

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70177

This is to certify that: SETH WOOD FARMS INC
 280 SHOSHONE AVE
 REXBURG ID 83340
 (208)356-7103

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
22-7060	AJC/License	07/31/1972	6.27 cfs	N/A		853.0	GROUND WATER
22-7518	WR/License	08/21/1985	5.32 cfs	931 af		266.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

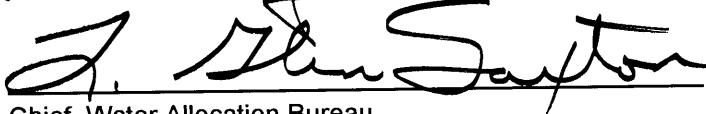
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-7060	NO	NO	NO	YES	NO	NO
22-7518	NO	NO	NO	YES	NO	NO

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>
22-7060	22-7060	6.27 cfs	2661.4 af	853.0	1,119.0		N/A	N/A	N/A	N/A
22-7518	22-7518	5.32 cfs	931.0 af	266.0	1,119.0		N/A	N/A	N/A	N/A
TOTALS		6.27 cfs	2661.4 af	N/A	1119.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15th day of January, 2003


 Chief, Water Allocation Bureau

WATER RIGHT NO. 22-7060
As Modified by Transfer No. 70177

In accordance with the approval of Transfer No. 70177, Water Right No. 22-7060 is now described as follows.

Right Holder: SETH WOOD FARMS INC
 280 SHOSHONE AVE
 REXBURG ID 83340

Priority Date: July 31, 1972

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	6.27 CFS	2,661.4 AF
			6.27 CFS	2,661.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSE	Sec. 4	Twp 05N	Rge 41E	MADISON County
GROUND WATER	SWSWSE	Sec. 33	Twp 06N	Rge 41E	MADISON 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	41E	3					10.0	12.0	40.0	27.0	2.0	32.0	8.0						131.0
							L 3	L 4											
05N	41E	4	12.0	12.0	40.0	40.0	10.0	9.0	36.0	34.0	34.0	40.0	40.0	34.0	40.0	40.0	40.0	38.0	499.0
			L 1	L 2															
05N	41E	5	9.0			29.0									27.0			21.0	86.0
05N	41E	8	15.0																15.0
05N	41E	9						40.0											40.0
06N	41E	33									38.0	37.0	39.0	40.0	38.0	38.0	40.0	40.0	310.0
06N	41E	34									17.0	21.0							38.0

Total Acres: 1119

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 853 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 22-7060 and 22-7518 shall not exceed 6.27 cfs, nor total combined annual volume of 2661.4 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

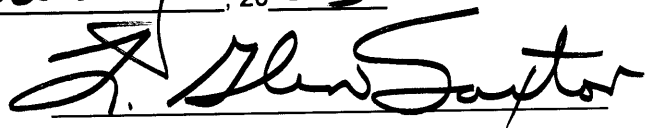
WATER RIGHT NO. 22-7060
As Modified by Transfer No. 70177

CONDITIONS OF APPROVAL

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 15th day of January, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-7518
As Modified by Transfer No. 70177

In accordance with the approval of Transfer No. 70177, Water Right No. 22-7518 is now described as follows.

Right Holder: SETH WOOD FARMS INC
 280 SHOSHONE AVE
 REXBURG ID 83340

Priority Date: August 21, 1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	5.32 CFS	931.0 AF
			5.32 CFS	931.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSE	Sec. 4	Twp 05N	Rge 41E	MADISON County
GROUND WATER	SWSWSE	Sec. 33	Twp 06N	Rge 41E	MADISON 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	41E	3					10.0	12.0	40.0	27.0	2.0	32.0	8.0						131.0
							L 3	L 4											
05N	41E	4	12.0	12.0	40.0	40.0	10.0	9.0	36.0	34.0	34.0	40.0	40.0	34.0	40.0	40.0	40.0	38.0	499.0
			L 1	L 2															
05N	41E	5	9.0			29.0									27.0			21.0	86.0
05N	41E	8	15.0																15.0
05N	41E	9						40.0											40.0
06N	41E	33									38.0	37.0	39.0	40.0	38.0	38.0	40.0	40.0	310.0
06N	41E	34									17.0	21.0							38.0

Total Acres: 1119

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 266 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 22-7060 and 22-7518 shall not exceed 6.27 cfs, nor total combined annual volume of 2661.4 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

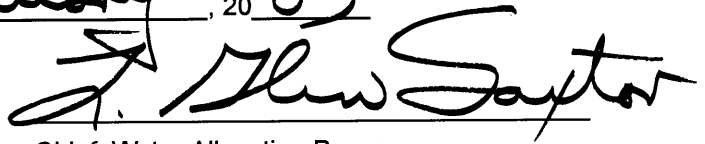
WATER RIGHT NO. 22-7518
As Modified by Transfer No. 70177

CONDITIONS OF APPROVAL

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. 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 15th day of January, 2003



Chief, Water Allocation Bureau