

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78901**

This is to certify that: **MORGAN ENTERPRISES LLC**
762 W HWY 39
BLACKFOOT, ID 83221

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>
35-13994	WR/DECREED	7/13/1954	0.430 cfs	N/A	40.3	73.5	GROUND WATER
35-13996	WR/DECREED	11/12/1975	0.950 cfs	N/A	72.8	73.5	GROUND WATER
35-13997	WR/DECREED	5/11/1949	0.940 cfs	N/A	60.5	84.0	GROUND WATER
35-13998	WR/DECREED	5/11/1949	0.460 cfs	N/A	29.5	41.0	GROUND WATER
35-13999	WR/DECREED	4/1/1966	0.260 cfs	N/A	23.5	84.0	GROUND WATER
35-14000	WR/DECREED	4/1/1966	0.120 cfs	N/A	11.5	41.0	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>
35-13994	NO	YES	YES	NO	NO	NO
35-13996	NO	YES	YES	NO	NO	NO
35-13997	YES	NO	YES	NO	NO	NO
35-13998	NO	NO	YES	NO	NO	NO
35-13999	YES	NO	YES	NO	NO	NO
35-14000	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>
35-13994	35-13994	0.430 cfs	161.2 af	40.3	143.5	N/A	N/A	N/A	N/A	N/A
35-13996	35-13996	0.950 cfs	291.2 af	72.8	143.5	N/A	N/A	N/A	N/A	N/A
35-13997	35-14353	0.320 cfs	83.6 af	20.9	143.5	35-13997	0.620 cfs	158.4 af	39.6	55.0
35-13998	35-13998	0.460 cfs	118.0 af	29.5	143.5	N/A	N/A	N/A	N/A	N/A
35-13999	35-14354	0.090 cfs	32.4 af	8.1	143.5	35-13999	0.170 cfs	61.6 af	15.4	55.0
35-14000	35-14000	0.120 cfs	46.0 af	11.5	143.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.010 cfs	574.0 af	143.5	143.5		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 35-13994

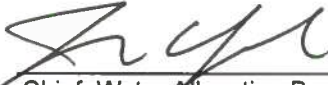
Transfer No. 78901

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78901

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 23rd day of January, 2014.


for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13994
As Modified by Transfer No. 78901

In accordance with the approval of Transfer No. 78901, Water Right No. 35-13994 is now described as follows:

Right Holder: MORGAN ENTERPRISES LLC
 762 W HWY 39
 BLACKFOOT, ID 83221

Priority Date: 7/13/1954

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	0.430 cfs	161.2 af
			0.430 cfs	161.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 4 Twp 02S Rge 34E 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	34E	4		34.0	39.5	34.0	35.0									0.3	0.7			143.5

Right Acre Limit: 40.3

POU Total Acres: 143.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13994 and 35-13996 when combined shall not exceed a total diversion rate of 1.23 cfs, a total annual maximum diversion volume of 294 af at the field headgate, and the irrigation of 73.5 acres.
3. Rights 35-13994, 35-13996, 35-13998, 35-14000, 35-14353, and 35-14354 when combined shall not exceed a total diversion rate of 2.01 cfs, a total annual maximum diversion volume of 574 af at the field headgate, and the irrigation of 143.5 acres.
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.

Transfer No. 78901

WATER RIGHT NO. 35-13994
As Modified by Transfer No. 78901

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 78901 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 right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 35-13996
As Modified by Transfer No. 78901

In accordance with the approval of Transfer No. 78901, Water Right No. 35-13996 is now described as follows:

Right Holder: MORGAN ENTERPRISES LLC
 762 W HWY 39
 BLACKFOOT, ID 83221

Priority Date: 11/12/1975

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	0.950 cfs	291.2 af
			0.950 cfs	291.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 4 Twp 02S Rge 34E 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	34E	4	34.0	39.5	34.0	35.0									0.3	0.7			143.5

Right Acre Limit: 72.8

POU Total Acres: 143.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 72.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13994 and 35-13996 when combined shall not exceed a total diversion rate of 1.23 cfs, a total annual maximum diversion volume of 294 af at the field headgate, and the irrigation of 73.5 acres.
3. Rights 35-13994, 35-13996, 35-13998, 35-14000, 35-14353, and 35-14354 when combined shall not exceed a total diversion rate of 2.01 cfs, a total annual maximum diversion volume of 574 af at the field headgate, and the irrigation of 143.5 acres.
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.

Transfer No. 78901

WATER RIGHT NO. 35-13996
As Modified by Transfer No. 78901

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 78901 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 right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 35-13998
As Modified by Transfer No. 78901

In accordance with the approval of Transfer No. 78901, Water Right No. 35-13998 is now described as follows:

Right Holder: MORGAN ENTERPRISES LLC
 762 W HWY 39
 BLACKFOOT, ID 83221

Priority Date: 5/11/1949

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	0.460 cfs 0.460 cfs	118.0 af 118.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 4 Twp 02S Rge 34E 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	34E	4	34.0	39.5	34.0	35.0									0.3	0.7			143.5

Right Acre Limit: 29.5
 POU Total Acres: 143.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 29.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13998 and 35-14000 when combined shall not exceed a total diversion rate of 0.46 cfs, a total annual maximum diversion volume of 164 af at the field headgate, and the irrigation of 41 acres.
3. Rights 35-13994, 35-13996, 35-13998, 35-14000, 35-14353, and 35-14354 when combined shall not exceed a total diversion rate of 2.01 cfs, a total annual maximum diversion volume of 574 af at the field headgate, and the irrigation of 143.5 acres.
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.

