

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77726

This is to certify that: GEHRING FARMS, FERD GEHRING & SON INC
 3648 GEHRING RD
 AMERICAN FALLS ID 83211
 (208)226-5031

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>
35-8163	WR/License	06/17/1983	3.02 cfs	604 af	151.0	608.0	GROUND WATER
35-7179	WR/Decreed	07/06/1971	4.52 cfs	904 af	226.0	457.0	GROUND WATER
35-2854	WR/Decreed	11/30/1966	3.77 cfs	924 af	231.0	457.0	GROUND WATER
35-14025	WR/Decreed	06/17/1983	0.17 cfs	N/A	N/A	35.0	GROUND WATER
35-14027	WR/Decreed	03/16/1979	0.5 cfs	N/A	N/A	35.0	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>
35-8163	NO	NO	YES	NO	NO	NO
35-7179	NO	NO	YES	NO	NO	NO
35-2854	NO	NO	YES	NO	NO	NO
35-14025	NO	YES	YES	NO	NO	NO
35-14027	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>
35-8163	35-8163	2.49 cfs	497.6 af	124.4	614.3		N/A	N/A	N/A	N/A
35-7179	35-7179	4.5 cfs	900 af	225.0	614.3		N/A	N/A	N/A	N/A
35-2854	35-2854	3.75 cfs	919.6 af	229.9	614.3		N/A	N/A	N/A	N/A
35-14025	35-14025	0.17 cfs	N/A	N/A	614.3		N/A	N/A	N/A	N/A
35-14027	35-14027	0.5 cfs	N/A	N/A	614.3		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		10.39 cfs	2457.2 af	614.3	614.3		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE #

35-2854

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77726

Detailed Water Right Description(s) attached

Dated this 3rd day of April, 2012


Water Resources Program Manager

WATER RIGHT NO. 35-2854
As Modified by Transfer No. 77726

In accordance with the approval of Transfer No. 77726, Water Right No. 35-2854 is now described as follows.

Right Holder: GEHRING FARMS, FERD GEHRING & SON INC
3648 GEHRING RD
AMERICAN FALLS ID 83211

Priority Date: November 30, 1966

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	3.75 CFS	919.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 12 Twp 07S	Rge 29E	POWER County
GROUND WATER	NWSWNW	Sec. 12 Twp 07S	Rge 29E	POWER 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	
07S	29E	11	38.0	39.0		39.0	39.0	35.0											190.0
07S	29E	12	40.0	30.9	40.0	40.0	32.0	39.0	39.0	39.0									299.9
07S	30E	7					27.2	17.2	40.0	40.0									124.4

Total Acres: 614.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 229.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7179 and 35-2854 when combined shall not exceed a total diversion rate of 8.25 cfs, a total annual maximum diversion volume of 1819.6 af, and the irrigation of 454.9 acres.
3. Rights 35-2854, 35-8163 and 35-7179 when combined shall not exceed a total diversion rate of 9.72 cfs, and the irrigation of 579.3 acres.
4. Rights 35-2854, 35-7179, 35-8163, 35-14025 and 35-14027 when combined shall not exceed a total diversion rate of 10.39 cfs, a total annual maximum diversion volume of 2457.2 af, and the irrigation of 614.3 acres.
5. 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.
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. 35-2854
As Modified by Transfer No. 77726

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 77726, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and 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. 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.
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 3rd day of April, 2012


Water Resources Program Manager

WATER RIGHT NO. 35-7179
As Modified by Transfer No. 77726

In accordance with the approval of Transfer No. 77726, Water Right No. 35-7179 is now described as follows.

Right Holder: GEHRING FARMS, FERD GEHRING & SON INC
 3648 GEHRING RD
 AMERICAN FALLS ID 83211

Priority Date: July 06, 1971

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	4.50 CFS	900.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 12 Twp 07S	Rge 29E POWER County
GROUND WATER	NWSWNW	Sec. 12 Twp 07S	Rge 29E POWER 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	
07S	29E	11	38.0	39.0		39.0	39.0	35.0											190.0
07S	29E	12	40.0	30.9	40.0	40.0	32.0	39.0	39.0	39.0									299.9
07S	30E	7					27.2	17.2	40.0	40.0									124.4

Total Acres: 614.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 225 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7179 and 35-2854 when combined shall not exceed a total diversion rate of 8.25 cfs, a total annual maximum diversion volume of 1819.6 af, and the irrigation of 454.9 acres.
3. Rights 35-7179, 35-2854 and 35-8163 when combined shall not exceed a total diversion rate of 9.72 cfs, and the irrigation of 579.3 acres.
4. Rights 35-7179, 35-2854, 35-8163, 35-14025 and 35-14027 when combined shall not exceed a total diversion rate of 10.39 cfs, a total annual maximum diversion volume of 2457.2 af, and the irrigation of 614.3 acres.
5. 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.
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.

