

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 86273**

This is to certify that: **B & B FARMS**  
2509 S 5500 W  
REXBURG, ID 83440

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 Changes**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 22-13797           | WR/DECREED          | 3/4/1974             | 0.680 cfs             | 289.9 af                | N/A               | 140.3              | GROUND WATER  |
| 22-13958           | WR/DECREED          | 1/25/1965            | 1.460 cfs             | 491.0 af                | 314.0             | 140.3              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 22-13797              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 22-13958              | NO           | 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. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 22-13797               | 22-13797                         | 0.680 cfs            | 289.9 af               | N/A               | 140.3              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 22-13958               | 22-13958                         | 1.460 cfs            | 491.0 af               | N/A               | 140.3              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>2.140 cfs</b>     | <b>491.0 af</b>        | <b>N/A</b>        | <b>140.3</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 3<sup>rd</sup> day of October, 2022.

  
\_\_\_\_\_  
Regional Manager

Transfer No. 86273

SCANNED  
OCT 04 2022

**WATER RIGHT NO. 22-13797**  
**As Modified by Transfer No. 86273**

In accordance with the approval of Transfer No. 86273, Water Right No. 22-13797 is now described as follows:

**Right Holder:** B & B FARMS  
C/O BRADLEY JENSEN  
2509 S 5500 W  
REXBURG, ID 83440

**Priority Date:** 3/4/1974

**Source:** GROUND WATER

|                              |                    |                  |                              |                                |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
| IRRIGATION                   | 04/01              | to 11/01         | 0.680 cfs                    | 289.9 af                       |
|                              |                    |                  | 0.680 cfs                    | 289.9 af                       |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      SENWSW                      Sec 32 Twp 06N Rge 40E    MADISON County

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW   |      |      |      | SW |     |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|------|------|----|-----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE   | NW   | SW   | SE   | NE | NW  | SW | SE | NE | NW | SW | SE |        |
| 06N | 40E | 32  |    |    |    |    | 35.0 | 36.0 | 35.0 | 34.0 |    | 0.3 |    |    |    |    |    |    | 140.3  |

POU Total Acres:                      140.3

**CONDITIONS OF APPROVAL**

1. Rights 22-13797 and 22-13958 when combined shall not exceed a total annual maximum diversion volume of 491 af at the field headgate, and the irrigation of 140.3 acres.
2. Use of water under this right may 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. 100.
3. Prior to the diversion and use of water under Transfer approval 86273, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

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**WATER RIGHT NO. 22-13797**  
**As Modified by Transfer No. 86273**

**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 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one 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 Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 22-13958**  
**As Modified by Transfer No. 86273**

In accordance with the approval of Transfer No. 86273, Water Right No. 22-13958 is now described as follows:

**Right Holder:** B & B FARMS  
C/O BRADLEY JENSEN  
2509 S 5500 W  
REXBURG, ID 83440

**Priority Date:** 1/25/1965

**Source:** GROUND WATER

|                              |                    |                  |                              |                                |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
| IRRIGATION                   | 04/01              | to 10/31         | 1.460 cfs                    | 491.0 af                       |
|                              |                    |                  | 1.460 cfs                    | 491.0 af                       |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      SENWSW                      Sec 32 Twp 06N Rge 40E    MADISON County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW   |      |      |      | SW |     |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|------|------|------|----|-----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW   | SW   | SE   | NE | NW  | SW | SE | NE | NW | SW | SE |        |
| 06N | 40E | 32  |    |    |    |    | 35.0 | 36.0 | 35.0 | 34.0 |    | 0.3 |    |    |    |    |    |    | 140.3  |

POU Total Acres:                      140.3

**CONDITIONS OF APPROVAL**

1. Rights 22-13797 and 22-13958 when combined shall not exceed a total annual maximum diversion volume of 491 af at the field headgate, and the irrigation of 140.3 acres.
2. Rights 22-13746 and 22-13958 when combined shall not exceed a total diversion rate of 1.46 cfs, and a total annual maximum diversion volume of 619.7 af at the field headgate.
3. Use of water under this right may 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. 100.
4. Prior to the diversion and use of water under Transfer approval 86273, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.

