

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78645**

This is to certify that: SHYLA SAUER AND
TONY SAUER
891 E 2100 N
TERRETON, ID 83450

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>
31-160B	WR/DECREED	4/1/1936	0.750 cfs	136.5 af	39.0	1104.0	GROUND WATER
31-161B	WR/DECREED	4/1/1936	2.030 cfs	406.0 af	116.0	1104.0	GROUND WATER
31-2299	WR/DECREED	1/4/1951	3.140 cfs	770.0 af	220.0	1104.0	GROUND WATER
31-2415	WR/DECREED	12/26/1964	2.550 cfs	1082.0 af	456.0	1104.0	GROUND WATER
31-4011C	WR/DECREED	9/1/1956	1.750 cfs	742.8 af	392.0	1104.0	GROUND WATER
31-7131	WR/DECREED	7/30/1974	4.820 cfs	1372.0 af	392.0	1104.0	GROUND WATER
31-7320	WR/DECREED	12/18/1984	5.120 cfs	896.0 af	256.0	1104.0	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>
31-160B	NO	NO	YES	NO	NO	NO
31-161B	NO	NO	YES	NO	NO	NO
31-2299	NO	NO	YES	NO	NO	NO
31-2415	NO	NO	YES	NO	NO	NO
31-4011C	NO	NO	YES	NO	NO	NO
31-7131	NO	NO	YES	NO	NO	NO
31-7320	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>
31-160B	31-160B	0.750 cfs	136.5 af	39.0	1104.0	N/A	N/A	N/A	N/A	N/A
31-161B	31-161B	2.030 cfs	406.0 af	116.0	1104.0	N/A	N/A	N/A	N/A	N/A
31-2299	31-2299	3.140 cfs	770.0 af	220.0	1104.0	N/A	N/A	N/A	N/A	N/A
31-2415	31-2415	2.550 cfs	1082.0 af	456.0	1104.0	N/A	N/A	N/A	N/A	N/A
31-4011C	31-4011C	1.750 cfs	742.8 af	392.0	1104.0	N/A	N/A	N/A	N/A	N/A
31-7131	31-7131	4.820 cfs	1372.0 af	392.0	1104.0	N/A	N/A	N/A	N/A	N/A
31-7320	31-7320	5.120 cfs	896.0 af	256.0	1104.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		15.980 cfs	3864.0 af	1104.0	1104.0		N/A	N/A	N/A	N/A

Transfer No. 78645

SUPPORT DATA
IN FILE # 31-160B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78645

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 18th day of June, 2013.


Water Resources Program Manager



WATER RIGHT NO. 31-160B

As Modified by Transfer No. 78645

In accordance with the approval of Transfer No. 78645, Water Right No. 31-160B is now described as follows:

Right Holder: TONY SAUER AND
SHYLA SAUER
891 E 2100 N
TERRETON, ID 83450

Priority Date: 4/1/1936

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	0.750 cfs	136.5 af
			0.750 cfs	136.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E JEFFERSON 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	
07N	33E	13	33.8	33.8	38.5	38.7					40.0	34.4	33.6	33.9	39.0	39.6	33.7	38.0	437.0
07N	34E	17									36.5	39.8	39.3	37.0		29.3	29.0		210.9
07N	34E	18	33.3	34.4	38.7	38.8					39.9	38.6	37.8	38.0	39.1	39.0	39.2	39.3	456.1

Right Acre Limit: 39.0

POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 39.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined shall not exceed a total diversion rate of 16.32 cfs.
3. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined shall not exceed a total diversion rate of 5.17 cfs, a total annual maximum diversion volume of 1372.0 af at the field headgate, and the irrigation of 392.0 acres.
4. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgate and the irrigation of 1104.0 acres.

Transfer No. 78645

WATER RIGHT NO. 31-160B
As Modified by Transfer No. 78645

CONDITIONS OF APPROVAL

5. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415, and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.
6. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
7. 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. 110.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 78645, 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.
10. 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.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 31-161B
As Modified by Transfer No. 78645

In accordance with the approval of Transfer No. 78645, Water Right No. 31-161B is now described as follows:

Right Holder: TONY SAUER AND
 SHYLA SAUER
 891 E 2100 N
 TERRETON, ID 83450

Priority Date: 4/1/1936

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	2.030 cfs	406.0 af
			2.030 cfs	406.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E JEFFERSON 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	
07N	33E	13	33.8	33.8	38.5	38.7					40.0	34.4	33.6	33.9	39.0	39.6	33.7	38.0	437.0
07N	34E	17									36.5	39.8	39.3	37.0		29.3	29.0		210.9
07N	34E	18	33.3	34.4	38.7	38.8					39.9	38.6	37.8	38.0	39.1	39.0	39.2	39.3	456.1

Right Acre Limit: 116.0

POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 116.0 acres within the place of use described above in a single irrigation season.
2. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined shall not exceed a total diversion rate of 16.32 cfs.
3. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgates and the irrigation of 1104.0 acres.
4. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.

