

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78838

This is to certify that: R & R FARMS LLC
C/O RAYMOND MATSUURA
275 W 200 N
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>
35-2280	WR/DECREED	11/22/1952	3.540 cfs	N/A	240.0	528.5	GROUND WATER
35-2447B	WR/DECREED	12/28/1955	0.670 cfs	N/A	56.5	528.5	GROUND WATER
35-2580	WR/DECREED	9/1/1959	4.000 cfs	1400.0 af	N/A	350.0	GROUND WATER
35-2589	WR/DECREED	2/16/1960	4.590 cfs	N/A	240.0	528.5	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>
35-2280	NO	YES	YES	YES	NO	NO
35-2447B	NO	YES	YES	YES	NO	NO
35-2580	NO	NO	YES	YES	NO	NO
35-2589	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>
35-2280	35-2280	3.540 cfs	960.0 af	240.0	878.5	N/A	N/A	N/A	N/A	N/A
35-2447B	35-2447B	0.670 cfs	226.0 af	56.5	878.5	N/A	N/A	N/A	N/A	N/A
35-2580	35-2580	4.000 cfs	1400.0 af	350.0	878.5	N/A	N/A	N/A	N/A	N/A
35-2589	35-2589	4.590 cfs	960.0 af	240.0	878.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		12.800 cfs	3514.0 af	878.5	878.5		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 22nd day of October, 2013.


Water Resources Program Manager

Transfer No. 78838

SUPPORT DATA

IN FILE # 35-2280

WATER RIGHT NO. 35-2447B
As Modified by Transfer No. 78838

In accordance with the approval of Transfer No. 78838, Water Right No. 35-2447B is now described as follows:

Right Holder: R & R FARMS LLC
C/O RAYMOND MATSUURA
275 W 200 N
BLACKFOOT, ID 83221

Priority Date: 12/28/1955

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	0.670 cfs	226.0 af
			0.670 cfs	226.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSWSE	Sec 16 Twp 01N Rge 35E	BINGHAM County
GROUND WATER	SENE	Sec 21 Twp 01N Rge 35E	BINGHAM County
GROUND WATER	SWSENW	Sec 21 Twp 01N Rge 35E	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	
01N	35E	15										24.0							24.0
01N	35E	16					0.6	5.7	33.5		23.2	39.0	39.0	40.0	34.0	34.0	40.0	39.0	328.0
01N	35E	21	40.0	40.0	40.0	39.0	40.0	39.0	34.0	40.0	39.5	39.5			39.0	38.0			468.0
01N	35E	22						37.5	21.0										58.5

Right Acre Limit: 56.5

POU Total Acres: 878.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 56.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2280, 35-2447B and 35-2589 when combined shall not exceed a total annual maximum diversion volume of 2114.0 af at the field headgate, and the irrigation of 528.5 acres.
3. Rights 35-2247B, 35-2589, 35-2280 and 35-2580 when combined shall not exceed a total annual maximum diversion volume of 3514.0 af at the field headgate, and the irrigation of 878.5 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.

Transfer No. 78838

WATER RIGHT NO. 35-2447B
As Modified by Transfer No. 78838

CONDITIONS OF APPROVAL

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 78838, 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. 35-2589**As Modified by Transfer No. 78838**

In accordance with the approval of Transfer No. 78838, Water Right No. 35-2589 is now described as follows:

Right Holder: R & R FARMS LLC
C/O RAYMOND MATSUURA
275 W 200 N
BLACKFOOT, ID 83221

Priority Date: 2/16/1960

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 10/31	4.590 cfs	960.0 af
			4.590 cfs	960.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSWSE	Sec 16 Twp 01N Rge 35E	BINGHAM County
GROUND WATER	SENE	Sec 21 Twp 01N Rge 35E	BINGHAM County
GROUND WATER	SWSENW	Sec 21 Twp 01N Rge 35E	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	
01N	35E	15										24.0							24.0
01N	35E	16					0.6	5.7	33.5		23.2	39.0	39.0	40.0	34.0	34.0	40.0	39.0	328.0
01N	35E	21	40.0	40.0	40.0	39.0	40.0	39.0	34.0	40.0	39.5	39.5			39.0	38.0			468.0
01N	35E	22						37.5	21.0										58.5

