

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70999

This is to certify that: DE GIULIO RANCHES INC
2340 W 900 S
STERLING ID 83210
(208)328-2242

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>
35-7722	AJC/License	06/15/1977	2.23 cfs	608 af	N/A	152.0	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>
35-7722	YES	YES	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>
35-7722	35-13485	0.15 cfs	39.6 af	N/A	9.9	35-13484	2.08 cfs	568.4 af	N/A	142.1
COMBINED TOTALS		0.15 cfs	39.6 af	N/A	9.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of July, 2004


Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 35-7722

WATER RIGHT NO. 35-13484
As Modified by Transfer No. 70999

In accordance with the approval of Transfer No. 70999, Water Right No. 35-13484 is now described as follows.

Right Holder: DE GIULIO RANCHES INC
 2340 W 900 S
 STERLING ID 83210

Priority Date: June 15, 1977

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	2.08 CFS	568.4 AF
			2.08 CFS	568.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSE Sec. 18 Twp 04S Rge 32E BINGHAM 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	
04S	32E	17																	2.8
04S	32E	18													31.3	41.0	35.0	32.0	139.3

Total Acres: 142.1

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.
2. Use of this right is combined with water from Aberdeen Springfield Canal Co.

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 30th day of July, 2004


 Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13485

As Modified by Transfer No. 70999

In accordance with the approval of Transfer No. 70999, Water Right No. 35-13485 is now described as follows.

Right Holder: DE GIULIO RANCHES INC
2340 W 900 S
STERLING ID 83210

Priority Date: June 15, 1977

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	0.15 CFS	39.6 AF
			0.15 CFS	39.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESE Sec. 18 Twp 04S Rge 32E BINGHAM 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	
04S 32E 17												.2					.2
04S 32E 18															1.7	8.0	9.7

Total Acres: 9.9

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 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.
5. Use of this right is combined with water from Aberdeen Springfield Canal Co.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater 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.

WATER RIGHT NO. 35-13485
As Modified by Transfer No. 70999

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 70999, 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.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
10. 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
11. 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.
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.

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 30th day of July, 2004



Chief, Water Allocation Bureau