Transfer No. 78645

WATER RIGHT NO. 31-161B
As Modified by Transfer No. 78645

CONDITIONS OF APPROVAL

5. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined shall not exceed a total diversion rate of 5.17 cfs, a total annual maximum diversion volume of 1372.0 af at the field headgate, and the irrigation of 392.0 acres.
6. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
7. 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. 110.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 78645, 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.
10. 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.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 31-4011C

As Modified by Transfer No. 78645

In accordance with the approval of Transfer No. 78645, Water Right No. 31-4011C is now described as follows:

Right Holder: TONY SAUER AND
SHYLA SAUER
891 E 2100 N
TERRETON, ID 83450

Priority Date: 9/1/1956

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	1.750 cfs	742.8 af
			1.750 cfs	742.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E JEFFERSON 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	
07N	33E	13	33.8	33.8	38.5	38.7					40.0	34.4	33.6	33.9	39.0	39.6	33.7	38.0	437.0
07N	34E	17									36.5	39.8	39.3	37.0		29.3	29.0		210.9
07N	34E	18	33.3	34.4	38.7	38.8					39.9	38.6	37.8	38.0	39.1	39.0	39.2	39.3	456.1

Right Acre Limit: 392.0

POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 392.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgate and the irrigation of 1104.0 acres.
3. Rights 31-160B, 31-161B, 31-4011C and 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined shall not exceed a total diversion rate of 16.32 cfs.
4. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined shall not exceed a total diversion rate of 5.17 cfs, a total annual maximum diversion volume of 1372.0 af at the field headgate, and the irrigation of 392.0 acres.

Transfer No. 78645

WATER RIGHT NO. 31-4011C
As Modified by Transfer No. 78645

CONDITIONS OF APPROVAL

5. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.
6. Rights 31-160A, 31-161A, 31-2299, 31-2415, 31-4011C, 31-4012, 31-7320 and 31-10652 when combined shall not exceed a total diversion rate of 21.73 cfs.
7. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
8. 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. 110.
9. 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.
10. Prior to the diversion and use of water under Transfer approval 78645, 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.
11. 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.
12. 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.
13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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. 31-7131
As Modified by Transfer No. 78645

In accordance with the approval of Transfer No. 78645, Water Right No. 31-7131 is now described as follows:

Right Holder: TONY SAUER AND
 SHYLA SAUER
 891 E 2100 N
 TERRETON, ID 83450

Priority Date: 7/30/1974

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 11/01	4.820 cfs	1372.0 af
			4.820 cfs	1372.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E JEFFERSON 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	
07N	33E	13	33.8	33.8	38.5	38.7					40.0	34.4	33.6	33.9	39.0	39.6	33.7	38.0	437.0
07N	34E	17									36.5	39.8	39.3	37.0		29.3	29.0		210.9
07N	34E	18	33.3	34.4	38.7	38.8					39.9	38.6	37.8	38.0	39.1	39.0	39.2	39.3	456.1

Right Acre Limit: 392.0

POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 392.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgate and the irrigation of 1104.0 acres.
3. Rights 31-160B, 31-161B, 31-4011C, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined shall not exceed a total diversion rate of 16.32 cfs.
4. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.

Transfer No. 78645

WATER RIGHT NO. 31-7131

As Modified by Transfer No. 78645

CONDITIONS OF APPROVAL

5. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined shall not exceed a total diversion rate of 5.17 cfs, a total annual maximum diversion volume of 1372.0 af at the field headgate, and the irrigation of 392.0 acres.
6. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
7. 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. 110.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 78645, 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.
10. 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.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 31-7320

As Modified by Transfer No. 78645

In accordance with the approval of Transfer No. 78645, Water Right No. 31-7320 is now described as follows:

Right Holder: TONY SAUER AND
SHYLA SAUER
891 E 2100 N
TERRETON, ID 83450

Priority Date: 12/18/1984

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	5.120 cfs	896.0 af
			5.120 cfs	896.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E JEFFERSON 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	
07N	33E	13	33.8	33.8	38.5	38.7					40.0	34.4	33.6	33.9	39.0	39.6	33.7	38.0	437.0
07N	34E	17									36.5	39.8	39.3	37.0		29.3	29.0		210.9
07N	34E	18	33.3	34.4	38.7	38.8					39.9	38.6	37.8	38.0	39.1	39.0	39.2	39.3	456.1

Right Acre Limit: 256.0

POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 256.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgate and the irrigation of 1104.0 acres.
3. Rights 31-160A, 31-161A, 31-2299, 31-2415, 31-4011C, 31-4012, 31-7320 and 31-10652 when combined shall not exceed a total diversion rate of 21.73 cfs.
4. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.

