

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75515

This is to certify that: FLOYD WILCOX & SONS INC
 1110 GOLDEN BEAUTY DR
 REXBURG ID 83440-3702
 (208)356-7563

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>
31-2307B	WR/Decreed	03/24/1952	1.29 cfs	510.65 af	145.9	421.7	GROUND WATER
31-2408B	WR/Decreed	11/27/1963	1.63 cfs	510.65 af	145.9	421.7	GROUND WATER
31-7095B	WR/Decreed	04/22/1974	5.74 cfs	1003.8 af	286.8	421.7	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>
31-2307B	NO	NO	YES	NO	NO	NO
31-2408B	NO	NO	YES	NO	NO	NO
31-7095B	NO	NO	YES	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>
31-2307B	31-2307B	1.29 cfs	510.65 af	145.9	421.7		N/A	N/A	N/A	N/A
31-2408B	31-2408B	1.63 cfs	510.65 af	145.9	421.7		N/A	N/A	N/A	N/A
31-7095B	31-7095B	5.74 cfs	1003.8 af	286.8	421.7		N/A	N/A	N/A	N/A
COMBINED TOTALS		6.95 cfs	1476 af	421.7	421.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20 day of January, 20 10

Ernest Carlson
 for Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 31-2307B

WATER RIGHT NO. 31-2307B
As Modified by Transfer No. 75515

In accordance with the approval of Transfer No. 75515, Water Right No. 31-2307B is now described as follows.

Right Holder: FLOYD WILCOX & SONS INC
 1110 GOLDEN BEAUTY DR
 REXBURG ID 83440-3702

Priority Date: March 24, 1952

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	1.29 CFS	510.65 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 31 Twp 07N	Rge 36E	JEFFERSON County
GROUND WATER	SWNENW	Sec. 32 Twp 07N	Rge 36E	JEFFERSON County
GROUND WATER	SWNESW	Sec. 32 Twp 07N	Rge 36E	JEFFERSON 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					
07N	36E	31																	38.0	35.6	36.0	35.0	144.6
07N	36E	32			1.2	1.0					36.8	29.6	28.9	36.3	37.8	33.1	33.0	38.6		.5	.3		277.1

Total Acres: 421.7

CONDITIONS OF APPROVAL

1. Rights 31-2307B and 31-2408B when combined shall not exceed a total annual maximum diversion volume of 510.65 af at the field headgate and the irrigation of 145.9 acres.
2. Rights 31-2307B, 31-2408B, and 31-7095B when combined shall not exceed a total diversion rate of 6.95 cfs, a total annual maximum diversion volume of 1476.0 af at the field headgate, and the irrigation of 421.7 acres.
3. 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. 110.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 75515, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

WATER RIGHT NO. 31-2307B
As Modified by Transfer No. 75515

CONDITIONS OF APPROVAL

6. 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.
7. 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.
8. The following rights are diverted through points of diversion described above: 31-2307B, 31-2408B and 31-7095B.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. 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 20 day of January, 2010

Ernst Carlson
for. Chief, Water Allocation Bureau

1. Rights 31-2307B and 31-2408B when combined shall not exceed a total annual maximum diversion volume of 510.65 af at the field headgate and the irrigation of 145.9 acres.
2. Rights 31-2307B, 31-2408B, and 31-7095B when combined shall not exceed a total diversion rate of 6.95 cfs, a total annual maximum diversion volume of 1476.0 af at the field headgate, and the irrigation of 421.7 acres.
3. 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. 110.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 75515, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

WATER RIGHT NO. 31-2408B
As Modified by Transfer No. 75515

CONDITIONS OF APPROVAL

6. 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.
7. 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.
8. The following rights are diverted through points of diversion described above: 31-2307B, 31-2408B and 31-7095B.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. 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 20 day of January, 2010

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 31-7095B
As Modified by Transfer No. 75515

In accordance with the approval of Transfer No. 75515, Water Right No. 31-7095B is now described as follows.

Right Holder: FLOYD WILCOX & SONS INC
 1110 GOLDEN BEAUTY DR
 REXBURG ID 83440-3702

Priority Date: April 22, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	5.74 CFS	1,003.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 31 Twp 07N	Rge 36E	JEFFERSON County
GROUND WATER	SWNENW	Sec. 32 Twp 07N	Rge 36E	JEFFERSON County
GROUND WATER	SWNESW	Sec. 32 Twp 07N	Rge 36E	JEFFERSON 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	
07N	36E	31																	
07N	36E	32			1.2	1.0	36.8	29.6	28.9	36.3	37.8	33.1	33.0	38.6			.5	.3	277.1

Total Acres: 421.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 286.8 acres within the place of use described above in a single irrigation season.
2. Rights 31-2307B, 31-2408B, and 31-7095B when combined shall not exceed a total diversion rate of 6.95 cfs, a total annual maximum diversion volume of 1476.0 af at the field headgate, and the irrigation of 421.7 acres.
3. 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. 110.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 75515, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

WATER RIGHT NO. 31-7095B
As Modified by Transfer No. 75515

CONDITIONS OF APPROVAL

6. 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.
7. 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.
8. The following rights are diverted through points of diversion described above: 31-2307B, 31-2408B and 31-7095B.
9. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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 20 day of January, 2010

Ernest Carlson
for Chief, Water Allocation Bureau