Right Acre Limit: 240.0

POU Total Acres: 878.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 240.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2280, 35-2447B and 35-2589 when combined shall not exceed a total annual maximum diversion volume of 2114.0 af at the field headgate, and the irrigation of 528.5 acres.
3. Rights 35-2247B, 35-2589, 35-2280 and 35-2580 when combined shall not exceed a total annual maximum diversion volume of 3514.0 af at the field headgate, and the irrigation of 878.5 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.

Transfer No. 78838

WATER RIGHT NO. 35-2589
As Modified by Transfer No. 78838

CONDITIONS OF APPROVAL

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 78838, 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. 35-2280
As Modified by Transfer No. 78838

In accordance with the approval of Transfer No. 78838, Water Right No. 35-2280 is now described as follows:

Right Holder: R & R FARMS LLC
C/O RAYMOND MATSUURA
275 W 200 N
BLACKFOOT, ID 83221

Priority Date: 11/22/1952

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 10/31	3.540 cfs 3.540 cfs	960.0 af 960.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSWSE	Sec 16 Twp 01N Rge 35E	BINGHAM County
GROUND WATER	SENE	Sec 21 Twp 01N Rge 35E	BINGHAM County
GROUND WATER	SWSENW	Sec 21 Twp 01N Rge 35E	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	
01N	35E	15										24.0							24.0
01N	35E	16					0.6	5.7	33.5		23.2	39.0	39.0	40.0	34.0	34.0	40.0	39.0	328.0
01N	35E	21	40.0	40.0	40.0	39.0	40.0	39.0	34.0	40.0	39.5	39.5			39.0	38.0			468.0
01N	35E	22						37.5	21.0										58.5

Right Acre Limit: 240.0
POU Total Acres: 878.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 240.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2280, 35-2447B and 35-2589 when combined shall not exceed a total annual maximum diversion volume of 2114.0 af at the field headgate, and the irrigation of 528.5 acres.
3. Rights 35-2247B, 35-2589, 35-2280 and 35-2580 when combined shall not exceed a total annual maximum diversion volume of 3514.0 af at the field headgate, and the irrigation of 878.5 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.

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WATER RIGHT NO. 35-2280
As Modified by Transfer No. 78838

CONDITIONS OF APPROVAL

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 78838, 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. 35-2580**As Modified by Transfer No. 78838**

In accordance with the approval of Transfer No. 78838, Water Right No. 35-2580 is now described as follows:

Right Holder: R & R FARMS LLC
C/O RAYMOND MATSUURA
275 W 200 N
BLACKFOOT, ID 83221

Priority Date: 9/1/1959

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	4.000 cfs	1400.0 af
			4.000 cfs	1400.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSWSE	Sec 16 Twp 01N Rge 35E	BINGHAM County
GROUND WATER	SENE	Sec 21 Twp 01N Rge 35E	BINGHAM County
GROUND WATER	SWSENW	Sec 21 Twp 01N Rge 35E	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	
01N	35E	15										24.0							24.0
01N	35E	16					0.6	5.7	33.5		23.2	39.0	39.0	40.0	34.0	34.0	40.0	39.0	328.0
01N	35E	21	40.0	40.0	40.0	39.0	40.0	39.0	34.0	40.0	39.5	39.5			39.0	38.0			468.0
01N	35E	22						37.5	21.0										58.5

Right Acre Limit: 350.0

POU Total Acres: 878.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 350.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2247B, 35-2589, 35-2280 and 35-2580 when combined shall not exceed a total annual maximum diversion volume of 3514.0 af at the field headgate, and the irrigation of 878.5 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. 78838

WATER RIGHT NO. 35-2580

As Modified by Transfer No. 78838

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 78838, 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.