

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87631**

This is to certify that: **HERITAGE FARMS LLC**
2043 E CENTER ST
POCATELLO, ID 83201-3300

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>
35-2432D	WR/DECREED	8/17/1955	0.430 cfs	132.0 af	N/A	33.0	GROUND WATER
35-7208	WR/DECREED	2/4/1972	7.030 cfs	1570.0 af	N/A	392.5	GROUND WATER
35-7391D	WR/DECREED	3/13/1974	0.040 cfs	17.0 af	N/A	33.0	GROUND WATER
35-8636	WR/LICENSE	2/9/1987	4.000 cfs	960.0 af	240.0	290.0	GROUND WATER
35-8804B	WR/LICENSE	7/31/1989	1.060 cfs	200.0 af	50.0	290.0	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>
35-2432D	NO	NO	YES	NO	NO	NO
35-7208	YES	YES	YES	NO	NO	NO
35-7391D	NO	NO	YES	NO	NO	NO
35-8636	NO	NO	YES	NO	NO	NO
35-8804B	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>
35-2432D	35-2432D	0.430 cfs	132.0 af	33.0	344.0	N/A	N/A	N/A	N/A	N/A
35-7208	35-14824	0.370 cfs	84.0 af	21.0	344.0	35-7208	6.660 cfs	1486.0 af	N/A	371.5
35-7391D	35-7391D	0.040 cfs	17.0 af	33.0	344.0	N/A	N/A	N/A	N/A	N/A
35-8636	35-8636	4.000 cfs	960.0 af	240.0	344.0	N/A	N/A	N/A	N/A	N/A
35-8804B	35-8804B	1.060 cfs	200.0 af	50.0	344.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		5.900 cfs	1376.0 af	344.0	344.0		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 87631

IN FILE # 35-2432 D

SCANNED

MAY 12 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87631

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 11th day of May, 2023

[Signature]
Regional Manager

Transfer No. 87631

SUPPORT DATA
IN FILE # 35-2432 D

SCANNED
MAY 12 2023

WATER RIGHT NO. 35-8636**As Modified by Transfer No. 87631**

In accordance with the approval of Transfer No. 87631, Water Right No. 35-8636 is now described as follows:

Right Holder: HERITAGE FARMS LLC
2043 E CENTER ST
POCATELLO, ID 83201-3300

Priority Date: 2/9/1987

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	4.000 cfs	960.0 af
			4.000 cfs	960.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec 25 Twp 07S Rge 29E POWER 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	
07S	29E	25											34.0	40.0			19.0	18.0	111.0
07S	29E	36	39.0	39.0	10.0	10.0	40.0	40.0	27.5	27.5									233.0

Right Acre Limit: 240.0

POU Total Acres: 344.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 240 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2432D, 35-7391D, 35-8636, 35-8804B, and 35-14824 when combined shall not exceed a total diversion rate of 5.90 cfs, a total annual maximum diversion volume of 1376 af at the field headgate, and the irrigation of 344 acres.
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. 120.
4. Prior to the diversion and use of water under Transfer approval 87631, 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. 87631

SCANNED
MAY 12 2023

WATER RIGHT NO. 35-8636
As Modified by Transfer No. 87631

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. 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.
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.

Transfer No. 87631

SCANNED
MAY 12 2023

WATER RIGHT NO. 35-8804B**As Modified by Transfer No. 87631**

In accordance with the approval of Transfer No. 87631, Water Right No. 35-8804B is now described as follows:

Right Holder: HERITAGE FARMS LLC
2043 E CENTER ST
POCATELLO, ID 83201-3300

Priority Date: 7/31/1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	1.060 cfs	200.0 af
			1.060 cfs	200.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec 25 Twp 07S Rge 29E POWER 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	
07S	29E	25											34.0	40.0			19.0	18.0	111.0
07S	29E	36	39.0	39.0	10.0	10.0	40.0	40.0	27.5	27.5									233.0

Right Acre Limit: 50.0

POU Total Acres: 344.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2432D, 35-7391D, 35-8636, 35-8804B, and 35-14824 when combined shall not exceed a total diversion rate of 5.90 cfs, a total annual maximum diversion volume of 1376 af at the field headgate, and the irrigation of 344 acres.
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. 120.
4. Prior to the diversion and use of water under Transfer approval 87631, 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. 87631

SCANNED

MAY 12 2023

WATER RIGHT NO. 35-8804B
As Modified by Transfer No. 87631

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. 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.
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.

