

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77391

This is to certify that: COMORE DEVELOPMENT INC
 3920 E SUNNYSIDE RD
 IDAHO FALLS ID 83406
 (208)529-3672

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>
25-14241	WR/Decreed	03/20/1961	0.6 cfs	122.8 af	30.7	2,634.0	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<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>
25-12706	WR/Decreed	07/01/1960	0.13 cfs	5.6 af	.4	2,634.0	GROUND WATER
25-14242	WR/Decreed	05/01/1980	0.29 cfs	116.8 af	29.2	2,634.0	GROUND WATER
25-14243	WR/Decreed	05/06/1957	0.53 cfs	156 af	40.1	2,634.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

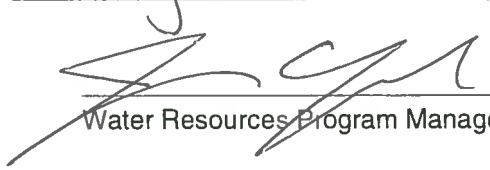
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
25-14241	YES	YES	YES	NO	YES	NO

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>
25-14241	25-14341	0.04 cfs	8 af	N/A	2.0	25-14340	0.56 cfs	114.8 af	28.7	2,634.0
COMBINED										
TOTALS		0.04 cfs	8 af	N/A	2.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of August, 20 11


 Water Resources Program Manager

SUPPORT DATA

IN FILE # 25-14241

WATER RIGHT NO. 25-14340
As Modified by Transfer No. 77391

In accordance with the approval of Transfer No. 77391, Water Right No. 25-14340 is now described as follows.

Right Holder: COMORE DEVELOPMENT INC
 3920 E SUNNYSIDE RD
 IDAHO FALLS ID 83406

Priority Date: March 20, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/01	0.56 CFS	114.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L1 (NENE)	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NESE	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NESE	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NWSE	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NWNE	Sec. 12	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	L4 (NWNW)	Sec. 6	Twp 01N	Rge 39E	BONNEVILLE County
GROUND WATER	SESE	Sec. 6	Twp 01N	Rge 39E	BONNEVILLE 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	
01N	38E	1	40.0 L 1		35.0	40.0								16.0	40.0	40.0	40.0	40.0	291.0
01N	38E	12	40.0	40.0	40.0	40.0	40.0		31.0	40.0	40.0			40.0	40.0	40.0	40.0		471.0
01N	39E	5		42.0	40.0	40.0	42.0	42.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	606.0
01N	39E	6	42.0 L 1	42.0 L 2	40.0	40.0	42.0 L 3	39.0 L 4	37.0	40.0	40.0	36.0 L 6	36.0 L 7	40.0	40.0	40.0	40.0	40.0	634.0
01N	39E	7	40.0	40.0	40.0	40.0	40.0	36.0 L 1	36.0 L 2	40.0	40.0				40.0	40.0	40.0		472.0
01N	39E	8					40.0	40.0	40.0	40.0									160.0

Total Acres: 2634

CONDITIONS OF APPROVAL

- Points of diversion are located within Lot 1-A, Block 20, Comore Loma Subdivision #10; Lot 5, Block 2, Comore Loma Subdivision; Lot 1, Block 6, Comore Loma Subdivision #2; Lot 20, Block 4, Comore Loma Subdivision #3; Lot 31, Block 4 Comore Loma Subdivision #13; and unplatted ground located in the SE quarter of the SE quarter of Section 6, Township 1N, Range 39E.
- Place of use is located within Comora Loma Subdivision.
- This right is limited to the irrigation of 28.7 acres within the place of use described above in a single irrigation season.

WATER RIGHT NO. 25-14340
As Modified by Transfer No. 77391

CONDITIONS OF APPROVAL

4. Rights 25-14340 and 25-14242 when combined shall not exceed a total diversion rate of 0.56 cfs, a total annual maximum diversion volume of 231.6 af at the field headgate, and the irrigation of 57.9 acres.
5. Rights 25-12706, 25-14340, 25-14242 and 25-14243 when combined shall not exceed a total diversion rate of 1.22 cfs, a total annual maximum diversion volume of 393.2 af at the field headgate, and the irrigation of 98.4 acres.
6. Prior to 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 is limited to the irrigation of specific lots, which have been uniquely identified and designated to receive irrigation water, within the place of use authorized by this right in a single irrigation season. The specific lots to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the Department. Before irrigation can occur on a lot within the place of use not previously identified on the land list or by the electronic shape file, the right holder shall submit a new land list and representative electronic shape file or map to the Department, defining any changes, prior to the irrigation season in which the change will occur.
8. The irrigation occurring under this water right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
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. The approval of this Transfer 74088 and Transfer 72674 fulfills the requirement of the Protest Agreement associated with water right permits 25-14166 and 25-14167 that the consumptive component of water use associated with both water right permits be mitigated by the transferred water or directly supplied by the transferred water.
12. In the event of a delivery call filed by surface water users or ground water users in or above the Shelley to Near Blackfoot reach of the Snake River as defined in the ESPA Model, or in regards to localized incidences of groundwater or surface water injury due to the use of water under this transfer, this water right is subordinate to all water rights with a priority date earlier than February 16, 2006.
13. Records verifying the diversion of water as described in these conditions must be maintained and compiled into an annual report. Annual reports must be maintained for a minimum of five years and made available to the Department upon request.
14. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 25-14340
As Modified by Transfer No. 77391

