

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74231

This is to certify that: HUNTSMAN SPRINGS INC
 97 N HWY 33
 DRIGGS ID 83422
 (208)354-9660

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>
22-7319	AJC/License	02/20/1980	6.7 cfs	1970.5 af	N/A	563.0	GROUND WATER
22-7215C	AJC/License	03/03/1977	0.4 cfs	78 af	N/A	20.0	GROUND WATER
22-7215B	AJC/License	03/03/1977	0.68 cfs	102 af	N/A	34.0	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>
22-7319	YES	NO	YES	YES	NO	NO
22-7215C	NO	NO	YES	YES	NO	NO
22-7215B	NO	NO	YES	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>
22-7319	22-13811	3.01 cfs	885.5 af	253.0	760.5	22-13810	3.69 cfs	1085 af	N/A	310.0
22-7215C	22-7215C	0.4 cfs	78 af	20.0	760.5		N/A	N/A	N/A	N/A
22-7215B	22-7215B	0.68 cfs	102 af	34.0	760.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.09 cfs	1065.5 af	307	760.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of March, 20 08

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 22-7215B

WATER RIGHT NO. 22-7215C
As Modified by Transfer No. 74231

In accordance with the approval of Transfer No. 74231, Water Right No. 22-7215C is now described as follows.

Right Holder: HUNTSMAN SPRINGS INC
 97 N HWY 33
 DRIGGS ID 83422

Priority Date: March 03, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.40 CFS	78.0 AF
			0.40 CFS	78.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENWSW	Sec. 24 Twp 05N	Rge 45E	TETON County
GROUND WATER	SWSSENW	Sec. 26 Twp 05N	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		
05N	45E	22		40.0	40.0											40.0	40.0	40.0	40.0	240.0
05N	45E	23									40.0	20.0								60.0
05N	45E	26					9.7	40.0	40.0	3.8	5.0	40.0	40.0	2.0						180.5
05N	45E	27	40.0	40.0	40.0	40.0									40.0	40.0		40.0	280.0	

Total Acres: 760.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season.
2. Rights 22-7215B, 22-7215C and 22-13811 when combined shall not exceed the irrigation of 307 acres.
3. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
4. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

WATER RIGHT NO. 22-7215C
As Modified by Transfer No. 74231

CONDITIONS OF APPROVAL

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. 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.
7. 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.
8. Use of water under this right is combined with water from Grand Teton Canal Co.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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.
12. Within 5 years of the Approval of this transfer, the applicant will file a transfer to identify and refine the place of use and nature of use for this water right.

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 March, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-7215B
As Modified by Transfer No. 74231

In accordance with the approval of Transfer No. 74231, Water Right No. 22-7215B is now described as follows.

Right Holder: HUNTSMAN SPRINGS INC
 97 N HWY 33
 DRIGGS ID 83422

Priority Date: March 03, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.68 CFS	102.0 AF
			0.68 CFS	102.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENWSW	Sec. 24 Twp 05N	Rge 45E	TETON County
GROUND WATER	SWSNW	Sec. 26 Twp 05N	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	
05N	45E	22		40.0	40.0										40.0	40.0	40.0	40.0	240.0
05N	45E	23											40.0	20.0					60.0
05N	45E	26					9.7	40.0	40.0	3.8	5.0	40.0	40.0	2.0					180.5
05N	45E	27	40.0	40.0	40.0	40.0									40.0	40.0		40.0	280.0

Total Acres: 760.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 34 acres within the place of use described above in a single irrigation season.
2. Rights 22-7215B, 22-7215C and 22-13811 when combined shall not exceed the irrigation of 307 acres.
3. 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.
4. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

WATER RIGHT NO. 22-7215B
As Modified by Transfer No. 74231

CONDITIONS OF APPROVAL

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. 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.
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. Use of water under this right is combined with water from Grand Teton Canal Co.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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.
12. 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.
13. Within 5 years of the Approval of this transfer, the applicant will file a transfer to identify and refine the place of use and nature of use for this water right.

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 March, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13810
As Modified by Transfer No. 74231

In accordance with the approval of Transfer No. 74231, Water Right No. 22-13810 is now described as follows.

Right Holder: FILLMORE FARMS LLC
 500 HUNTSMAN WAY
 SALT LAKE CITY UT 84108

Priority Date: February 20, 1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	3.69 CFS	1,085.0 AF
			3.69 CFS	1,085.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENW Sec. 19 Twp 05N Rge 46E 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					
05N	45E	13																	133.0
05N	46E	18									33.0	33.0	34.0	34.0					134.0
05N	46E	19													23.0		20.0		43.0

Total Acres: 310

CONDITIONS OF APPROVAL

1. Use of water under this right is combined with water from Grand Teton Canal Co.
2. 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 18th day of March, 20 08



 Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13811
As Modified by Transfer No. 74231

In accordance with the approval of Transfer No. 74231, Water Right No. 22-13811 is now described as follows.

Right Holder: HUNTSMAN SPRINGS INC
 97 N HWY 33
 DRIGGS ID 83422

Priority Date: February 20, 1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	3.01 CFS	885.5 AF
			3.01 CFS	885.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENWSW	Sec. 24 Twp 05N	Rge 45E	TETON County
GROUND WATER	SWSSENW	Sec. 26 Twp 05N	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				
05N	45E	22			40.0	40.0												40.0	40.0	40.0	40.0	240.0
05N	45E	23										40.0	20.0									60.0
05N	45E	26					9.7	40.0	40.0	3.8	5.0	40.0	40.0	2.0								180.5
05N	45E	27	40.0	40.0	40.0	40.0									40.0	40.0			40.0		280.0	

Total Acres: 760.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 253 acres within the place of use described above in a single irrigation season.
2. Rights 22-7215B, 22-7215C and 22-13811 when combined shall not exceed the irrigation of 307 acres.
3. 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.
4. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

WATER RIGHT NO. 22-13811
As Modified by Transfer No. 74231

CONDITIONS OF APPROVAL

6. 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.
7. 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.
8. Use of water under this right is combined with water from Grand Teton Canal Co.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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.
12. Within 5 years of the Approval of this transfer, the applicant will file a transfer to identify and refine the place of use and nature of use for this water right.

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 March, 20 08



Chief, Water Allocation Bureau