

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66580**

This is to certify that: IDAHO SUPREME POTATOES INC

C/O GIL DAYLEY TECH SER MGR
PO BOX 246
FIRTH ID 83236-0246
(208)346-6841

And/Or

V THOMAS GEARY
964 S 950 E
ALBION ID 83311
(208)673-6373

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>
45-2465	AJC/License	11/17/1953	5 cfs	N/A		360.0	GROUND WATER
45-2555	AJC/License	08/29/1957	6.2 cfs	N/A		360.0	GROUND WATER
45-11173	AJC/Beneficial Use	03/15/1976	0.8 cfs	N/A		40.0	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>
45-2465	YES	NO	YES	NO	NO	NO
45-2555	YES	NO	YES	NO	NO	NO
45-11173	YES	NO	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. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>
Idaho Supreme Potatoes Inc						V Thomas Geary				
45-2465	45-13516	4.82 cfs	1386.8 af	346.7	705.0	45-13515	0.18 cfs	53.2 af	13.3	27.0
45-2555	45-13518	5.97 cfs	1386.8 af	346.7	705.0	45-13517	0.23 cfs	53.2 af	13.3	27.0
45-11173	45-13520	0.23 cfs	46.4 af	11.6	705.0	45-13519	0.01 cfs	1.6 af	0.4	27.0
COMBINED										
TOTALS		10.79cfs	2820.0 af	N/A	705.0		0.41 cfs	108.0 af	N/A	27.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66580

Detailed Water Right Description(s) attached

Dated this 18 day of March, 20 03

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13516
As Modified by Transfer No. 66580

In accordance with the approval of Transfer No. 66580, Water Right No. 45-13516 is now described as follows.

Right Holder: IDAHO SUPREME POTATOES INC
 C/O GIL DAYLEY TECH SER MGR
 PO BOX 246
 FIRTH ID 83236-0246

Priority Date: November 17, 1953

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	4.82 CFS	1,386.8 AF
			4.82 CFS	1,386.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSW Sec. 9 Twp 11S Rge 22E CASSIA County

GROUND WATER NWNW Sec. 16 Twp 11S Rge 22E 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	
11S	22E	8													40.0			40.0	80.0
11S	22E	9									40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0	315.0
11S	22E	16	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									310.0

Total Acres: 705

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 346.7 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 45-13516, 45-13518 and 45-13520 shall not exceed 10.79 cfs, nor total combined annual volume of 2,820 af.
3. Right 45-13520 is based upon an enlargement of Right 45-13516, pursuant to Section 42-1426, Idaho Code.
4. 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.

WATER RIGHT NO. 45-13516
As Modified by Transfer No. 66580

CONDITIONS OF APPROVAL

5. Rights 45-13515, 45-13517, 45-13518, 45-13519, and 45-13520 are also diverted through the points of diversion described above.
6. Prior to the diversion and use of water under Transfer approval 66580, 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.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 18 day of March, 20 03

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13518
As Modified by Transfer No. 66580

In accordance with the approval of Transfer No. 66580, Water Right No. 45-13518 is now described as follows.

Right Holder: IDAHO SUPREME POTATOES INC
 C/O GIL DAYLEY TECH SER MGR
 PO BOX 246
 FIRTH ID 83236-0246

Priority Date: August 29, 1957

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	5.97 CFS	1,386.8 AF
		5.97 CFS	1,386.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSW Sec. 9 Twp 11S Rge 22E CASSIA County

GROUND WATER NWNW Sec. 16 Twp 11S Rge 22E 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	
11S 22E 8									40.0				40.0				80.0
11S 22E 9									40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0	315.0
11S 22E 16	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									310.0

Total Acres: 705

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 346.7 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 45-13516, 45-13518 and 45-13520 shall not exceed 10.79 cfs, nor total combined annual volume of 2,820 af.
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. Rights 45-13515, 45-13516, 45-13517, 45-13519, and 45-13520 are also diverted through the points of diversion described above.

WATER RIGHT NO. 45-13518
As Modified by Transfer No. 66580

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 66580, 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.
6. 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.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 18 day of March, 20 03


For Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13520
As Modified by Transfer No. 66580

In accordance with the approval of Transfer No. 66580, Water Right No. 45-13520 is now described as follows.

