

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70533

This is to certify that: BUSHMAN FARM & LIVESTOCK CO LP
680 W MAIN
LEHI UT 84043
(801) 768-7035

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>
43-10796A	WR/Decreed	07/05/1963	3.20 cfs	640 af	N/A	160.0	GROUND WATER
43-10149	WR/Decreed	06/30/1985	1.10 cfs	N/A	77.0	275.0	GROUND WATER
43-10796B	WR/Decreed	07/05/1963	3.90 cfs	780 af	195.0	275.0	GROUND WATER
43-2354A	WR/Decreed	09/17/1954	0.15 cfs	40 af	N/A	10.0	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>
43-10796A	YES	NO	YES	YES	NO	NO
43-10149	YES	NO	YES	YES	NO	NO
43-10796B	YES	NO	YES	YES	NO	NO
43-2354A	NO	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>
43-10796A	43-13287	0.45 cfs	90.0 af	22.5	47.5	43-13286	2.75 cfs	550.0 af	N/A	137.5
43-10149	43-13291	0.06 cfs	N/A	4.2	47.5	43-13290	1.04 cfs	N/A	72.8	257.0
43-10796B	43-13289	0.22 cfs	43.2 af	10.8	47.5	43-13288	3.68 cfs	736.8 af	184.2	257.0
43-2354A	43-2354A	0.15 cfs	40.0 af	10.0	47.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.67 cfs	173.2 af	47.5	47.5		5.49 cfs	1286.8 af	N/A	394.5

Detailed Water Right Description(s) attached

Dated this 24th day of February, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13286
As Modified by Transfer No. 70533

In accordance with the approval of Transfer No. 70533, Water Right No. 43-13286 is now described as follows.

Right Holder: BUSHMAN FARM & LIVESTOCK CO LP
 680 W MAIN
 LEHI UT 84043

Priority Date: July 05, 1963

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	2.75 CFS	550.0 AF
			2.75 CFS	550.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSE Sec. 36 Twp 12S Rge 26E CASSIA 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					
12S	26E	36																	40.0	32.5	32.5	32.5	137.5

Total Acres: 137.5

CONDITIONS OF APPROVAL

1. Rights 43-13286, 43-13288 and 43-13290 when combined shall not exceed a total diversion rate of 5.49 cfs, a total annual maximum diversion volume of 1286.8 af at the field headgate, and the irrigation of 394.5 acres.
2. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6-25-2002.
3. 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 24th day of February, 2004



 Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13287
As Modified by Transfer No. 70533

In accordance with the approval of Transfer No. 70533, Water Right No. 43-13287 is now described as follows.

Right Holder: BUSHMAN FARM & LIVESTOCK CO LP
 680 W MAIN
 LEHI UT 84043

Priority Date: July 05, 1963

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	0.45 CFS	90.0 AF
		0.45 CFS	90.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSE Sec. 14 Twp 12S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	26E	14													11.9	11.9	11.8	11.9	47.5

Total Acres: 47.5

CONDITIONS OF APPROVAL

1. Rights 43-13287, 43-13289 and 43-13291 when combined shall not exceed a total diversion rate of 0.52 cfs.
2. This right is limited to the irrigation of 22.5 acres within the place of use described above in a single irrigation season.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6-25-2002.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 43-13287
As Modified by Transfer No. 70533

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 24th day of February, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13288
As Modified by Transfer No. 70533

In accordance with the approval of Transfer No. 70533, Water Right No. 43-13288 is now described as follows.

Right Holder: BUSHMAN FARM & LIVESTOCK CO LP
 680 W MAIN
 LEHI UT 84043

Priority Date: July 05, 1963

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	3.68 CFS	736.8 AF
			3.68 CFS	736.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWSW	Sec. 36 Twp 12S Rge 26E	CASSIA County
GROUND WATER	NENENE	Sec. 2 Twp 13S Rge 26E	CASSIA County
GROUND WATER	SWNENE	Sec. 2 Twp 13S Rge 26E	CASSIA 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	
12S	26E	36									38.0	38.0							76.0
13S	26E	1						36.0											36.0
								L 4											
13S	26E	2	40.0	32.5	32.5	40.0													145.0
			L 1	L 2															

Total Acres: 257

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 184.2 acres within the place of use described above in a single irrigation season.
2. Right No. 43-13290 is an expansion of this right pursuant to Section 42-1416B of the Idaho Code.
3. Use of this right with Right No. 43-13290 is limited to a total combined diversion rate of 3.68 cfs and to a total combined annual diversion volume of 736.8 af.
4. Use of this right with Right No. 43-13290 is limited to the irrigation of a combined total of 257 acres in a single irrigation season.
5. Rights 43-13286, 43-13288 and 43-13290 when combined shall not exceed a total diversion rate of 5.49 cfs, a total annual maximum diversion volume of 1286.8 af at the field headgate, and the irrigation of 394.5 acres.