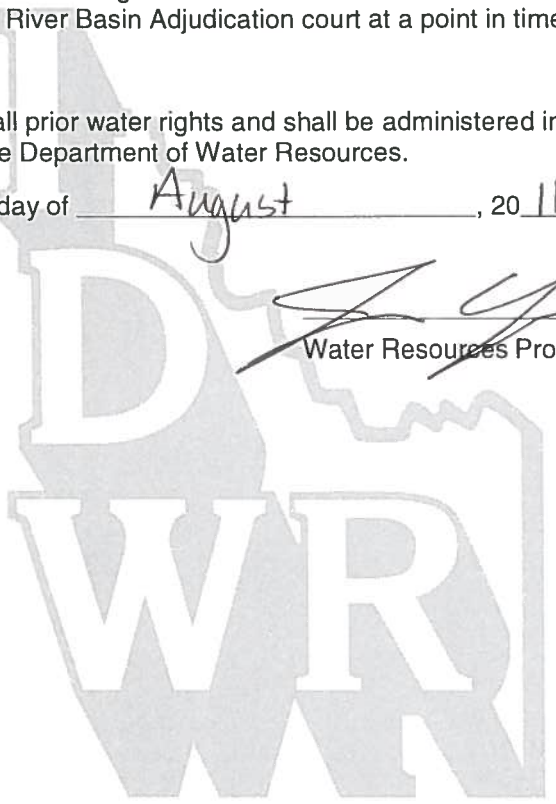
CONDITIONS OF APPROVAL

15. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
16. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
17. 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 10th day of August, 2011


Water Resources Program Manager



WATER RIGHT NO. 25-14341
As Modified by Transfer No. 77391

In accordance with the approval of Transfer No. 77391, Water Right No. 25-14341 is now described as follows.

Right Holder: COMORE DEVELOPMENT INC
 3920 E SUNNYSIDE RD
 IDAHO FALLS ID 83406

Priority Date: March 20, 1961

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	8.0 AF

LOCATION OF POINT(S) OF DIVERSION:
 GROUND WATER SWNW Sec. 12 Twp 01N Rge 38E BONNEVILLE 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	
01N	38E	12							2.0										2.0

Total Acres: 2

CONDITIONS OF APPROVAL

- Point of diversion and place of use are located within Lot 2, Blk. 13, Black Hawk Subdivision.
- 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 place of use.
- The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/10/2011.
- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- This right does not grant any right-of-way or easement across the land of another.
- The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

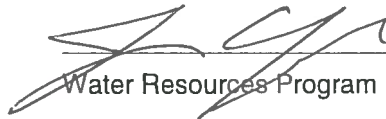
WATER RIGHT NO. 25-14341
As Modified by Transfer No. 77391

