |    |    | X  |    |    |    |    |    |    |    |    | X  |    |    |    |        |

**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   |        |
| 03N | 18E | 20  |    | 2.0 | 18.0 | 9.6 | 0.2 |    |    | 5.0 |     |    |      |     | 16.0 | 20.0 | 18.0 | 15.0 | 103.8  |
| 03N | 18E | 21  |    |     |      |     |     |    |    |     |     |    | 15.0 |     |      |      |      |      | 15.0   |
| 03N | 18E | 28  |    |     |      |     | 13  | 27 | 18 | 12  | 9.4 | 13 |      | 2.6 |      |      |      |      | 95.0   |
| 03N | 18E | 29  | 15 | 6.4 |      | 23  |     |    |    |     |     |    |      |     | 18   |      |      |      | 62.4   |

Right Acre Limit: 75.3

POU Total Acres: 276.2

**PLACE OF USE: RECREATION STORAGE**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 29  | X  |    |    | X  |    |    |    |    |    |    |    |    | X  |    |    |    |        |

Transfer No. 78255

**WATER RIGHT NO. 37-657B**  
**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 75.3 acres within the place of use described above in a single irrigation season.
2. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-657B, 37-833K, 37-2623 are limited to the irrigation of a specific 208.3 within the 276.2 acre place of use authorized by this right in a single irrigation season. The specific 208.3 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and 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 208.3 acres to be irrigated within the 276.2 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.
3. 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 described below.
4. Recreation and Aesthetic uses under Right 37-657B authorize 13.4 af to be used for the replacement of losses caused by evaporation from the 6.3 acre total surface area of the ponds established under Right 37-21338.
5. Place of use does not include federal public lands.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
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. 37.
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.

**WATER RIGHT NO. 37-2623****As Modified by Transfer No. 78255**

In accordance with the approval of Transfer No. 78255, Water Right No. 37-2623 is now described as follows:

**Right Holder:** THE VALLEY CLUB INC  
PO BOX 252  
SUN VALLEY, ID 83353

**Priority Date:** 10/12/1959

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION  
RECREATION

**From**

04/15  
04/15

**To**

to 10/31  
to 10/31

**Diversion Rate**

2.60 cfs  
0.240 cfs  
2.840 cfs

**Diversion Volume**

399 af  
  
399.0 af

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

GROUND WATER NESEWN Sec 20 Twp 03N Rge 18E BLAINE 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   |        |
| 03N | 18E | 20  |    | 2.0 | 18.0 | 9.6 | 0.2 |    |    | 5.0 |     |    |      |     | 16.0 | 20.0 | 18.0 | 15.0 | 103.8  |
| 03N | 18E | 21  |    |     |      |     |     |    |    |     |     |    | 15.0 |     |      |      |      |      | 15.0   |
| 03N | 18E | 28  |    |     |      |     | 13  | 27 | 18 | 12  | 9.4 | 13 |      | 2.6 |      |      |      |      | 95.0   |
| 03N | 18E | 29  | 15 | 6.4 |      | 23  |     |    |    |     |     |    |      |     | 18   |      |      |      | 62.4   |

Right Acre Limit: 133.0

POU Total Acres: 276.2

**PLACE OF USE: RECREATION**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 20  |    |    | X  |    |    |    |    | X  |    |    |    |    | X  | X  |    | X  |        |
| 03N | 18E | 21  |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |
| 03N | 18E | 28  |    |    |    |    | X  | X  |    |    | X  |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 133 acres within the authorized place of use in a single irrigation season.
2. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-833K, and 37-2623 when combined shall not exceed a total diversion rate of 8.44 cfs and the irrigation of 133 acres.

Transfer No. 78255

**WATER RIGHT NO. 37-2623**

**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

3. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-657B, 37-833K, 37-2623 are limited to the irrigation of a specific 208.3 within the 276.2 acre place of use authorized by this right in a single irrigation season. The specific 208.3 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and 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 208.3 acres to be irrigated within the 276.2 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. The amount of ground water recharge use under rights 37-494, 37-495, 37-577BU, 37-577BV, and 37-833K, as modified by Transfer 78255, is intended to offset the annual out-of-priority consumptive use of water pursuant to Right 37-2623 in the event of a delivery call. Based on scientific information available at the time of this approval, the ground water recharge may be sufficient to mitigate for a delivery call that would otherwise result in the curtailment of Right 37-2623, but the sufficiency of this recharge effort to prevent injury will not be determined unless there has been a delivery call, a determination of injury, and an analysis of the adequacy of this recharge as a mitigation plan to prevent injury.
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 place of use.
6. 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 authorized for irrigation is not available or otherwise reasonably sufficient to irrigate the place of use authorized under this right.
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. 37.
8. Prior to the diversion and use of water under this right, 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.
9. 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.
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.

**WATER RIGHT NO. 37-2623**

**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

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. 37-494****As Modified by Transfer No. 78255**

In accordance with the approval of Transfer No. 78255, Water Right No. 37-494 is now described as follows:

**Right Holder:** THE VALLEY CLUB INC  
PO BOX 252  
SUN VALLEY, ID 83353

**Priority Date:** 5/1/1886

**Source:** BIG WOOD RIVER

**Tributary:** MALAD RIVER

**BENEFICIAL USE**

IRRIGATION  
RECREATION  
GROUND WATER RECHARGE

**From**

04/15 to 10/31  
04/15 to 10/31  
04/15 to 10/31

**To****Diversion Rate**

1.71 cfs  
0.150 cfs  
0.14 cfs  
2.000 cfs

**Diversion Volume**

12.8 af

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

BIG WOOD RIVER

NESWNW

Sec 20 Twp 03N Rge 18E BLAINE County

**PLACE OF USE: GROUND WATER RECHARGE**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 20  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

