

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77589

This is to certify that: WALTERS READY MIX INC
 342 W 4TH N
 REXBURG ID 83440
 (208)356-5491

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>
25-14247	WR/License	02/28/1992	0.63 cfs	125.6 af	N/A	31.4	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>
25-14247	YES	YES	YES	YES	YES	YES

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>
25-14247	35-14234	0.1 cfs	12.0 af	N/A	N/A	25-14364	0.3 cfs	59.6 af	N/A	14.9
COMBINED TOTALS		0.1 cfs	12.0 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14th day of February, 2012


 Water Resources Program Manager

SUPPORT DATA
 IN FILE # 25-14247

WATER RIGHT NO. 35-14234
As Modified by Transfer No. 77589

In accordance with the approval of Transfer No. 77589, Water Right No. 35-14234 is now described as follows.

Right Holder: KENT MERRILL
 532 N 3825 E
 RIGBY ID 83442

Priority Date: February 28, 1992

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01 to 12/31	0.10 CFS	12.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 20 Twp 05N	Rge 37E	JEFFERSON County
GROUND WATER	NWSW	Sec. 20 Twp 05N	Rge 37E	JEFFERSON County
GROUND WATER	SWSW	Sec. 20 Twp 05N	Rge 37E	JEFFERSON County
GROUND WATER	SESW	Sec. 20 Twp 05N	Rge 37E	JEFFERSON County

PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	37E	20									X	X	X	X					

CONDITIONS OF APPROVAL

1. Industrial use is for the evaporative losses from an excavated pond.
2. The total surface area of the pond shall not exceed 4.7 acres.
3. The industrial use under this right authorizes the diversion of an annual total of 12.0 acre-feet to be used for the replacement of losses caused by evaporation.
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 diversion and use of water under Transfer approval 77589, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
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. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

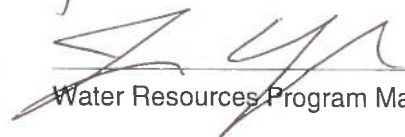
WATER RIGHT NO. 35-14234
As Modified by Transfer No. 77589

CONDITIONS OF APPROVAL

9. 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.
10. This right does not grant any right-of-way or easement across the land of another.
11. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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.

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 14th day of February, 2012



Water Resources Program Manager

WATER RIGHT NO. 25-14364
As Modified by Transfer No. 77589

In accordance with the approval of Transfer No. 77589, Water Right No. 25-14364 is now described as follows.

Right Holder: KENT MERRILL
 532 N 3825 E
 RIGBY ID 83442

Priority Date: February 28, 1992

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	0.30 CFS	59.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 (SWSW) Sec. 30 Twp 04N Rge 39E JEFFERSON 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	
04N 39E 30																	14.9
																	L 4

Total Acres: 14.9

CONDITIONS OF APPROVAL

1. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
4. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

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 14th day of February, 2012


 Water Resources Program Manager