

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78560

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>
61-10841	WR/DECREED	3/24/1970	4.600 cfs	1251.0 af	N/A	277.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

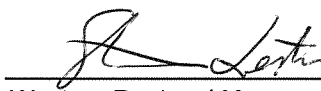
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
61-10841	YES	YES	YES	NO	NO	NO

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>
61-10841	61-12290	3.010 cfs	817.4 af	181.0	468.0	61-10841	1.590 cfs	433.6 af	N/A	96.0
COMBINED TOTALS		3.010 cfs	817.4 af	181.0	468.0		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 17th day of June, 2014.

for 
Western Regional Manager

SUPPORT DATA

IN FILE # 61-10841

Transfer No. 78560

SCANNED

JUL 17 2014

WATER RIGHT NO. 61-10841
As Modified by Transfer No. 78560

In accordance with the approval of Transfer No. 78560, Water Right No. 61-10841 is now described as follows:

Right Holder: HELEN S PERCY OR
STEPHEN H PERCY
PO BOX 248
MOUNTAIN HOME, ID 83647-0248

Priority Date: 3/24/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	1.590 cfs	433.6 af
			1.590 cfs	433.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWSW Sec 6 Twp 03S Rge 08E ELMORE 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	
03S	07E	1		4.5	21.5		15.0	5.2	6.1	37.0	6.4					0.3			96.0
				L 2			L 3	L 4											

POU Total Acres: 96.0

CONDITIONS OF APPROVAL

1. Rights 61-269, 61-275 and 61-10841 when combined shall not exceed a total diversion rate of 1.92 cfs, and the irrigation of 96 acres.
2. The following rights are diverted through point of diversion described above: 61-7069E & 61-10841.
3. 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 October 26, 2000.
4. 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.

Transfer No. 78560

WATER RIGHT NO. 61-10841
As Modified by Transfer No. 78560

CONDITIONS OF APPROVAL

5. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

WATER RIGHT NO. 61-12290
As Modified by Transfer No. 78560

In accordance with the approval of Transfer No. 78560, Water Right No. 61-12290 is now described as follows:

Right Holder: HELEN S PERCY OR
STEPHEN H PERCY
PO BOX 248
MOUNTAIN HOME, ID 83647-0248

Priority Date: 3/24/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4 /01	to 10/31	3.010 cfs	817.4 af
			3.010 cfs	817.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L5 (NWSW)	Sec 19 Twp 04S Rge 05E ELMORE County
GROUND WATER	NENE	Sec 30 Twp 04S Rge 05E ELMORE 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	
04S	05E	19									40.0	40.0	40.0	40.0	28.0	40.0	40.0	40.0	308.0
												L 5	L 8						
04S	05E	30	40.0	40.0	40.0	40.0													160.0

Right Acre Limit: 181.0
POU Total Acres: 468.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
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. 78560

WATER RIGHT NO. 61-12290
As Modified by Transfer No. 78560

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 181 acres within the authorized place of use in a single irrigation season.
6. This right is limited to the irrigation of a specific 181 acres within the 468 acre place of use authorized by this right in a single irrigation season. The specific 181 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 181 acres to be irrigated within the 468 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.
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 place of use.
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 October 26, 2000.
9. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
10. The diversion and use of water described in Transfer 78560 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
11. Place of use does not include federal public lands.