

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71736

This is to certify that: SUPERIOR L & L LLC
 3100 W 1000 S
 ABERDEEN ID 83210

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>
35-13488	WR/Decreed	06/09/1977	2.84 cfs	733.3 af	N/A	183.0	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>
35-13488	NO	NO	NO	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>
35-13488	35-13488	2.84 cfs	733.3 af	N/A	183.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.84 cfs	733.3 af	N/A	183.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of April, 20 05


 Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13488
As Modified by Transfer No. 71736

In accordance with the approval of Transfer No. 71736, Water Right No. 35-13488 is now described as follows.

Right Holder: SUPERIOR L & L LLC
 3100 W 1000 S
 ABERDEEN ID 83210

Priority Date: June 09, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	05/01 to	12/15	0.05 CFS	1.3 AF
IRRIGATION	04/01 to	11/01	2.84 CFS	732.0 AF
			2.84 CFS	733.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENE	Sec. 29 Twp 04S	Rge 31E	BINGHAM County
GROUND WATER	SWNW	Sec. 29 Twp 04S	Rge 31E	BINGHAM County

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	
04S	31E	29						X											

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	
04S	31E	29					34.0	34.0	38.0										106.0
04S	31E	30				38.0								39.0					77.0

Total Acres: 183

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Right 35-13488 shall not exceed 2.84 cfs, nor a total combined annual volume of 733.3 af.
2. 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.
3. Prior to the diversion and use of water under Transfer approval 71736, 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.

WATER RIGHT NO. 35-13488
As Modified by Transfer No. 71736

CONDITIONS OF APPROVAL

4. 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.
5. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 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.
8. 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.
9. 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.
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.

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 27th day of April, 2005


Chief, Water Allocation Bureau