

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75275**

This is to certify that: GOLD EMBLEM FARMS
PO BOX 51780
IDAHO FALLS ID 83405

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>
35-7203	WR/Decreed	01/13/1972	8 cfs	3379.9 af	N/A	1,112.0	GROUND WATER
35-8078	WR/License	01/14/1983	7.58 cfs	2752 af	688.0	912.5	GROUND WATER
35-13854	WR/Decreed	02/14/1961	5.16 cfs	1726 af	431.5	1,112.0	GROUNDWATER

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>
35-7203	NO	NO	YES	NO	NO	NO
35-8078	YES	YES	YES	YES	NO	NO
35-13854	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>
35-7203	35-7203	8 cfs	3379.9 af	N/A	1,112.0		N/A	N/A	N/A	N/A
35-8078	35-13857	1.86 cfs	674 af	168.5	1,112.0	35-13856	5.72 cfs	2078 af	519.5	912.5
35-13854	35-13854	5.16 cfs	1726 af	431.5	1,112.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		14.36 cfs	4448 af	1112.0	1112.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 35-7203

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75275

Detailed Water Right Description(s) attached

Dated this 29 day of June, 2009

for Ernest Carlson
Chief, Water Allocation Bureau

WATER RIGHT NO. 35-7203
As Modified by Transfer No. 75275

In accordance with the approval of Transfer No. 75275, Water Right No. 35-7203 is now described as follows.

Right Holder: GOLD EMBLEM FARMS
 PO BOX 51780
 IDAHO FALLS ID 83405

Priority Date: January 13, 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	10/31	8.00 CFS	3,379.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 22 Twp 03N	Rge 35E	BONNEVILLE County
GROUND WATER	NWNENW	Sec. 23 Twp 03N	Rge 35E	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	
03N	35E	14					31.0	34.0	34.0	31.0	31.0	33.0	34.0	31.0					259.0
03N	35E	15	.7			.7								4.5	11.0	13.0	40.0	38.0	107.9
03N	35E	22	29.0	32.0	40.0	40.0	8.0	8.1	39.0	38.0	26.0	29.0	34.0	32.0	32.0	31.0	33.0	29.0	480.1
03N	35E	23					32.0	34.0	35.0	32.0	33.0	34.0	33.0	32.0					265.0

Total Acres: 1112

CONDITIONS OF APPROVAL

1. Rights 35-7203, 35-13854 and 35-13857 when combined shall not exceed a total diversion rate of 14.36 cfs, a total annual maximum diversion volume of 4448.0 af at the field headgate, and the irrigation of 1112 acres.
2. 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.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 75275, 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. 35-7203
As Modified by Transfer No. 75275

CONDITIONS OF APPROVAL

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. 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.
7. The following rights are diverted through point(s) of diversion described above: 35-7203, 35-13854, 35-13857.
8. The right holder shall accomplish the change authorized by this transfer within five year(s) of the date of this approval. Failure to accomplish the changes authorized by this transfer before the five year period expires could result in forfeiture of the water right.
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. 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 Calver
for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13856
As Modified by Transfer No. 75275

In accordance with the approval of Transfer No. 75275, Water Right No. 35-13856 is now described as follows.

Right Holder: GOLD EMBLEM FARMS
 PO BOX 51780
 IDAHO FALLS ID 83405

Priority Date: January 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 10/31	5.72 CFS	2,078.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESW Sec. 13 Twp 03N Rge 34E 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	
03N	34E	13	33.3	34.8	39.7	34.0	33.4	34.2	39.5	39.7	39.7	39.5	39.6	39.7	33.8	39.7	39.8	33.2	593.6
03N	34E	14	1.6			.8									1.3	.6	30.3	36.6	71.2
03N	34E	23	37.1	28.7	.4	.7													66.9
03N	34E	24		34.2			39.9	39.9	33.4	33.4									180.8

Total Acres: 912.5

CONDITIONS OF APPROVAL

1. This right is limited to a specific 519.5 acres within the 912.5 acre place of use authorized through approval of Transfer 75275. The specific 519.5 acres to be irrigated by the right holder are shown in the electronic shape associated with this right in the Department's Geographic Information System database. Prior to any change to the 519.5 acres to be irrigated within the 912.5 acre place of use, the right holder shall submit a new land list and representative map to IDWR. Notification of the change shall be accomplished prior to the irrigation season in which the change will occur.
2. Prior to the diversion and use of water under Transfer approval 74838, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
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.

