

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78718**

This is to certify that: KEVIN WEBSTER
4161 E 421 N
RIGBY, ID 83442
AND
SHAWN WEBSTER
PO BOX 457
REXBURG, ID 83440
AND
WEBSTER GOOSE HOLLOW FARMS LLC
PO BOX 321
REXBURG, ID 83440

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>
22-13518	WR/DECREED	6/1/1985	5.280 cfs	1739.5 af	N/A	1275.0	GROUND WATER
22-2190	WR/DECREED	11/7/1960	7.230 cfs	2380.0 af	680.0	1275.0	GROUND WATER
22-7408	WR/DECREED	7/27/1982	7.780 cfs	2082.5 af	595.0	1275.0	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>
22-13518	NO	NO	YES	NO	NO	NO
22-2190	NO	NO	YES	NO	NO	NO
22-7408	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>
22-13518	22-13518	5.220 cfs	1718.5 af	491.0	1259.6	N/A	N/A	N/A	N/A	N/A
22-2190	22-2190	7.140 cfs	2351.3 af	671.8	1259.6	N/A	N/A	N/A	N/A	N/A
22-7408	22-7408	7.690 cfs	2057.3 af	587.8	1259.6	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		7.780 cfs	3302.4 af	1259.6	1259.6		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 22-2190

Transfer No. 78718

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78718

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

WATER RIGHT NO. 22-2190**As Modified by Transfer No. 78718**

In accordance with the approval of Transfer No. 78718, Water Right No. 22-2190 is now described as follows:

Right Holder: SHAWN WEBSTER
PO BOX 457
REXBURG, ID 83440
AND/OR
WEBSTER GOOSE HOLLOW FARMS LLC
PO BOX 321
REXBURG, ID 83440

Priority Date: 11/7/1960

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

7.140 cfs

7.140 cfs

Diversion Volume

2351.3 af

2351.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWSENW

Sec 27 Twp 05N Rge 40E MADISON 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	
05N	40E	14											2.0						2.0
05N	40E	15																8.0	8.0
05N	40E	22	40.0	13.0	29.0	38.0				14.0	40.0	14.0	31.0	39.0	39.0	34.0	27.0	36.5	394.5
05N	40E	23		12.0	17.6		28.0	31.0	28.0	38.5	38.0	28.0	26.0	37.0		20.0	19.0		323.1
05N	40E	27	34.0	38.0	38.0	33.5	35.0	38.5	39.0	35.0									291.0
05N	40E	28	35.0	22.0	38.0	24.0				16.0	37.0			26.0		28.0	15.0		241.0

Right Acre Limit: 671.8

POU Total Acres: 1259.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 671.8 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2190 and 22-7408 when combined shall not exceed a total diversion rate of 7.78 cfs, a total annual maximum diversion volume of 2690.1 af at the field headgate, and the irrigation of 768.6 acres.

Transfer No. 78718

WATER RIGHT NO. 22-2190
As Modified by Transfer No. 78718

CONDITIONS OF APPROVAL

3. Rights 22-2190 and 22-13518 when combined shall not exceed a total diversion rate of 7.14 cfs, a total annual maximum diversion volume of 3030.7 af at the field headgate, and the irrigation of 1162.8 acres.
4. Rights 22-2190, 22-7408 and 22-13518 when combined shall not exceed a total diversion rate of 7.78 cfs, a total annual maximum diversion volume of 3302.4 af at the field headgate, and the irrigation of 1259.6 acres.
5. Prior to the diversion and use of water under Transfer approval 78718, 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 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. Right No. 22-13518 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. This right does not grant any right-of-way or easement across the land of another.
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. 22-7408**As Modified by Transfer No. 78718**

In accordance with the approval of Transfer No. 78718, Water Right No. 22-7408 is now described as follows:

Right Holder: SHAWN WEBSTER
PO BOX 457
REXBURG, ID 83440
AND/OR
WEBSTER GOOSE HOLLOW FARMS LLC
PO BOX 321
REXBURG, ID 83440

Priority Date: 7/27/1982

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/15

To

to 10/15

Diversion Rate

7.690 cfs

7.690 cfs

Diversion Volume

2057.3 af

2057.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWSENW

Sec 27 Twp 05N Rge 40E MADISON 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	
05N	40E	14											2.0						2.0
05N	40E	15																8.0	8.0
05N	40E	22	40.0	13.0	29.0	38.0				14.0	40.0	14.0	31.0	39.0	39.0	34.0	27.0	36.5	394.5
05N	40E	23		12.0	17.6		28.0	31.0	28.0	38.5	38.0	28.0	26.0	37.0		20.0	19.0		323.1
05N	40E	27	34.0	38.0	38.0	33.5	35.0	38.5	39.0	35.0									291.0
05N	40E	28	35.0	22.0	38.0	24.0				16.0	37.0			26.0		28.0	15.0		241.0

Right Acre Limit: 587.8

POU Total Acres: 1259.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 587.8 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2190 and 22-7408 when combined shall not exceed a total diversion rate of 7.78 cfs, a total annual maximum diversion volume of 2690.1 af at the field headgate, and the irrigation of 768.6 acres.

Transfer No. 78718

WATER RIGHT NO. 22-7408
As Modified by Transfer No. 78718

CONDITIONS OF APPROVAL

3. Rights 22-2190, 22-7408 and 22-13518 when combined shall not exceed a total diversion rate of 7.78 cfs, a total annual maximum diversion volume of 3302.4 af at the field headgate, and the irrigation of 1259.6 acres.
4. Prior to the diversion and use of water under Transfer approval 78718, 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 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. This right does not grant any right-of-way or easement across the land of another.
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. 22-13518**As Modified by Transfer No. 78718**

In accordance with the approval of Transfer No. 78718, Water Right No. 22-13518 is now described as follows:

Right Holder: KEVIN WEBSTER
4161 E 421 N
RIGBY, ID 83442
AND/OR
SHAWN WEBSTER
PO BOX 457
REXBURG, ID 83440

Priority Date: 6/1/1985

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	5.220 cfs 5.220 cfs	1718.5 af 1718.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSENW Sec 27 Twp 05N Rge 40E MADISON 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	
05N	40E	14											2.0						2.0
05N	40E	15																8.0	8.0
05N	40E	22	40.0	13.0	29.0	38.0				14.0	40.0	14.0	31.0	39.0	39.0	34.0	27.0	36.5	394.5
05N	40E	23		12.0	17.6		28.0	31.0	28.0	38.5	38.0	28.0	26.0	37.0		20.0	19.0		323.1
05N	40E	27	34.0	38.0	38.0	33.5	35.0	38.5	39.0	35.0									291.0
05N	40E	28	35.0	22.0	38.0	24.0				16.0	37.0			26.0		28.0	15.0		241.0

Right Acre Limit: 491.0

POU Total Acres: 1259.6

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 491.0 acres within the place of use described for this right.
2. Rights 22-2190 and 22-13518 when combined shall not exceed a total diversion rate of 7.14 cfs, a total annual maximum diversion volume of 3030.7 af at the field headgate, and the irrigation of 1162.8 acres.
3. Rights 22-2190, 22-7408 and 22-13518 when combined shall not exceed a total diversion rate of 7.78 cfs, a total annual maximum diversion volume of 3302.4 af at the field headgate, and the irrigation of 1259.6 acres.

Transfer No. 78718

WATER RIGHT NO. 22-13518
As Modified by Transfer No. 78718

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under Transfer approval 78718, 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 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. This right is based upon an enlargement of Right No. 22-2190 pursuant to Section 42-1426, Idaho Code.
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
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.