

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAY 01 2013

DEPARTMENT OF
WATER RESOURCES

A Beneficial Use Field Report is prepared by a water right examiner as the result of an examination to clearly confirm and establish the extent of the beneficial use of water established in connection with a permit during the development period authorized by the permit and any extensions of time previously approved.

A. GENERAL INFORMATIONPermit No. 63-117771. Owner Jerry L. and Mary Louise TlucekPhone No. 208-249-0090Current address 15188 S Can-Ada Rd, Melba, ID 836142. Examiner's name Scott King, P.E.EXAM DATE April 4, 20133. Accompanied by Jerry Tlucek

Email _____

Address _____

Relationship to permit holder _____

Phone No. _____

4. Source Ground Water

tributary to _____

B. OVERLAP REVIEW1. Other water rights with the same place of use 63-8604, 63-161BQ, Boise-Kuna Irrigation District2. Other water rights with the same source and point of diversion 63-8604, 63-7270A, 63-7270B**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

Ident. No.	Gov't Lot	¼	¼	¼	Sec	Twp	Rge	County	Method of Determination/Remarks
1			SE	SE	20	1S	1W	Ada	Field exam, 2011 photo
2			NW	NW	29	1S	1W	Ada	Field exam, 2011 photo

2. Place(s) of Use:

Method of determination Field exam, 2011 photo

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	1W	19											12	31				1	44
													L 4						
		20							0.6		17	12	38	6			0.7		74.3
		29	0.4	1	9		1			1									12.4
					L 1														
		30			26		26	29	30	31									142
								L 1	L 2										

Total 272.7 acres

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe diameter (inside), as applicable. Use the space provided or ☒ see attached.

Scale: 1" = _____

- ☒ Copy of USGS Quadrangle attached showing location(s) of point(s) of diversion and place(s) of use (required)
☒ Aerial photo attached (required for irrigation of 10+ acres)
☒ Photo of diversion and system attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1 (S20 Well)	US Motors	200	44STP / 8E-039	Vertiline	SN# 44693
2 (S29 Well)	US Electric	100	no nameplate	Vertiline	V74-00190

*Code to correspond with no. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
1 (S20 Well) - PT878	Ultrasonic	GE	PT878	07140	variable	3/27/2013
2 (S29 Well) - PT878	Ultrasonic	GE	PT878	07140	variable	3/27/2013

2. **Measurements:** _____

S20 Well: 1.41 cfs (1977 licensing exam for 63-7270); 1.63 cfs (April 4, 2013)

S29 Well: 2.72 cfs (1984 licensing exam for 63-8604); 2.17 cfs (April 4, 2013)

E. NARRATIVE/REMARKS/COMMENTS

This permit authorized development of supplemental ground water for 405 acres. The two wells provide supplemental ground water to a 591.7-acre place of use under 63-11777 and 63-8604, plus primary ground water to 142.1 acres under 63-7270A and 63-7270B. Water right 63-8604 authorizes 2.72 cfs and 1321.8 afy for 319 acres. 63-11777 is recommended for 1.63 cfs and 840.6 afy for irrigation of 272.7 acres (the difference between 591.7 irrigated less 319 authorized by 63-8604). When combined, 63-11777 and 63-8604 are recommended to be limited to 4.35 cfs and 2162.4 afy for the irrigation of 591.7 acres. When combined, 63-11777, 63-8604, 63-7270A and 63-7270B are recommended to be limited to 4.35 cfs and 2243.3 afy for the irrigation of 733.8 acres. See attached overlap analysis.

The Part 3 maps enclosed depict the complete place of use for 63-8604 and 63-11777. The GIS place of use for 63-8604 appears to be incorrect, depicting approximately 350 total acres for the 319-acre water right.

Surface water used for the 591.7-acre place of use is delivered by Boise-Kuna Irrigation District and includes private water right 63-161BQ.

Well #1 in Section 20 discharges to a pond with surface area of approximately 0.76 acres and storage depth of 10 feet. Storage volume is calculated at 3.04 acre-feet based on: 0.76 acres x 10 ft depth x 0.4 pond volume multiplier. This volume is less than the 24-hour diversion capacity for Well #1 (1.63 cfs x 1.9835 = 3.23 acre-feet) and therefore a storage component is not required. A 50-hp centrifugal pump (make and model unknown) diverts from the pond to the pressurized irrigation system. Discharge from the well to the pond was measured at 1.63 cfs and is the quantity recommended for this exam for this well.

