

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76778**

This is to certify that: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN ID 83325
(208) 312-1135

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>
35-14044	WR/Decreed	10/31/1986	1.2 cfs	327.5 af	81.9	310.0	GROUND WATER
35-14050	WR/Decreed	01/27/1976	4.57 cfs	912.5 af	228.1	310.0	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>Acres</u>	<u>Total</u>	<u>Source</u>
35-14043	WR/Decreed	10/31/1986	0.27 cfs	74 af	18.5	70.0	GROUND WATER
35-14049	WR/Decreed	01/27/1976	1.03 cfs	206 af	51.5	70.0	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>
35-14044	NO	YES	YES	YES	NO	YES
35-14050	NO	YES	YES	YES	NO	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>
35-14044	25-14326	1.2 cfs	327.5 af	81.9	municipal boundary		N/A	N/A	N/A	N/A
35-14050	25-14327	4.57 cfs	912.5 af	228.1	municipal boundary		N/A	N/A	N/A	N/A
COMBINED TOTALS		4.57 cfs	1240 af	310.0	municipal boundary		N/A	N/A	N/A	N/A

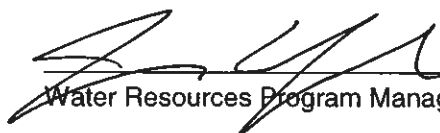
SUPPORT DATA

IN FILE # 35-14044

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76778

Detailed Water Right Description(s) attached

Dated this 1st day of December, 2010



Water Resources Program Manager



WATER RIGHT NO. 25-14326
As Modified by Transfer No. 76778

In accordance with the approval of Transfer No. 76778, Water Right No. 25-14326 is now described as follows.

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN ID 83325

Priority Date: October 31, 1986

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	04/01	to 10/31	1.20 CFS	327.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE SW	Sec. 14 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	SENE SW	Sec. 14 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	SENE SW	Sec. 14 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	SWSW SW	Sec. 14 Twp 02N	Rge 38E	BONNEVILLE County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of Falls Water Co. Inc as provided for under Idaho law. The place of use is generally located within Sections 2, 3, 10, 11, 13-16 and 22-24, Township 02N, Range 38E.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Municipal use under rights 25-14326 and 25-14327 is for irrigation of 310.0 acres within the authorized place of use in a single irrigation season.
4. This right is for an enlargement of 81.9 acres within the place of use described for this right.
5. Rights 25-14326 and 25-14327 when combined shall not exceed a total diversion rate of 4.57 cfs, a total annual maximum diversion volume of 1240.0 af at the field headgate, and the irrigation of 310.0 acres.
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.
7. 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.
8. Prior to diversion and use of water under Transfer approval 76778, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.

WATER RIGHT NO. 25-14326
As Modified by Transfer No. 76778

CONDITIONS OF APPROVAL

9. 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.
10. The irrigation component of municipal use under this right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate.

11. The combination of changes under:

Transfer approval 76778 as described under rights 25-14326 and 25-14327;
Transfer approval 76804 as described under rights 29-13979 and 29-13980;
Transfer approval 76805 as described under rights 35-14046 and 35-14052;
Transfer approval 76806 as described under rights 36-16878 and 36-16879;
Transfer approval 76808 as described under rights 21-13121 and 21-13122;

provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right.

12. 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.
13. This right is based upon an enlargement of Right No. 25-14327 pursuant to Section 42-1426, Idaho Code.
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. This right does not grant any right-of-way or easement across the land of another.
16. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
17. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
18. 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.

WATER RIGHT NO. 25-14326
As Modified by Transfer No. 76778

CONDITIONS OF APPROVAL

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 1st day of December, 20 16



Water Resources Program Manager



WATER RIGHT NO. 25-14327
As Modified by Transfer No. 76778

In accordance with the approval of Transfer No. 76778, Water Right No. 25-14327 is now described as follows.

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN ID 83325

Priority Date: January 27, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	04/01	to 11/01	4.57 CFS	912.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE SW	Sec. 14 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	SENE SW	Sec. 14 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	SENE SW	Sec. 14 Twp 02N	Rge 38E	BONNEVILLE County
GROUND WATER	SWSW SW	Sec. 14 Twp 02N	Rge 38E	BONNEVILLE County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of Falls Water Co. Inc as provided for under Idaho law. The place of use is generally located within Sections 2, 3, 10, 11, 13-16 and 22-24, Township 02N, Range 38E.
2. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Municipal use under rights 25-14326 and 25-14327 is for irrigation of 310.0 acres within the authorized place of use in a single irrigation season.
4. This right is limited to the irrigation of 228.1 acres within the authorized place of use in a single irrigation season.
5. Rights 25-14326 and 25-14327 when combined shall not exceed a total diversion rate of 4.57 cfs, a total annual maximum diversion volume of 1240.0 af at the field headgate, and the irrigation of 310.0 acres.
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.
7. 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.
8. Prior to diversion and use of water under Transfer approval 76778, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.