WATER RIGHT NO. 43-13288

As Modified by Transfer No. 70533

CONDITIONS OF APPROVAL

6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6-25-2002.
7. 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 24th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13289
As Modified by Transfer No. 70533

In accordance with the approval of Transfer No. 70533, Water Right No. 43-13289 is now described as follows.

Right Holder: BUSHMAN FARM & LIVESTOCK CO LP
 680 W MAIN
 LEHI UT 84043

Priority Date: July 05, 1963

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	0.22 CFS	43.2 AF
			0.22 CFS	43.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSE Sec. 14 Twp 12S Rge 26E CASSIA 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	
12S	26E	14													11.9	11.9	11.8	11.9	47.5

Total Acres: 47.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10.8 acres within the place of use described above in a single irrigation season.
2. Right No. 43-13291 is an expansion of this right pursuant to Section 42-1416B of the Idaho Code.
3. Use of this right with Right No. 43-13291 is limited to a total combined diversion rate of 0.22 cfs and a total annual maximum diversion volume of 43.2 af at the field headgate.
4. Rights 43-13287, 43-13289 and 43-13291 when combined shall not exceed a total diversion rate of 0.52 cfs.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6-25-2002.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

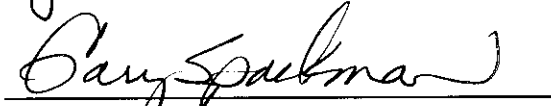
WATER RIGHT NO. 43-13289
As Modified by Transfer No. 70533

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.

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 24th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13290
As Modified by Transfer No. 70533

In accordance with the approval of Transfer No. 70533, Water Right No. 43-13290 is now described as follows.

Right Holder: BUSHMAN FARM & LIVESTOCK CO LP
 680 W MAIN
 LEHI UT 84043

Priority Date: June 30, 1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.04 CFS	
			1.04 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWSW	Sec. 36 Twp 12S	Rge 26E	CASSIA County
GROUND WATER	NENENE	Sec. 2 Twp 13S	Rge 26E	CASSIA County
GROUND WATER	SWNENE	Sec. 2 Twp 13S	Rge 26E	CASSIA 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		
12S	26E	36									38.0	38.0								76.0
13S	26E	1					36.0													36.0
13S	26E	2	40.0	32.5	32.5	40.0														145.0
			L 1	L 2																

Total Acres: 257

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 72.8 acres within the place of use described above in a single irrigation season.
2. This right is an expansion of Right No. 43-13288 pursuant to Section 42-1416B of the Idaho Code.
3. Use of this right with Right No. 43-13288 is limited to the irrigation of a combined total of 257 acres in a single irrigation season.
4. Use of this right with Right No. 43-13288 is limited to a total combined diversion rate of 3.68 cfs and to a total combined annual diversion volume of 736.8 af.

WATER RIGHT NO. 43-13290
As Modified by Transfer No. 70533

CONDITIONS OF APPROVAL

5. Rights 43-13286, 43-13288 and 43-13290 when combined shall not exceed a total diversion rate of 5.49 cfs, a total annual maximum diversion volume of 1286.8 af at the field headgate, and the irrigation of 394.5 acres.
6. 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 24th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13291
As Modified by Transfer No. 70533

In accordance with the approval of Transfer No. 70533, Water Right No. 43-13291 is now described as follows.

Right Holder: BUSHMAN FARM & LIVESTOCK CO LP
 680 W MAIN
 LEHI UT 84043

Priority Date: June 30, 1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.06 CFS	
			0.06 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSE Sec. 14 Twp 12S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	26E	14													11.9	11.9	11.8	11.9	47.5

Total Acres: 47.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4.2 acres within the place of use described above in a single irrigation season.
2. This right is an expansion of Right No. 43-13289 pursuant to Section 42-1416B of the Idaho Code.
3. Use of this right with Right No. 43-13289 is limited to a total combined diversion rate of 0.22 cfs and a total annual maximum diversion volume of 43.2 af at the field headgate.
4. Rights 43-13287, 43-13289 and 43-13291 when combined shall not exceed a total diversion rate of 0.52 cfs.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

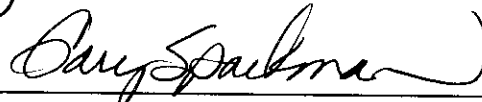
WATER RIGHT NO. 43-13291
As Modified by Transfer No. 70533

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 24th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2354A
As Modified by Transfer No. 70533

In accordance with the approval of Transfer No. 70533, Water Right No. 43-2354A is now described as follows.

Right Holder: BUSHMAN FARM & LIVESTOCK CO LP
 680 W MAIN
 LEHI UT 84043

Priority Date: September 17, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.15 CFS	40.0 AF
			0.15 CFS	40.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSE Sec. 14 Twp 12S Rge 26E CASSIA 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	
12S	26E	14													11.9	11.9	11.8	11.9	47.5
Total Acres:			47.5																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10 acres within the place of use described above in a single irrigation season.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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 24th day of February, 2004


 Chief, Water Allocation Bureau