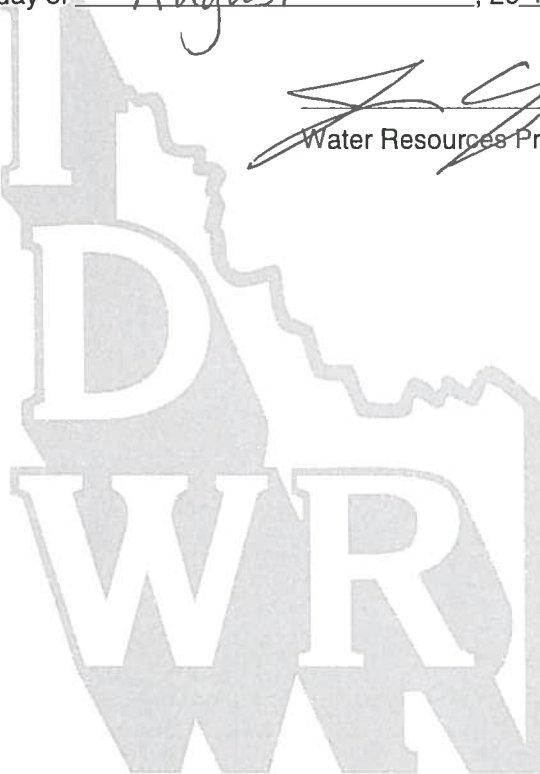
CONDITIONS OF APPROVAL

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 10th day of August, 20 11


Water Resources Program Manager



WATER RIGHT NO. 25-12706
As Modified by Transfer No. 77391

In accordance with the approval of Transfer No. 77391, Water Right No. 25-12706 is now described as follows.

Right Holder: COMORE DEVELOPMENT INC
 C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: July 01, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.01 CFS	1.4 AF
DOMESTIC	01/01	to 12/31	0.12 CFS	4.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L1 (NENE)	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NESE	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NESE	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NWSE	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NWNE	Sec. 12	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	L4 (NWNW)	Sec. 6	Twp 01N	Rge 39E	BONNEVILLE County
GROUND WATER	SESE	Sec. 6	Twp 01N	Rge 39E	BONNEVILLE County

<u>PLACE OF USE:</u>		IRRIGATION																<u>Totals</u>	
<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>	
01N	38E	1	40.0		35.0	40.0								16.0	40.0	40.0	40.0	40.0	291.0
			L 1																
01N	38E	12	40.0	40.0	40.0	40.0	40.0		31.0	40.0	40.0			40.0	40.0	40.0	40.0		471.0
01N	39E	5		42.0	40.0	40.0	42.0	42.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	606.0
				L 2				L 3	L 4										
01N	39E	6	42.0	42.0	40.0	40.0	42.0	39.0	37.0	40.0	40.0	36.0	36.0	40.0	40.0	40.0	40.0	40.0	634.0
			L 1	L 2			L 3	L 4	L 5			L 6	L 7						
01N	39E	7	40.0	40.0	40.0	40.0	40.0	36.0	36.0	40.0	40.0				40.0	40.0	40.0		472.0
								L 1	L 2										
01N	39E	8					40.0	40.0	40.0	40.0									160.0

Total Acres: 2634

WATER RIGHT NO. 25-12706
As Modified by Transfer No. 77391

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	38E	1	X		X	X								X	X	X	X	X	
			L 1																
01N	38E	12	X	X	X	X	X		X	X	X			X	X	X	X		
01N	39E	5		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
				L 2			L 3	L 4											
01N	39E	6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
			L 1	L 2			L 3	L 4	L 5			L 6	L 7						
01N	39E	7	X	X	X	X	X	X	X	X					X	X	X		
							L 1	L 2											
01N	39E	8					X	X	X	X									

CONDITIONS OF APPROVAL

- Points of diversion are located within Lot 1-A, Block 20, Comore Loma Subdivision #10; Lot 5, Block 2, Comore Loma Subdivision; Lot 1, Block 6, Comore Loma Subdivision #2; Lot 20, Block 4, Comore Loma Subdivision #3; Lot 31, Block 4 Comore Loma Subdivision #13; and unplatted ground located in the SE quarter of the SE quarter of Section 6, Township 1N, Range 39E.
- Place of use is located within Comora Loma Subdivision.
- This right is limited to the irrigation of 0.4 acres within the place of use described above in a single irrigation season.
- Rights 25-12706, 25-14340, 25-14242 and 25-14243 when combined shall not exceed a total diversion rate of 1.22 cfs, a total annual maximum diversion volume of 393.2 af at the field headgate, and the irrigation of 98.4 acres.
- Prior to 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.
- 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.
- The irrigation occurring under this water right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
- In the event of a delivery call filed by surface water users or ground water users in or above the Shelley to Near Blackfoot reach of the Snake River as defined in the ESPA Model, or in regards to localized incidences of groundwater or surface water injury due to the use of water under this transfer, this water right is subordinate to all water rights with a priority date earlier than February 16, 2006.
- Domestic use is for 7 homes.

