

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 78017

This is to certify that: IDAHO WATER CO LLC
 1135 VALLEY RD S
 EDEN ID 83325
 (208) 312-1135

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>
35-14046	WR/Decreed	10/31/1986	0.41 cfs	110.9 af	27.7	320.0	GROUND WATER
35-14052	WR/Decreed	01/27/1976	1.55 cfs	309.1 af	77.3	320.0	GROUND WATER
35-14280	WR/Decreed	07/19/1973	1.19 cfs	310 af	N/A	77.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

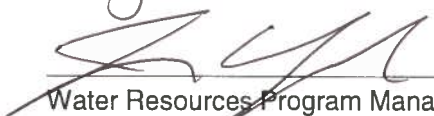
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-14046	NO	YES	NO	NO	NO	NO
35-14052	NO	YES	NO	NO	NO	NO
35-14280	NO	YES	YES	NO	NO	NO

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>
35-14046	35-14046	0.41 cfs	110.9 af	27.7	320.0		N/A	N/A	N/A	N/A
35-14052	35-14052	1.55 cfs	309.1 af	77.3	320.0		N/A	N/A	N/A	N/A
35-14280	35-14280	1.19 cfs	310 af	77.5	320.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.74 cfs	730 af	182.5	320		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of August, 2012


 Water Resources Program Manager

SUPPORT DATA
 IN FILE # 35-14046

WATER RIGHT NO. 35-14280
As Modified by Transfer No. 78017

In accordance with the approval of Transfer No. 78017, Water Right No. 35-14280 is now described as follows.

Right Holder: IDAHO WATER CO LLC
 1135 VALLEY RD S
 EDEN ID 83325

Priority Date: July 19, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.19 CFS	310.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENW Sec. 12 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>																	
			<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Total Acres: 320

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 77.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
3. Rights 35-14046, 35-14052 and 35-14280 are limited to the irrigation of a specific 182.5 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 182.5 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 182.5 acres to be irrigated within the 320.0 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.
4. 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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 78017, 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.

WATER RIGHT NO. 35-14280
As Modified by Transfer No. 78017

CONDITIONS OF APPROVAL

7. 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.
8. The combination of changes under:
Transfer approval 78016 as described under right 25-14380
Transfer approval 78017 as described under right 35-14280
Transfer approval 78018 as described under right 25-14381
Transfer approval 78019 as described under right 25-14382

provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 78017.

9. 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 lands above.
10. This right does not grant any right-of-way or easement across the land of another.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.

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 29th day of August, 20 12


Water Resources Program Manager

WATER RIGHT NO. 35-14046
As Modified by Transfer No. 78017

In accordance with the approval of Transfer No. 78017, Water Right No. 35-14046 is now described as follows.

Right Holder: IDAHO WATER CO LLC
 1135 VALLEY RD S
 EDEN ID 83325

Priority Date: October 31, 1986

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.41 CFS	110.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENW Sec. 12 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Total Acres: 320

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 27.7 acres within the place of use described for this right.
2. Rights 35-14046 and 35-14052 when combined shall not exceed a total diversion rate of 1.55 cfs, a total annual maximum diversion volume of 420.0 af at the field headgate, and the irrigation of 105.0 acres.
3. Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
4. Rights 35-14046, 35-14052 and 35-14280 are limited to the irrigation of a specific 182.5 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 182.5 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 182.5 acres to be irrigated within the 320.0 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.
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. 120.
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.

WATER RIGHT NO. 35-14046
As Modified by Transfer No. 78017

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 78017, 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 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. This right is based upon an enlargement of Right No. 35-14052 pursuant to Section 42-1426, Idaho Code.
11. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
12. This right does not grant any right-of-way or easement across the land of another.
13. The right holder shall accomplish the change authorized by this transfer within one 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.

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 29th day of August, 2012


Water Resources Program Manager

WATER RIGHT NO. 35-14052
As Modified by Transfer No. 78017

In accordance with the approval of Transfer No. 78017, Water Right No. 35-14052 is now described as follows.

Right Holder: IDAHO WATER CO LLC
 1135 VALLEY RD S
 EDEN ID 83325

Priority Date: January 27, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.55 CFS	309.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENW Sec. 12 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Total Acres: 320

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 77.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14046 and 35-14052 when combined shall not exceed a total diversion rate of 1.55 cfs, a total annual maximum diversion volume of 420.0 af at the field headgate, and the irrigation of 105.0 acres.
3. Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
4. Rights 35-14046, 35-14052 and 35-14280 are limited to the irrigation of a specific 182.5 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 182.5 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 182.5 acres to be irrigated within the 320.0 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.
5. 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.
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. 120.

WATER RIGHT NO. 35-14052
As Modified by Transfer No. 78017

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 78017, 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 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. Right No. 35-14046 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. This right does not grant any right-of-way or easement across the land of another.
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.

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 29th day of August, 20 12


Water Resources Program Manager