

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 78159**

This is to certify that: SPRING HOLLOW LLC
56 SURRY DAM RD
SURRY NH 03431

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-254B	WR/Decreed	01/18/1905	7.68 cfs	N/A	384.0	487.3	BADGER CREEK
22-174A	WR/Decreed	06/01/1891	7.68 cfs	N/A	362.5	487.3	BADGER CREEK
22-56	WR/Decreed	01/22/1916	6.4 cfs	N/A	320.0	487.3	BADGER CREEK
22-501B	WR/Decreed	06/01/1891	2.09 cfs	N/A	124.8	487.3	BADGER CREEK
22-7049	WR/Decreed	09/03/1971	2.66 cfs	806 af	320.0	487.3	GROUND WATER
22-7133	WR/Decreed	06/13/1975	2.41 cfs	468.9 af	156.3	476.3	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>
22-254B	NO	NO	YES	NO	NO	NO
22-174A	NO	NO	YES	NO	NO	NO
22-56	NO	NO	YES	NO	NO	NO
22-501B	NO	NO	YES	NO	NO	NO
22-7049	NO	NO	YES	NO	NO	NO
22-7133	NO	NO	YES	NO	NO	NO

SUPPORT DATA

IN FILE # 22-56

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 78159**

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
22-254B	22-254B	7.08 cfs	N/A	353.9	449.1		N/A	N/A	N/A	N/A
22-174A	22-174A	7.08 cfs	N/A	334.1	449.1		N/A	N/A	N/A	N/A
22-56	22-56	5.9 cfs	N/A	294.9	449.1		N/A	N/A	N/A	N/A
22-501B	22-501B	2.09 cfs	N/A	115.0	449.1		N/A	N/A	N/A	N/A
22-7049	22-7049	2.6 cfs	806 af	301.7	449.1		N/A	N/A	N/A	N/A
22-7133	22-7133	2.41 cfs	442.2 af	147.4	449.1		N/A	N/A	N/A	N/A
COMBINED TOTALS		24.75 cfs	N/A	N/A	449.1		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 26th day of October, 20 12



Water Resources Program Manager

WATER RIGHT NO. 22-7133
As Modified by Transfer No. 78159

In accordance with the approval of Transfer No. 78159, Water Right No. 22-7133 is now described as follows.

Right Holder: SPRING HOLLOW LLC
 56 SURRY DAM RD
 SURRY NH 03431

Priority Date: June 13, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	2.41 CFS	442.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESE Sec. 8 Twp 06N Rge 45E TETON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	8									21.0			14.0	22.0	34.0	40.0	29.0	160.0
06N	45E	17	40.0	40.0	38.0	40.0	5.8			.3					40.0	30.0	20.0	35.0	289.1

Total Acres: 449.1

WATER RIGHT NO. 22-7133
As Modified by Transfer No. 78159

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 147.4 acres within the authorized place of use in a single irrigation season.
2. Rights 22-7049 and 22-7133 when combined shall not exceed a total diversion rate of 2.60 cfs, a total annual maximum diversion volume of 1031.4 af at the field headgate.
3. Rights 22-56, 22-174A, 22-254B, 22-501B, 22-7049 and 22-7133 when combined shall not exceed the irrigation of 449.1 acres.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
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. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water 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 the date a partial decree is entered for this right.
7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
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.
10. 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.

This water right 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.

Dated this 26th day of October, 2012



Water Resources Program Manager

WATER RIGHT NO. 22-7049
As Modified by Transfer No. 78159

In accordance with the approval of Transfer No. 78159, Water Right No. 22-7049 is now described as follows.

Right Holder: SPRING HOLLOW LLC
 56 SURRY DAM RD
 SURRY NH 03431

Priority Date: September 03, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	2.60 CFS	806.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESE Sec. 8 Twp 06N Rge 45E TETON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	8									21.0			14.0	22.0	34.0	40.0	29.0	160.0
06N	45E	17	40.0	40.0	38.0	40.0	5.8			.3					40.0	30.0	20.0	35.0	289.1

Total Acres: 449.1

WATER RIGHT NO. 22-7049
As Modified by Transfer No. 78159

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 301.7 acres within the authorized place of use in a single irrigation season.
2. Rights 22-7049 and 22-7133 when combined shall not exceed a total diversion rate of 2.60 cfs, a total annual maximum diversion volume of 1031.4 af at the field headgate.
3. Rights 22-56, 22-174A, 22-254B, 22-501B, 22-7049 and 22-7133 when combined shall not exceed the irrigation of 449.1 acres.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
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. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water 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 the date a partial decree is entered for this right.
7. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
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.
10. 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.

This water right 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.

Dated this 26th day of October, 20 12



Water Resources Program Manager

WATER RIGHT NO. 22-56
As Modified by Transfer No. 78159

In accordance with the approval of Transfer No. 78159, Water Right No. 22-56 is now described as follows.

