

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79062

This is to certify that: C & N FAMILY LAND INVESTMENTS LLC
4050 E LINCOLN RD
IDAHO FALLS, ID 83401

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>
35-14276	WR/DECREED	6/8/1973	0.250 cfs	56.8 af	N/A	14.2	GROUND WATER
35-2804	WR/DECREED	12/13/1965	4.600 cfs	1156.0 af	N/A	289.0	GROUND WATER
35-7261B	WR/DECREED	11/3/1972	3.320 cfs	664.0 af	N/A	166.0	GROUND WATER
35-8149	WR/LICENSE	5/26/1983	0.270 cfs	56.0 af	17.9	187.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

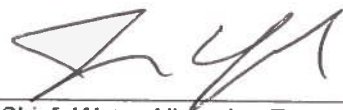
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-14276	NO	NO	YES	NO	NO	NO
35-2804	NO	YES	YES	YES	NO	NO
35-7261B	NO	YES	YES	YES	NO	NO
35-8149	NO	YES	YES	YES	NO	NO

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>
35-14276	35-14276	0.250 cfs	56.8 af	14.2	482.2	N/A	N/A	N/A	N/A	N/A
35-2804	35-2804	4.600 cfs	1156.0 af	289.0	482.2	N/A	N/A	N/A	N/A	N/A
35-7261B	35-7261B	3.320 cfs	664.0 af	166.0	482.2	N/A	N/A	N/A	N/A	N/A
35-8149	35-8149	0.270 cfs	56.0 af	17.9	482.2	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		8.000 cfs	1928.8 af	482.2	482.2		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 28th day of August, 2014.


for Chief, Water Allocation Bureau

Transfer No. 79062

SUPPORT DATA

IN FILE # 35-2804

WATER RIGHT NO. 35-8149
As Modified by Transfer No. 79062

In accordance with the approval of Transfer No. 79062, Water Right No. 35-8149 is now described as follows:

Right Holder: C & N FAMILY LAND INVESTMENTS LLC
 4050 E LINCOLN RD
 IDAHO FALLS, ID 83401

Priority Date: 5/26/1983

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 4/01

To
 to 10/31

Diversion Rate
 0.270 cfs
 0.270 cfs

Diversion Volume
 56.0 af
 56.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
 GROUND WATER

NWSE
 NWNW

Sec 23 Twp 03N Rge 37E BONNEVILLE County
 Sec 25 Twp 03N Rge 37E 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	
03N	37E	13										10.8							10.8
												L 6							
03N	37E	14													26			10	36
03N	37E	23	2.2	5.5	25	4.1								6.6	31	25	32	131.4	
03N	37E	24											33	9.5					42.5
03N	37E	25					19	40	40	15									114
03N	37E	26	40.0	31.0	14.5	40.0									22.0				147.5

Right Acre Limit: 17.9

POU Total Acres: 482.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 17.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7261B and 35-8149 when combined shall not exceed a total diversion rate of 3.40 cfs, a total annual maximum diversion volume of 716 af at the field headgate, and the irrigation of 179 acres.
3. Rights 35-2804, 35-7261B, 35-8149, and 35-14276 when combined shall not exceed a total diversion rate of 8.00 cfs, a total annual maximum diversion volume of 1928.8 af at the field headgate, and the irrigation of 482.2 acres.

Transfer No. 79062

WATER RIGHT NO. 35-8149
As Modified by Transfer No. 79062

CONDITIONS OF APPROVAL

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 place of use.
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. 120.
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. Prior to the diversion and use of water under Transfer approval 79062, 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.
8. The following rights are diverted through point(s) of diversion described above: 35-2804, 35-7261A, 35-7261B, 35-8149, and 35-14276.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 35-2804
As Modified by Transfer No. 79062

In accordance with the approval of Transfer No. 79062, Water Right No. 35-2804 is now described as follows:

Right Holder: C & N FAMILY LAND INVESTMENTS LLC
 4050 E LINCOLN RD
 IDAHO FALLS, ID 83401

Priority Date: 12/13/1965

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 4/01

To
 to 11/01

Diversion Rate
 4.600 cfs
 4.600 cfs

Diversion Volume
 1156.0 af
 1156.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
 GROUND WATER

NWSE
 NWNW

Sec 23 Twp 03N Rge 37E BONNEVILLE County
 Sec 25 Twp 03N Rge 37E 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	
03N	37E	13										10.8							10.8
												L 6							
03N	37E	14													26			10	36
03N	37E	23	2.2	5.5	25	4.1									6.6	31	25	32	131.4
03N	37E	24											33	9.5					42.5
03N	37E	25					19	40	40	15									114
03N	37E	26	40.0	31.0	14.5	40.0									22.0				147.5

Right Acre Limit: 289.0

POU Total Acres: 482.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 289 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2804, 35-7261B, 35-8149, and 35-14276 when combined shall not exceed a total diversion rate of 8.00 cfs, a total annual maximum diversion volume of 1928.8 af at the field headgate, and the irrigation of 482.2 acres.
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 place of use.