**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   |        |
| 03N | 18E | 20  |    | 2.0 | 18.0 | 9.6 | 0.2 |    |    | 5.0 |     |    |      |     | 16.0 | 20.0 | 18.0 | 15.0 | 103.8  |
| 03N | 18E | 21  |    |     |      |     |     |    |    |     |     |    | 15.0 |     |      |      |      |      | 15.0   |
| 03N | 18E | 28  |    |     |      |     | 13  | 27 | 18 | 12  | 9.4 | 13 |      | 2.6 |      |      |      |      | 95.0   |
| 03N | 18E | 29  | 15 | 6.4 |      | 23  |     |    |    |     |     |    |      |     | 18   |      |      |      | 62.4   |

Right Acre Limit: 133.0

POU Total Acres: 276.2

**PLACE OF USE: RECREATION**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 20  |    |    | X  |    |    |    |    | X  |    |    |    |    | X  | X  |    | X  |        |
| 03N | 18E | 21  |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |
| 03N | 18E | 28  |    |    |    |    |    | X  | X  |    |    | X  |    |    |    |    |    |    |        |

Transfer No. 78255

**WATER RIGHT NO. 37-494**

**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 133 acres within the authorized place of use in a single irrigation season.
2. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-833K, and 37-2623 when combined shall not exceed a total diversion rate of 8.44 cfs and the irrigation of 133 acres.
3. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-657B, 37-833K, 37-2623 are limited to the irrigation of a specific 208.3 within the 276.2 acre place of use authorized by this right in a single irrigation season. The specific 208.3 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and 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 208.3 acres to be irrigated within the 276.2 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. 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 described below.
5. Place of use does not include federal public lands.
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. 37.
7. Rights 37-494, 37-495, 37-577BU, 37-577BV, and 37-833K are limited to a combined diversion rate of 0.59 cfs and a combined diversion volume of 12.8 acre-feet for ground water recharge between March 15 and October 31 each year. No more than 5.1 acre-feet of ground water recharge shall occur prior to June 1 each year.
8. The amount of ground water recharge use under this right and the other water rights modified by Transfer 78255 is intended to offset the annual out-of-priority consumptive use of water pursuant to Right 37-2623 in the event of a delivery call. Based on scientific information available at the time of this approval, the ground water recharge may be sufficient to mitigate for a delivery call that would otherwise result in the curtailment of Right 37-2623, but the sufficiency of this recharge effort to prevent injury will not be determined unless there has been a delivery call, a determination of injury, and an analysis of the adequacy of this recharge as a mitigation plan to prevent injury.
9. Ground water recharge is accomplished by diverting water under this right into infiltration basin(s) that allow water to percolate into the underlying aquifer. To prevent the unauthorized above ground storage of water, the amount of water diverted and used for recharge under this right shall not exceed the actual infiltration capacity of the basin(s).

**WATER RIGHT NO. 37-494**

**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

10. Prior to diversion and use of water under this right pursuant to Transfer approval 78255, the right holder shall install and maintain the following measuring devices, in accordance with Department specifications (unless such measuring devices have already been installed and approved by the Department or State Water District No. 37):
  - a) A measuring device(s) and lockable controlling works at the point(s) of diversion from the Big Wood River.
  - b) A measuring device(s), including datalogger(s), at the point of recharge to determine the daily volume of water recharged.
11. The right holder shall report the daily volume of water recharged during the year to the Department and to Water District 37 by December 31 of each year.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 37-495****As Modified by Transfer No. 78255**

In accordance with the approval of Transfer No. 78255, Water Right No. 37-495 is now described as follows:

**Right Holder:** THE VALLEY CLUB INC  
PO BOX 252  
SUN VALLEY, ID 83353

**Priority Date:** 7/1/1892

**Source:** BIG WOOD RIVER

**Tributary:** MALAD RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/15       | to 10/31  | 2.40 cfs              |                         |
| RECREATION            | 04/15       | to 10/31  | 0.21 cfs              |                         |
| GROUND WATER RECHARGE | 04/15       | to 10/31  | 0.19 cfs              | 12.8 af                 |
|                       |             |           | 2.800 cfs             |                         |

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

BIG WOOD RIVER NESWNW Sec 20 Twp 03N Rge 18E BLAINE County

**PLACE OF USE: GROUND WATER RECHARGE**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 20  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

**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   |        |
| 03N | 18E | 20  |    | 2.0 | 18.0 | 9.6 | 0.2 |    |    | 5.0 |     |    |      |     | 16.0 | 20.0 | 18.0 | 15.0 | 103.8  |
| 03N | 18E | 21  |    |     |      |     |     |    |    |     |     |    | 15.0 |     |      |      |      |      | 15.0   |
| 03N | 18E | 28  |    |     |      |     | 13  | 27 | 18 | 12  | 9.4 | 13 |      | 2.6 |      |      |      |      | 95.0   |
| 03N | 18E | 29  | 15 | 6.4 |      | 23  |     |    |    |     |     |    |      |     | 18   |      |      |      | 62.4   |

Right Acre Limit: 133.0

POU Total Acres: 276.2

**PLACE OF USE: RECREATION**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 20  |    |    | X  |    |    |    |    | X  |    |    |    |    | X  | X  |    | X  |        |
| 03N | 18E | 21  |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |
| 03N | 18E | 28  |    |    |    |    |    | X  | X  |    |    | X  |    |    |    |    |    |    |        |

