

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73558

This is to certify that: SIMON FARMS INC
 PO BOX 403
 FAIRFIELD ID 83327
 (208)764-2660

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>
37-7289	AJC/License	10/01/1973	4.00 cfs	948.0 af	N/A	316.0	GROUND WATER
37-7527	AJC/License	09/21/1976	6.71 cfs	1230.0 af	410.0	489.0	GROUND WATER
37-13130	AJC/Beneficial Use	09/21/1976	1.11 cfs	276.5 af	79.0	489.0	GROUND WATER
37-21724	AJC/License	06/17/1954	4.36 cfs	1106.0 af	N/A	316.0	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>
37-7289	YES	NO	YES	NO	NO	NO
37-7527	YES	NO	YES	NO	NO	NO
37-13130	YES	NO	YES	NO	NO	NO
37-21724	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>
37-7289	37-22185	0.59 cfs	138.6 af	46.2	408.0	37-22184	3.41 cfs	809.4 af	N/A	269.8
37-7527	37-22187	0.63 cfs	115.2 af	38.4	408.0	37-22186	6.08 cfs	1114.8 af	371.6	443.2
37-13130	37-22189	0.10 cfs	25.9 af	7.4	408.0	37-22188	1.01 cfs	250.6 af	71.6	443.2
37-21724	37-21724	4.36 cfs	1106.0 af	316.0	408.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.99 cfs	1385.7 af	408.0	408.0		6.08 cfs	2174.8 af	N/A	713.0

Detailed Water Right Description(s) attached

Dated this 31st day of July, 20 07

SUPPORT DATA

IN FILE # 37-7289


 Administrator, Water Management Division

WATER RIGHT NO. 37-21724
As Modified by Transfer No. 73558

In accordance with the approval of Transfer No. 73558, Water Right No. 37-21724 is now described as follows.

Right Holder: SIMON FARMS INC
 PO BOX 403
 FAIRFIELD ID 83327

Priority Date: June 17, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	4.36 CFS	1,106.0 AF
			4.36 CFS	1,106.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec 21 Twp 01S Rge 15E CAMAS 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	
01S	15E	21	34.0	34.0	34.0	34.0									34.0			34.0	204.0
01S	15E	22					34.0	34.0	34.0	34.0	34.0	34.0							204.0

Total Acres: 408

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 316 acres within the place of use described above in a single irrigation season.
2. Rights 37-21724, 37-22185, 37-22187, and 37-22189 when combined shall not exceed a total diversion rate of 4.99 cfs, a total annual maximum diversion volume of 1385.7 af, and the irrigation of 408 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 right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 37-21724
As Modified by Transfer No. 73558

CONDITIONS OF APPROVAL

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.

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 31st day of July, 20 07



Administrator, Water Management Division

WATER RIGHT NO. 37-22184
As Modified by Transfer No. 73558

In accordance with the approval of Transfer No 73558, Water Right No 37-22184 is now described as follows

Right Holder: SIMON FARMS INC
PO BOX 403
FAIRFIELD ID 83327

Priority Date: October 01, 1973

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	3 41 CFS	809 4 AF
			3 41 CFS	809 4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENESE Sec 17 Twp 01S Rge 15E CAMAS 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	
01S 15E 17	33 0	33 0	34 0	33 0									33 0	34 0	33 0	36 8	269 8

Total Acres: 269 8

CONDITIONS OF APPROVAL

1. The rights listed below are limited to a total combined diversion rate of 6 08 cfs and to a total combined annual diversion volume of 2174.8 AF Combined Right Nos.: 37-22184, 37-22186, and 37-22188.
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 31st day of July, 20 07



Administrator, Water Management Division

WATER RIGHT NO. 37-22185
As Modified by Transfer No. 73558

In accordance with the approval of Transfer No. 73558, Water Right No. 37-22185 is now described as follows.

Right Holder: SIMON FARMS INC
 PO BOX 403
 FAIRFIELD ID 83327

Priority Date: October 01, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.59 CFS	138.6 AF
			0.59 CFS	138.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec 21 Twp 01S Rge 15E CAMAS 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	
01S	15E	21	34.0	34.0	34.0	34.0									34.0			34.0	204.0
01S	15E	22					34.0	34.0	34.0	34.0	34.0	34.0							204.0

Total Acres: 408

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 46.2 acres within the place of use described above in a single irrigation season.
2. Rights 37-22185, 37-22187, and 37-22189 when combined shall not exceed a total diversion rate of 0.63 cfs, a total annual maximum diversion volume of 279.7 af, and the irrigation of 92 acres.
3. Rights 37-21724, 37-22185, 37-22187, and 37-22189 when combined shall not exceed a total diversion rate of 4.99 cfs, a total annual maximum diversion volume of 1385.7 af, and the irrigation of 408 acres.
4. 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.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 37-22185
As Modified by Transfer No. 73558

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
8. 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 31st day of July, 20 07


Administrator, Water Management Division

WATER RIGHT NO. 37-22186
As Modified by Transfer No. 73558

In accordance with the approval of Transfer No. 73558, Water Right No. 37-22186 is now described as follows

Right Holder: SIMON FARMS INC
 PO BOX 403
 FAIRFIELD ID 83327

Priority Date: September 21, 1976

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	6.08 CFS	1,114.8 AF
			6.08 CFS	1,114.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENESE Sec 17 Twp 01S Rge 15E CAMAS 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	
01S	15E	4							5.2	6.1	39.0	37.0	35.9	30.0					153.2
01S	15E	9					38.0	39.0	39.0	31.0	36.0	39.0	36.0	32.0					290.0

Total Acres: 443.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 371.6 acres within the place of use described above in a single irrigation season.
2. Right No. 37-22188 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
3. The rights listed below are limited to the irrigation of a combined total of 443.2 acres in a single irrigation season. Combined Right Nos : 37-22186 and 37-22188.

