

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 78671

This is to certify that: TMCO INC  
PO BOX 1366  
NAMPA, ID 83653

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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 63-11282           | WR/LICENSE          | 4/16/1990            | 15.000 cfs            | 3379.5 af               | N/A               | 751.0              | GROUND WATER  |
| 63-7019            | WR/DECREED          | 8/21/1967            | 4.800 cfs             | 1440.0 af               | N/A               | 320.0              | GROUND WATER  |
| 63-7956            | WR/DECREED          | 4/1/1974             | 1.600 cfs             | 678.0 af                | N/A               | 320.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 63-11282              | NO           | YES        | YES        | YES            | NO                   | NO                   |
| 63-7019               | NO           | YES        | YES        | YES            | NO                   | NO                   |
| 63-7956               | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 63-11282              | 63-11282                         | 15.000 cfs           | 3379.5 af              | 751.0             | 1479.0             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 63-7019               | 63-7019                          | 4.800 cfs            | 1440.0 af              | 320.0             | 1479.0             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 63-7956               | 63-7956                          | 1.600 cfs            | 678.0 af               | 320.0             | 1479.0             | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| COMBINED TOTALS       |                                  | 16.730 cfs           | 4819.5 af              | 1071.0            | 1479.0             |                                    | 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 21<sup>st</sup> day of April, 2014.

  
Western Regional Manager

SUPPORT DATA

IN FILE # 63-7019

Transfer No. 78671

**WATER RIGHT NO. 63-11282**  
**As Modified by Transfer No. 78671**

In accordance with the approval of Transfer No. 78671, Water Right No. 63-11282 is now described as follows:

**Right Holder:** TMCO INC  
 PO BOX 1366  
 NAMPA, ID 83653

**Priority Date:** 4/17/1990

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 3/15        | to 11/15  | 15.000 cfs            | 3379.5 af               |
|                       |             |           | 15.000 cfs            | 3379.5 af               |

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

|              |           |       |                                |
|--------------|-----------|-------|--------------------------------|
| GROUND WATER | L2 (NWNE) | Sec 1 | Twp 06N Rge 05W PAYETTE County |
| GROUND WATER | NWSW      | Sec 1 | Twp 06N Rge 05W PAYETTE County |
| GROUND WATER | SWSW      | Sec 1 | Twp 06N Rge 05W PAYETTE County |
| GROUND WATER | SENE      | Sec 2 | Twp 06N Rge 05W PAYETTE County |
| GROUND WATER | SENW      | Sec 2 | Twp 06N Rge 05W PAYETTE County |
| GROUND WATER | NWSW      | Sec 2 | Twp 06N Rge 05W PAYETTE 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 | 05W | 1   | 45.0 | 45.0 | 40.0 | 40.0 | 43.0 | 18.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 |      | 40.0 | 591.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |
| 06N | 05W | 2   | 39.0 | 44.0 | 40.0 | 40.0 | 35.0 | 45.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 643.0  |
| 06N | 05W | 2   | 1    | 2    |      |      | 3    | 4    |      |      |      |      |      |      |      |      |      |      |        |
| 06N | 05W | 12  |      |      |      |      | 40.0 | 40.0 |      |      |      |      |      |      |      |      |      |      | 80.0   |
| 07N | 05W | 35  |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 20.0 | 5.0  | 25.0   |
| 07N | 05W | 35  |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
| 07N | 05W | 36  |      |      |      |      |      |      |      |      |      |      | 35.0 | 40.0 |      |      | 40.0 | 25.0 | 140.0  |
| 07N | 05W | 36  |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 751.0  
 POU Total Acres: 1479.0

**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.

Transfer No. 78671

**WATER RIGHT NO. 63-11282**  
**As Modified by Transfer No. 78671**

**CONDITIONS OF APPROVAL**

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 is limited to the irrigation of 751 acres within the authorized place of use in a single irrigation season.
5. Rights 63-7019, 63-7956, and 63-11282 when combined shall not exceed a total diversion rate of 16.73 cfs.
6. The following rights are diverted through points of diversion described above: 63-7019, 63-7956, and 63-11282.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

**WATER RIGHT NO. 63-7019****As Modified by Transfer No. 78671**

In accordance with the approval of Transfer No. 78671, Water Right No. 63-7019 is now described as follows:

**Right Holder:** TMCO INC  
PO BOX 1366  
NAMPA, ID 83653

**Priority Date:** 8/21/1967

**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 10/15  | 4.800 cfs             | 1440.0 af               |
|                       |             |           | 4.800 cfs             | 1440.0 af               |