Transfer No. 78255

**WATER RIGHT NO. 37-495**  
**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 133 acres within the authorized place of use in a single irrigation season.
2. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-833K, and 37-2623 when combined shall not exceed a total diversion rate of 8.44 cfs and the irrigation of 133 acres.
3. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-657B, 37-833K, 37-2623 are limited to the irrigation of a specific 208.3 within the 276.2 acre place of use authorized by this right in a single irrigation season. The specific 208.3 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and 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 208.3 acres to be irrigated within the 276.2 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. 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 described below.
5. Place of use does not include federal public lands.
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. 37.
7. Rights 37-494, 37-495, 37-577BU, 37-577BV, and 37-833K are limited to a combined diversion rate of 0.59 cfs and a combined diversion volume of 12.8 acre-feet for ground water recharge between March 15 and October 31 each year. No more than 5.1 acre-feet of ground water recharge shall occur prior to June 1 each year.
8. The amount of ground water recharge use under this right and the other water rights modified by Transfer 78255 is intended to offset the annual out-of-priority consumptive use of water pursuant to Right 37-2623 in the event of a delivery call. Based on scientific information available at the time of this approval, the ground water recharge may be sufficient to mitigate for a delivery call that would otherwise result in the curtailment of Right 37-2623, but the sufficiency of this recharge effort to prevent injury will not be determined unless there has been a delivery call, a determination of injury, and an analysis of the adequacy of this recharge as a mitigation plan to prevent injury.
9. Ground water recharge is accomplished by diverting water under this right into infiltration basin(s) that allow water to percolate into the underlying aquifer. To prevent the unauthorized above ground storage of water, the amount of water diverted and used for recharge under this right shall not exceed the actual infiltration capacity of the basin(s).

**WATER RIGHT NO. 37-495**  
**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

10. Prior to diversion and use of water under this right pursuant to Transfer approval 78255, the right holder shall install and maintain the following measuring devices, in accordance with Department specifications (unless such measuring devices have already been installed and approved by the Department or State Water District No. 37):
  - a) A measuring device(s) and lockable controlling works at the point(s) of diversion from the Big Wood River.
  - b) A measuring device(s), including datalogger(s), at the point of recharge to determine the daily volume of water recharged.
11. The right holder shall report the daily volume of water recharged during the year to the Department and to Water District 37 by December 31 of each year.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 37-577BU****As Modified by Transfer No. 78255**

In accordance with the approval of Transfer No. 78255, Water Right No. 37-577BU is now described as follows:

**Right Holder:** THE VALLEY CLUB INC  
PO BOX 252  
SUN VALLEY, ID 83353

**Priority Date:** 3/24/1883

**Source:** BIG WOOD RIVER

**Tributary:** MALAD RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/15       | to 10/31  | 1.11 cfs              |                         |
| GROUND WATER RECHARGE | 04/15       | to 10/31  | 0.09 cfs              | 12.8 af                 |
|                       |             |           | 1.200 cfs             |                         |

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

BIG WOOD RIVER NESWNW Sec 20 Twp 03N Rge 18E BLAINE County

**PLACE OF USE: GROUND WATER RECHARGE**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 20  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

**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   |        |
| 03N | 18E | 20  |    | 2.0 | 18.0 | 9.6 | 0.2 |    |    | 5.0 |     |    |      |     | 16.0 | 20.0 | 18.0 | 15.0 | 103.8  |
| 03N | 18E | 21  |    |     |      |     |     |    |    |     |     |    | 15.0 |     |      |      |      |      | 15.0   |
| 03N | 18E | 28  |    |     |      |     | 13  | 27 | 18 | 12  | 9.4 | 13 |      | 2.6 |      |      |      |      | 95.0   |
| 03N | 18E | 29  | 15 | 6.4 |      | 23  |     |    |    |     |     |    |      |     | 18   |      |      |      | 62.4   |

Right Acre Limit: 133.0

POU Total Acres: 276.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 133 acres within the authorized place of use in a single irrigation season.
2. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-833K, and 37-2623 when combined shall not exceed a total diversion rate of 8.44 cfs and the irrigation of 133 acres.

Transfer No. 78255

**WATER RIGHT NO. 37-577BU**  
**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

3. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-657B, 37-833K, 37-2623 are limited to the irrigation of a specific 208.3 within the 276.2 acre place of use authorized by this right in a single irrigation season. The specific 208.3 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and 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 208.3 acres to be irrigated within the 276.2 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. 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 described below.
5. Place of use does not include federal public lands.
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. 37.
7. The amount of ground water recharge use under this right and the other water rights modified by Transfer 78255 is intended to offset the annual out-of-priority consumptive use of water pursuant to Right 37-2623 in the event of a delivery call. Based on scientific information available at the time of this approval, the ground water recharge may be sufficient to mitigate for a delivery call that would otherwise result in the curtailment of Right 37-2623, but the sufficiency of this recharge effort to prevent injury will not be determined unless there has been a delivery call, a determination of injury, and an analysis of the adequacy of this recharge as a mitigation plan to prevent injury.
8. Rights 37-494, 37-495, 37-577BU, 37-577BV, and 37-833K are limited to a combined diversion rate of 0.59 cfs and a combined diversion volume of 12.8 acre-feet for ground water recharge between March 15 and October 31 each year. No more than 5.1 acre-feet of ground water recharge shall occur prior to June 1 each year.
9. Ground water recharge is accomplished by diverting water under this right into infiltration basin(s) that allow water to percolate into the underlying aquifer. To prevent the unauthorized above ground storage of water, the amount of water diverted and used for recharge under this right shall not exceed the actual infiltration capacity of the basin(s).
10. Prior to diversion and use of water under this right pursuant to Transfer approval 78255, the right holder shall install and maintain the following measuring devices, in accordance with Department specifications (unless such measuring devices have already been installed and approved by the Department or State Water District No. 37):
  - a) A measuring device(s) and lockable controlling works at the point(s) of diversion from the Big Wood River.
  - b) A measuring device(s), including datalogger(s), at the point of recharge to determine the daily volume of water recharged.
11. The right holder shall report the daily volume of water recharged during the year to the Department and to Water District 37 by December 31 of each year.