WATER RIGHT NO. 25-12706
As Modified by Transfer No. 77391

CONDITIONS OF APPROVAL

10. This right is limited to the irrigation of specific lots, which have been uniquely identified and designated to receive irrigation water, within the place of use authorized by this right in a single irrigation season. The specific lots to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the Department. Before irrigation can occur on a lot within the place of use not previously identified on the land list or by the electronic shape file, the right holder shall submit a new land list and representative electronic shape file or map to the Department, defining any changes, prior to the irrigation season in which the change will occur.
11. Records verifying the diversion of water as described in these conditions must be maintained and compiled into an annual report. Annual reports must be maintained for a minimum of five years and made available to the Department upon request.
12. The approval of this Transfer 74088 and Transfer 72674 fulfills the requirement of the Protest Agreement associated with water right permits 25-14166 and 25-14167 that the consumptive component of water use associated with both water right permits be mitigated by the transferred water or directly supplied by the transferred water.
13. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
14. This right does not grant any right-of-way or easement across the land of another.
15. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
16. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
17. 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 10th day of August, 20 11


Water Resources Program Manager

WATER RIGHT NO. 25-14242**As Modified by Transfer No. 77391**

In accordance with the approval of Transfer No. 77391, Water Right No. 25-14242 is now described as follows.

Right Holder: COMORE DEVELOPMENT INC

3920 E SUNNYSIDE RD

IDAHO FALLS ID 83406

Priority Date: May 01, 1980**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	0.29 CFS	116.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L1 (NENE)	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NESE	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NESE	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NWSE	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NWNE	Sec. 12	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	L4 (NWNW)	Sec. 6	Twp 01N	Rge 39E	BONNEVILLE County
GROUND WATER	SESE	Sec. 6	Twp 01N	Rge 39E	BONNEVILLE 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	
01N	38E	1	40.0		35.0	40.0							16.0	40.0	40.0	40.0	40.0	291.0	
			L 1																
01N	38E	12	40.0	40.0	40.0	40.0	40.0		31.0	40.0	40.0		40.0	40.0	40.0	40.0		471.0	
01N	39E	5		42.0	40.0	40.0	42.0	42.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	606.0	
			L 2				L 3	L 4											
01N	39E	6	42.0	42.0	40.0	40.0	42.0	39.0	37.0	40.0	40.0	36.0	36.0	40.0	40.0	40.0	40.0	634.0	
			L 1	L 2			L 3	L 4	L 5			L 6	L 7						
01N	39E	7	40.0	40.0	40.0	40.0	40.0	36.0	36.0	40.0	40.0			40.0	40.0	40.0		472.0	
							L 1	L 2											
01N	39E	8					40.0	40.0	40.0	40.0								160.0	

Total Acres: 2634

WATER RIGHT NO. 25-14242
As Modified by Transfer No. 77391

CONDITIONS OF APPROVAL

1. Points of diversion are located within Lot 1-A, Block 20, Comore Loma Subdivision #10; Lot 5, Block 2, Comore Loma Subdivision; Lot 1, Block 6, Comore Loma Subdivision #2; Lot 20, Block 4, Comore Loma Subdivision #3; Lot 31, Block 4 Comore Loma Subdivision #13; and unplatted ground located in the SE quarter of the SE quarter of Section 6, Township 1N, Range 39E.
2. Place of use is located within Comora Loma Subdivision.
3. This right is for an enlargement of 29.2 acres within the place of use described for this right.
4. Rights 25-14340 and 25-14242 when combined shall not exceed a total diversion rate of 0.56 cfs, a total annual maximum diversion volume of 231.6 af at the field headgate, and the irrigation of 57.9 acres.
5. Rights 25-12706, 25-14340, 25-14242 and 25-14243 when combined shall not exceed a total diversion rate of 1.22 cfs, a total annual maximum diversion volume of 393.2 af at the field headgate, and the irrigation of 98.4 acres.
6. Prior to 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 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The irrigation occurring under this water right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
9. Records verifying the diversion of water as described in these conditions must be maintained and compiled into an annual report. Annual reports must be maintained for a minimum of five years and made available to the Department upon request.
10. In the event of a delivery call filed by surface water users or ground water users in or above the Shelley to Near Blackfoot reach of the Snake River as defined in the ESPA Model, or in regards to localized incidences of groundwater or surface water injury due to the use of water under this transfer, this water right is subordinate to all water rights with a priority date earlier than February 16, 2006.

WATER RIGHT NO. 25-14242
As Modified by Transfer No. 77391

CONDITIONS OF APPROVAL

11. This right is limited to the irrigation of specific lots, which have been uniquely identified and designated to receive irrigation water, within the place of use authorized by this right in a single irrigation season. The specific lots to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the Department. Before irrigation can occur on a lot within the place of use not previously identified on the land list or by the electronic shape file, the right holder shall submit a new land list and representative electronic shape file or map to the Department, defining any changes, prior to the irrigation season in which the change will occur.
12. This right is based upon an enlargement of Right No. 25-14241 pursuant to Section 42-1426, Idaho Code.
13. The approval of this Transfer 74088 and Transfer 72674 fulfills the requirement of the Protest Agreement associated with water right permits 25-14166 and 25-14167 that the consumptive component of water use associated with both water right permits be mitigated by the transferred water or directly supplied by the transferred water.
14. 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.
15. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
16. This right does not grant any right-of-way or easement across the land of another.
17. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
18. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
19. 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 10th day of August, 20 11


Water Resources Program Manager

WATER RIGHT NO. 25-14243
As Modified by Transfer No. 77391

In accordance with the approval of Transfer No. 77391, Water Right No. 25-14243 is now described as follows.