WATER RIGHT NO. 37-22186
As Modified by Transfer No. 73558

CONDITIONS OF APPROVAL

4. The rights listed below are limited to a total combined diversion rate of 6.08 cfs and to a total combined annual diversion volume of 2174.8 AF. Combined Right Nos.: 37-22184, 37-22186, and 37-22188.
5. 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 31st day of July, 2007



Administrator, Water Management Division

WATER RIGHT NO. 37-22187
As Modified by Transfer No. 73558

In accordance with the approval of Transfer No 73558, Water Right No. 37-22187 is now described as follows

Right Holder: SIMON FARMS INC
 PO BOX 403
 FAIRFIELD ID 83327

Priority Date: September 21, 1976

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	0.63 CFS	115.2 AF
			0.63 CFS	115.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec 21 Twp 01S Rge 15E CAMAS 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	
01S	15E	21	34.0	34.0	34.0	34.0									34.0			34.0	204.0
01S	15E	22					34.0	34.0	34.0	34.0	34.0	34.0							204.0

Total Acres: 408

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38.4 acres within the place of use described above in a single irrigation season.
2. Rights 37-22187 and 37-22189 when combined shall not exceed a total diversion rate of 0.63 cfs, a total annual maximum diversion volume of 141.1 af, and the irrigation of 45.8 acres.
3. Rights 37-22185, 37-22187, and 37-22189 when combined shall not exceed a total diversion rate of 0.63 cfs, a total annual maximum diversion volume of 279.7 af, and the irrigation of 92 acres.
4. Rights 37-21724, 37-22185, 37-22187, and 37-22189 when combined shall not exceed a total diversion rate of 4.99 cfs, a total annual maximum diversion volume of 1385.7 af, and the irrigation of 408 acres.
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. 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.

WATER RIGHT NO. 37-22187
As Modified by Transfer No. 73558

CONDITIONS OF APPROVAL

- 7 Right No 37-22189 is an enlargement of this right pursuant to Section 42-1426, Idaho Code
- 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 31st day of July, 20 07



Administrator, Water Management Division

WATER RIGHT NO. 37-22188
As Modified by Transfer No. 73558

In accordance with the approval of Transfer No 73558, Water Right No. 37-22188 is now described as follows.

Right Holder: SIMON FARMS INC
 PO BOX 403
 FAIRFIELD ID 83327

Priority Date: September 21, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	1.01 CFS	250 6 AF
			1.01 CFS	250 6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENESE Sec 17 Twp 01S Rge 15E CAMAS 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	
01S 15E 4							5 2	6 1	39 0	37 0	35 9	30 0					153 2
01S 15E 9					38 0	39 0	39 0	31 0	36 0	39 0	36 0	32 0					290 0

Total Acres: 443 2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71 6 acres within the place of use described above in a single irrigation season.
2. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
3. The rights listed below are limited to a total combined diversion rate of 6.08 cfs and to a total combined annual diversion volume of 2174.8 AF. Combined Right Nos : 37-22184, 37-22186, and 37-22188.
4. The rights listed below are limited to the irrigation of a combined total of 443 2 acres in a single irrigation season. Combined Right Nos : 37-22186 and 37-22188.
5. This right is based upon an enlargement of Right No 37-22186 pursuant to Section 42-1426, Idaho Code.

WATER RIGHT NO. 37-22188
As Modified by Transfer No. 73558

CONDITIONS OF APPROVAL

6. This right is for an enlargement of 71 6 acres within the place of use described for this right.
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

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 31st day of July, 20 07



Administrator, Water Management Division

WATER RIGHT NO. 37-22189
As Modified by Transfer No. 73558

In accordance with the approval of Transfer No 73558, Water Right No. 37-22189 is now described as follows.

Right Holder: SIMON FARMS INC
 PO BOX 403
 FAIRFIELD ID 83327

Priority Date: September 21, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.10 CFS	25.9 AF
			0.10 CFS	25.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec 21 Twp 01S Rge 15E CAMAS 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	
01S 15E 21	34.0	34.0	34.0	34.0									34.0			34.0	204.0
01S 15E 22					34.0	34.0	34.0	34.0	34.0	34.0							204.0

Total Acres: 408

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 7.4 acres within the place of use described above in a single irrigation season
2. Rights 37-22187 and 37-22189 when combined shall not exceed a total diversion rate of 0.63 cfs, a total annual maximum diversion volume of 141.1 af, and the irrigation of 45.8 acres
3. Rights 37-22185, 37-22187, and 37-22189 when combined shall not exceed a total diversion rate of 0.63 cfs, a total annual maximum diversion volume of 279.7 af, and the irrigation of 92 acres
4. Rights 37-21724, 37-22185, 37-22187, and 37-22189 when combined shall not exceed a total diversion rate of 4.99 cfs, a total annual maximum diversion volume of 1385.7 af, and the irrigation of 408 acres.
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. This right is based upon an enlargement of Right No 37-22187 pursuant to Section 42-1426, Idaho Code.

WATER RIGHT NO. 37-22189
As Modified by Transfer No. 73558

CONDITIONS OF APPROVAL

7. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right
8. 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
9. The right holder shall accomplish the change authorized by this transfer within one year 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.

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 31st day of July, 2007


Administrator, Water Management Division