**WATER RIGHT NO. 37-577BU**  
**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 37-577BV****As Modified by Transfer No. 78255**

In accordance with the approval of Transfer No. 78255, Water Right No. 37-577BV is now described as follows:

**Right Holder:** THE VALLEY CLUB INC  
PO BOX 252  
SUN VALLEY, ID 83353

**Priority Date:** 3/24/1883

**Source:** BIG WOOD RIVER

**Tributary:** MALAD RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/15       | to 10/31  | 1.44 cfs              |                         |
| RECREATION            | 04/15       | to 10/31  | 0.130 cfs             |                         |
| GROUND WATER RECHARGE | 04/15       | to 10/31  | 0.12 cfs              | 12.8 af                 |
|                       |             |           | 1.690 cfs             |                         |

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

BIG WOOD RIVER NESWNW Sec 20 Twp 03N Rge 18E BLAINE County

**PLACE OF USE: GROUND WATER RECHARGE**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 20  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

**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   |        |
| 03N | 18E | 20  |    | 2.0 | 18.0 | 9.6 | 0.2 |    |    | 5.0 |     |    |      |     | 16.0 | 20.0 | 18.0 | 15.0 | 103.8  |
| 03N | 18E | 21  |    |     |      |     |     |    |    |     |     |    | 15.0 |     |      |      |      |      | 15.0   |
| 03N | 18E | 28  |    |     |      |     | 13  | 27 | 18 | 12  | 9.4 | 13 |      | 2.6 |      |      |      |      | 95.0   |
| 03N | 18E | 29  | 15 | 6.4 |      | 23  |     |    |    |     |     |    |      |     | 18   |      |      |      | 62.4   |

Right Acre Limit: 133.0

POU Total Acres: 276.2

**PLACE OF USE: RECREATION**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 20  |    |    | X  |    |    |    |    | X  |    |    |    |    | X  | X  |    | X  |        |
| 03N | 18E | 21  |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |
| 03N | 18E | 28  |    |    |    |    | X  | X  |    |    | X  |    |    |    |    |    |    |    |        |

Transfer No. 78255

**WATER RIGHT NO. 37-577BV**  
**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 133 acres within the authorized place of use in a single irrigation season.
2. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-833K, and 37-2623 when combined shall not exceed a total diversion rate of 8.44 cfs and the irrigation of 133 acres.
3. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-657B, 37-833K, 37-2623 are limited to the irrigation of a specific 208.3 within the 276.2 acre place of use authorized by this right in a single irrigation season. The specific 208.3 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and 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 208.3 acres to be irrigated within the 276.2 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. 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 described below.
5. Place of use does not include federal public lands.
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. 37.
7. Rights 37-494, 37-495, 37-577BU, 37-577BV, and 37-833K are limited to a combined diversion rate of 0.59 cfs and a combined diversion volume of 12.8 acre-feet for ground water recharge between March 15 and October 31 each year. No more than 5.1 acre-feet of ground water recharge shall occur prior to June 1 each year.
8. The amount of ground water recharge use under this right and the other water rights modified by Transfer 78255 is intended to offset the annual out-of-priority consumptive use of water pursuant to Right 37-2623 in the event of a delivery call. Based on scientific information available at the time of this approval, the ground water recharge may be sufficient to mitigate for a delivery call that would otherwise result in the curtailment of Right 37-2623, but the sufficiency of this recharge effort to prevent injury will not be determined unless there has been a delivery call, a determination of injury, and an analysis of the adequacy of this recharge as a mitigation plan to prevent injury.
9. Ground water recharge is accomplished by diverting water under this right into infiltration basin(s) that allow water to percolate into the underlying aquifer. To prevent the unauthorized above ground storage of water, the amount of water diverted and used for recharge under this right shall not exceed the actual infiltration capacity of the basin(s).

**WATER RIGHT NO. 37-577BV**

**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

10. Prior to diversion and use of water under this right pursuant to Transfer approval 78255, the right holder shall install and maintain the following measuring devices, in accordance with Department specifications (unless such measuring devices have already been installed and approved by the Department or State Water District No. 37):
  - a) A measuring device(s) and lockable controlling works at the point(s) of diversion from the Big Wood River.
  - b) A measuring device(s), including datalogger(s), at the point of recharge to determine the daily volume of water recharged.
11. The right holder shall report the daily volume of water recharged during the year to the Department and to Water District 37 by December 31 of each year.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 37-833K****As Modified by Transfer No. 78255**

In accordance with the approval of Transfer No. 78255, Water Right No. 37-833K is now described as follows:

**Right Holder:** THE VALLEY CLUB INC  
PO BOX 252  
SUN VALLEY, ID 83353

**Priority Date:** 11/12/1936

**Source:** BIG WOOD RIVER

**Tributary:** MALAD RIVER

**BENEFICIAL USE**

IRRIGATION  
RECREATION  
GROUND WATER RECHARGE

**From**                      **To**  
04/15                      to 10/31  
04/15                      to 10/31  
04/15                      to 10/31

**Diversion Rate**

0.64 cfs  
0.060 cfs  
0.05 cfs  
0.750 cfs

**Diversion Volume**

12.8 af

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

BIG WOOD RIVER                      NESWNW                      Sec 20 Twp 03N Rge 18E BLAINE County

**PLACE OF USE: GROUND WATER RECHARGE**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 20  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

**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   |        |
| 03N | 18E | 20  |    | 2.0 | 18.0 | 9.6 | 0.2 |    |    | 5.0 |     |    |      |     | 16.0 | 20.0 | 18.0 | 15.0 | 103.8  |
| 03N | 18E | 21  |    |     |      |     |     |    |    |     |     |    | 15.0 |     |      |      |      |      | 15.0   |
| 03N | 18E | 28  |    |     |      |     | 13  | 27 | 18 | 12  | 9.4 | 13 |      | 2.6 |      |      |      |      | 95.0   |
| 03N | 18E | 29  | 15 | 6.4 |      | 23  |     |    |    |     |     |    |      |     | 18   |      |      |      | 62.4   |

Right Acre Limit: 133.0

POU Total Acres: 276.2

**PLACE OF USE: RECREATION**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 20  |    |    | X  |    |    |    |    | X  |    |    |    |    | X  | X  |    | X  |        |
| 03N | 18E | 21  |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |        |
| 03N | 18E | 28  |    |    |    |    |    | X  | X  |    |    | X  |    |    |    |    |    |    |        |

