

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71672

This is to certify that: CANNON SHELLEY PROPERTY LTD
 1470 N 750 E
 SHELLEY ID 83274
 (208)357-7030

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>
35-2775	WR/Decreed	08/08/1983	11.26 cfs	3476 af	N/A	869.0	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>
35-2775	YES	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>
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35-2775	35 -13524	1.35 cfs	217 af	N/A	N/A	35-13523	9.91 cfs	3058 af	N/A	764.5
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COMBINED

TOTALS		1.35 cfs	217 af	N/A	N/A		N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 10th day of June, 2005


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 35-2775

WATER RIGHT NO. 35-13523
As Modified by Transfer No. 71672

In accordance with the approval of Transfer No. 71672, Water Right No. 35-13523 is now described as follows.

Right Holder: CANNON SHELLEY PROPERTY LTD
 1470 N 750 E
 SHELLEY ID 83274

Priority Date: August 08, 1983

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	9.91 CFS	3,058.0 AF
			9.91 CFS	3,058.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 6 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	
03N 36E 6	26.0	26.0	39.0	40.0	30.4	30.0	27.9	26.9	34.0	31.0	38.0	40.0	39.0	40.0	40.0	39.0	547.2
	L 1	L 2			L 3	L 4											
04N 36E 31									31.3		1.8	28.2	40.0	40.0	39.0	37.0	217.3
											L 4						

Total Acres: 764.5

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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 10th day of June, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13524
As Modified by Transfer No. 71672

In accordance with the approval of Transfer No. 71672, Water Right No. 35-13524 is now described as follows.

Right Holder: CANNON SHELLEY PROPERTY LTD

1470 N 750 E

SHELLEY ID 83274

Priority Date: August 08, 1983

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	1.35 CFS	217.0 AF
STOCKWATER	01/01 to	12/31	1.35 CFS	217.0 AF
			1.35 CFS	217.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 (NWSWSW) Sec. 31 Twp 04N Rge 36E JEFFERSON County
GROUND WATER L4 (NWSWSW) Sec. 31 Twp 04N Rge 36E JEFFERSON County

PLACE OF USE: COMMERCIAL AND 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	
04N 36E 31											X						
											L 4						

CONDITIONS OF APPROVAL

- Commercial use is for a dairy
- The total instantaneous diversion of water from all points of diversion under Right 35-13524 shall not exceed 1.35 cfs, nor a total combined annual volume of 217 af.
- Prior to the diversion and use of water under Transfer approval 71632, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
- The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- 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.
- Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

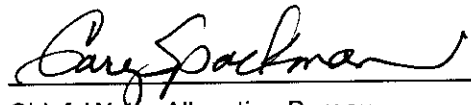
WATER RIGHT NO. 35-13524
As Modified by Transfer No. 71672

CONDITIONS OF APPROVAL

8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. 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.
12. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
13. The diversion and use of water described in Transfer 71672 may be subject to additional conditions and limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.

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 10th day of June, 2005



Chief, Water Allocation Bureau