WATER RIGHT NO. 35-13856
As Modified by Transfer No. 75275

CONDITIONS OF APPROVAL

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. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
7. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 29 day of June, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13857
As Modified by Transfer No. 75275

In accordance with the approval of Transfer No. 75275, Water Right No. 35-13857 is now described as follows.

Right Holder: GOLD EMBLEM FARMS
 PO BOX 51780
 IDAHO FALLS ID 83405

Priority Date: January 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 10/31	1.86 CFS	674.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 22 Twp 03N	Rge 35E	BONNEVILLE County
GROUND WATER	NWNENW	Sec. 23 Twp 03N	Rge 35E	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	
03N	35E	14					31.0	34.0	34.0	31.0	31.0	33.0	34.0	31.0					259.0
03N	35E	15	.7			.7								4.5	11.0	13.0	40.0	38.0	107.9
03N	35E	22	29.0	32.0	40.0	40.0	8.0	8.1	39.0	38.0	26.0	29.0	34.0	32.0	32.0	31.0	33.0	29.0	480.1
03N	35E	23					32.0	34.0	35.0	32.0	33.0	34.0	33.0	32.0					265.0

Total Acres: 1112

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 168.5 acres within the place of use described above in a single irrigation season.
2. Rights 35-7203, 35-13854 and 35-13857 when combined shall not exceed a total diversion rate of 14.36 cfs, a total annual maximum diversion volume of 4448.0 af at the field headgate, and the irrigation of 1112 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 75275, 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. 35-13857
As Modified by Transfer No. 75275

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 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The following rights are diverted through point(s) of diversion described above: 35-7203, 35-13854, 35-13857.
9. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
10. The right holder shall accomplish the change authorized by this transfer within five year(s) of the date of this approval. Failure to accomplish the changes authorized by this transfer before the five year period expires could result in forfeiture of the water right.
11. 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 29 day of June, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13854
As Modified by Transfer No. 75275

In accordance with the approval of Transfer No. 75275, Water Right No. 35-13854 is now described as follows.

Right Holder: GOLD EMBLEM FARMS
 PO BOX 51780
 IDAHO FALLS ID 83405

Priority Date: February 14, 1961

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	5.16 CFS	1,726.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNWSE	Sec. 22 Twp 03N	Rge 35E	BONNEVILLE County
GROUND WATER	NWNENW	Sec. 23 Twp 03N	Rge 35E	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	
03N	35E	14					31.0	34.0	34.0	31.0	31.0	33.0	34.0	31.0					259.0
03N	35E	15	.7			.7								4.5	11.0	13.0	40.0	38.0	107.9
03N	35E	22	29.0	32.0	40.0	40.0	8.0	8.1	39.0	38.0	26.0	29.0	34.0	32.0	32.0	31.0	33.0	29.0	480.1
03N	35E	23					32.0	34.0	35.0	32.0	33.0	34.0	33.0	32.0					265.0

Total Acres: 1112

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 431.5 acres within the place of use described above in a single irrigation season.
2. Rights 35-7203, 35-13854 and 35-13857 when combined shall not exceed a total diversion rate of 14.36 cfs, a total annual maximum diversion volume of 4448.0 af at the field headgate, and the irrigation of 1112 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 75275, 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. 35-13854
As Modified by Transfer No. 75275

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 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The following rights are diverted through point(s) of diversion described above: 35-7203, 35-13854, 35-13857.
9. The right holder shall accomplish the change authorized by this transfer within five year(s) of the date of this approval. Failure to accomplish the changes authorized by this transfer before the five year period expires could result in forfeiture of the water 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. 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