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

|              |           |       |                 |                |
|--------------|-----------|-------|-----------------|----------------|
| GROUND WATER | L2 (NWNE) | Sec 1 | Twp 06N Rge 05W | PAYETTE County |
| GROUND WATER | NWSW      | Sec 1 | Twp 06N Rge 05W | PAYETTE County |
| GROUND WATER | SWSW      | Sec 1 | Twp 06N Rge 05W | PAYETTE County |
| GROUND WATER | SENE      | Sec 2 | Twp 06N Rge 05W | PAYETTE County |
| GROUND WATER | SENE      | Sec 2 | Twp 06N Rge 05W | PAYETTE County |
| GROUND WATER | NWSW      | Sec 2 | Twp 06N Rge 05W | PAYETTE 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 | 05W | 1   | 45.0 | 45.0 | 40.0 | 40.0 | 43.0 | 18.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 |      | 40.0 | 591.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |
| 06N | 05W | 2   | 39.0 | 44.0 | 40.0 | 40.0 | 35.0 | 45.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 643.0  |
| 06N | 05W | 2   | 1    | 2    |      |      | 3    | 4    |      |      |      |      |      |      |      |      |      |      |        |
| 06N | 05W | 12  |      |      |      |      | 40.0 | 40.0 |      |      |      |      |      |      |      |      |      |      | 80.0   |
| 07N | 05W | 35  |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 20.0 | 5.0  | 25.0   |
| 07N | 05W | 35  |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
| 07N | 05W | 36  |      |      |      |      |      |      |      |      |      |      | 35.0 | 40.0 |      |      | 40.0 | 25.0 | 140.0  |
| 07N | 05W | 36  |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 320.0

POU Total Acres: 1479.0

**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.

Transfer No. 78671

**WATER RIGHT NO. 63-7019**  
**As Modified by Transfer No. 78671**

**CONDITIONS OF APPROVAL**

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. The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
5. This right is limited to the irrigation of 320 acres within the authorized place of use in a single irrigation season.
6. Rights 63-7019 and 63-7956 when combined shall not exceed a total diversion rate of 6.4 cfs, a total annual maximum diversion volume of 1440 af at the field headgate, and the irrigation of 320 acres.
7. Rights 63-7019, 63-7956, and 63-11282 when combined shall not exceed a total diversion rate of 16.73 cfs.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
9. The following rights are diverted through points of diversion described above: 63-7019, 63-7956, and 63-11282.

**WATER RIGHT NO. 63-7956****As Modified by Transfer No. 78671**

In accordance with the approval of Transfer No. 78671, Water Right No. 63-7956 is now described as follows:

**Right Holder:** TMCO INC  
PO BOX 1366  
NAMPA, ID 83653

**Priority Date:** 4/1/1974

**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  | 1.600 cfs             | 678.0 af                |
|                       |             |           | 1.600 cfs             | 678.0 af                |

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

|              |           |       |                                |
|--------------|-----------|-------|--------------------------------|
| GROUND WATER | L2 (NWNE) | Sec 1 | Twp 06N Rge 05W PAYETTE County |
| GROUND WATER | NWSW      | Sec 1 | Twp 06N Rge 05W PAYETTE County |
| GROUND WATER | SWSW      | Sec 1 | Twp 06N Rge 05W PAYETTE County |
| GROUND WATER | SENE      | Sec 2 | Twp 06N Rge 05W PAYETTE County |
| GROUND WATER | SENE      | Sec 2 | Twp 06N Rge 05W PAYETTE County |
| GROUND WATER | NWSW      | Sec 2 | Twp 06N Rge 05W PAYETTE 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 | 05W | 1   | 45.0 | 45.0 | 40.0 | 40.0 | 43.0 | 18.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 591.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |
| 06N | 05W | 2   | 39.0 | 44.0 | 40.0 | 40.0 | 35.0 | 45.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 643.0  |
| 06N | 05W | 2   | 1    | 2    |      |      | 3    | 4    |      |      |      |      |      |      |      |      |      |      |        |
| 06N | 05W | 12  |      |      |      |      | 40.0 | 40.0 |      |      |      |      |      |      |      |      |      |      | 80.0   |
| 07N | 05W | 35  |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 20.0 | 5.0  | 25.0   |
| 07N | 05W | 35  |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
| 07N | 05W | 36  |      |      |      |      |      |      |      |      |      |      | 35.0 | 40.0 |      |      | 40.0 | 25.0 | 140.0  |
| 07N | 05W | 36  |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 320.0  
POU Total Acres: 1479.0

**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.

Transfer No. 78671

**WATER RIGHT NO. 63-7956**  
**As Modified by Transfer No. 78671**

**CONDITIONS OF APPROVAL**

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. The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
5. Rights 63-7019 and 63-7956 when combined shall not exceed a total diversion rate of 6.4 cfs, a total annual maximum diversion volume of 1440 af at the field headgate, and the irrigation of 320 acres.
6. This right is limited to the irrigation of 320 acres within the authorized place of use in a single irrigation season.
7. Rights 63-7019, 63-7956, and 63-11282 when combined shall not exceed a total diversion rate of 16.73 cfs.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
9. The following rights are diverted through points of diversion described above: 63-7019, 63-7956, and 63-11282.