WATER RIGHT NO. 25-14327
As Modified by Transfer No. 76778

CONDITIONS OF APPROVAL

9. 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.
10. The irrigation component of municipal use under this right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate.

11. The combination of changes under:

Transfer approval 76778 as described under rights 25-14326 and 25-14327;
Transfer approval 76804 as described under rights 29-13979 and 29-13980;
Transfer approval 76805 as described under rights 35-14046 and 35-14052;
Transfer approval 76806 as described under rights 36-16878 and 36-16879;
Transfer approval 76808 as described under rights 21-13121 and 21-13122;

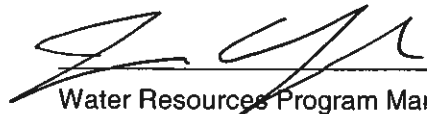
provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right.

12. 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.
13. This right does not grant any right-of-way or easement across the land of another.
14. Right No. 25-14326 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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 1st day of December, 2010


Water Resources Program Manager

WATER RIGHT NO. 35-14043
As Modified by Transfer No. 76778

In accordance with the approval of Transfer No. 76778, Water Right No. 35-14043 is now described as follows.

Right Holder: IDAHO WATER CO LLC
 1135 VALLEY RD S
 EDEN ID 83325

Priority Date: October 31, 1986

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	0.27 CFS	74.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWNE Sec. 31 Twp 05N Rge 36E BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp Rge Sec			NE				NW				SW				SE				
			<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>
05N	36E	31										30.0	3.0	1.0					34.0
05N	36E	32							36.0										36.0

Total Acres: 70

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 18.5 acres within the place of use described for this right.
2. Rights 35-14043 and 35-14049 when combined shall not exceed a total diversion rate of 1.03 cfs, a total annual maximum diversion volume of 280.0 af at the field headgate, and the irrigation of 70.0 acres.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
5. This right is based upon an enlargement of Right No. 35-14049 pursuant to Section 42-1426, Idaho Code.
6. 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.
7. The following rights are diverted through point(s) of diversion described above: 35-14043, 35-14049.

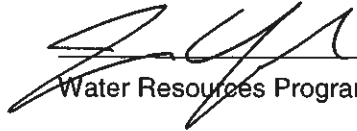
WATER RIGHT NO. 35-14043
As Modified by Transfer No. 76778

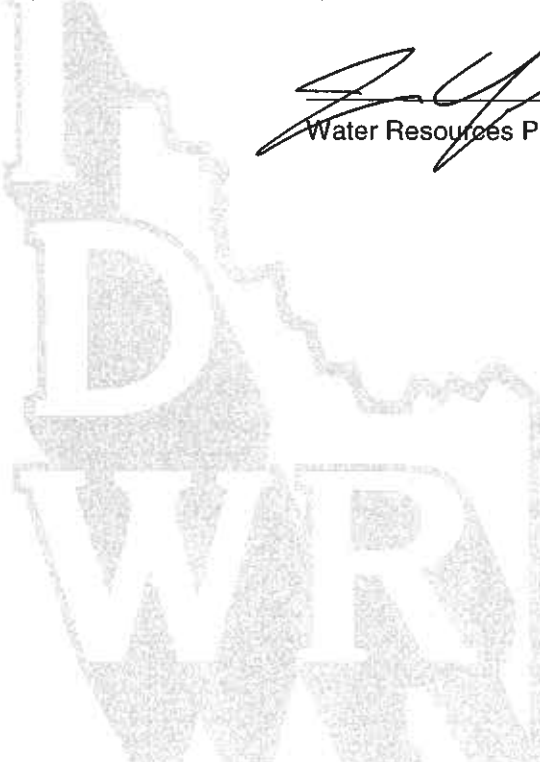
CONDITIONS OF APPROVAL

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 1st day of December, 2010


Water Resources Program Manager



WATER RIGHT NO. 35-14049
As Modified by Transfer No. 76778

In accordance with the approval of Transfer No. 76778, Water Right No. 35-14049 is now described as follows.

Right Holder: IDAHO WATER CO LLC
 1135 VALLEY RD S
 EDEN ID 83325

Priority Date: January 27, 1976

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	1.03 CFS	206.0 AF

LOCATION OF POINT(S) OF DIVERSION:
 GROUND WATER SENWNE Sec. 31 Twp 05N Rge 36E 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	
05N 36E 31									30.0	3.0	1.0						34.0
05N 36E 32							36.0										36.0

Total Acres: 70

CONDITIONS OF APPROVAL

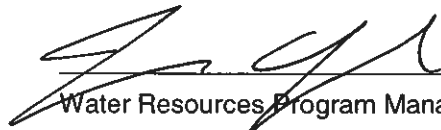
1. This right is limited to the irrigation of 51.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14043 and 35-14049 when combined shall not exceed a total diversion rate of 1.03 cfs, a total annual maximum diversion volume of 280.0 af at the field headgate, and the irrigation of 70.0 acres.
3. Right No.35-14043 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
4. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. The following rights are diverted through point(s) of diversion described above: 35-14043, 35-14049.
7. 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.