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WATER RIGHT NO. 35-2804
As Modified by Transfer No. 79062

CONDITIONS OF APPROVAL

4. 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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 79062, 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.
7. The following rights are diverted through point(s) of diversion described above: 35-2804, 35-7261A, 35-7261B, 35-8149, and 35-14276.
8. Right No. 35-14276 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-7261B

As Modified by Transfer No. 79062

In accordance with the approval of Transfer No. 79062, Water Right No. 35-7261B is now described as follows:

Right Holder: C & N FAMILY LAND INVESTMENTS LLC
4050 E LINCOLN RD
IDAHO FALLS, ID 83401

Priority Date: 11/3/1972

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
4/01

To
to 11/01

Diversion Rate
3.320 cfs
3.320 cfs

Diversion Volume
664.0 af
664.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

NWSE
NWNW

Sec 23 Twp 03N Rge 37E BONNEVILLE County
Sec 25 Twp 03N Rge 37E 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	
03N	37E	13									10.8								10.8
03N	37E	14									16								
03N	37E	23	2.2	5.5	25	4.1								26				10	36
03N	37E	24												6.6	31	25	32		131.4
03N	37E	25					19	40	40	15			33	9.5					42.5
03N	37E	26	40.0	31.0	14.5	40.0									22.0				114
																			147.5

Right Acre Limit: 166.0

POU Total Acres: 482.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 166 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7261B and 35-8149 when combined shall not exceed a total diversion rate of 3.40 cfs, a total annual maximum diversion volume of 716 af at the field headgate, and the irrigation of 179 acres.
3. Rights 35-2804, 35-7261B, 35-8149, and 35-14276 when combined shall not exceed a total diversion rate of 8.00 cfs, a total annual maximum diversion volume of 1928.8 af at the field headgate, and the irrigation of 482.2 acres.

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WATER RIGHT NO. 35-7261B
As Modified by Transfer No. 79062

CONDITIONS OF APPROVAL

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 place of use.
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. 120.
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. Prior to the diversion and use of water under Transfer approval 79062, 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.
8. The following rights are diverted through point(s) of diversion described above: 35-2804, 35-7261A, 35-7261B, 35-8149, and 35-14276.
9. Right No. 35-14276 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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.
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. 35-14276
As Modified by Transfer No. 79062

In accordance with the approval of Transfer No. 79062, Water Right No. 35-14276 is now described as follows:

Right Holder: C & N FAMILY LAND INVESTMENTS LLC
 4050 E LINCOLN RD
 IDAHO FALLS, ID 83401

Priority Date: 6/8/1973

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 04/01

To
 to 10/31

Diversion Rate
 0.250 cfs
 0.250 cfs

Diversion Volume
 56.8 af
 56.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSE Sec 23 Twp 03N Rge 37E BONNEVILLE County
 GROUND WATER NWNW Sec 25 Twp 03N Rge 37E 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	
03N	37E	13										10.8							10.8
												L 6							
03N	37E	14													26			10	36
03N	37E	23	2.2	5.5	25	4.1									6.6	31	25	32	131.4
03N	37E	24											33	9.5					42.5
03N	37E	25					19	40	40	15									114
03N	37E	26	40.0	31.0	14.5	40.0									22.0				147.5

Right Acre Limit: 14.2
 POU Total Acres: 482.2

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 14.2 acres within the place of use described for this right.
2. Rights 35-2804, 35-7261B, 35-8149, and 35-14276 when combined shall not exceed a total diversion rate of 8.00 cfs, a total annual maximum diversion volume of 1928.8 af at the field headgate, and the irrigation of 482.2 acres.
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 place of use.
4. 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.

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WATER RIGHT NO. 35-14276
As Modified by Transfer No. 79062

CONDITIONS OF APPROVAL

5. 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.
6. Prior to the diversion and use of water under Transfer approval 79062, 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.
7. This right is based upon an enlargement of Right Nos. 35-2804 and 35-7261B pursuant to Section 42-1426, Idaho Code.
8. 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.
9. The following rights are diverted through point(s) of diversion described above: 35-2804, 35-7261A, 35-7261B, 35-8149, and 35-14276.
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.
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.