Transfer No. 78645

WATER RIGHT NO. 31-7320
As Modified by Transfer No. 78645

CONDITIONS OF APPROVAL

5. 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. 110.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 78645, 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.
8. 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.
9. 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.
10. This water right enjoys the benefit of unqualified subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02, 02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37, 02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026.
11. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than May 9, 2003.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 31-2299**As Modified by Transfer No. 78645**

In accordance with the approval of Transfer No. 78645, Water Right No. 31-2299 is now described as follows:

Right Holder: TONY SAUER AND
SHYLA SAUER
891 E 2100 N
TERRETON, ID 83450

Priority Date: 1/4/1951

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

3.140 cfs

3.140 cfs

Diversion Volume

770.0 af

770.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER
GROUND WATER

SWNESE
NESE
L3 (SENWSW)

Sec 13 Twp 07N Rge 33E JEFFERSON County
Sec 18 Twp 07N Rge 34E JEFFERSON County
Sec 18 Twp 07N Rge 34E JEFFERSON 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	
07N	33E	13	33.8	33.8	38.5	38.7					40.0	34.4	33.6	33.9	39.0	39.6	33.7	38.0	437.0
07N	34E	17									36.5	39.8	39.3	37.0		29.3	29.0		210.9
07N	34E	18	33.3	34.4	38.7	38.8					39.9	38.6	37.8	38.0	39.1	39.0	39.2	39.3	456.1

Right Acre Limit: 220.0

POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 220.0 acres within the place of use described above in a single irrigation season.
2. Rights 31-2299 and 31-2415 when combined shall not exceed a total annual maximum diversion volume of 1596.0 af at the field headgate and the irrigation of 456.0 acres.
3. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-7320, 31-2299 and 31-2415 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgate, and the irrigation of 1104.0 acres.
4. Rights 31-160A, 31-161A, 31-2299, 31-2415, 31-4011C, 31-4012, 31-7320 and 31-10652 when combined shall not exceed a total diversion rate of 21.73 cfs.

WATER RIGHT NO. 31-2299
As Modified by Transfer No. 78645

CONDITIONS OF APPROVAL

5. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.
6. 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. 110.
7. 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.
8. Prior to the diversion and use of water under Transfer approval 78645, 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.
9. 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.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 31-2415**As Modified by Transfer No. 78645**

In accordance with the approval of Transfer No. 78645, Water Right No. 31-2415 is now described as follows:

Right Holder: TONY SAUER AND
SHYLA SAUER
891 E 2100 N
TERRETON, ID 83450

Priority Date: 12/26/1964

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 11/01

Diversion Rate

2.550 cfs

2.550 cfs

Diversion Volume

1082.0 af

1082.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E JEFFERSON 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	
07N	33E	13	33.8	33.8	38.5	38.7					40.0	34.4	33.6	33.9	39.0	39.6	33.7	38.0	437.0
07N	34E	17									36.5	39.8	39.3	37.0		29.3	29.0		210.9
07N	34E	18	33.3	34.4	38.7	38.8					39.9	38.6	37.8	38.0	39.1	39.0	39.2	39.3	456.1

Right Acre Limit: 456.0

POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 456.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2299 and 31-2415 when combined shall not exceed a total annual maximum diversion volume of 1596.0 af at field headgate and the irrigation of 456.0 acres.
3. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-7320, 31-2299 and 31-2415 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgate and the irrigation of 1104.0 acres.
4. Rights 31-160A, 31-161S, 31-2299, 31-2415, 31-4011C, 31-4012, 31-7320 and 31-10652 when combined shall not exceed a total diversion rate of 21.73 cfs.

WATER RIGHT NO. 31-2415
As Modified by Transfer No. 78645

CONDITIONS OF APPROVAL

5. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415, and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.
6. 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. 110.
7. 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.
8. Prior to the diversion and use of water under Transfer approval 78645, 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.
9. 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.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.