

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78477

This is to certify that: BEAR RIVER MEADOWS LLC
2920 W DIRECTORS ROW
SALT LAKE CITY, UT 84104

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>
11-377	WR/DECREED	5/1/1885	3.400 cfs	N/A	N/A	N/A	BAILEY CREEK
11-378	WR/DECREED	5/1/1888	0.800 cfs	N/A	N/A	N/A	BAILEY CREEK
11-379	WR/DECREED	5/1/1891	0.300 cfs	N/A	N/A	N/A	BAILEY CREEK
11-380	WR/DECREED	5/1/1906	0.300 cfs	N/A	N/A	N/A	BAILEY CREEK

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>
11-377	NO	YES	NO	NO	NO	NO
11-378	NO	YES	NO	NO	NO	NO
11-379	NO	YES	NO	NO	NO	NO
11-380	NO	YES	NO	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>
11-377	11-377	3.400 cfs	N/A	240.0	362.0	N/A	N/A	N/A	N/A	N/A
11-378	11-378	0.800 cfs	N/A	240.0	362.0	N/A	N/A	N/A	N/A	N/A
11-379	11-379	0.300 cfs	N/A	240.0	362.0	N/A	N/A	N/A	N/A	N/A
11-380	11-380	0.300 cfs	N/A	240.0	362.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		4.800 cfs	N/A	240.0	362.0		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 7th day of May, 2013.



SUPPORT DATA

Water Resources Program Manager

Transfer No. 78477

IN FILE # 11-377

WATER RIGHT NO. 11-377

As Modified by Transfer No. 78477

In accordance with the approval of Transfer No. 78477, Water Right No. 11-377 is now described as follows:

Right Holder: BEAR RIVER MEADOWS LLC
2920 W DIRECTORS ROW
SALT LAKE CITY, UT 84104

Priority Date: 5/1/1885

Source: BAILEY CREEK

Tributary: BEAR RIVER

BENEFICIAL USE
IRRIGATION

From 4/20 **to** 9/30

Diversion Rate
3.400 cfs
3.400 cfs

LOCATION OF POINT(S) OF DIVERSION

BAILEY CREEK SENW Sec 5 Twp 10S Rge 42E BEAR LAKE 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	
09S	42E	29													21.0	19.0		40.0	80
09S	42E	32	40.0		38.0	40.0									40.0	20.0			178
09S	42E	33					29.0	39.0	36.0										104

Right Acre Limit: 240.0

POU Total Acres: 362

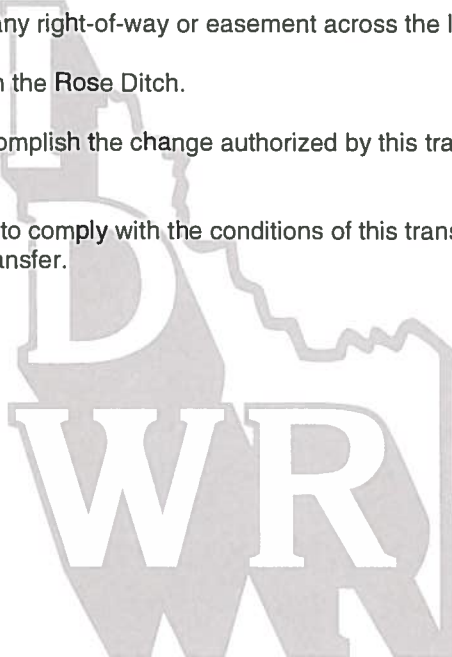
CONDITIONS OF APPROVAL

1. Rights 11-377, 11-378, 11-379 and 11-380 when combined shall not exceed the irrigation of 240.0 acres.
2. Rights 11-377, 11-378, 11-379 and 11-380 are limited to the irrigation of a specific 240.0 acres within the 362.0 acre place of use authorized by this right in a single irrigation season. The specific 240.0 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 240.0 acres to be irrigated within the 362.0 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.
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. 11A.

WATER RIGHT NO. 11-377
As Modified by Transfer No. 78477

CONDITIONS OF APPROVAL

4. 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).
5. 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. Water is delivered through the Rose Ditch.
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.



WATER RIGHT NO. 11-378 **As Modified by Transfer No. 78477**

In accordance with the approval of Transfer No. 78477, Water Right No. 11-378 is now described as follows:

Right Holder: BEAR RIVER MEADOWS LLC
 2920 W DIRECTORS ROW
 SALT LAKE CITY, UT 84104

Priority Date: 5/1/1888

Source: BAILEY CREEK

Tributary: BEAR RIVER

BENEFICIAL USE
 IRRIGATION

From 4/20 **to** 9/30 **Diversion Rate**
 0.800 cfs
 0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BAILEY CREEK SENW Sec 5 Twp 10S Rge 42E BEAR LAKE 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	
09S	42E	29													21.0	19.0		40.0	80
09S	42E	32	40.0		38.0	40.0									40.0	20.0			178
09S	42E	33						29.0	39.0	36.0									104