Well #2 in Section 29 discharges directly to the pressurized irrigation system. The flow of 2.72 cfs measured during the 1984 licensing exam for 63-8604 exceeds the capacity measured during this exam and is the quantity recommended from this well.

Wells listed on the permit at Section 20 NESE and Section 29 NWNE were not constructed.

Has the permit holder met all conditions of permit approval, including any mitigation requirements and/or measuring device installation requirements? ☒ Yes ☐ No If no, what must be done to meet the permit requirements?

ATTACHMENT A

PERMIT RECORD AND PROOF OF BENEFICIAL USE

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-11777

Priority: April 17, 1992

Maximum Diversion Rate: 8.10 CFS

This is to certify, that DUANE PANCHERI
4700 N CAN-ADA RD
STAR ID 83669

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/01 to 11/15	8.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE1/4SE1/4	Sec. 20, Twp 01S, Rge 01W, B.M., ADA County
GROUND WATER	NW1/4NE1/4	Sec. 29, Twp 01S, Rge 01W, B.M., ADA County
GROUND WATER	SE1/4SE1/4	Sec. 20, Twp 01S, Rge 01W, B.M., ADA County
GROUND WATER	NW1/4NW1/4	Sec. 29, Twp 01S, Rge 01W, B.M., ADA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 01W 19											25.0	40.0				40.0	105.0
											L 4						
01S 01W 20									22.0		40.0	37.0					99.0
01S 01W 30			40.0	40.0	20.0	30.5	30.5	40.0									201.0
						L 1	L 2										

Total Acres: 405

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2013**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1822.5 af at the field headgate for the lands above.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-11777

6. This right does not grant any right-of-way or easement across the land of another.
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. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. This right does not authorize the irrigation of land not previously irrigated.
10. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
11. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
12. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of May, 2008.



JOHN WESTRA
WESTERN REGIONAL MANAGER

COPY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY

Amt. of Fee \$: _____
Receipt No. _____
Receipt By: _____
Date Received: _____

The Idaho Department of Water Resources considers this form a statement by the permit holder(s) that development of a water right has been **completed** and that water has been applied to beneficial use to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner.** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, please contact any Department office or visit the Department's website at: www.idwr.idaho.gov for an *Assignment of Permit* form. If you wish to relinquish your permit because you have not established the authorized use of the water and are not applying for an extension, please notify the Department in writing.

1. Permit No.: 63-11177 Telephone No.: 208-249-0090

2. Name of Permit Holder(s): Jerry L. and Mary Louise Tlucek

3. Mailing Address: 15188 S Can-Ada Rd City: Melba
State: ID Zip: 83614 Email: _____

4. Source of Water: Ground Water If **GROUND WATER** (well), Date Drilled: mo. 11/7 / yr. 1977
Well Driller: Bill Doty Drilling Permit Number: 820311 (S20 Well u/k)

5. Extent of use(s) completed (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 405 Other: _____

6. Total rate of diversion or storage volume for which proof is submitted: 8.1 cfs OR _____ acre-feet.

7. Compliance with a measuring device requirement, lockable controlling device requirement, and/or other conditions of permit: **Refer to the approval conditions on your permit and respond accordingly. The Department will not issue a license if permit conditions are not met.**

Measuring Device: Is a measuring device required? Yes ☐ No ☒
If yes, has the measuring device been installed? Yes ☐ No ☐

Lockable Controlling Device: Is a lockable device required to control the diversion? Yes ☐ No ☒
If yes, has the lockable device been installed? Yes ☐ No ☐

Other Conditions of Permit: Do the approval conditions on your permit require you to submit additional information in connection with your proof of beneficial use? If yes, list the conditions below and attach documents with the required information.

_____ Completed? Yes ☐ No ☐

8. Fee Enclosed: \$ n/a See fee schedule on back of the instructions for filing proof of beneficial use.
Proofs filed without an appropriate fee, will be considered incomplete.

