

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79284

This is to certify that: BLACK SWAN DEVELOPMENT LLC
171 HWY 95 N
GRANGEVILLE, ID 83530

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>
79-14256	WR/DECREED	6/26/1921	0.030 cfs	N/A	N/A	1.5	SALMON RIVER
79-14257	WR/DECREED	6/26/1921	0.030 cfs	N/A	N/A	1.5	SALMON RIVER
79-14258	WR/DECREED	6/26/1921	0.030 cfs	N/A	N/A	1.5	SALMON RIVER
79-4017	WR/DECREED	6/26/1921	0.030 cfs	N/A	N/A	1.5	SALMON RIVER
79-4055A	WR/DECREED	5/1/1968	0.040 cfs	N/A	N/A	1.4	SALMON 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>
79-14256	NO	NO	YES	YES	NO	NO
79-14257	NO	NO	YES	YES	NO	NO
79-14258	NO	NO	YES	YES	NO	NO
79-4017	NO	NO	YES	YES	NO	NO
79-4055A	NO	NO	NO	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>
79-14256	79-14256	0.030 cfs	N/A	N/A	1.5	N/A	N/A	N/A	N/A	N/A
79-14257	79-14257	0.030 cfs	N/A	N/A	1.5	N/A	N/A	N/A	N/A	N/A
79-14258	79-14258	0.030 cfs	N/A	N/A	1.5	N/A	N/A	N/A	N/A	N/A
79-4017	79-4017	0.030 cfs	N/A	N/A	1.5	N/A	N/A	N/A	N/A	N/A
79-4055A	79-4055A	0.040 cfs	N/A	N/A	1.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.160 cfs	N/A	N/A	7.4		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 79-4017

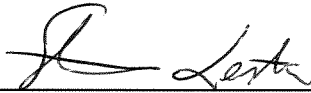
Transfer No. 79284

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79284

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

WATER RIGHT NO. 79-4017**As Modified by Transfer No. 79284**

In accordance with the approval of Transfer No. 79284, Water Right No. 79-4017 is now described as follows:

Right Holder: MICHAEL TOMLINSON AND
CINDY TOMLINSON
6052 N ECHO SUMMIT
STAR, ID 83669

Priority Date: 6/26/1921

Source: SALMON RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 10/31

Diversion Rate

0.030 cfs

0.030 cfs

LOCATION OF POINT(S) OF DIVERSION

SALMON RIVER

L3 (NWNW)

Sec 22 Twp 28N Rge 01E IDAHO County

SALMON RIVER

L3 (NWNW)

Sec 22 Twp 28N Rge 01E IDAHO 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	
28N	01E	22						1.5											1.5
								L 3											

POU Total Acres: 1.5

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. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. The following rights are diverted through points of diversion described above: 79-4017, 79-4055A, 79-14256, 79-14257, 79-14258.

Transfer No. 79284

WATER RIGHT NO. 79-4055A
As Modified by Transfer No. 79284

In accordance with the approval of Transfer No. 79284, Water Right No. 79-4055A is now described as follows:

Right Holder: KEVIN C TOMLINSON AND
DEBRA L TOMLINSON
302 FISH HATCHERY RD
GRANGEVILLE, ID 83530

Priority Date: 5/1/1968

Source: SALMON RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
03/15

To
to 10/31

Diversion Rate
0.040 cfs
0.040 cfs

LOCATION OF POINT(S) OF DIVERSION

SALMON RIVER L3 (NWNW) Sec 22 Twp 28N Rge 01E IDAHO County
SALMON RIVER L3 (NWNW) Sec 22 Twp 28N Rge 01E IDAHO 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	
28N	01E	22						1.4											1.4
								L 3											

POU Total Acres: 1.4

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. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. The following rights are diverted through points of diversion described above: 79-4017, 79-4055A, 79-14256, 79-14257, 79-14258.

Transfer No. 79284

WATER RIGHT NO. 79-14256
As Modified by Transfer No. 79284

In accordance with the approval of Transfer No. 79284, Water Right No. 79-14256 is now described as follows:

Right Holder: BLACK SWAN DEVELOPMENT LLC
 171 HWY 95 N
 GRANGEVILLE, ID 83530

Priority Date: 6/26/1921

Source: SALMON RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 10/31

Diversion Rate

0.030 cfs

0.030 cfs

LOCATION OF POINT(S) OF DIVERSION

SALMON RIVER
 SALMON RIVER

L3 (NWNW)
 L3 (NWNW)

Sec 22 Twp 28N Rge 01E IDAHO County
 Sec 22 Twp 28N Rge 01E IDAHO 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	
28N	01E	22						1.5											1.5
								L 3											

POU Total Acres: 1.5

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. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. The following rights are diverted through points of diversion described above: 79-4017, 79-4055A, 79-14256, 79-14257, 79-14258.

Transfer No. 79284

WATER RIGHT NO. 79-14257
As Modified by Transfer No. 79284

In accordance with the approval of Transfer No. 79284, Water Right No. 79-14257 is now described as follows:

Right Holder: BLACK SWAN DEVELOPMENT LLC
 171 HWY 95 N
 GRANGEVILLE, ID 83530

Priority Date: 6/26/1921

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 10/31	0.030 cfs 0.030 cfs

LOCATION OF POINT(S) OF DIVERSION

SALMON RIVER	L3 (NWNW)	Sec 22 Twp 28N Rge 01E IDAHO County
SALMON RIVER	L3 (NWNW)	Sec 22 Twp 28N Rge 01E IDAHO 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	
28N	01E	22						1.5											1.5
								L 3											

POU Total Acres: 1.5

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. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. The following rights are diverted through points of diversion described above: 79-4017, 79-4055A, 79-14256, 79-14257, 79-14258.

Transfer No. 79284

WATER RIGHT NO. 79-14258
As Modified by Transfer No. 79284

In accordance with the approval of Transfer No. 79284, Water Right No. 79-14258 is now described as follows:

Right Holder: BLACK SWAN DEVELOPMENT LLC
171 HWY 95 N
GRANGEVILLE, ID 83530

Priority Date: 6/26/1921

Source: SALMON RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 10/31

Diversion Rate

0.030 cfs
0.030 cfs

LOCATION OF POINT(S) OF DIVERSION

SALMON RIVER
SALMON RIVER

L3 (NWNW)
L3 (NWNW)

Sec 22 Twp 28N Rge 01E IDAHO County
Sec 22 Twp 28N Rge 01E IDAHO 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	
28N	01E	22						1.5											1.5
								L 3											

POU Total Acres: 1.5

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.
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4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. The following rights are diverted through points of diversion described above: 79-4017, 79-4055A, 79-14256, 79-14257, 79-14258.

Transfer No. 79284