Right Acre Limit: 240.0

POU Total Acres: 362

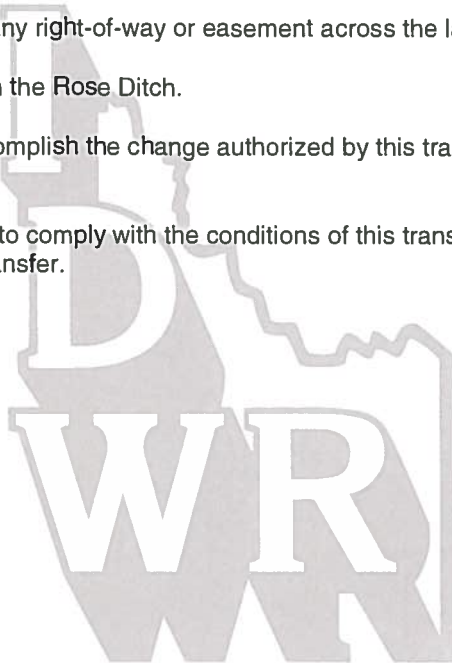
CONDITIONS OF APPROVAL

1. Rights 11-377, 11-378, 11-379 and 11-380 when combined shall not exceed the irrigation of 240.0 acres.
2. Rights 11-377, 11-378, 11-379 and 11-380 are limited to the irrigation of a specific 240.0 acres within the 362.0 acre place of use authorized by this right in a single irrigation season. The specific 240.0 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 240.0 acres to be irrigated within the 362.0 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.
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. 11A.

WATER RIGHT NO. 11-378
As Modified by Transfer No. 78477

CONDITIONS OF APPROVAL

4. 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).
5. 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. Water is delivered through the Rose Ditch.
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.



WATER RIGHT NO. 11-379
As Modified by Transfer No. 78477

In accordance with the approval of Transfer No. 78477, Water Right No. 11-379 is now described as follows:

Right Holder: BEAR RIVER MEADOWS LLC
 2920 W DIRECTORS ROW
 SALT LAKE CITY, UT 84104

Priority Date: 5/1/1891

Source: BAILEY CREEK

Tributary: BEAR RIVER

BENEFICIAL USE
 IRRIGATION

From 4/20 to **To** 9/30

Diversion Rate
 0.300 cfs
 0.300 cfs

LOCATION OF POINT(S) OF DIVERSION

BAILEY CREEK SENW Sec 5 Twp 10S Rge 42E BEAR LAKE 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	
09S	42E	29													21.0	19.0		40.0	80
09S	42E	32	40.0		38.0	40.0									40.0	20.0			178
09S	42E	33						29.0	39.0	36.0									104

Right Acre Limit: 240.0

POU Total Acres: 362

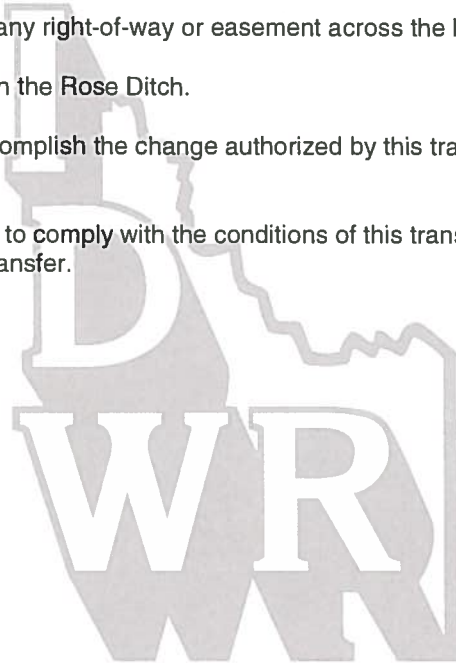
CONDITIONS OF APPROVAL

1. Rights 11-377, 11-378, 11-379 and 11-380 when combined shall not exceed the irrigation of 240.0 acres.
2. Rights 11-377, 11-378, 11-379 and 11-380 are limited to the irrigation of a specific 240.0 acres within the 362.0 acre place of use authorized by this right in a single irrigation season. The specific 240.0 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 240.0 acres to be irrigated within the 362.0 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.
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. 11A.

WATER RIGHT NO. 11-379
As Modified by Transfer No. 78477

CONDITIONS OF APPROVAL

4. 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).
5. 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. Water is delivered through the Rose Ditch.
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.



WATER RIGHT NO. 11-380

As Modified by Transfer No. 78477

In accordance with the approval of Transfer No. 78477, Water Right No. 11-380 is now described as follows:

Right Holder: BEAR RIVER MEADOWS LLC
2920 W DIRECTORS ROW
SALT LAKE CITY, UT 84104

Priority Date: 5/1/1906

Source: BAILEY CREEK

Tributary: BEAR RIVER

BENEFICIAL USE
IRRIGATION

From 4/20 to **To** 9/30

Diversion Rate
0.300 cfs
0.300 cfs

LOCATION OF POINT(S) OF DIVERSION

BAILEY CREEK SENW Sec 5 Twp 10S Rge 42E BEAR LAKE 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	
09S	42E	29													21.0	19.0		40.0	80
09S	42E	32	40.0		38.0	40.0									40.0	20.0			178
09S	42E	33						29.0	39.0	36.0									104

Right Acre Limit: 240.0

POU Total Acres: 362

CONDITIONS OF APPROVAL

1. Rights 11-377, 11-378, 11-379 and 11-380 when combined shall not exceed the irrigation of 240.0 acres.
2. Rights 11-377, 11-378, 11-379 and 11-380 are limited to the irrigation of a specific 240.0 acres within the 362.0 acre place of use authorized by this right in a single irrigation season. The specific 240.0 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 240.0 acres to be irrigated within the 362.0 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.
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. 11A.

WATER RIGHT NO. 11-380
As Modified by Transfer No. 78477

CONDITIONS OF APPROVAL

4. 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).
5. 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.
6. This right does not grant any right-of-way or easement across the land of another.
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