

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76442

This is to certify that: JONES & WIDERBURG FARMS

82 S 150 E
BURLEY ID 83318
(208)678-7333

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>
43-7040	WR/Decreed	12/29/1972	4.12 cfs	1196 af	299.0	1,029.0	GROUND WATER
43-7062	WR/Decreed	04/09/1976	5.51 cfs	2260 af	565.0	1,029.0	GROUND WATER
43-13056	WR/Decreed	03/15/1987	1.54 cfs	660 af	165.0	1,029.0	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>
43-7040	NO	YES	NO	NO	NO	NO
43-7062	NO	YES	NO	NO	NO	NO
43-13056	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

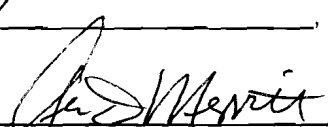
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-7040	43-7040	4.12 cfs	1196 af	299.0	1,029		N/A	N/A	N/A	N/A
43-7062	43-7062	5.51 cfs	2260 af	565.0	1,029		N/A	N/A	N/A	N/A
43-13056	43-13056	1.54 cfs	660 af	165.0	1,029		N/A	N/A	N/A	N/A
COMBINED TOTALS		9.63 cfs	4116 af	1029	1029		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of May, 20 10

SUPPORT DATA

IN FILE # 43-7040


Southern Region Manager

WATER RIGHT NO. 43-7040
As Modified by Transfer No. 76442

In accordance with the approval of Transfer No. 76442, Water Right No. 43-7040 is now described as follows.

Right Holder: JONES & WIDERBURG FARMS
 82 S 150 E
 BURLEY ID 83318

Priority Date:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	4.12 CFS	1,196.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNENW	Sec. 17 Twp 10S Rge 28E CASSIA County
GROUND WATER	NWNESW	Sec. 17 Twp 10S Rge 28E CASSIA County
GROUND WATER	SESENW	Sec. 20 Twp 10S Rge 28E CASSIA 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	
10S 28E 8											21.0	38.0			20.0		79.0
10S 28E 17		38.0	21.0		40.0	39.0	23.0	39.0	39.0	23.0	39.0	40.0		23.0	39.0		403.0
10S 28E 20		22.0	35.0	4.0	38.0	23.0	11.0	38.0	40.0	26.0	11.0	38.0	31.0	40.0	35.0	26.0	418.0
10S 28E 21									15.0	38.0	40.0	22.0					115.0
10S 28E 28					1.0	11.0											12.0
10S 28E 29	1.0	.3			.7												2.0

Total Acres: 1029

WATER RIGHT NO. 43-7040
As Modified by Transfer No. 76442

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 299 acres within the authorized place of use in a single irrigation season.
2. Rights 43-7040, 43-7062, and 43-13056 when combined shall not exceed a total diversion rate of 9.63 cfs, a total annual maximum diversion volume of 4116 af at the field headgate, and the irrigation of 1029 acres.
3. 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.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Right no. 43-13056 is an enlargement of right nos. 43-7040 & 43-7062 pursuant to section 42-1426, Idaho Code.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 18th day of May, 2010



Southern Region Manager

WATER RIGHT NO. 43-7062
As Modified by Transfer No. 76442

In accordance with the approval of Transfer No. 76442, Water Right No. 43-7062 is now described as follows.

Right Holder: JONES & WIDERBURG FARMS
82 S 150 E
BURLEY ID 83318

Priority Date: April 09, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	5.51 CFS	2,260.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNENW	Sec. 17 Twp 10S	Rge 28E	CASSIA County
GROUND WATER	NWNESW	Sec. 17 Twp 10S	Rge 28E	CASSIA County
GROUND WATER	SESENW	Sec. 20 Twp 10S	Rge 28E	CASSIA 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	
10S	28E	8									21.0	38.0				20.0			79.0
10S	28E	17	38.0	21.0			40.0	39.0	23.0	39.0	39.0	23.0	39.0	40.0		23.0	39.0		403.0
10S	28E	20	22.0	35.0	4.0		38.0	23.0	11.0	38.0	40.0	26.0	11.0	38.0	31.0	40.0	35.0	26.0	418.0
10S	28E	21									15.0	38.0	40.0	22.0					115.0
10S	28E	28					1.0	11.0											12.0
10S	28E	29	1.0	.3			.7												2.0

Total Acres: 1029

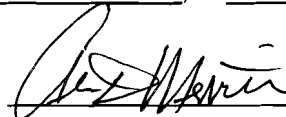
WATER RIGHT NO. 43-7062
As Modified by Transfer No. 76442

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 565 acres within the authorized place of use in a single irrigation season.
2. Rights 43-7040, 43-7062, and 43-13056 when combined shall not exceed a total diversion rate of 9.63 cfs, a total annual maximum diversion volume of 4116 af at the field headgate, and the irrigation of 1029 acres.
3. 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.
4. Right no. 43-13056 is an enlargement of right nos. 43-7040 & 43-7062 pursuant to section 42-1426, Idaho Code.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 18th day of May, 2010



Southern Region Manager

WATER RIGHT NO. 43-13056
As Modified by Transfer No. 76442

In accordance with the approval of Transfer No. 76442, Water Right No. 43-13056 is now described as follows.

Right Holder: JONES & WIDERBURG FARMS
82 S 150 E
BURLEY ID 83318

Priority Date: March 15, 1987

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.54 CFS	660.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNENW	Sec. 17 Twp 10S Rge 28E CASSIA County
GROUND WATER	NWNESW	Sec. 17 Twp 10S Rge 28E CASSIA County
GROUND WATER	SESENW	Sec. 20 Twp 10S Rge 28E CASSIA 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	
10S 28E 8											21.0	38.0			20.0		79.0
10S 28E 17		38.0	21.0		40.0	39.0	23.0	39.0	39.0	23.0	39.0	40.0		23.0	39.0		403.0
10S 28E 20		22.0	35.0	4.0	38.0	23.0	11.0	38.0	40.0	26.0	11.0	38.0	31.0	40.0	35.0	26.0	418.0
10S 28E 21									15.0	38.0	40.0	22.0					115.0
10S 28E 28					1.0	11.0											12.0
10S 28E 29	1.0	.3			.7												2.0

Total Acres: 1029

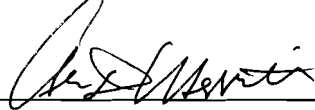
WATER RIGHT NO. 43-13056
As Modified by Transfer No. 76442

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 165 acres within the authorized place of use in a single irrigation season.
2. Rights 43-7040, 43-7062, and 43-13056 when combined shall not exceed a total diversion rate of 9.63 cfs, a total annual maximum diversion volume of 4116 af at the field headgate, and the irrigation of 1029 acres.
3. This right is based upon an enlargement of right nos. 43-7040 & 43-7062 pursuant to section 42-1426, Idaho Code.
4. 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.
5. 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.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The right holder shall accomplish the change authorized by this transfer within one 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. 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 18th day of May, 20 10


Southern Region Manager