Transfer No. 78255

**WATER RIGHT NO. 37-833K**  
**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 133 acres within the authorized place of use in a single irrigation season.
2. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-833K, and 37-2623 when combined shall not exceed a total diversion rate of 8.44 cfs and the irrigation of 133 acres.
3. Rights 37-494, 37-495, 37-577BU, 37-577BV, 37-657B, 37-833K, 37-2623 are limited to the irrigation of a specific 208.3 within the 276.2 acre place of use authorized by this right in a single irrigation season. The specific 208.3 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and 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 208.3 acres to be irrigated within the 276.2 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. Rockwell By-Pass owners must maintain the by-pass for the entire length of the by-pass capable of carrying 17.36 cfs of water during the irrigation season.
5. The saved water shall be made available to the Rockwell By-Pass saved water right holders any time the Rockwell By-Pass is being used to deliver water to Broadford Slough right holders. The Rockwell saved water rights shall be curtailed when calls for senior water rights from the Broadford Slough cannot be delivered.
6. Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved water in the Rockwell By-Pass, as established by and subject to the provisions included within the Rockwell vs. Coffin decree issued on 29 July, 1949.
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 lands described below.
8. Place of use does not include federal public lands.
9. 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. 37.
10. Rights 37-494, 37-495, 37-577BU, 37-577BV, and 37-833K are limited to a combined diversion rate of 0.59 cfs and a combined diversion volume of 12.8 acre-feet for ground water recharge between March 15 and October 31 each year. No more than 5.1 acre-feet of ground water recharge shall occur prior to June 1 each year.

**WATER RIGHT NO. 37-833K**  
**As Modified by Transfer No. 78255**

**CONDITIONS OF APPROVAL**

11. The amount of ground water recharge use under this right and the other water rights modified by Transfer 78255 is intended to offset the annual out-of-priority consumptive use of water pursuant to Right 37-2623 in the event of a delivery call. Based on scientific information available at the time of this approval, the ground water recharge may be sufficient to mitigate for a delivery call that would otherwise result in the curtailment of Right 37-2623, but the sufficiency of this recharge effort to prevent injury will not be determined unless there has been a delivery call, a determination of injury, and an analysis of the adequacy of this recharge as a mitigation plan to prevent injury.
12. Ground water recharge is accomplished by diverting water under this right into infiltration basin(s) that allow water to percolate into the underlying aquifer. To prevent the unauthorized above ground storage of water, the amount of water diverted and used for recharge under this right shall not exceed the actual infiltration capacity of the basin(s).
13. Prior to diversion and use of water under this right pursuant to Transfer approval 78255, the right holder shall install and maintain the following measuring devices, in accordance with Department specifications (unless such measuring devices have already been installed and approved by the Department or State Water District No. 37):
  - a) A measuring device(s) and lockable controlling works at the point(s) of diversion from the Big Wood River.
  - b) A measuring device(s), including datalogger(s), at the point of recharge to determine the daily volume of water recharged.
14. The right holder shall report the daily volume of water recharged during the year to the Department and to Water District 37 by December 31 of each year.
15. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
17. 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. 78255**  
Rights: 37-494, 37-495, 37-577BU, 37-577BV and 37-833K

This map depicts the GROUND WATER RECHARGE 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.



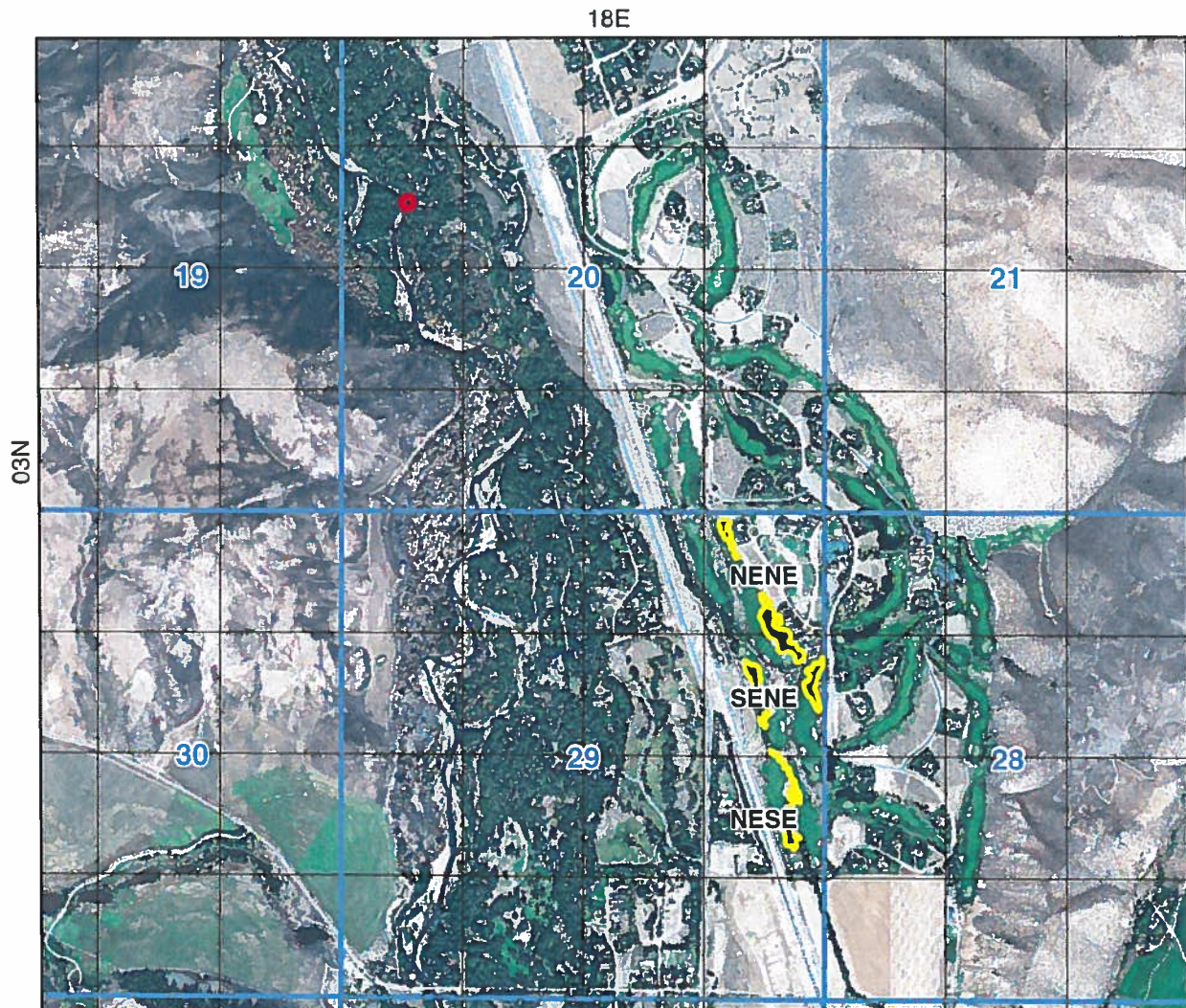
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles



