

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75428

This is to certify that: SILVER RIDGE FARMS, INC
 2552 E 400 N
 ROBERTS ID 83444

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>
35-2666B	WR/Decreed	05/29/1961	1.02 cfs	N/A	680.0	1,200.0	GROUND WATER
35-2901	WR/Decreed	03/10/1955	4.66 cfs	N/A	680.0	1,200.0	GROUND WATER
35-7410	WR/Decreed	03/29/1974	6.94 cfs	N/A	N/A	1,200.0	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>
35-2666B	NO	NO	YES	NO	NO	NO
35-2901	NO	NO	YES	NO	NO	NO
35-7410	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>
35-2666B	35-2666B	1.02 cfs	433 af	680.0	1,200.0		N/A	N/A	N/A	N/A
35-2901	35-2901	4.66 cfs	1978 af	680.0	1,200.0		N/A	N/A	N/A	N/A
35-7410	35-7410	6.94 cfs	2959.6 af	N/A	1,200.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		12.61 cfs	4800 af	1200.0	1200.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18 day of May, 2009

Emmet Carlson
 for Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 35-2666B

WATER RIGHT NO. 35-2666B
As Modified by Transfer No. 75428

In accordance with the approval of Transfer No. 75428, Water Right No. 35-2666B is now described as follows.

Right Holder: SILVER RIDGE FARMS, INC
 2552 E 400 N
 ROBERTS ID 83444

Priority Date: May 29, 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	1.02 CFS	433.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESESW	Sec. 2 Twp 04N	Rge 36E	JEFFERSON County
GROUND WATER	NENESE	Sec. 11 Twp 04N	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	
04N	36E	1							40.0			40.0	40.0						120.0
04N	36E	2			40.0	37.0	34.0			40.0	39.0			37.0	40.0	40.0	40.0	40.0	387.0
04N	36E	11	40.0	40.0	40.0	40.0	37.0			26.0	40.0	2.0	1.0	31.0	40.0	40.0	39.0	39.0	455.0
04N	36E	12						40.0	40.0		40.0	40.0	39.0	39.0					238.0

Total Acres: 1200

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 680 acres within the place of use described above in a single irrigation season.
2. Rights 35-2666B, 35-2901 and 35-7410 when combined shall not exceed a total diversion rate of 12.61 cfs, a total annual maximum diversion volume of 4800 af at the field headgate, and the irrigation of 1200 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 75428, 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. 35-2666B
As Modified by Transfer No. 75428

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. The following rights are diverted through point(s) of diversion described above: 35-2666B, 35-2901 and 35-7410.
8. Use of this right is combined with water from Butte & Market Lake Canal Co.
9. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 18 day of May, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-2901
As Modified by Transfer No. 75428

In accordance with the approval of Transfer No. 75428, Water Right No. 35-2901 is now described as follows.

Right Holder: SILVER RIDGE FARMS, INC
 2552 E 400 N
 ROBERTS ID 83444

Priority Date: March 10, 1955

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	4.66 CFS	1,978.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESESW	Sec. 2	Twp 04N	Rge 36E	JEFFERSON County
GROUND WATER	NENESE	Sec. 11	Twp 04N	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	
04N	36E	1							40.0			40.0	40.0						120.0
04N	36E	2			40.0	37.0	34.0			40.0	39.0			37.0	40.0	40.0	40.0	40.0	387.0
04N	36E	11	40.0	40.0	40.0	40.0	37.0			26.0	40.0	2.0	1.0	31.0	40.0	40.0	39.0	39.0	455.0
04N	36E	12						40.0	40.0		40.0	40.0	39.0	39.0					238.0

Total Acres: 1200

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 680 acres within the place of use described above in a single irrigation season.
2. Rights 35-2666B, 35-2901 and 35-7410 when combined shall not exceed a total diversion rate of 12.61 cfs, a total annual maximum diversion volume of 4800 af at the field headgate, and the irrigation of 1200 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 75428, 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. 35-2901
As Modified by Transfer No. 75428

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. The following rights are diverted through point(s) of diversion described above: 35-2666B, 35-2901 and 35-7410.
8. Use of this right is combined with water from Butte & Market Lake Canal Co.
9. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 18 day of May, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-7410
As Modified by Transfer No. 75428

In accordance with the approval of Transfer No. 75428, Water Right No. 35-7410 is now described as follows.

Right Holder: SILVER RIDGE FARMS, INC
 2552 E 400 N
 ROBERTS ID 83444

Priority Date: March 29, 1974

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	6.94 CFS	2,959.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESESW	Sec. 2 Twp 04N Rge 36E	JEFFERSON County
GROUND WATER	NENESE	Sec. 11 Twp 04N 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	
04N	36E	1							40.0				40.0	40.0					120.0
04N	36E	2			40.0	37.0	34.0			40.0	39.0			37.0	40.0	40.0	40.0	40.0	387.0
04N	36E	11	40.0	40.0	40.0	40.0	37.0			26.0	40.0	2.0	1.0	31.0	40.0	40.0	39.0	39.0	455.0
04N	36E	12						40.0	40.0		40.0	40.0	39.0	39.0					238.0

Total Acres: 1200

CONDITIONS OF APPROVAL

1. Rights 35-2666B, 35-2901 and 35-7410 when combined shall not exceed a total diversion rate of 12.61 cfs, a total annual maximum diversion volume of 4800 af at the field headgate, and the irrigation of 1200 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 75428, 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. 35-7410
As Modified by Transfer No. 75428

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. The following rights are diverted through point(s) of diversion described above: 35-2666B, 35-2901 and 35-7410.
7. Use of this right is combined with water from Butte & Market Lake Canal Co.
8. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
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 right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 18 day of May, 2009

Ernest Carlson
for Chief, Water Allocation Bureau