

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74978

This is to certify that: LYLE R SODERQUIST And
 KRISTA SODERQUIST
 494 N 1200 W
 BLACKFOOT ID 83221
 (208)684-9300

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>
35-8130	WR/License	04/14/1983	1.72 cfs	301 af	N/A	86.0	GROUND WATER
35-7897A	WR/License	06/28/1980	5.19 cfs	1244 af	N/A	311.0	GROUND WATER
35-7779	WR/Decreed	05/01/1980	2.93 cfs	N/A	301.0	446.0	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>
35-2503B	WR/Decreed	05/06/1957	1.97 cfs	N/A	137.0	446.0	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>
35-8130	YES	YES	YES	NO	NO	NO
35-7897A	YES	NO	YES	NO	NO	NO
35-7779	YES	YES	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>
35-8130	35-13801	0.12 cfs	21 af	6.0	50.0	35-13800	1.6 cfs	280 af	N/A	80.0
35-7897A	35-13779	0.27 cfs	64 af	16.0	50.0	35-13778	4.92 cfs	1180 af	N/A	295.0
35-7779	35-13823	0.29 cfs	112 af	28.0	50.0	35-13822	2.64 cfs	1084 af	271.0	416.0
						35-2503B	1.97 cfs	N/A	137.0	416.0
COMBINED TOTALS		0.68 cfs	197 af	50.0	50.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 35-7779

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74978

Detailed Water Right Description(s) attached

Dated this 29 day of June, 2009

for Ernest Carlson
Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13778
As Modified by Transfer No. 74978

In accordance with the approval of Transfer No. 74978, Water Right No. 35-13778 is now described as follows.

Right Holder: LYLE R SODERQUIST And
 KRISTA SODERQUIST
 494 N 1200 W
 BLACKFOOT ID 83221

Priority Date: June 28, 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	4.92 CFS	1,180.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 1 Twp 02S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	33E	1									38.0	32.0	33.0	37.0	39.0	40.0	40.0	36.0	295.0

Total Acres: 295

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
2. The following rights are diverted through point(s) of diversion described above: 35-13778, 35-13779, 35-13801, 35-13823.

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 29 day of June, 2009

for Ernest Carlson
 Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-13779
As Modified by Transfer No. 74978**

In accordance with the approval of Transfer No. 74978, Water Right No. 35-13779 is now described as follows.

Right Holder: LYLE R SODERQUIST And
KRISTA SODERQUIST
494 N 1200 W
BLACKFOOT ID 83221

Priority Date: June 28, 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	0.27 CFS	64.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 1 Twp 02S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	33E	12	25.0	25.0															50.0

Total Acres: 50

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 16 acres within the place of use described above in a single irrigation season.
2. Rights 35-13779, 35-13801 and 35-13823 when combined shall not exceed the irrigation of 50 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. 120.
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 74978, 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.
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.

WATER RIGHT NO. 35-13779
As Modified by Transfer No. 74978

CONDITIONS OF 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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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. The following rights are diverted through point(s) of diversion described above: 35-13778, 35-13779, 35-13801, 35-13823.

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 29 day of June, 2009

for Ernest Carlson
Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13800
As Modified by Transfer No. 74978

In accordance with the approval of Transfer No. 74978, Water Right No. 35-13800 is now described as follows.

Right Holder: KRISTA SODERQUIST And
 LYLE R SODERQUIST
 494 N 1200 W
 BLACKFOOT ID 83221

Priority Date: April 14, 1983

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	1.60 CFS	280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESE Sec. 6 Twp 02S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	34E	6	34.0			40.0									6.0				80.0

Total Acres: 80

CONDITIONS OF APPROVAL

1. Transfer No. 3789 changed original place of use & point of diversion.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) 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 29 day of June, 2009

Ernest Carlson
 for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13801
As Modified by Transfer No. 74978

In accordance with the approval of Transfer No. 74978, Water Right No. 35-13801 is now described as follows.