State of Idaho  
Department of Water Resources  
**Attachment To Transfer No. 78255**  
Right: 37-657B

This map depicts the AESTHETIC STORAGE and RECREATION STORAGE 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 0.225 0.45 0.9 Miles

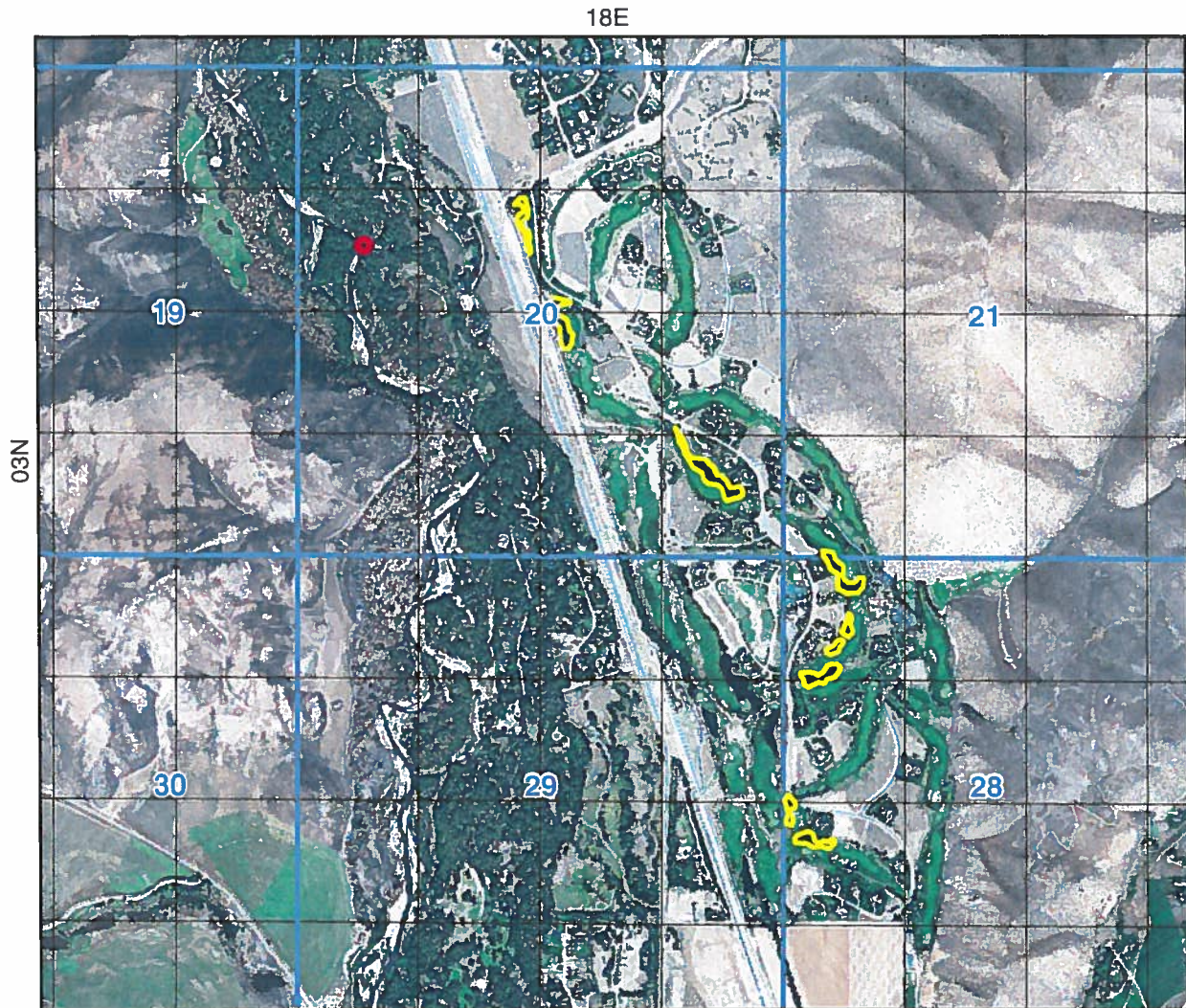


State of Idaho  
Department of Water Resources

## Attachment To Transfer No. 78255

Rights: 37-494, 37-495, 37-577BV and 37-833K

This map depicts the RECREATION 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 0.225 0.45 0.9 Miles