Right Holder: IDAHO SUPREME POTATOES INC
 C/O GIL DAYLEY TECH SER MGR
 PO BOX 246
 FIRTH ID 83236-0246

Priority Date: March 15, 1976

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	0.23 CFS	46.4 AF
			0.23 CFS	46.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 9 Twp 11S Rge 22E CASSIA County
GROUND WATER	NWNW	Sec. 16 Twp 11S Rge 22E 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					
11S	22E	8																	40.0			40.0	80.0
11S	22E	9									40.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0					315.0
11S	22E	16	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0													310.0

Total Acres: 705

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11.6 acres within the place of use described above in a single irrigation season.
2. Right 45-13520 is based upon an enlargement of Right 45-13516, pursuant to Section 42-1426, Idaho Code.
3. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
4. The total instantaneous diversion of water from all points of diversion under Rights 45-13516, 45-13518 and 45-13520 shall not exceed 10.79 cfs, nor total combined annual volume of 2,820 af.

WATER RIGHT NO. 45-13520
As Modified by Transfer No. 66580

CONDITIONS OF APPROVAL

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. Rights 45-13515, 45-13516, 45-13517, 45-13518, and 45-13519 are also diverted through the points of diversion described above.
7. Prior to the diversion and use of water under Transfer approval 66580, 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. 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.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
12. Approval of Transfer 66580 does not confirm Claimed Right 45-13520.

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 18 day of March, 2003

for 
Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13515
As Modified by Transfer No. 66580

In accordance with the approval of Transfer No. 66580, Water Right No. 45-13515 is now described as follows.

Right Holder: V THOMAS GEARY
 964 S 950 E
 ALBION ID 83311

Priority Date: November 17, 1953

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	0.18 CFS	53.2 AF
			0.18 CFS	53.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSW Sec. 9 Twp 11S Rge 22E CASSIA County

GROUND WATER NWNW Sec. 16 Twp 11S Rge 22E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
11S	22E	15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	27.0
								27.0											

Total Acres: 27

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 13.3 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 45-13515, 45-13517 and 45-13519 shall not exceed 0.41 cfs, nor total combined annual volume of 108 af.
3. Right 45-13519 is based on an enlargement of Right 45-13515, pursuant to Section 42-1426, Idaho Code.
4. 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.
5. Rights 45-13516, 45-13517, 45-13518, 45-13519, and 45-13520 are also diverted through the points of diversion described above.

WATER RIGHT NO. 45-13515
As Modified by Transfer No. 66580

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 66580, 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.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 18 day of March, 20 03

For _____
Chief Water Allocation Bureau

WATER RIGHT NO. 45-13517
As Modified by Transfer No. 66580

In accordance with the approval of Transfer No. 66580, Water Right No. 45-13517 is now described as follows.

Right Holder: V THOMAS GEARY
 964 S 950 E
 ALBION ID 83311

Priority Date: August 29, 1957

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	0.23 CFS	53.2 AF
			0.23 CFS	53.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 9 Twp 11S Rge 22E CASSIA County
GROUND WATER	NWNW	Sec. 16 Twp 11S Rge 22E 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	
11S 22E 15							27.0										27.0

Total Acres: 27

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 13.3 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 45-13515, 45-13517 and 45-13519 shall not exceed 0.41 cfs, nor total combined annual volume of 108 af.
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. Rights 45-13515, 45-13516, 45-13518, 45-13519, and 45-13520 are also diverted through the points of diversion described above.
5. Prior to the diversion and use of water under Transfer approval 66580, 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. 45-13517
As Modified by Transfer No. 66580

CONDITIONS OF APPROVAL

6. 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.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 18 day of March, 20 03

for 
Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13519
As Modified by Transfer No. 66580

In accordance with the approval of Transfer No. 66580, Water Right No. 45-13519 is now described as follows.

Right Holder: V THOMAS GEARY
 964 S 950 E
 ALBION ID 83311

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	0.01 CFS	1.6 AF
		0.01 CFS	1.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSW Sec. 9 Twp 11S Rge 22E CASSIA County

GROUND WATER NWNW Sec. 16 Twp 11S Rge 22E 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
11S 22E 15							27.0										27.0

Total Acres: 27

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.4 acres within the place of use described above in a single irrigation season.
2. Right 45-13519 is based upon an enlargement of Right 45-13515, pursuant to Section 42-1426, Idaho Code.
3. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
4. The total instantaneous diversion of water from all points of diversion under Rights 45-13515, 45-13517 and 45-13519 shall not exceed 0.41 cfs, nor total combined annual volume of 108 af.
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.

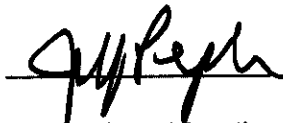
WATER RIGHT NO. 45-13519
As Modified by Transfer No. 66580

CONDITIONS OF APPROVAL

6. Rights 45-13515, 45-13516, 45-13517, 45-13518, and 45-13520 are also diverted through the points of diversion described above.
7. Prior to the diversion and use of water under Transfer approval 66580, 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. 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.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
12. Approval of Transfer 66580 does not confirm Claimed Right 45-13519.

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 18 day of March, 20 03



For Chief, Water Allocation Bureau