

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79386**

This is to certify that: SUMMERCO MANAGEMENT INC
27 N 3000 E
SUGAR CITY, ID 83448

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>
22-10972	WR/DECREED	6/25/1975	0.770 cfs	255.5 af	73.0	509.0	GROUND WATER
22-2295	WR/DECREED	2/9/1960	7.210 cfs	1468.0 af	419.0	1177.0	GROUND WATER
22-7136	WR/DECREED	6/24/1975	4.590 cfs	1526.0 af	436.0	509.0	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>
22-10972	NO	NO	YES	NO	NO	NO
22-2295	YES	YES	YES	NO	NO	NO
22-7136	NO	NO	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>
22-10972	22-10972	0.270 cfs	89.3 af	25.5	509.0	N/A	N/A	N/A	N/A	N/A
22-2295	22-14128	5.700 cfs	1158.5 af	331.0	509.0	22-2295	1.510 cfs	308.0 af	88.0	1605.0
22-7136	22-7136	1.610 cfs	533.8 af	152.5	509.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		7.310 cfs	1781.5 af	509.0	509.0		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 19th day of August, 2014.


for Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 79386

IN FILE # 22-2295

WATER RIGHT NO. 22-2295**As Modified by Transfer No. 79386**

In accordance with the approval of Transfer No. 79386, Water Right No. 22-2295 is now described as follows:

Right Holder: SUMMERCO INC
27 N 3000 E
SUGAR CITY, ID 83448

Priority Date: 2/9/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	1.510 cfs	308.0 af
			1.510 cfs	308.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWSW	Sec 25 Twp 06N Rge 40E	MADISON County
GROUND WATER	SENWNE	Sec 26 Twp 06N Rge 40E	MADISON County
GROUND WATER	NESWSW	Sec 26 Twp 06N Rge 40E	MADISON 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	
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	24.0	29.0	38.0					29.0	40.0	39.0	38.0	12.0	39.0	15.0		343.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	39.0	39.0	40.0					477.0
06N	40E	35													19.0			18.0	37.0
06N	40E	36					40.0	40.0	40.0	35.0		40.0	38.0						233.0

Right Acre Limit: 88.0

POU Total Acres: 1605.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 88.0 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777, and 22-13955 when combined shall not exceed a total diversion rate of 16.67 cfs, a total annual maximum diversion volume of 3514 af at the field headgate, and the irrigation of 1004 acres.
3. Rights 22-10646, 22-10777, 22-14130, 22-13955, 22-2191, 22-2258A, 22-2295, 22-14129, and 22-7515 when combined shall not exceed a total diversion rate of 23.03 cfs, a total annual maximum diversion volume of 5617.5 af at the field headgate, and the irrigation of 1605 acres.

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WATER RIGHT NO. 22-2295

As Modified by Transfer No. 79386

CONDITIONS OF APPROVAL

4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. Prior to the diversion and use of water under Transfer approval 79388, 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. 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. 100.
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 place of use.
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. 22-14128
As Modified by Transfer No. 79386

In accordance with the approval of Transfer No. 79386, Water Right No. 22-14128 is now described as follows:

Right Holder: SUMMERCO INC
 27 N 3000 E
 SUGAR CITY, ID 83448

Priority Date: 2/9/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	5.700 cfs	1158.5 af
			5.700 cfs	1158.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNENE Sec 31 Twp 06N Rge 41E MADISON 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	
06N	41E	31	40.0	26.0	40.0	40.0	0.1			20.0	40.0	20.0	38.0	29.0	40.0	40.0	34.0	30.0	437.1
06N	41E	32										L 3	L 4						71.9

Right Acre Limit: 331.0
 POU Total Acres: 509.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 331 acres within the authorized place of use in a single irrigation season.
2. Rights 22-7136, 22-10972, and 22-14128 when combined shall not exceed a total diversion rate of 7.31 cfs and the irrigation of 509.0 acres.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 79386, 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.

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WATER RIGHT NO. 22-14128
As Modified by Transfer No. 79386

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 place of use.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 22-7136
As Modified by Transfer No. 79386

In accordance with the approval of Transfer No. 79386, Water Right No. 22-7136 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
 27 N 3000 E
 SUGAR CITY, ID 83448

Priority Date: 6/24/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	1.610 cfs	533.8 af
			1.610 cfs	533.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNENE Sec 31 Twp 06N Rge 41E MADISON 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	
06N	41E	31	40.0	26.0	40.0	40.0	0.1			20.0	40.0	20.0	38.0	29.0	40.0	40.0	34.0	30.0	437.1
06N	41E	32						39.0	32.9			L 3	L 4						71.9

Right Acre Limit: 152.5
 POU Total Acres: 509.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 152.5 acres within the authorized place of use in a single irrigation season.
2. Rights 22-7136 and 22-10972 when combined shall not exceed a total diversion rate of 1.61 cfs and the irrigation of 178.0 acres.
3. Rights 22-7136, 22-10972, and 22-14128 when combined shall not exceed a total diversion rate of 7.31 cfs and the irrigation of 509 acres.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

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WATER RIGHT NO. 22-7136

As Modified by Transfer No. 79386

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79386, 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. 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.
7. Right No. 22-10972 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 11/24/2008.
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. 22-10972**As Modified by Transfer No. 79386**

In accordance with the approval of Transfer No. 79386, Water Right No. 22-10972 is now described as follows:

Right Holder: SUMMERCO MANAGEMENT INC
27 N 3000 E
SUGAR CITY, ID 83448

Priority Date: 6/25/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.270 cfs	89.3 af
			0.270 cfs	89.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNENE Sec 31 Twp 06N Rge 41E MADISON 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	
06N	41E	31	40.0	26.0	40.0	40.0	0.1			20.0	40.0	20.0	38.0	29.0	40.0	40.0	34.0	30.0	437.1
												L 3	L 4						
06N	41E	32						39.0	32.9										71.9

Right Acre Limit: 25.5
POU Total Acres: 509.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 25.5 acres within the authorized place of use in a single irrigation season.
2. Rights 22-7136 and 22-10972 when combined shall not exceed a total diversion rate of 1.61 cfs and the irrigation of 178.0 acres.
3. Rights 22-7136, 22-10972, and 22-14128 when combined shall not exceed a total diversion rate of 7.31 cfs and the irrigation of 509.0 acres.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

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WATER RIGHT NO. 22-10972
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CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79386, 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. 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.
7. This right is based upon an enlargement of Right No. 22-7136 pursuant to Section 42-1426, Idaho Code.
8. This right is for an enlargement of 25.5 acres within the place of use described for this right.
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. 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.