

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78987**

This is to certify that: VELIA DE GIULIO
1643 W 500 S
PINGREE, ID 83262

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>
35-13565	WR/DECREED	9/11/1950	1.500 cfs	428.0 af	107.0	186.0	GROUND WATER
35-2109A	WR/DECREED	9/25/1948	1.070 cfs	268.0 af	N/A	67.0	GROUND WATER
35-2109B	WR/DECREED	9/25/1948	0.430 cfs	108.0 af	N/A	27.0	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>
35-13566	WR/DECREED	4/1/1985	1.000 cfs	316.0 af	79.0	135.0	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>
35-13565	YES	YES	YES	NO	NO	NO
35-2109A	YES	YES	YES	NO	NO	NO
35-2109B	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>
35-13565	35-14376	0.240 cfs	68.0 af	17.0	78.0	35-13565	1.260 cfs	360.0 af	90.0	135.0
35-2109A	35-14371	0.540 cfs	136.0 af	34.0	78.0	35-2109A	0.530 cfs	132.0 af	N/A	33.0
35-2109B	35-2109B	0.430 cfs	108.0 af	27.0	78.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.210 cfs	312.0 af	78.0	78.0		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 78987

IN FILE # 35-2109A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78987

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 26th day of February, 2014.

[Signature]
for Chief, Water Allocation Bureau



WATER RIGHT NO. 35-2109B
As Modified by Transfer No. 78987

In accordance with the approval of Transfer No. 78987, Water Right No. 35-2109B is now described as follows:

Right Holder: VELIA DE GIULIO
1643 W 500 S
PINGREE, ID 83262

Priority Date: 9/25/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	0.430 cfs	108.0 af
			0.430 cfs	108.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSW Sec 21 Twp 03S Rge 33E 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	
03S	33E	20													5.8			5.2	11.0
03S	33E	21										34.0	33.0						67.0

Right Acre Limit: 27.0
POU Total Acres: 78.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 27 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2109B, 35-14371, and 35-14376 when combined shall not exceed the irrigation of 78 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.
4. 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.

Transfer No. 78987

WATER RIGHT NO. 35-2109B
As Modified by Transfer No. 78987

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 78987, 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. 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.
7. 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.
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. 35-2109A
As Modified by Transfer No. 78987

In accordance with the approval of Transfer No. 78987, Water Right No. 35-2109A is now described as follows:

Right Holder: VELIA DE GIULIO
 1643 W 500 S
 PINGREE, ID 83262

Priority Date: 9/25/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	0.530 cfs	132.0 af
			0.530 cfs	132.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWSE Sec 20 Twp 03S Rge 33E 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	
03S	33E	20																	33.0

POU Total Acres: 33.0

CONDITIONS OF APPROVAL

1. Rights 35-2109A, 35-13565, and 35-13566 when combined shall not exceed a total diversion rate of 1.79 cfs, a total annual maximum diversion volume of 540 af at the field headgate, and the irrigation of 135 acres.
2. Right No. 35-13566 is an enlargement of rights 35-2109A and 35-13565 pursuant to Section 42-1426, Idaho Code.
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.

Transfer No. 78987

WATER RIGHT NO. 35-14371**As Modified by Transfer No. 78987**

In accordance with the approval of Transfer No. 78987, Water Right No. 35-14371 is now described as follows:

Right Holder: VELIA DE GIULIO
1643 W 500 S
PINGREE, ID 83262

Priority Date: 9/25/1948

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 11/01

Diversion Rate

0.540 cfs

0.540 cfs

Diversion Volume

136.0 af

136.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWSW

Sec 21 Twp 03S Rge 33E 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	
03S	33E	20													5.8			5.2	11.0
03S	33E	21										34.0	33.0						67.0

Right Acre Limit: 34.0

POU Total Acres: 78.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 34 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2109B, 35-14371, and 35-14376 when combined shall not exceed the irrigation of 78 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.
4. 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.

Transfer No. 78987

WATER RIGHT NO. 35-14371
As Modified by Transfer No. 78987

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 78987, 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. 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.
7. 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.
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. 35-13565

As Modified by Transfer No. 78987

In accordance with the approval of Transfer No. 78987, Water Right No. 35-13565 is now described as follows:

Right Holder: VELIA DE GIULIO
1643 W 500 S
PINGREE, ID 83262

Priority Date: 9/11/1950

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

1.260 cfs

1.260 cfs

Diversion Volume

360.0 af

360.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSE

Sec 20 Twp 03S Rge 33E 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	
03S	33E	20													32.5	34.5	35.0	33.0	135.0

Right Acre Limit: 90.0

POU Total Acres: 135.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 90 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2109A, 35-13565, and 35-13566 when combined shall not exceed a total diversion rate of 1.79 cfs, a total annual maximum diversion volume of 540 af at the field headgate, and the irrigation of 135 acres.
3. Right No. 35-13566 is an enlargement of rights 35-2109A and 35-13565 pursuant to Section 42-1426, Idaho Code.
4. 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.

Transfer No. 78987

WATER RIGHT NO. 35-14376**As Modified by Transfer No. 78987**

In accordance with the approval of Transfer No. 78987, Water Right No. 35-14376 is now described as follows:

Right Holder: VELIA DE GIULIO
1643 W 500 S
PINGREE, ID 83262

Priority Date: 9/11/1950

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.240 cfs

0.240 cfs

Diversion Volume

68.0 af

68.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWSW

Sec 21 Twp 03S Rge 33E 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	
03S	33E	20													5.8			5.2	11.0
03S	33E	21										34.0	33.0						67.0

Right Acre Limit: 17.0

POU Total Acres: 78.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 17 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2109B, 35-14371, and 35-14376 when combined shall not exceed the irrigation of 78 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.
4. 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.

Transfer No. 78987

WATER RIGHT NO. 35-14376
As Modified by Transfer No. 78987

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 78987, 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. 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.
7. 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.
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. 35-13566**As Modified by Transfer No. 78987**

In accordance with the approval of Transfer No. 78987, Water Right No. 35-13566 is now described as follows:

Right Holder: VELIA DE GIULIO
1643 W 500 S
PINGREE, ID 83262

Priority Date: 4/1/1985

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	1.000 cfs	316.0 af
			1.000 cfs	316.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 20 Twp 03S Rge 33E 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	
03S	33E	20													32.5	34.5	35.0	33.0	135.0

Right Acre Limit: 79.0

POU Total Acres: 135.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 79 acres within the place of use described for this right.
2. Rights 35-2109A, 35-13565, and 35-13566 when combined shall not exceed a total diversion rate of 1.79 cfs, a total annual maximum diversion volume of 540 af at the field headgate, and the irrigation of 135 acres.
3. This right is based upon an enlargement of Right No. 35-2109A and 35-13565 pursuant to Section 42-1426, Idaho Code.
4. 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.
5. 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.

Transfer No. 78987