WATER RIGHT NO. 35-14049
As Modified by Transfer No. 76778

CONDITIONS OF APPROVAL

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 1st day of December, 20 10


Water Resources Program Manager

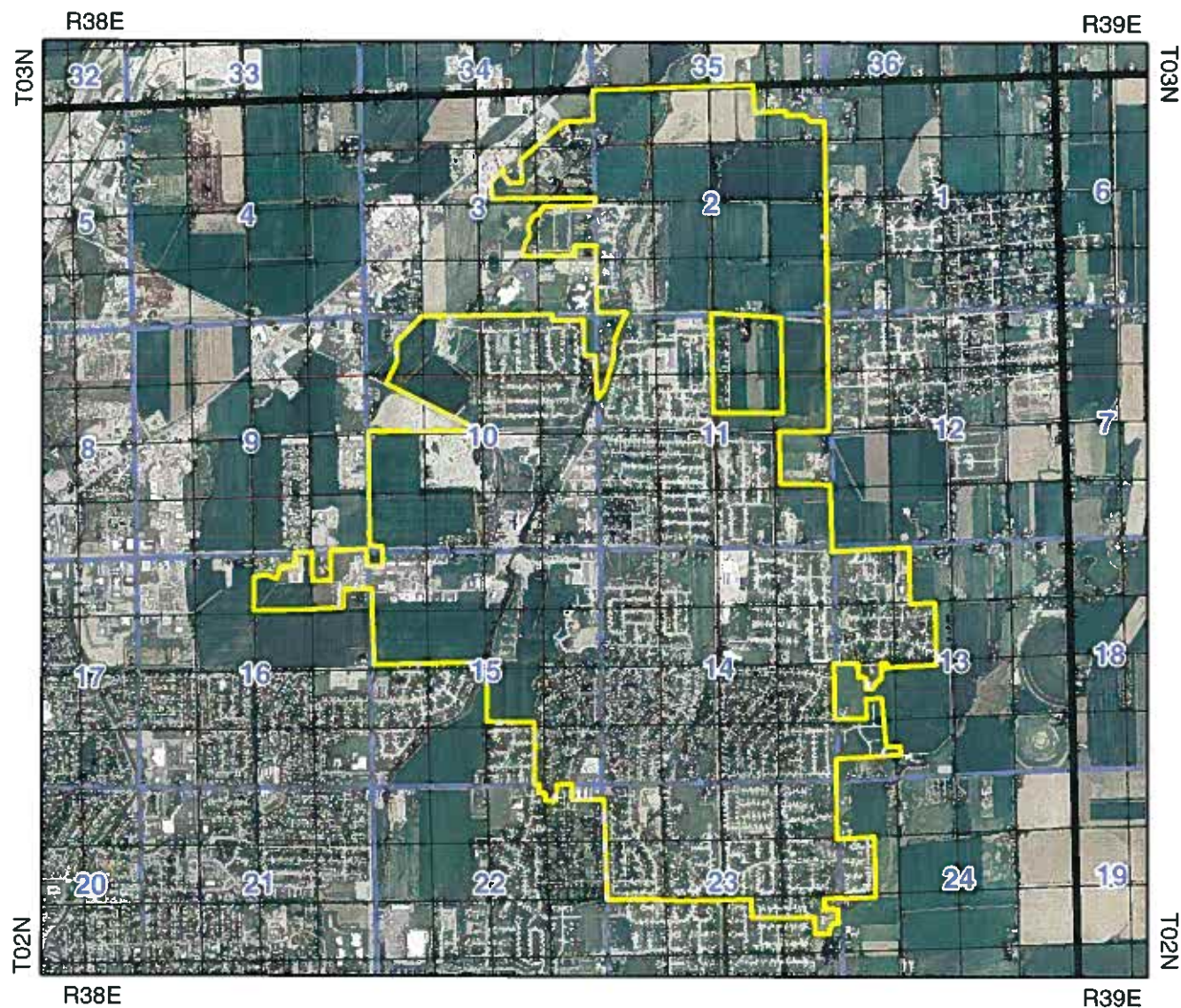


State of Idaho
Department of Water Resources
Transfer Of Water Right

Transfer No. 76778

Water Service Area Boundary for Falls Water Company Inc.

Rights: 25-14326, 25-14327



A horizontal number line representing distance in miles. The line starts at 0 on the left and ends at 1.5 Miles on the right. There are major tick marks at 0, 0.375, 0.75, and 1.5 Miles. Between each major tick mark, there are three smaller tick marks, dividing each 0.375-mile segment into four equal parts of 0.09375 miles each.

Legend

-  Water Service Area Boundary
 Townships
 PLS Sections
 Quarter Quarters

