

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78650

This is to certify that: CIRCLE PI LLC
HC 62 BOX 2295
MAY, ID 83253

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>
73-7025	WR/DECREED	12/7/1973	2.120 cfs	318.0 af	N/A	106.0	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>
73-7025	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>
73-7025	73-7025	2.120 cfs	318.0 af	106.0	258.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.120 cfs	318.0 af	106.0	258.4		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 21st day of August, 2013.



Water Resources Program Manager

SUPPORT DATA

IN FILE # 73-7025

Transfer No. 78650

WATER RIGHT NO. 73-7025**As Modified by Transfer No. 78650**

In accordance with the approval of Transfer No. 78650, Water Right No. 73-7025 is now described as follows:

Right Holder: CIRCLE PI LLC
PO BOX 2295
MAY, ID 83253

Priority Date: 12/7/1973

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

2.120 cfs

2.120 cfs

Diversion Volume

318.0 af

318.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNW

Sec 12 Twp 14N Rge 21E CUSTER 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	
14N	21E	1										6.5	40.0	6.9					53.4
14N	21E	2													2.5			32.0	34.5
14N	21E	11	19.0																19.0
14N	21E	12		1.5	9.7		25.0	38.0	23.0	40.0	12.0	2.3							151.5

Right Acre Limit: 106.0

POU Total Acres: 258.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 106.0 acres within the authorized place of use in a single irrigation season.
2. Rights 73-7025 and 73-12220 when combined shall not exceed a total annual maximum diversion volume of 904.4 af at the field headgate, and the irrigation of 258.4 acres.
3. Rights 73-6, 73-12, 73-105, 73-107, 73-108, 73-114, 73-115, 73-2015, 73-2037, 73-2053, 73-10037, 73-10063, 73-7025, 73-12219 and 73-12220 when combined shall not exceed the irrigation of 626.1 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. 170.

WATER RIGHT NO. 73-7025
As Modified by Transfer No. 78650

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. The approval of Transfer 78653 as described under rights 73-6, 73-12, 73-105, 73-107, 73-108, 73-114, 73-115, 73-2015, 73-2053, 73-2037, 73-2053, 73-10037 and 73-10063 mitigates for the depletion of water caused by the diversion and use of water under rights 73-7025, 73-12219 and 73-12220. The right holder shall cease diverting a combined total 6.27 cfs of water under rights 73-6, 73-12, 73-105, 73-107, 73-108, 73-114, 73-115, 73-2015, 73-2037, 73-2053, 73-10037 and 73-10063 for the irrigation of 263.5 acres, which shall remain un-diverted.
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. Place of use does not include federal public lands.
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.