Right Holder: COMORE DEVELOPMENT INC
 3920 E SUNNYSIDE RD
 IDAHO FALLS ID 83406

Priority Date: May 06, 1957

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	0.53 CFS	156.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L1 (NENE)	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NESE	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NESE	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NWSE	Sec. 1	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	NWNE	Sec. 12	Twp 01N	Rge 38E	BONNEVILLE County
GROUND WATER	L4 (NWNW)	Sec. 6	Twp 01N	Rge 39E	BONNEVILLE County
GROUND WATER	SESE	Sec. 6	Twp 01N	Rge 39E	BONNEVILLE 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	
01N	38E	1	40.0		35.0	40.0								16.0	40.0	40.0	40.0	40.0	291.0
			L 1																
01N	38E	12	40.0	40.0	40.0	40.0	40.0		31.0	40.0	40.0			40.0	40.0	40.0	40.0		471.0
01N	39E	5		42.0	40.0	40.0	42.0	42.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	606.0
				L 2			L 3	L 4											
01N	39E	6	42.0	42.0	40.0	40.0	42.0	39.0	37.0	40.0	40.0	36.0	36.0	40.0	40.0	40.0	40.0	40.0	634.0
			L 1	L 2			L 3	L 4	L 5			L 6	L 7						
01N	39E	7	40.0	40.0	40.0	40.0	40.0	36.0	36.0	40.0	40.0				40.0	40.0	40.0		472.0
							L 1	L 2											
01N	39E	8					40.0	40.0	40.0	40.0									160.0

Total Acres: 2634

WATER RIGHT NO. 25-14243
As Modified by Transfer No. 77391

CONDITIONS OF APPROVAL

1. Points of diversion are located within Lot 1-A, Block 20, Comore Loma Subdivision #10; Lot 5, Block 2, Comore Loma Subdivision; Lot 1, Block 6, Comore Loma Subdivision #2; Lot 20, Block 4, Comore Loma Subdivision #3; Lot 31, Block 4 Comore Loma Subdivision #13; and unplatted ground located in the SE quarter of the SE quarter of Section 6, Township 1N, Range 39E.
2. Place of use is located within Comora Loma Subdivision.
3. This right is limited to the irrigation of 40.1 acres within the place of use described above in a single irrigation season.
4. Rights 25-12706, 25-14340, 25-14242 and 25-14243 when combined shall not exceed a total diversion rate of 1.22 cfs, a total annual maximum diversion volume of 393.2 af at the field headgate, and the irrigation of 98.4 acres.
5. Prior to 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.
6. 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.
7. This right is limited to the irrigation of specific lots, which have been uniquely identified and designated to receive irrigation water, within the place of use authorized by this right in a single irrigation season. The specific lots to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the Department. Before irrigation can occur on a lot within the place of use not previously identified on the land list or by the electronic shape file, the right holder shall submit a new land list and representative electronic shape file or map to the Department, defining any changes, prior to the irrigation season in which the change will occur.
8. The irrigation occurring under this water right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
9. The approval of this Transfer 74088 and Transfer 72674 fulfills the requirement of the Protest Agreement associated with water right permits 25-14166 and 25-14167 that the consumptive component of water use associated with both water right permits be mitigated by the transferred water or directly supplied by the transferred water.
10. In the event of a delivery call filed by surface water users or ground water users in or above the Shelley to Near Blackfoot reach of the Snake River as defined in the ESPA Model, or in regards to localized incidences of groundwater or surface water injury due to the use of water under this transfer, this water right is subordinate to all water rights with a priority date earlier than February 16, 2006.

WATER RIGHT NO. 25-14243
As Modified by Transfer No. 77391

CONDITIONS OF APPROVAL

11. Records verifying the diversion of water as described in these conditions must be maintained and compiled into an annual report. Annual reports must be maintained for a minimum of five years and made available to the Department upon request.
12. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
13. This right does not grant any right-of-way or easement across the land of another.
14. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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 10th day of August, 2011



Water Resources Program Manager