Transfer No.    86273

SCANNED  
OCT 04 2022

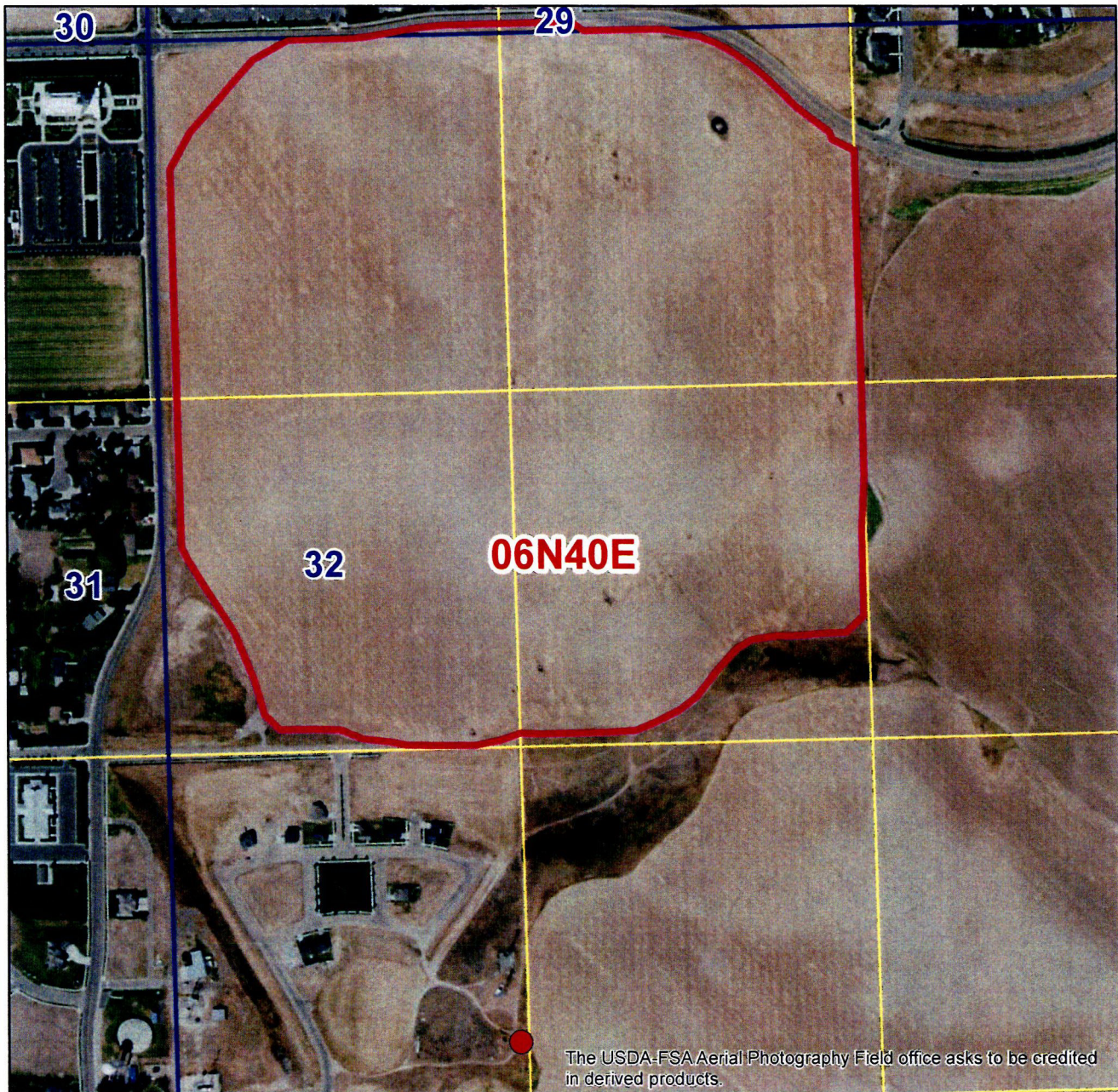
**WATER RIGHT NO. 22-13958**  
**As Modified by Transfer No. 86273**

**CONDITIONS OF APPROVAL**

5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. Right No. 22-13746 is an enlargement of this right pursuant to Idaho Code § 42-1426.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one 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 Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# Attachment to Transfer Approval 86273

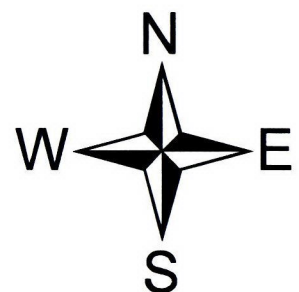
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



## Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 250 500 1,000 Feet



SCANNED  
Date: 10/3/2022  
OCT 04 2022