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: n/a-SPF Water Engineering conducted exam Telephone Number: _____

Mailing Address: _____ City: _____

State: _____ Zip: _____ Email: _____

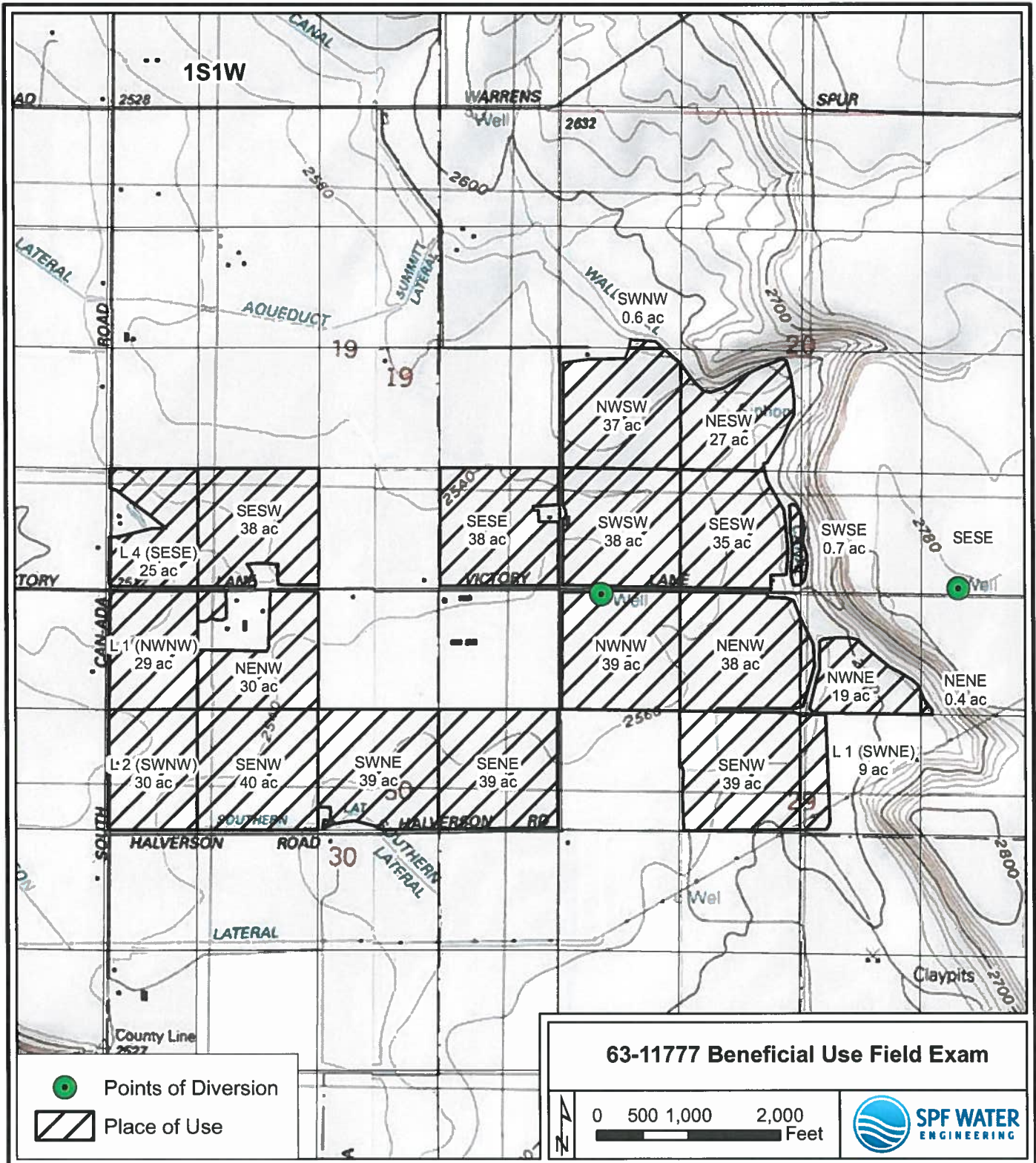
The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to a beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Signature of permit holder: Jerry L. Tlucek Mary Louise Tlucek Date: 4/4/13
(Include your title, if on behalf of company or organization)

Mail to: Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098

ATTACHMENT B

TOPO MAP AND 2011 AERIAL PHOTO



ATTACHMENT C
PHOTOS



Figure 1: Well #1 is located at 1S 1W Section 20 SESE.



