

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75441

This is to certify that: TRIPLE ACE INC
1800 Z ST
HEYBURN ID 83336
(208)678-8283

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>
36-2558	WR/Decreed	12/14/1962	3.08 cfs	616 af	154.0	459.0	GROUND WATER
36-2060	WR/Decreed	02/03/1948	4.42 cfs	1220 af	305.0	459.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

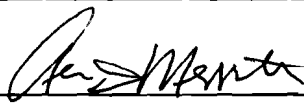
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-2558	NO	NO	NO	YES	NO	NO
36-2060	NO	NO	NO	YES	NO	NO

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>
36-2558	36-2558	3.08 cfs	616 af	154.0	459.0		N/A	N/A	N/A	N/A
36-2060	36-2060	4.42 cfs	1220 af	305.0	459.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		7.5 cfs	1836 af		459		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of April, 20 09


FOR Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 36-2060

WATER RIGHT NO. 36-2060
As Modified by Transfer No. 75441

In accordance with the approval of Transfer No. 75441, Water Right No. 36-2060 is now described as follows.

Right Holder: TRIPLE ACE INC
 1800 Z ST
 HEYBURN ID 83336

Priority Date: February 03, 1948

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	4.42 CFS	1,220.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWNE	Sec. 16 Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	NWNENW	Sec. 16 Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	SENW	Sec. 16 Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	NENESW	Sec. 16 Twp 09S	Rge 22E	MINIDOKA 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	
09S 22E 16	38.0	39.0	40.0	38.0	39.0	38.0	38.0	39.0					38.0	35.0	39.0	38.0	459.0

Total Acres: 459

WATER RIGHT NO. 36-2060
As Modified by Transfer No. 75441

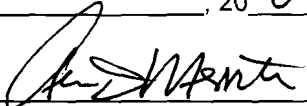
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 305 acres within the place of use described above in a single irrigation season.
2. Rights 36-2060 and 36-2558 when combined shall not exceed a total diversion rate of 7.50 cfs, a total annual maximum diversion volume 1836.0 af at the field headgate, and the irrigation of 459 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 130.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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 75441 the right holder shall install and maintain acceptable measuring devices at the authorized points 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. 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.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/22/2002.

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 21st day of April, 2009

FOR


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2558
As Modified by Transfer No. 75441

In accordance with the approval of Transfer No. 75441, Water Right No. 36-2558 is now described as follows.

Right Holder: TRIPLE ACE INC
 1800 Z ST
 HEYBURN ID 83336

Priority Date: December 14, 1962

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	3.08 CFS	616.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWNE	Sec. 16 Twp 09S Rge 22E MINIDOKA County
GROUND WATER	NWNENW	Sec. 16 Twp 09S Rge 22E MINIDOKA County
GROUND WATER	SENW	Sec. 16 Twp 09S Rge 22E MINIDOKA County
GROUND WATER	NENESW	Sec. 16 Twp 09S Rge 22E MINIDOKA 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	
09S 22E 16	38.0	39.0	40.0	38.0	39.0	38.0	38.0	39.0					38.0	35.0	39.0	38.0	459.0

Total Acres: 459

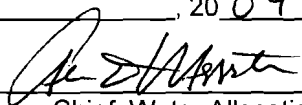
WATER RIGHT NO. 36-2558
As Modified by Transfer No. 75441

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 154 acres within the place of use described above in a single irrigation season.
2. Rights 36-2060 and 36-2558 when combined shall not exceed a total diversion rate of 7.50 cfs, a total annual maximum diversion volume 1836.0 af at the field headgate, and the irrigation of 459 acres.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 75441 the right holder shall install and maintain acceptable measuring devices at the authorized points 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.
5. 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 130.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of 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.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/22/2002.

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 21st day of April, 2009

For 
Chief, Water Allocation Bureau