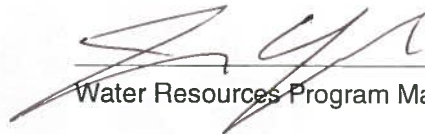
WATER RIGHT NO. 35-7179
As Modified by Transfer No. 77726

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 77726, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and 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. 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.
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 3rd day of April, 20 12


Water Resources Program Manager

WATER RIGHT NO. 35-8163
As Modified by Transfer No. 77726

In accordance with the approval of Transfer No. 77726, Water Right No. 35-8163 is now described as follows.

Right Holder: GEHRING FARMS, FERD GEHRING & SON INC
 3648 GEHRING RD
 AMERICAN FALLS ID 83211

Priority Date: June 17, 1983

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	2.49 CFS	497.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 12 Twp 07S	Rge 29E	POWER County
GROUND WATER	NWSWNW	Sec. 12 Twp 07S	Rge 29E	POWER 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	
07S	29E	11	38.0	39.0		39.0	39.0	35.0											190.0
07S	29E	12	40.0	30.9	40.0	40.0	32.0	39.0	39.0	39.0									299.9
07S	30E	7					27.2	17.2	40.0	40.0									124.4

Total Acres: 614.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 124.4 acres within the place of use described above in a single irrigation season.
2. Rights 35-8163, 35-2854 and 35-7179 when combined shall not exceed a total diversion rate of 9.72 cfs and the irrigation of 579.3 acres.
3. Rights 35-8163, 35-7179, 35-2854, 35-14025 and 35-14027 when combined shall not exceed a total diversion rate of 10.39 cfs, a total annual maximum diversion volume of 2457.2 af, and the irrigation of 614.3 acres.
4. 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.
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.

WATER RIGHT NO. 35-8163
As Modified by Transfer No. 77726

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 77726, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and 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.
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 lands above.
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.

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 3rd day of April, 20 12



Water Resources Program Manager

WATER RIGHT NO. 35-14025
As Modified by Transfer No. 77726

In accordance with the approval of Transfer No. 77726, Water Right No. 35-14025 is now described as follows.

Right Holder: GEHRING FARMS, FERD GEHRING & SON INC
3648 GEHRING RD
AMERICAN FALLS ID 83211

Priority Date: June 17, 1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	0.17 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 12 Twp 07S	Rge 29E	POWER County
GROUND WATER	NWSWNW	Sec. 12 Twp 07S	Rge 29E	POWER 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	
07S 29E 11	38.0	39.0		39.0	39.0	35.0											190.0
07S 29E 12	40.0	30.9	40.0	40.0	32.0	39.0	39.0	39.0									299.9
07S 30E 7					27.2	17.2	40.0	40.0									124.4

Total Acres: 614.3

CONDITIONS OF APPROVAL

1. Rights 35-14025 and 35-14027 when combined shall not exceed a total annual maximum diversion volume of 140 af, and the irrigation of 35 acres.
2. Rights 35-14025, 35-7179, 35-2854, 35-8163 and 35-14027 when combined shall not exceed a total diversion rate of 10.39 cfs, a total annual maximum diversion volume of 2457.2 af, and the irrigation of 614.3 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. Prior to the diversion and use of water under Transfer approval 77726, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and 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.
5. 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.

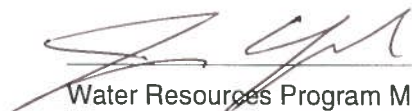
WATER RIGHT NO. 35-14025
As Modified by Transfer No. 77726

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 3rd day of April, 2012


Water Resources Program Manager

WATER RIGHT NO. 35-14027
As Modified by Transfer No. 77726

In accordance with the approval of Transfer No. 77726, Water Right No. 35-14027 is now described as follows.

Right Holder: GEHRING FARMS, FERD GEHRING & SON INC
 3648 GEHRING RD
 AMERICAN FALLS ID 83211

Priority Date: March 16, 1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	0.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 12 Twp 07S	Rge 29E	POWER County
GROUND WATER	NWSWNW	Sec. 12 Twp 07S	Rge 29E	POWER County

<u>PLACE OF USE:</u>			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>	
07S	29E	11	38.0	39.0		39.0	39.0	35.0											190.0	
07S	29E	12	40.0	30.9	40.0	40.0	32.0	39.0	39.0	39.0									299.9	
07S	30E	7					27.2	17.2	40.0	40.0									124.4	

Total Acres: 614.3

CONDITIONS OF APPROVAL

1. Rights 35-14027 and 35-14025 when combined shall not exceed a total annual maximum diversion volume of 140 af, and the irrigation of 35 acres.
2. Rights 35-14027, 35-7179, 35-2854, 35-8163 and 35-14025 when combined shall not exceed a total diversion rate of 10.39 cfs, a total annual maximum diversion volume of 2457.2 af, and the irrigation of 614.3 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. Prior to the diversion and use of water under Transfer approval 77726, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and 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.
5. 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.

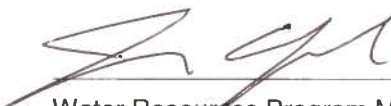
WATER RIGHT NO. 35-14027
As Modified by Transfer No. 77726

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 3rd day of April, 2012


Water Resources Program Manager