

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 74834

This is to certify that: BLACKFOOT FARMS LLC

97 N HWY 33

DRIGGS ID 83422

(208)354-9600

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>
22-13857	AJC/License	10/31/1977	1.12 cfs	168 af	N/A	56.0	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>
22-13857	NO	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>
22-13857	22-13857	0.9 cfs	135.6 af	N/A	45.2		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.9 cfs	135.6 af	N/A	45.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of September, 20 08

Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13857
As Modified by Transfer No. 74834

In accordance with the approval of Transfer No. 74834, Water Right No. 22-13857 is now described as follows.

Right Holder: BLACKFOOT FARMS LLC
 97 N HWY 33
 DRIGGS ID 83422

Priority Date: October 31, 1977

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	0.90 CFS	135.6 AF
			0.90 CFS	135.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENW Sec. 11 Twp 04N Rge 45E TETON 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	45E	11					38.0	7.2											45.2

Total Acres: 45.2

CONDITIONS OF APPROVAL

1. Use of this right is combined with water from Garden Water Company
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
5. 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.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

WATER RIGHT NO. 22-13857
As Modified by Transfer No. 74834

CONDITIONS OF APPROVAL

8. 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.
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.

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 18th day of September, 20 08



Chief, Water Allocation Bureau

