

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77586

This is to certify that: WALTERS READY MIX
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>
25-14360	WR/License	02/28/1992	0.13 cfs	25.6 af	N/A	6.4	GROUND WATER

Purpose of Transfer (Changes Proposed)

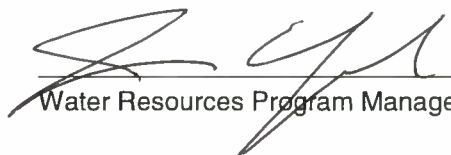
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
25-14360	NO	YES	YES	YES	YES	YES

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>
25-14360	22-14025	0.13 cfs	15.4 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.13 cfs	15.4 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 16th day of December, 20 11


Water Resources Program Manager

SUPPORT DATA

IN FILE # 25-14360

WATER RIGHT NO. 22-14025
As Modified by Transfer No. 77586

In accordance with the approval of Transfer No. 77586, Water Right No. 22-14025 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	0.13 CFS	15.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNE	Sec. 14 Twp 05N	Rge 39E	MADISON County
GROUND WATER	NWSE	Sec. 14 Twp 05N	Rge 39E	MADISON 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	39E	14																	X

CONDITIONS OF APPROVAL

1. The surface area of the pond shall not exceed a total surface area of 6.7 acres.
2. The industrial use under this right authorizes the diversion of an annual total of 15.4 acre-feet to be used for the replacement of losses caused by evaporation.
3. Industrial use is for the evaporative losses from an excavated 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. 100.
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 77586, 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.

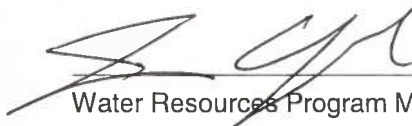
WATER RIGHT NO. 22-14025
As Modified by Transfer No. 77586

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 16th day of December, 20 11


Water Resources Program Manager