Transfer No. 78901

WATER RIGHT NO. 35-13998
As Modified by Transfer No. 78901

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 78901 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. Right No. 35-14000 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 35-14000
As Modified by Transfer No. 78901

In accordance with the approval of Transfer No. 78901, Water Right No. 35-14000 is now described as follows:

Right Holder: MORGAN ENTERPRISES LLC
762 W HWY 39
BLACKFOOT, ID 83221

Priority Date: 4/1/1966

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	0.120 cfs	46.0 af
			0.120 cfs	46.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 4 Twp 02S Rge 34E 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	34E	4	34.0	39.5	34.0	35.0									0.3	0.7			143.5

Right Acre Limit: 11.5
POU Total Acres: 143.5

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 11.5 acres within the place of use described for this right.
2. Rights 35-13998 and 35-14000 when combined shall not exceed a total diversion rate of 0.46 cfs, a total annual maximum diversion volume of 164 af at the field headgate, and the irrigation of 41 acres.
3. Rights 35-13994, 35-13996, 35-13998, 35-14000, 35-14353, and 35-14354 when combined shall not exceed a total diversion rate of 2.01 cfs, a total annual maximum diversion volume of 574 af at the field headgate, and the irrigation of 143.5 acres.
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.

Transfer No. 78901

WATER RIGHT NO. 35-14000
As Modified by Transfer No. 78901

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 78901 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. This right is based upon an enlargement of Right No. 35-13998 pursuant to Section 42-1426, Idaho Code.
10. 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.
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. 35-13997
As Modified by Transfer No. 78901

In accordance with the approval of Transfer No. 78901, Water Right No. 35-13997 is now described as follows:

Right Holder: JOHN M RITCHIE And
KAYE RITCHIE
PO BOX 1068
BLACKFOOT, ID 83221

Priority Date: 5/11/1949

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	0.620 cfs	158.4 af
			0.620 cfs	158.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 4 Twp 02S Rge 34E 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	34E	4	3.6			5.7									15.7			30.0	55.0

Right Acre Limit: 39.6
POU Total Acres: 55.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 39.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13997 and 35-13999 when combined shall not exceed a total diversion rate of 0.62 cfs, a total annual maximum diversion volume of 220 af at the field headgate, and the irrigation of 55 acres.
3. Right No. 35-13999 is an enlargement of this right 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. 78901

WATER RIGHT NO. 35-14353
As Modified by Transfer No. 78901

In accordance with the approval of Transfer No. 78901, Water Right No. 35-14353 is now described as follows:

Right Holder: MORGAN ENTERPRISES LLC
 762 W HWY 39
 BLACKFOOT, ID 83221

Priority Date: 5/11/1949

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	0.320 cfs 0.320 cfs	83.6 af 83.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 4 Twp 02S Rge 34E 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	34E	4	34.0	39.5	34.0	35.0									0.3	0.7			143.5

Right Acre Limit: 20.9
 POU Total Acres: 143.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 20.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14353 and 35-14354 when combined shall not exceed a total diversion rate of 0.32 cfs, a total annual maximum diversion volume of 116 af at the field headgate, and the irrigation of 29 acres.
3. Rights 35-13994, 35-13996, 35-13998, 35-14000, 35-14353, and 35-14354 when combined shall not exceed a total diversion rate of 2.01 cfs, a total annual maximum diversion volume of 574 af at the field headgate, and the irrigation of 143.5 acres.
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.

Transfer No. 78901

WATER RIGHT NO. 35-14353
As Modified by Transfer No. 78901

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 78901 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. Right No. 35-14354 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 35-13999
As Modified by Transfer No. 78901

In accordance with the approval of Transfer No. 78901, Water Right No. 35-13999 is now described as follows:

Right Holder: KAYE RITCHIE And
 JOHN M RITCHIE
 PO BOX 1068
 BLACKFOOT, ID 83221

Priority Date: 4/1/1966

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	0.170 cfs	61.6 af
			0.170 cfs	61.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 4 Twp 02S Rge 34E 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	34E	4	3.6			5.7									15.7			30.0	55.0

Right Acre Limit: 15.4
 POU Total Acres: 55.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 15.4 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13997 and 35-13999 when combined shall not exceed a total diversion rate of 0.62 cfs, a total annual maximum diversion volume of 220 af at the field headgate, and the irrigation of 55.0 acres.
3. This right is based upon an enlargement of Right No. 35-13997 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.

Transfer No. 78901

WATER RIGHT NO. 35-13999
As Modified by Transfer No. 78901

CONDITIONS OF APPROVAL

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.

WATER RIGHT NO. 35-14354
As Modified by Transfer No. 78901

In accordance with the approval of Transfer No. 78901, Water Right No. 35-14354 is now described as follows:

Right Holder: MORGAN ENTERPRISES LLC
 762 W HWY 39
 BLACKFOOT, ID 83221

Priority Date: 4/1/1966

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	0.090 cfs	32.4 af
			0.090 cfs	32.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 4 Twp 02S Rge 34E 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	34E	4	34.0	39.5	34.0	35.0									0.3	0.7			143.5

Right Acre Limit: 8.1
 POU Total Acres: 143.5

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 8.1 acres within the place of use described for this right.
2. Rights 35-14353 and 35-14354 when combined shall not exceed a total diversion rate of 0.32 cfs, a total annual maximum diversion volume of 116 af at the field headgate, and the irrigation of 29 acres.
3. Rights 35-13994, 35-13996, 35-13998, 35-14000, 35-14353, and 35-14354 when combined shall not exceed a total diversion rate of 2.01 cfs, a total annual maximum diversion volume of 574 af at the field headgate, and the irrigation of 143.5 acres.
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.

Transfer No. 78901

WATER RIGHT NO. 35-14354
As Modified by Transfer No. 78901

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 78901 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. This right is based upon an enlargement of Right No. 35-14353 pursuant to Section 42-1426, Idaho Code.
10. 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.
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.