

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79213**

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

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	YES	NO	YES
35-7929	YES	YES	YES	YES	NO	YES

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	25-14405	0.210 cfs	41.6 af	10.4	N/A	35-2348	1.600 cfs	320.8 af	80.2	123.0
35-7929	25-14406	0.140 cfs	27.2 af	6.8	N/A	35-7929	1.040 cfs	209.2 af	52.3	123.0
COMBINED TOTALS		0.210 cfs	64.0 af	16.0	N/A		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 5th day of May, 2014.


for Chief, Water Allocation Bureau

*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. 79213

IN FILE # 35-2348

WATER RIGHT NO. 35-2348**As Modified by Transfer No. 79213**

In accordance with the approval of Transfer No. 79213, 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

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

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	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. 79213

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. 25-14405
As Modified by Transfer No. 79213

In accordance with the approval of Transfer No. 79213, Water Right No. 25-14405 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

MUNICIPAL

From

04/01

To

to 10/31

Diversion Rate

0.210 cfs

0.210 cfs

Diversion Volume

41.6 af

41.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNWSW	Sec 34 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	SWSWNE	Sec 27 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NESENW	Sec 30 Twp 02N Rge 39E	BONNEVILLE County
GROUND WATER	NWNENW	Sec 27 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NESENW	Sec 27 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NWSESE	Sec 27 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NWSENW	Sec 26 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	SESENW	Sec 22 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	SESWSE	Sec 22 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	SENENW	Sec 25 Twp 02N Rge 38E	BONNEVILLE County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Ammon municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. This right is limited to the irrigation of 10.4 acres within the authorized place of use in a single irrigation season.
4. Rights 25-14405 and 25-14406 when combined shall not exceed a total diversion rate of 0.21 cfs, a total annual maximum diversion volume of 64.0 af at the field headgate, and the irrigation of 16.0 acres.
5. Municipal use under rights 25-14405 and 25-14406 is for irrigation of 16.0 acres within the authorized place of use in a single irrigation season.

WATER RIGHT NO. 25-14405
As Modified by Transfer No. 79213

CONDITIONS OF APPROVAL

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. 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.
8. Prior to diversion and use of water under Transfer approval 79213, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
9. 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.

10. Beginning on the date of approval of Transfer 79213, the irrigation uses under rights 25-14405 and 25-14406 when combined are limited to the following schedule of allowed use.

Year 2014 through 2015 the rights are limited to 0.16 cfs, 48 afa and 12.0 acres.

Year 2016 and beyond the rights are limited to 0.21 cfs, 64.0 afa and 16.0 acres.

11. The irrigation component of municipal use under this right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate.
12. 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 79213.

13. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
14. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 25-14405
As Modified by Transfer No. 79213

CONDITIONS OF APPROVAL

15. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
17. 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. 79213

In accordance with the approval of Transfer No. 79213, 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

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
GROUND WATER

SESW
NENENE

Sec 14 Twp 02S Rge 32E BINGHAM County
Sec 15 Twp 02S Rge 32E BINGHAM 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	
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. 79213

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. 25-14406
As Modified by Transfer No. 79213

In accordance with the approval of Transfer No. 79213, Water Right No. 25-14406 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

MUNICIPAL

From

04/01

To

to 10/31

Diversion Rate

0.140 cfs

0.140 cfs

Diversion Volume

27.2 af

27.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESENW	Sec 22 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	SESWSW	Sec 22 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	SEENW	Sec 25 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NWSENW	Sec 26 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	SWSWNE	Sec 27 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NWNENW	Sec 27 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NESENW	Sec 27 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NWSESE	Sec 27 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	SWNWSW	Sec 34 Twp 02N Rge 38E	BONNEVILLE County
GROUND WATER	NESENW	Sec 30 Twp 02N Rge 39E	BONNEVILLE County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of the City of Ammon municipal water supply system as provided for under Idaho Law.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. This right is limited to the irrigation of 6.8 acres within the authorized place of use in a single irrigation season.
4. Rights 25-14405 and 25-14406 when combined shall not exceed a total diversion rate of 0.21 cfs, a total annual maximum diversion volume of 64.0 af at the field headgate, and the irrigation of 16.0 acres.
5. Municipal use under rights 25-14405 and 25-14406 is for irrigation of 16.0 acres within the authorized place of use in a single irrigation season.

WATER RIGHT NO. 25-14406
As Modified by Transfer No. 79213

CONDITIONS OF APPROVAL

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. 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.
8. Prior to diversion and use of water under Transfer approval 79213, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
9. 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.
10. Beginning on the date of approval of Transfer 79213, the irrigation uses under rights 25-14405 and 25-14406 when combined are limited to the following schedule of allowed use.

Year 2014 through 2015 the rights are limited to 0.16 cfs, 48 afa and 12.0 acres.

Year 2016 and beyond the rights are limited to 0.21 cfs, 64.0 afa and 16.0 acres.

11. The irrigation component of municipal use under this right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate.
12. 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 79213.

13. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
14. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 25-14406
As Modified by Transfer No. 79213

CONDITIONS OF APPROVAL

15. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
17. 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.



State of Idaho
Department of Water Resources
Transfer of Water Right

Transfer No. 79213

Water Service Area for the City of Ammon
Rights: 25-14405, 25-14406



-  Water Service Area Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.75 1.5 3 Miles