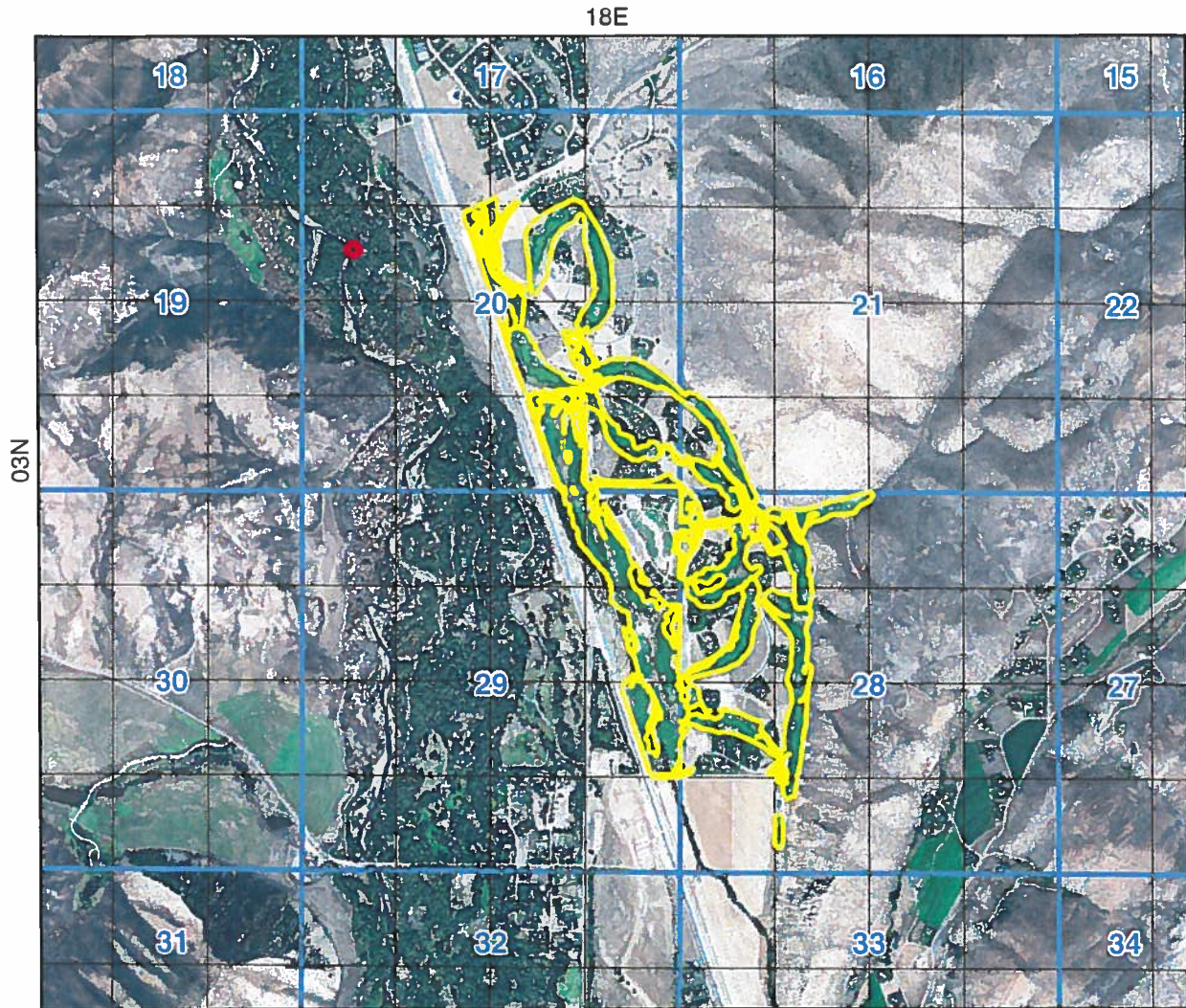


State of Idaho  
Department of Water Resources

## Attachment To Transfer No. 78255

Rights: 37-494, 37-495, 37-577BU, 37-577BV, 37-657B and 37-833K

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.



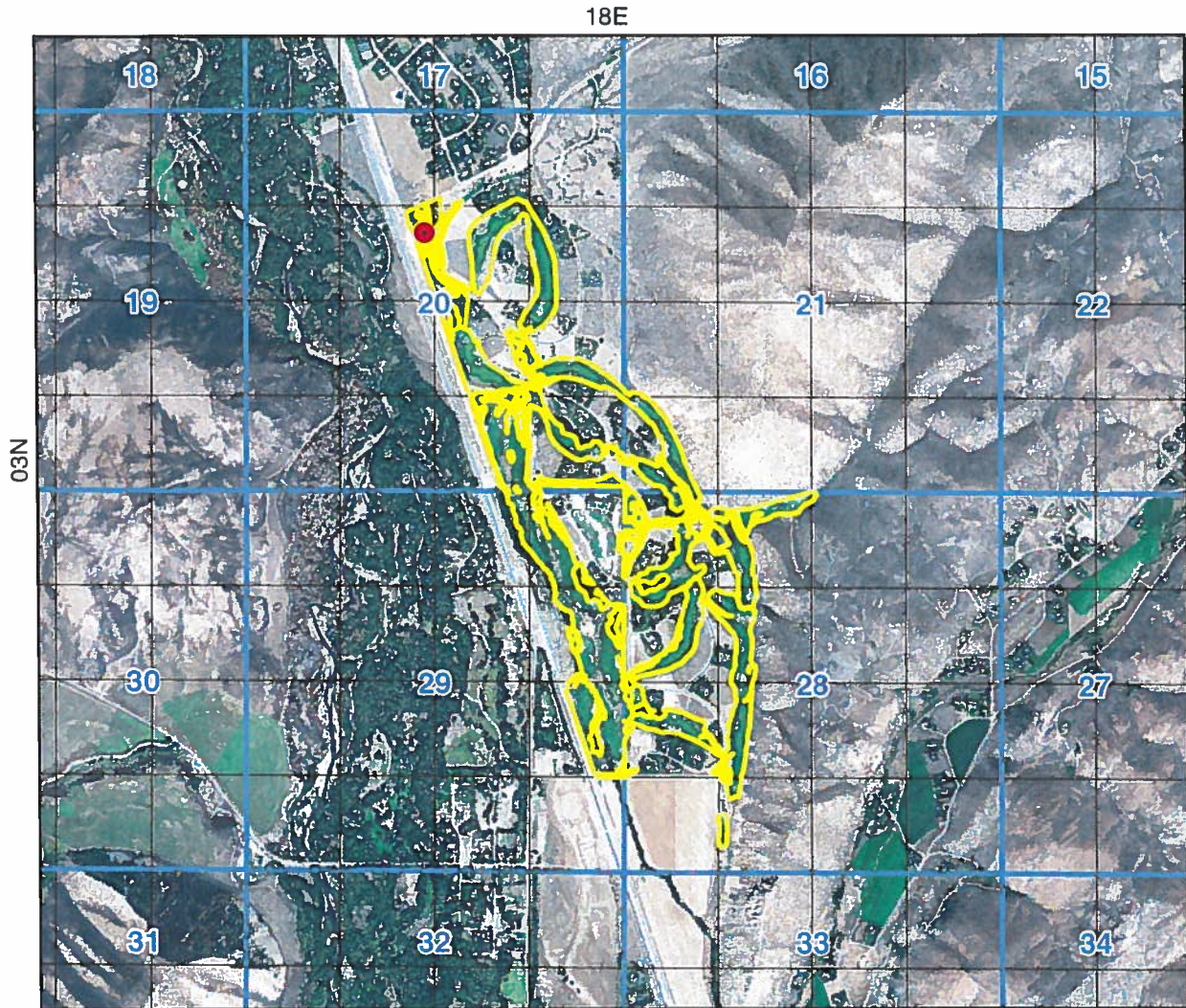
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.3 0.6 1.2 Miles