Right Holder: KRISTA SODERQUIST AND
 LYLE R SODERQUIST
 494 N 1200 W
 BLACKFOOT ID 83221

Priority Date: April 14, 1983

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	0.12 CFS	21.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 1 Twp 02S Rge 33E BINGHAM 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	
02S	33E	12	25.0	25.0															50.0

Total Acres: 50

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.
2. Rights 35-13779, 35-13801 and 35-13823 when combined shall not exceed the irrigation of 50 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. 120.
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. 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.
6. Prior to the diversion and use of water under Transfer approval 74978, 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.
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.

WATER RIGHT NO. 35-13801
As Modified by Transfer No. 74978

CONDITIONS OF APPROVAL

8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. The following rights are diverted through point(s) of diversion described above: 35-13778, 35-13779, 35-13801, 35-13823.

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 29 day of June, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13822
As Modified by Transfer No. 74978

In accordance with the approval of Transfer No. 74978, Water Right No. 35-13822 is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
 PO BOX 626
 RIRIE ID 83443

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 11/01	2.64 CFS	1,084.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 36 Twp 01N Rge 33E BINGHAM 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	33E	35				2.0									7.0			18.0	27.0
01N	33E	36	9.0	16.0	38.0	8.0	7.0		7.0	37.0	39.0	40.0	39.0	39.0	20.0	38.0	32.0	20.0	389.0

Total Acres: 416

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 271 acres within the place of use described above in a single irrigation season.
2. Rights 35-2503B and 35-13822 when combined shall not exceed a total annual maximum diversion volume of 1664 af at the field headgate, and the irrigation of 416 acres.
3. The following rights are diverted through point(s) of diversion described above: 35-2503B, 35-13822.
4. 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.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. Priority date changed to prevent injury from change in use.

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 29 day of June, 2009

Ernest Carlson
 for Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-13823
As Modified by Transfer No. 74978**

In accordance with the approval of Transfer No. 74978, Water Right No. 35-13823 is now described as follows.

Right Holder: LYLE R SODERQUIST And
KRISTA SODERQUIST
494 N 1200 W
BLACKFOOT ID 83221

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 11/01	0.29 CFS	112.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 1 Twp 02S Rge 33E BINGHAM 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	
02S	33E	12	25.0	25.0															50.0

Total Acres: 50

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 28 acres within the place of use described above in a single irrigation season.
2. Rights 35-13779, 35-13801 and 35-13823 when combined shall not exceed the irrigation of 50 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. 120.
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 74978, 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.
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.

WATER RIGHT NO. 35-13823
As Modified by Transfer No. 74978

CONDITIONS OF APPROVAL

7. 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.
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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. 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.
11. The following rights are diverted through point(s) of diversion described above: 35-13778, 35-13779, 35-13801, 35-13823.
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 29 day of June, 2009

Ernest Carlson
for. Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-2503B
As Modified by Transfer No. 74978**

In accordance with the approval of Transfer No. 74978, Water Right No. 35-2503B is now described as follows.

Right Holder: FOSTER LAND & CATTLE CO
PO BOX 626
RIRIE ID 83443

Priority Date: May 06, 1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/01 to	11/01	1.97 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 36 Twp 01N Rge 33E BINGHAM 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	33E	35				2.0									7.0			18.0	27.0
01N	33E	36	9.0	16.0	38.0	8.0	7.0		7.0	37.0	39.0	40.0	39.0	39.0	20.0	38.0	32.0	20.0	389.0

Total Acres: 416

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 137 acres within the place of use described above in a single irrigation season.
2. Rights 35-2503B and 35-13822 when combined shall not exceed a total annual maximum diversion volume of 1664 af at the field headgate, and the irrigation of 416 acres.
3. The following rights are diverted through point(s) of diversion described above: 35-2503B, 35-13822.
4. 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.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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 29 day of June, 2009

Ernest Carlson
for Chief, Water Allocation Bureau