

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70710

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>
43-13286	WR/Decreed	07/05/1963	2.75 cfs	550.0 af	N/A	137.5	GROUND WATER
43-13288	WR/Decreed	07/05/1963	3.68 cfs	736.8 af	184.2	257.0	GROUND WATER
43-13290	WR/Decreed	06/30/1985	1.04 cfs	N/A	72.8	257.0	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>
43-13286	NO	NO	YES	YES	NO	NO
43-13288	NO	NO	YES	YES	NO	NO
43-13290	NO	NO	YES	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>
43-13286	43-13286	2.75 cfs	550.0 af	137.5	394.5		N/A	N/A	N/A	N/A
43-13288	43-13288	3.68 cfs	736.8 af	184.2	394.5		N/A	N/A	N/A	N/A
43-13290	43-13290	1.04 cfs	N/A	72.8	394.5		N/A	N/A	N/A	N/A
COMBINED TOTALS		5.49 cfs	1286.8 af	394.5	394.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 26th day of February, 20 04


 Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13286
As Modified by Transfer No. 70710

In accordance with the approval of Transfer No. 70710, 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	10/31	2.75 CFS	550.0 AF
			2.75 CFS	550.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWSW	Sec. 36 Twp 12S Rge 26E CASSIA County
GROUND WATER	NWSWSE	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									40.0	38.0	38.0	32.5		32.5	32.5		213.5
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: 394.5

WATER RIGHT NO. 43-13286
As Modified by Transfer No. 70710

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 137.5 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-13286, 43-13288 and 43-13290 shall not exceed 5.49 cfs.
3. 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.
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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. After specific notification by the Department, the right holder shall measure the diversion 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.
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 26th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13288
As Modified by Transfer No. 70710

In accordance with the approval of Transfer No. 70710, 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	NWSWSE	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									40.0	38.0	38.0	32.5		32.5	32.5		213.5
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: 394.5

WATER RIGHT NO. 43-13288
As Modified by Transfer No. 70710

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 afa.
4. The total instantaneous diversion of water from all points of diversion under Rights 43-13286, 43-13288 and 43-13290 shall not exceed 5.49 cfs.
5. 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.
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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. After specific notification by the Department, the right holder shall measure the diversion 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.
11. 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 26th day of February, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13290
As Modified by Transfer No. 70710

In accordance with the approval of Transfer No. 70710, 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	NWSWSE	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									40.0	38.0	38.0	32.5		32.5	32.5		213.5
13S 26E 1							36.0										36.0
13S 26E 2	40.0	32.5	32.5	40.0													145.0
	L 1	L 2					L 4										

Total Acres: 394.5

WATER RIGHT NO. 43-13290
As Modified by Transfer No. 70710

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 a total combined diversion rate of 3.68 cfs and to a total combined annual diversion volume of 736.8 afa.
4. The total instantaneous diversion of water from all points of diversion under Rights 43-13286, 43-13288 and 43-13290 shall not exceed 5.49 cfs.
5. 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.
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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. After specific notification by the Department, the right holder shall measure the diversion 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.
11. 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 26th day of February, 2004



Chief, Water Allocation Bureau