Figure 2: Measured flow was diverted through one mainline to the pond.



Figure 3: Stabilization pond with approximate storage capacity of 3 acre-feet.



Figure 4: Well 2 is located at 1S 1W Section 29 NWNW.

ATTACHMENT D
OVERLAP ANALYSIS

63-11777/63-8604 Overlap Analysis				
		63-8604		63-11777
Section 19	GIS Irrig Acres	Decree Acres	63-8604 GIS Acres	Recommended Acres
SWSW (L4)	25	13	13.4	
				12
SESW	38	7	6.8	
				31
SESE	38	37	38.7	
				1
Section 20				
SWNW	0.6	0	0	
				0.6
NESW	27	10	16.1	
				17
NWSW	37	25	28.1	
				12
SWSW	38	0	0	
				38
SESW	35	29	34.5	
				6
SWSE	0.7	0	0	
				0.7
Section 29				
NENE	0.4	0	0	
				0.4
NWNE	19	18	17.7	
				1
SWNE (L1)	9	0	0	
				9
NENW	38	37	38.5	
				1
NWNW	39	39	40.2	
				0
SENW	39	38	40	
				1
Section 30				
SWNE	39	13	12.7	
				26
SENE	40	40	40	
				0
NENW	30	4	5.2	
				26
NWNW (L1)	29	0	0	
				29
SWNW (L2)	30	0	0	
				30
SENW	40	9	17.8	
				31
Totals	591.7	319	349.7	272.7

Right	cfs	af	acr	cfs/acr	af/acr	Notes
63-8604	2.72	1321.8	319	0.0085	4.14	Decreed
63-11177	4.35	1822.5	405	0.0107		Permitted
63-11777	1.63	840.6	272.7	0.0060	3.08	Developed
Combined	4.35	2162.4	591.7	0.0074	3.65	63-8604 & 63-11177 Combined

ATTACHMENT E
DISCHARGE MEASUREMENTS

Permit: 63-11177
 Owner: Tlucek
 Site Name: Irrigation East Well #1
 POD Location: 01S 01W 20 SESE
 Meter: GE TransPort PT878
 Operator: Scott King

Date/Time	Volume (gal/m)	(+)Total (gal)	(-)Total (gal)	Error #
4/4/2013 16:11:03	746	6482	0	0
4/4/2013 16:12:04	782	7250	0	0
4/4/2013 16:13:03	667	7937	0	0
4/4/2013 16:14:03	720	8627	0	0
4/4/2013 16:15:03	721	9346	0	0
4/4/2013 16:16:03	693	10070	0	0
4/4/2013 16:17:03	812	10831	0	0
4/4/2013 16:18:03	759	11605	0	0
4/4/2013 16:19:03	777	12310	0	0
4/4/2013 16:20:03	743	13060	0	0
4/4/2013 16:21:03	737	13790	0	0

minutes	gallons
10	7309

gpm	731
cfs	1.63

Permit: 63-11777
 Owner: Tlucek
 Site Name: West Well #2
 POD Location: 01S 01W 29 NWNW
 Meter: GE TransPort PT878
 Operator: Scott King

Date/Time	Volume (gal/m)	(+)Total (gal)	(-)Total (gal)	Error #
4/4/2013 15:12:03	975	147584	0	0
4/4/2013 15:13:03	974	148598	0	0
4/4/2013 15:14:04	976	149554	0	0
4/4/2013 15:15:03	984	150525	0	0
4/4/2013 15:16:03	976	151496	0	0
4/4/2013 15:17:03	974	152477	0	0
4/4/2013 15:18:04	971	153443	0	0
4/4/2013 15:19:04	977	154428	0	0
4/4/2013 15:20:03	971	155355	0	0
4/4/2013 15:21:03	976	156351	0	0
4/4/2013 15:22:03	972	157331	0	0

minutes	gallons
10	9747

gpm	975
cfs	2.17

ATTACHMENT F
OTHER WATER RIGHTS

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-08604

NAME AND ADDRESS: DUANE PANCHERI
19010 S CAN-ADA RD
MELBA, ID 83641

SOURCE: GROUND WATER

The right holder shall use the full allotment of his surface
water right, to the extent it is available, in conjunction with
groundwater diverted pursuant to this right.

