

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78462**

This is to certify that: THE CONSERVATION FUND
1655 N FORT MEYER DR STE 1300
ARLINGTON, VA 22209-3199

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>
35-14175	WR/DECREED	3/5/1948	0.320 cfs	64.0 af	16.0	44.0	GROUND WATER
35-14177	WR/DECREED	12/31/1940	0.470 cfs	105.8 af	26.4	44.0	GROUND WATER
35-14179	WR/DECREED	9/28/1981	0.030 cfs	6.2 af	1.6	44.0	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>
35-14175	NO	YES	NO	NO	NO	NO
35-14177	NO	YES	NO	NO	NO	NO
35-14179	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>
35-14175	35-14175	0.320 cfs	64.0 af	16.0	44.0	N/A	N/A	N/A	N/A	N/A
35-14177	35-14177	0.470 cfs	105.8 af	26.4	44.0	N/A	N/A	N/A	N/A	N/A
35-14179	35-14179	0.030 cfs	6.2 af	1.6	44.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.820 cfs	176.0 af	44.0	44.0		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 5th day of April, 2013.


for Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 78462

IN FILE # 35-14175

WATER RIGHT NO. 35-14175

As Modified by Transfer No. 78462

In accordance with the approval of Transfer No. 78462, Water Right No. 35-14175 is now described as follows:

Right Holder: THE CONSERVATION FUND
1655 N FORT MEYER DR STE 1300
ARLINGTON, VA 22209-3199

Priority Date: 3/5/1948

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	0.320 cfs	64.0 af
			0.320 cfs	64.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSE Sec 16 Twp 05N Rge 38E 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	
05N	38E	16													6.0	28.0	8.0	2.0	44.0

Right Acre Limit: 16.0

POU Total Acres: 44.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 16 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14175, 35-14177, and 35-14179, when combined shall not exceed a total diversion rate of 0.82 cfs, a total annual maximum diversion volume of 176 af at the field headgate, and the irrigation of 44 acres.
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. 120.
4. 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. 35-14175
As Modified by Transfer No. 78462

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 78462, 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 4.0 afa per acre at the field headgate for irrigation of the place of use.
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. Place of use described above does not include federal public lands.
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. 35-14177

As Modified by Transfer No. 78462

In accordance with the approval of Transfer No. 78462, Water Right No. 35-14177 is now described as follows:

Right Holder: THE CONSERVATION FUND
1655 N FORT MEYER DR STE 1300
ARLINGTON, VA 22209-3199

Priority Date: 12/31/1940

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	0.470 cfs	105.8 af
			0.470 cfs	105.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSE Sec 16 Twp 05N Rge 38E 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	
05N	38E	16													6.0	28.0	8	2	44.0

Right Acre Limit: 26.4

POU Total Acres: 44.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 26.4 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14175, 35-14177, and 35-14179, when combined shall not exceed a total diversion rate of 0.82 cfs, a total annual maximum diversion volume of 176 af at the field headgate, and the irrigation of 44 acres.
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. 120.
4. 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. 35-14177
As Modified by Transfer No. 78462

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 78462, 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 4.0 afa per acre at the field headgate for irrigation of the place of use.
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. Place of use described above does not include federal public lands.
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. 35-14179

As Modified by Transfer No. 78462

In accordance with the approval of Transfer No. 78462, Water Right No. 35-14179 is now described as follows:

Right Holder: THE CONSERVATION FUND
1655 N FORT MEYER DR STE 1300
ARLINGTON, VA 22209-3199

Priority Date: 9/28/1981

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	0.030 cfs	6.2 af
			0.030 cfs	6.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSE Sec 16 Twp 05N Rge 38E 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	
05N	38E	16													6.0	28.0	8.0	2.0	44.0

Right Acre Limit: 1.6
POU Total Acres: 44.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14175, 35-14177, and 35-14179, when combined shall not exceed a total diversion rate of 0.82 cfs, a total annual maximum diversion volume of 176 af at the field headgate, and the irrigation of 44 acres.
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. 120.
4. 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. 35-14179
As Modified by Transfer No. 78462

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 78462, 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 4.0 afa per acre at the field headgate for irrigation of the place of use.
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. Place of use described above does not include federal public lands.
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.