

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74646

This is to certify that: DE MOTT FARMS LLC
 3021 WESTMORELAND CIR
 IDAHO FALLS ID 83402
 (208)522-1176

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>
35-2502	WR/Decreed	04/23/1957	5.84 cfs	N/A	470.0	1,267.0	GROUND WATER
35-2799	WR/Decreed	10/29/1965	6.96 cfs	N/A	620.0	1,267.0	GROUND WATER
35-4014	WR/Decreed	06/01/1961	6.40 cfs	N/A	177.0	1,267.0	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>
35-2502	NO	NO	YES	NO	NO	NO
35-2799	NO	NO	YES	NO	NO	NO
35-4014	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>
35-2502	35-2502	5.84 cfs	1880 af	470.0	1,267.0		N/A	N/A	N/A	N/A
35-2799	35-2799	6.96 cfs	2480 af	620.0	1,267.0		N/A	N/A	N/A	N/A
35-4014	35-4014	6.40 cfs	708 af	177.0	1,267.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		19.20 cfs	5068 af	1267.0	1267.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of April, 20 08

 Chief, Water Allocation Bureau

SUPPORT DATA
35-2502
 IN FILE # _____

WATER RIGHT NO. 35-2799
As Modified by Transfer No. 74646

In accordance with the approval of Transfer No. 74646, Water Right No. 35-2799 is now described as follows.

Right Holder: DE MOTT FARMS LLC
 3021 WESTMORELAND CIR
 IDAHO FALLS ID 83402

Priority Date: October 29, 1965

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	6.96 CFS	2,480.0 AF
			6.96 CFS	2,480.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSESE	Sec. 32 Twp 03N	Rge 36E	BONNEVILLE County
GROUND WATER	NWSESW	Sec. 33 Twp 03N	Rge 36E	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	
02N	36E	4					38.0	40.0	37.0	32.0	38.0	38.0	34.0	12.0					269.0
02N	36E	5	40.0	39.0	40.0	38.0									25.0	40.0	31.0	34.0	287.0
02N	36E	8	28.0	38.0	31.0	22.0													119.0
03N	36E	32			38.0	38.0									39.0	39.0	38.0	38.0	230.0
03N	36E	33		27.0	35.0		40.0	35.0	40.0	40.0	36.0	40.0	40.0	15.0		14.0			362.0

Total Acres: 1267

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 620 acres within the place of use described above in a single irrigation season.
2. Rights 35-2799, 35-2502, and 35-4014 when combined shall not exceed a total annual maximum diversion volume of 5068.0 af at the field headgate, and the irrigation of 1267.0 acres.
3. The following rights are diverted through point(s) of diversion described above: 35-13296, 35-2502, and 35-4014.
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. 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.

WATER RIGHT NO. 35-2799
As Modified by Transfer No. 74646

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 74646, 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.
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 right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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 25th day of April, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-2502
As Modified by Transfer No. 74646

In accordance with the approval of Transfer No. 74646, Water Right No. 35-2502 is now described as follows.

Right Holder: DE MOTT FARMS LLC
 3021 WESTMORELAND CIR
 IDAHO FALLS ID 83402

Priority Date: April 23, 1957

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	5.84 CFS	1,880.0 AF
			5.84 CFS	1,880.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSESE	Sec. 32 Twp 03N	Rge 36E	BONNEVILLE County
GROUND WATER	NWSESW	Sec. 33 Twp 03N	Rge 36E	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	
02N	36E	4					38.0	40.0	37.0	32.0	38.0	38.0	34.0	12.0					269.0
02N	36E	5	40.0	39.0	40.0	38.0									25.0	40.0	31.0	34.0	287.0
02N	36E	8	28.0	38.0	31.0	22.0													119.0
03N	36E	32			38.0	38.0									39.0	39.0	38.0	38.0	230.0
03N	36E	33		27.0	35.0		40.0	35.0	40.0	40.0	36.0	40.0	40.0	15.0		14.0			362.0

Total Acres: 1267

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 470 acres within the place of use described above in a single irrigation season.
2. Rights 35-2799, 35-2502, and 35-4014 when combined shall not exceed a total annual maximum diversion volume of 5068.0 af at the field headgate, and the irrigation of 1267.0 acres.
3. The following rights are diverted through point(s) of diversion described above: 35-13296, 35-2502, and 35-4014.
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. 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.

WATER RIGHT NO. 35-2502
As Modified by Transfer No. 74646

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 74646, 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.
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 right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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 25th day of April, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-4014
As Modified by Transfer No. 74646

In accordance with the approval of Transfer No. 74646, Water Right No. 35-4014 is now described as follows.

Right Holder: DE MOTT FARMS LLC
 3021 WESTMORELAND CIR
 IDAHO FALLS ID 83402

Priority Date: June 01, 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	6.40 CFS	708.0 AF
			6.40 CFS	708.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSESE	Sec. 32 Twp 03N	Rge 36E	BONNEVILLE County
GROUND WATER	NWSESW	Sec. 33 Twp 03N	Rge 36E	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	
02N	36E	4					38.0	40.0	37.0	32.0	38.0	38.0	34.0	12.0					269.0
02N	36E	5	40.0	39.0	40.0	38.0									25.0	40.0	31.0	34.0	287.0
02N	36E	8	28.0	38.0	31.0	22.0													119.0
03N	36E	32			38.0	38.0									39.0	39.0	38.0	38.0	230.0
03N	36E	33		27.0	35.0		40.0	35.0	40.0	40.0	36.0	40.0	40.0	15.0		14.0			362.0

Total Acres: 1267

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 177 acres within the place of use described above in a single irrigation season.
2. Rights 35-2799, 35-2502, and 35-4014 when combined shall not exceed a total annual maximum diversion volume of 5068.0 af at the field headgate, and the irrigation of 1267.0 acres.
3. The following rights are diverted through point(s) of diversion described above: 35-13296, 35-2502, and 35-4014.
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. 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.

WATER RIGHT NO. 35-4014
As Modified by Transfer No. 74646

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 74646, 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.
7. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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 25th day of April, 20 08



Chief, Water Allocation Bureau