QUANTITY: 2.72 CFS
1321.80 AFY

This right when combined with all other rights shall provide no
more than .02 cfs per acre nor more than 4.5 afa per acre for
irrigation of the lands above.

PRIORITY DATE: 03/22/1977

POINT OF DIVERSION: T01S R01W S20 SESE Within Ada County
S29 NWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.72 CFS 1321.80 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Ada County
	T01S R01W S19 LOT 4 (SWSW)13.0	SESW 7.0
		SESE 37.0
	S20 NESW 10.0	NWSW 25.0
		SESW 29.0
	S29 NWNW 18.0	NENW 37.0
		NWNW 39.0
	S30 SWNE 13.0	SENE 40.0
		NENW 4.0
	SENW 9.0	
	319.0 Acres Total	

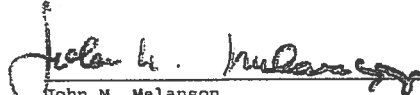
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78269**

This is to certify that:

JERRY L TLUCEK And/Or
MARY LOUISE TLUCEK And/or
SNAKE RIVER DAIRIES LLC
15188 S CAN-ADA RD
MELBA, ID 83641

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-7270A	WR/DECREED	10/7/1969	0.020 cfs	9.4 af	N/A	2.1	GROUND WATER
63-7270B	WR/DECREED	10/7/1969	1.390 cfs	629.9 af	N/A	140.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-7270A	NO	NO	YES	YES	NO	NO
63-7270B	NO	YES	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

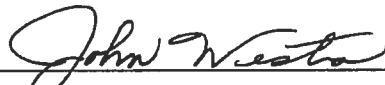
<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-7270A	63-7270A	0.020 cfs	9.4 af	2.1	168.0	N/A	N/A	N/A	N/A	N/A
63-7270B	63-7270B	1.390 cfs	629.9 af	140.0	168.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.410 cfs	639.3 af	142.1	168.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 27th day of February, 2013.

SUPPORT DATA

IN FILE # 63-7270A


Western Regional Manager

SCANNED

Transfer No. 78269

MAR 01 2013

WATER RIGHT NO. 63-7270A
As Modified by Transfer No. 78269

In accordance with the approval of Transfer No. 78269, Water Right No. 63-7270A is now described as follows:

Right Holder: JERRY L TLUCEK And/Or
 MARY LOUISE TLUCEK
 15188 S CAN-ADA RD
 MELBA, ID83641

Priority Date: 10/7/1969

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 11/15	0.020 cfs	9.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 20 Twp 01S Rge 01W ADA County
GROUND WATER	NWNW	Sec 29 Twp 01S Rge 01W ADA 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	
01S	01W	20													40	25	26	40	131
01S	01W	29	33	4															37

Right Acre Limit: 2.1
 POU Total Acres: 168

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

WATER RIGHT NO. 63-7270A
As Modified by Transfer No. 78269

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 2.1 acres within the authorized place of use in a single irrigation season.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/1 1/2007.
7. Rights 63-7270A and 63-7270B when combined shall not exceed the irrigation of 142.1 acres within the authorized place of use in a single irrigation season.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

WATER RIGHT NO. 63-7270B**As Modified by Transfer No. 78269**

In accordance with the approval of Transfer No. 78269, Water Right No. 63-7270B is now described as follows:

Right Holder: SNAKE RIVER DAIRIES LLC
15188 S CAN-ADA RD
MELBA, 83641

Priority Date: 10/7/1969

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 11/15	1.390 cfs	629.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 20 Twp 01S Rge 01W ADA County
GROUND WATER	NWNW	Sec 29 Twp 01S Rge 01W ADA 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	
01S	01W	20													40	25	26	40	131
01S	01W	29	33	4															37

Right Acre Limit: 140.0

POU Total Acres: 168.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.

Transfer No. 78269

WATER RIGHT NO. 63-7270B
As Modified by Transfer No. 78269

CONDITIONS OF APPROVAL

6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/11/2007.
7. Rights 63-7270A and 63-7270B when combined shall not exceed the irrigation of 142.1 acres within the authorized place of use in a single irrigation season.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.