

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 78274**

This is to certify that: **IDAHO WATER CO LLC**  
1135 VALLEY RD S  
EDEN, ID 83325

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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 29-7122            | WR/DECREED          | 5/1/1973             | 5.600 cfs             | 1392.0 af               | N/A               | 348.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 29-7122               | NO           | YES        | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 29-7122                | 35-14292                         | 2.250 cfs            | 560.0 af               | 140.0             | 160.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>2.250 cfs</b>     | <b>560.0 af</b>        | <b>140.0</b>      | <b>160.0</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

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 24<sup>th</sup> day of July, 2013.

  
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Water Resources Program Manager

SUPPORT DATA

IN FILE # 29-7122

Transfer No. 78274

**WATER RIGHT NO. 35-14292**  
**As Modified by Transfer No. 78274**

In accordance with the approval of Transfer No. 78274, Water Right No. 35-14292 is now described as follows:

**Right Holder:** MEADOWS DRYLAND FARMS  
C/O BILL & VICKI MEADOWS  
334 BUCHANON  
AMERICAN FALLS, ID 83211

**Priority Date:** 5/1/1973

**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  | 2.250 cfs             | 560.0 af                |
|                       |             |           | 2.250 cfs             | 560.0 af                |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      NWSESE                      Sec 7   Twp 09S   Rge 29E   POWER 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   |        |
| 09S | 29E | 7   |    |    |    | 40.0 |    |    |    |    |    |    |    |    | 40.0 | 40.0 |    | 40.0 | 160.0  |

Right Acre Limit: 140.0

POU Total Acres: 160.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of a specific 140.0 acres within the 160.0 place of use authorized by this right in a single irrigation season. The specific 140.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 140.0 acres to be irrigated within the 160.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. 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.
3. 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.

**WATER RIGHT NO. 35-14292**  
**As Modified by Transfer No. 78274**

**CONDITIONS OF APPROVAL**

4. Prior to the diversion and use of water under Transfer approval 78274, 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 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. The diversion and use of water described in this right may be subject to additional limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.