

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71099

This is to certify that: CANNON SHELLEY PROPERTY LIMITED PARTNERSHIP
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>
35-2452	WR/Decreed	02/08/1956	5.32 cfs	1264 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>
35-2452	YES	YES	NO	YES	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>
35-2452	35-13502	1.33 cfs	205.4 af	N/A	N/A	35-13501	3.99 cfs	948 af	N/A	237.0
COMBINED										
TOTALS		1.33 cfs	205.4 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 9th day of June, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13501
As Modified by Transfer No. 71099

In accordance with the approval of Transfer No. 71099, Water Right No. 35-13501 is now described as follows.

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

Priority Date: February 08, 1956

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	3.99 CFS	948.0 AF
			3.99 CFS	948.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 (SENENW) Sec. 5 Twp 03N Rge 37E 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	37E	5	39.0			40.0	39.0	39.0	40.0	40.0									237.0
			L1				L3	L4											

Total Acres: 237

CONDITIONS OF APPROVAL

- 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 9th day of June, 2004


 Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13502
As Modified by Transfer No. 71099

In accordance with the approval of Transfer No. 71099, Water Right No. 35-13502 is now described as follows.

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

Priority Date: February 08, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	1.33 CFS	205.4 AF
COMMERCIAL	01/01 to	12/31	1.33 CFS	205.4 AF
			1.33 CFS	205.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L2 (NWNE) Sec. 5 Twp 03N Rge 37E BONNEVILLE County

GROUND WATER L2 (NWNE) Sec. 5 Twp 03N Rge 37E BONNEVILLE County

PLACE OF USE: STOCKWATER and 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	
03N 37E 5		X	X														
		L 2															

CONDITIONS OF APPROVAL

- Commercial use is for a dairy
- The total instantaneous diversion of water from all points of diversion under Right 35-13502 shall not exceed 1.33 cfs, nor a total combined annual volume of 205.4 af.
- Prior to the diversion and use of water under Transfer approval 71099, 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 means of controlling works must be suitable for control of the diversions and acceptable to the watermaster.

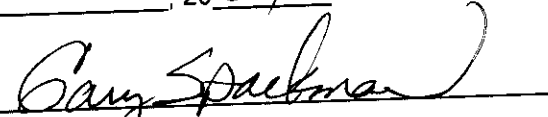
WATER RIGHT NO. 35-13502
As Modified by Transfer No. 71099

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this 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.

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 9th day of June, 2004


Chief, Water Allocation Bureau