State of Idaho  
Department of Water Resources  
**Attachment To Transfer No. 78255**  
Right: 37-2623

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.



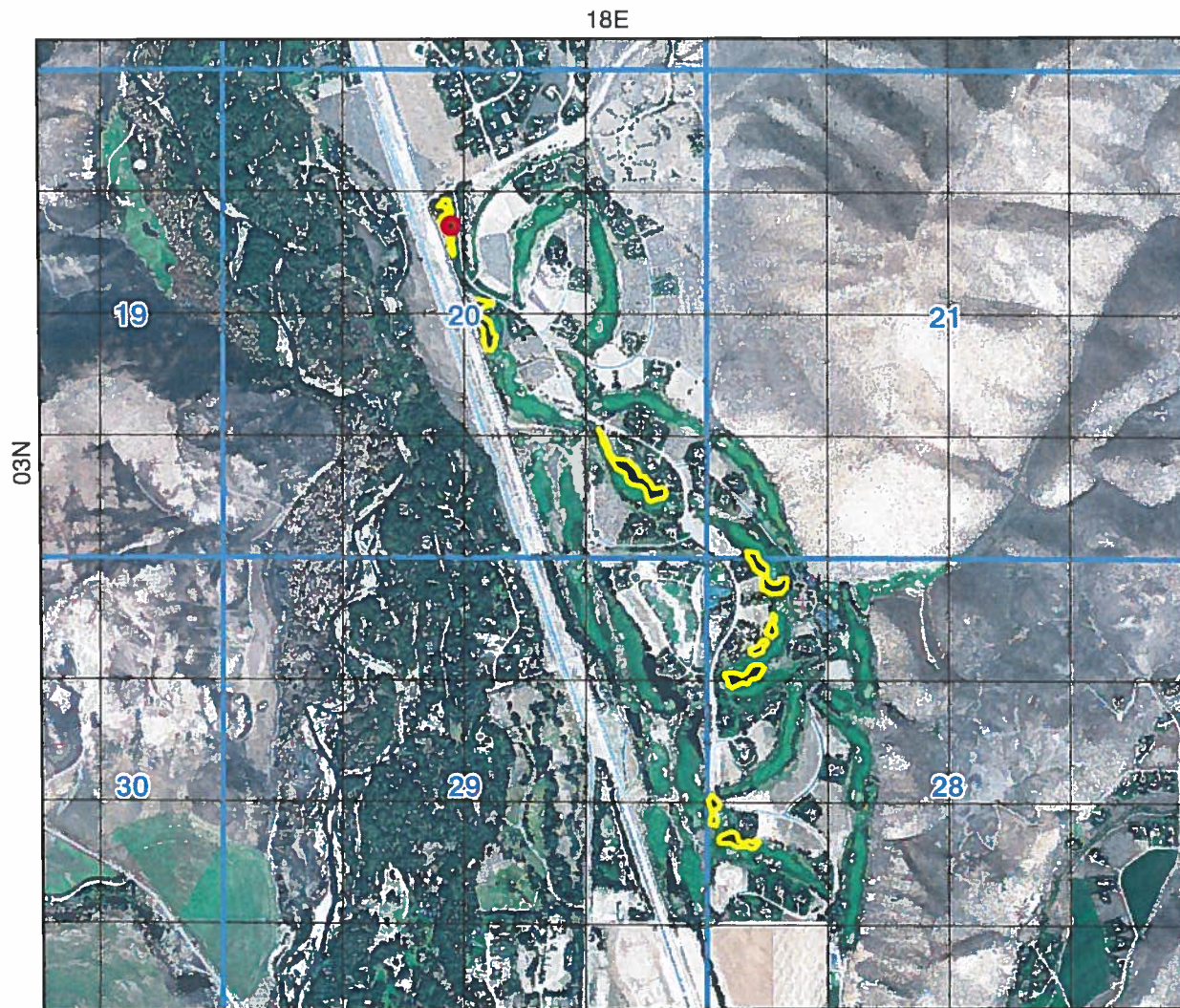
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.3 0.6 1.2 Miles



State of Idaho  
Department of Water Resources  
**Attachment To Transfer No. 78255**  
Right: 37-2623

This map depicts the RECREATION 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 0.225 0.45 0.9 Miles

