

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79217**

This is to certify that: **IDAHO WATER CO LLC**
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>
35-2348	WR/DECREED	8/18/1953	4.080 cfs	816.0 af	204.0	313.0	GROUND WATER
35-7929	WR/DECREED	12/3/1980	2.660 cfs	532.0 af	133.0	313.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
35-14280	WR/DECREED	7/19/1973	1.190 cfs	310.0 af	77.5	320.0	GROUND WATER
35-14046	WR/DECREED	10/31/1986	0.410 cfs	110.9 af	27.7	320.0	GROUND WATER
35-14052	WR/DECREED	1/27/1976	1.550 cfs	309.1 af	77.3	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>
35-2348	YES	YES	YES	NO	NO	NO
35-7929	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>
35-2348	35-14381	1.010 cfs	202.0 af	50.5	320.0	35-2348	1.600 cfs	320.8 af	80.2	123.0
35-7929	35-14382	0.660 cfs	131.6 af	32.9	320.0	35-7929	1.040 cfs	209.2 af	52.3	123.0
COMBINED TOTALS		1.010 cfs	310.0 af	77.5	320.0		N/A	N/A	N/A	N/A

*The remaining portions for water rights 35-2348 and 35-7929 reflect the remaining totals after approval of transfers 79213, 79215, 79217 and 79218.

SUPPORT DATA

Transfer No. 79217

IN FILE # 35-2348

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79217

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 5th day of May, 2014.


for Chief, Water Allocation Bureau



WATER RIGHT NO. 35-2348**As Modified by Transfer No. 79217**

In accordance with the approval of Transfer No. 79217, Water Right No. 35-2348 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
2840 SUNNYBROOK LN
IDAHO FALLS, ID 83404

Priority Date: 8/18/1953

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
1.600 cfs
1.600 cfs

Diversion Volume
320.8 af
320.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec 14 Twp 02S Rge 32E BINGHAM County
GROUND WATER NENENE Sec 15 Twp 02S Rge 32E BINGHAM 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	
02S	32E	14							5.0			16.3							21.3
02S	32E	15	6.4		3.8	40.0								38.0	8.3		5.2		101.7

Right Acre Limit: 80.2

POU Total Acres: 123.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2348 and 35-7929 when combined shall not exceed a total diversion rate of 1.6 cfs, a total annual maximum diversion volume of 492.0 af at the field headgate, and the irrigation of 123.0 acres.
3. 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.

WATER RIGHT NO. 35-2348

As Modified by Transfer No. 79217

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under Transfer approval 77894, 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.
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. 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.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 35-14381**As Modified by Transfer No. 79217**

In accordance with the approval of Transfer No. 79217, Water Right No. 35-14381 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
2840 SUNNYBROOK LN
IDAHO FALLS, ID 83404

Priority Date: 8/18/1953

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

1.010 cfs

1.010 cfs

Diversion Volume

202.0 af

202.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SESENW

Sec 12 Twp 06S Rge 29E POWER 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	
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Right Acre Limit: 50.5

POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14381 and 35-14382 when combined shall not exceed a total diversion rate of 1.01 cfs, a total annual maximum diversion volume of 310.0 af at the field headgate, and the irrigation of 77.5 acres.
3. Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 260.0 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 260.0 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 260.0 acres to be irrigated within the 320.0 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.

WATER RIGHT NO. 35-14381
As Modified by Transfer No. 79217

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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 79217, 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. 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.
8. 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.
9. The combination of changes under Transfer approvals:
79213 as described under rights 25-14405 and 25-14406
79215 as described under rights 29-14106 and 29-14107
79217 as described under rights 35-14381 and 35-14382
79218 as described under rights 27-12265 and 27-12266

provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 79217.

10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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. 35-14381
As Modified by Transfer No. 79217

CONDITIONS OF APPROVAL

13. 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. 35-7929**As Modified by Transfer No. 79217**

In accordance with the approval of Transfer No. 79217, Water Right No. 35-7929 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
2840 SUNNYBROOK LN
IDAHO FALLS, ID 83404

Priority Date: 12/3/1980

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 11/01

Diversion Rate
1.040 cfs
1.040 cfs

Diversion Volume
209.2 af
209.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec 14 Twp 02S Rge 32E BINGHAM County
GROUND WATER NENENE Sec 15 Twp 02S Rge 32E BINGHAM 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	
02S	32E	14							5.0			16.3							21.3
02S	32E	15	6.4		3.8	40.0								38.0	8.3		5.2		101.7

Right Acre Limit: 52.3

POU Total Acres: 123.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 52.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2348 and 35-7929 when combined shall not exceed a total diversion rate of 1.6 cfs, a total annual maximum diversion volume of 492.0 af at the field headgate, and the irrigation of 123.0 acres.
3. 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.

