

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71790

This is to certify that: UR FARMS LIMITED PARTNERSHIP

363 N 300 W
JEROME ID 83338
(208)324-3219

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>
37-21426	WR/Decreed	01/07/1974	0.12 cfs	24.0 af	N/A	6.0	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>
37-21426	NO	YES	YES	NO	YES	YES

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>
37-21426	36-16378	0.10 cfs	13.3 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.10 cfs	13.3 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of October, 2005



Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 37-21426

WATER RIGHT NO. 36-16378
As Modified by Transfer No. 71790

In accordance with the approval of Transfer No. 71790, Water Right No. 36-16378 is now described as follows.

Right Holder: UR FARMS LIMITED PARTNERSHIP
 363 N 300 W
 JEROME ID 83338

Priority Date: January 07, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to	12/31	0.10 CFS	13.3 AF
STOCKWATER	01/01 to	12/31	0.10 CFS	13.3 AF
			0.10 CFS	13.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNE Sec. 34 Twp 07S Rge 16E JEROME County

GROUND WATER NWNWNE Sec. 34 Twp 07S Rge 16E JEROME County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	16E	34		X	X		X			X									

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	16E	34		X															

CONDITIONS OF APPROVAL

- The total instantaneous diversion of water from all points of diversion under Rights 36-8549, 36-15645, 36-15647, 36-15649, 36-16192 and 36-16378 shall not exceed 0.45 cfs, nor a total combined annual volume of 87 af.
- Beginning on the date of approval of Transfer 71790, Right 36-16378 is limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Years 2006 through 2008 the right is limited to 1.7 afa.
 Years 2009 through 2010 the right is limited to 3.4 afa.
 Years 2011 through 2012 the right is limited to 5.1 afa.
 Years 2013 through 2014 the right is limited to 8.5 afa.
 Years 2015 through 2020 the right is limited to 10.2 afa.
 Years 2021 through 2027 the right is limited to 11.1 afa.
 Years 2028 through 2037 the right is limited to 11.9 afa.
 Years 2038 through 2046 the right is limited to 12.8 afa.
 Years 2047 through 2059 the right is limited to 12.9 afa.
 Years 2060 through 2071 the right is limited to 13.1 afa.
 Years 2072 and beyond the right is limited to 13.3 afa.

WATER RIGHT NO. 36-16378
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CONDITIONS OF APPROVAL

3. Beginning on the date of approval of Transfer 71790, Right 36-16378 when combined with Rights 36-8549, 36-15645, 36-15647, 36-15649, and 36-16192 as authorized under Transfer 69120 are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Years 2006 through 2007 the rights are limited to $(1.7 + 54.1) = 55.8$ afa.

Year 2008 the rights are limited to $(1.7 + 62.5) = 64.2$ afa.

Years 2009 through 2010 the rights are limited to $(3.4 + 62.5) = 65.9$ afa.

Years 2011 through 2012 the rights are limited to $(5.1 + 62.5) = 67.6$ afa.

Years 2013 through 2014 the rights are limited to $(8.5 + 68.1) = 76.6$ afa.

Years 2015 through 2017 the rights are limited to $(10.2 + 68.1) = 78.3$ afa.

Years 2018 through 2020 the rights are limited to $(10.2 + 72.0) = 82.2$ afa.

Years 2021 through 2022 the rights are limited to $(11.1 + 72.0) = 83.1$ afa.

Years 2023 through 2027 the rights are limited to $(11.1 + 73.7) = 84.8$ afa.

Years 2028 through 2037 the rights are limited to $(11.9 + 73.7) = 85.6$ afa.

Years 2038 through 2046 the rights are limited to $(12.8 + 73.7) = 86.5$ afa.

Years 2047 through 2059 the rights are limited to $(12.9 + 73.7) = 86.6$ afa.

Years 2060 through 2071 the rights are limited to $(13.1 + 73.7) = 86.8$ afa.

Years 2072 and beyond the rights are limited to $(13.3 + 73.7) = 87.0$ afa.

4. Prior to the diversion and use of water under Transfer approval 71790, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
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. 130.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. Commercial use is for a dairy with barn located in the NWNE, S34, T07S, R16E.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 71790. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.

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11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 11th day of October, 2005



Chief, Water Allocation Bureau