Right Holder: SPRING HOLLOW LLC
 56 SURRY DAM RD
 SURRY NH 03431

Priority Date: January 22, 1916

Source: BADGER CREEK

Tributary: TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to 10/31	5.90 CFS

LOCATION OF POINT(S) OF DIVERSION:

BADGER CREEK NWNWSW Sec. 9 Twp 06N Rge 45E TETON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	8									21.0			14.0	22.0	34.0	40.0	29.0	160.0
06N	45E	17	40.0	40.0	38.0	40.0	5.8			.3					40.0	30.0	20.0	35.0	289.1

Total Acres: 449.1

WATER RIGHT NO. 22-56
As Modified by Transfer No. 78159

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 294.9 acres within the authorized place of use in a single irrigation season.
2. Rights 22-56, 22-174A, 22-254B, 22-501B, 22-7049 and 22-7133 when combined shall not exceed the irrigation of 449.1 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. 01.
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. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
7. This right does not grant any right-of-way or easement across the land of another.
8. Water is delivered through the Phillips Ditch.
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.

This water right 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.

Dated this 26th day of October, 20 12



Water Resources Program Manager

WATER RIGHT NO. 22-174A
As Modified by Transfer No. 78159

In accordance with the approval of Transfer No. 78159, Water Right No. 22-174A is now described as follows.

Right Holder: SPRING HOLLOW LLC
 56 SURRY DAM RD
 SURRY NH 03431

Priority Date: June 01, 1891

Source: BADGER CREEK

Tributary: TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	7.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

BADGER CREEK SWSWNE Sec. 9 Twp 06N Rge 45E TETON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	8									21.0			14.0	22.0	34.0	40.0	29.0	160.0
06N	45E	17	40.0	40.0	38.0	40.0	5.8			.3					40.0	30.0	20.0	35.0	289.1

Total Acres: 449.1

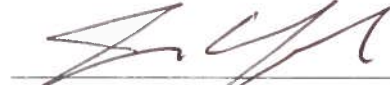
WATER RIGHT NO. 22-174A
As Modified by Transfer No. 78159

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 334.1 acres within the authorized place of use in a single irrigation season.
2. Rights 22-56, 22-174A, 22-254B, 22-501B, 22-7049 and 22-7133 when combined shall not exceed the irrigation of 449.1 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. 01.
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. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
7. This right does not grant any right-of-way or easement across the land of another.
8. Water is delivered through the Phillips Ditch.
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.

This water right 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.

Dated this 26th day of October, 2012



Water Resources Program Manager

WATER RIGHT NO. 22-254B
As Modified by Transfer No. 78159

In accordance with the approval of Transfer No. 78159, Water Right No. 22-254B is now described as follows.

Right Holder: SPRING HOLLOW LLC
 56 SURRY DAM RD
 SURRY NH 03431

Priority Date: January 18, 1905

Source: BADGER CREEK

Tributary: TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	7.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

BADGER CREEK NWNWSW Sec. 9 Twp 06N Rge 45E TETON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	8									21.0			14.0	22.0	34.0	40.0	29.0	160.0
06N	45E	17	40.0	40.0	38.0	40.0	5.8			.3					40.0	30.0	20.0	35.0	289.1

Total Acres: 449.1

WATER RIGHT NO. 22-254B
As Modified by Transfer No. 78159

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 353.9 acres within the authorized place of use in a single irrigation season.
2. Rights 22-56, 22-174A, 22-254B, 22-501B, 22-7049 and 22-7133 when combined shall not exceed the irrigation of 449.1 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. 01.
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. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
7. This right does not grant any right-of-way or easement across the land of another.
8. Water is delivered through the Phillips Ditch.
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.

This water right 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.

Dated this 26th day of October, 20 12


Water Resources Program Manager

WATER RIGHT NO. 22-501B
As Modified by Transfer No. 78159

In accordance with the approval of Transfer No. 78159, Water Right No. 22-501B is now described as follows.

Right Holder: SPRING HOLLOW LLC
 56 SURRY DAM RD
 SURRY NH 03431

Priority Date: June 01, 1891

Source: BADGER CREEK

Tributary: TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	2.09 CFS

LOCATION OF POINT(S) OF DIVERSION:

BADGER CREEK NWNWSW Sec. 9 Twp 06N Rge 45E TETON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	45E	8									21.0			14.0	22.0	34.0	40.0	29.0	160.0
06N	45E	17	40.0	40.0	38.0	40.0	5.8			.3					40.0	30.0	20.0	35.0	289.1

Total Acres: 449.1

WATER RIGHT NO. 22-501B
As Modified by Transfer No. 78159

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 115.0 acres within the authorized place of use in a single irrigation season.
2. Rights 22-56, 22-174A, 22-254B, 22-501B, 22-7049 and 22-7133 when combined shall not exceed the irrigation of 449.1 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. 01.
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. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
7. This right does not grant any right-of-way or easement across the land of another.
8. Water is delivered through the Phillips Ditch.
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.

This water right 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.

Dated this 26th day of October, 2012


Water Resources Program Manager