WATER RIGHT NO. 35-7929
As Modified by Transfer No. 79217

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under Transfer approval 77894, 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.
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. 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.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 35-14382
As Modified by Transfer No. 79217

In accordance with the approval of Transfer No. 79217, Water Right No. 35-14382 is now described as follows:

Right Holder: FARMS LLC
 C/O BRAD HALL
 2840 SUNNYBROOK LN
 IDAHO FALLS, ID 83404

Priority Date: 12/3/1980

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 04/01

To
 to 10/31

Diversion Rate
 0.660 cfs
 0.660 cfs

Diversion Volume
 131.6 af
 131.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENW Sec 12 Twp 06S Rge 29E POWER 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	
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Right Acre Limit: 32.9

POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 32.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14381 and 35-14382 when combined shall not exceed a total diversion rate of 1.01 cfs, a total annual maximum diversion volume of 310.0 af at the field headgate, and the irrigation of 77.5 acres.
3. Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 260.0 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 260.0 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 260.0 acres to be irrigated within the 320.0 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.

WATER RIGHT NO. 35-14382
As Modified by Transfer No. 79217

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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 79217, 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. 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.
8. The combination of changes under Transfer approvals:

79213 as described under rights 25-14405 and 25-14406
79215 as described under rights 29-14106 and 29-14107
79217 as described under rights 35-14381 and 35-14382
79218 as described under rights 27-12265 and 27-12266

provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 79217.
9. 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.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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. 35-14382
As Modified by Transfer No. 79217

CONDITIONS OF APPROVAL

13. 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. 35-14280

As Modified by Transfer No. 79217

In accordance with the approval of Transfer No. 79217, Water Right No. 35-14280 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 7/19/1973

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
1.190 cfs
1.190 cfs

Diversion Volume
310.0 af
310.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENW Sec 12 Twp 06S Rge 29E POWER 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	
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Right Acre Limit: 77.5

POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 77.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
3. Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 260.0 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 260.0 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 260.0 acres to be irrigated within the 320.0 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.

WATER RIGHT NO. 35-14280
As Modified by Transfer No. 79217

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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 78017, 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. 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.
8. The combination of changes under:
Transfer approval 78016 as described under right 25-14380
Transfer approval 78017 as described under right 35-14280
Transfer approval 78018 as described under right 25-14381
Transfer approval 78019 as described under right 25-14382

provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 78017.

9. 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 lands above.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 35-14046

As Modified by Transfer No. 79217

In accordance with the approval of Transfer No. 79217, Water Right No. 35-14046 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 10/31/1986

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.410 cfs
0.410 cfs

Diversion Volume
110.9 af
110.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENW Sec 12 Twp 06S Rge 29E POWER 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	
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Right Acre Limit: 27.7

POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 27.7 acres within the place of use described for this right.
2. Rights 35-14046 and 35-14052 when combined shall not exceed a total diversion rate of 1.55 cfs, a total annual maximum diversion volume of 420.0 af at the field headgate, and the irrigation of 105.0 acres.
3. Rights 35-14046, 35-14052 and 35-14046 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
4. Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 260.0 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 260.0 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 260.0 acres to be irrigated within the 320.0 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.

Transfer No. 79217

WATER RIGHT NO. 35-14046

As Modified by Transfer No. 79217

CONDITIONS OF APPROVAL

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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 78017, 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. 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.
9. 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 lands above.
10. This right is based upon an enlargement of Right No. 35-14052 pursuant to Section 42-1426, Idaho Code.
11. 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.
12. This right does not grant any right-of-way or easement across the land of another.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 35-14052
As Modified by Transfer No. 79217

In accordance with the approval of Transfer No. 79217, Water Right No. 35-14052 is now described as follows:

Right Holder: IDAHO WATER CO LLC
 1135 VALLEY RD S
 EDEN, ID 83325

Priority Date: 1/27/1976

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 04/01

To
 to 11/01

Diversion Rate
 1.550 cfs
 1.550 cfs

Diversion Volume
 309.1 af
 309.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENW Sec 12 Twp 06S Rge 29E POWER 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	
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Right Acre Limit: 77.3

POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 77.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14046 and 35-14052 when combined shall not exceed a total diversion rate of 1.55 cfs, a total annual maximum diversion volume of 420.0 af at the field headgate, and the irrigation of 105.0 acres.
3. Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.

WATER RIGHT NO. 35-14052
As Modified by Transfer No. 79217

CONDITIONS OF APPROVAL

4. Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 260.0 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 260.0 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 260.0 acres to be irrigated within the 320.0 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.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. 120.
7. Prior to the diversion and use of water under Transfer approval 78017, 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. 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.
9. 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 lands above.
10. Right No. 35-14046 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.