

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77705

This is to certify that: D & C PROPERTIES LLC
C/O DAVE Z WALTERS
PO BOX 390
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>
27-12215	WR/Decreed	08/19/1952	0.05 cfs	10.9 af	N/A	2.1	GROUND WATER

Purpose of Transfer (Changes Proposed)

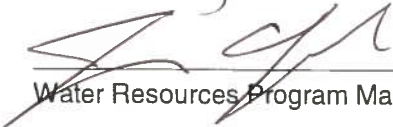
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
27-12215	NO	YES	NO	NO	NO	NO

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>
27-12215	27-12215	0.05 cfs	10.9 af	N/A	2.1		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.05 cfs	10.9 af	N/A	2.1		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 9th day of February, 2012


Water Resources Program Manager

SUPPORT DATA

IN FILE # 27-12215

WATER RIGHT NO. 27-12215
As Modified by Transfer No. 77705

In accordance with the approval of Transfer No. 77705, Water Right No. 27-12215 is now described as follows.

Right Holder: D & C PROPERTIES LLC
 C/O DAVE Z WALTERS
 PO BOX 390
 REXBURG ID 83440

Priority Date: August 19, 1952

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	0.04 CFS	8.4 AF
INDUSTRIAL	04/01	to 10/31	0.01 CFS	2.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESW Sec. 15 Twp 01N Rge 37E BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<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>	
01N	37E	15									.8		.5	.8					2.1

Total Acres: 2.1

PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<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>	
01N	37E	15									X		X	X					

WATER RIGHT NO. 27-12215
As Modified by Transfer No. 77705

CONDITIONS OF APPROVAL

1. The industrial use under this right authorizes the diversion of an annual total of 2.5 acre-feet to be used for the replacement of losses caused by evaporation.
2. The surface area of the gravel/sand washing infiltration pond shall not exceed a total surface area of 1.0 acre.
3. Industrial use is for the evaporative losses from a gravel/sand washing infiltration pond.
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 this right, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), 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 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
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. This right does not grant any right-of-way or easement across the land of another.
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.

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 9th day of February, 2012


Water Resources Program Manager