WATER RIGHT NO. 35-7208
As Modified by Transfer No. 87631

In accordance with the approval of Transfer No. 87631, Water Right No. 35-7208 is now described as follows:

Right Holder: HERITAGE FARMS LLC
 2043 E CENTER ST
 POCATELLO, ID 83201-3300

Priority Date: 2/4/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	6.660 cfs	1486.0 af
			6.660 cfs	1486.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENWNW	Sec 30 Twp 07S Rge 30E	POWER County
GROUND WATER	SWSW	Sec 30 Twp 07S Rge 30E	POWER 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	
07S	30E	30					39.0	33.5	40.0	40.0	40.0	40.0	40.0	40.0					312.5
07S	30E	31					19	40											59

POU Total Acres: 371.5

CONDITIONS OF APPROVAL

- 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.

Transfer No. 87631

SCANNED
 MAY 12 2023

WATER RIGHT NO. 35-14824**As Modified by Transfer No. 87631**

In accordance with the approval of Transfer No. 87631, Water Right No. 35-14824 is now described as follows:

Right Holder: HERITAGE FARMS LLC
2043 E CENTER ST
POCATELLO, ID 83201-3300

Priority Date: 2/4/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	0.370 cfs	84.0 af
			0.370 cfs	84.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec 25 Twp 07S Rge 29E POWER 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	
07S	29E	25											34.0	40.0			19.0	18.0	111.0
07S	29E	36	39.0	39.0	10.0	10.0	40.0	40.0	27.5	27.5									233.0

Right Acre Limit: 21.0

POU Total Acres: 344.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 21 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2432D, 35-7391D, 35-8636, 35-8804B, and 35-14824 when combined shall not exceed a total diversion rate of 5.90 cfs, a total annual maximum diversion volume of 1376 af at the field headgate, and the irrigation of 344 acres.
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. 120.
4. Prior to the diversion and use of water under Transfer approval 87631, 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. 87631

SCANNED
JUL 12 2023

WATER RIGHT NO. 35-14824
As Modified by Transfer No. 87631

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. 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 place of use.
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. 35-2432D
As Modified by Transfer No. 87631

In accordance with the approval of Transfer No. 87631, Water Right No. 35-2432D is now described as follows:

Right Holder: HERITAGE FARMS LLC
 2043 E CENTER ST
 POCATELLO, ID 83201-3300

Priority Date: 8/17/1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.430 cfs	132.0 af
			0.430 cfs	132.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec 25 Twp 07S Rge 29E POWER 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	
07S	29E	25											34.0	40.0			19.0	18.0	111.0
07S	29E	36	39.0	39.0	10.0	10.0	40.0	40.0	27.5	27.5									233.0

Right Acre Limit: 33.0

POU Total Acres: 344.0

CONDITIONS OF APPROVAL

1. Rights 35-2432D and 35-7391D when combined shall not exceed a total annual maximum diversion volume of 132 af at the field headgate and the irrigation of 33 acres.
2. Rights 35-2432D, 35-7391D, 35-8636, 35-8804B, and 35-14824 when combined shall not exceed a total diversion rate of 5.90 cfs, a total annual maximum diversion volume of 1376 af at the field headgate, and the irrigation of 344 acres.
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. 120.
4. Prior to the diversion and use of water under Transfer approval 87631, 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. 87631

SCANNED

MAY 12 2023

WATER RIGHT NO. 35-2432D
As Modified by Transfer No. 87631

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. 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 place of use.
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.

Transfer No. 87631

SCANNED

MAY 12 2023

WATER RIGHT NO. 35-7391D

As Modified by Transfer No. 87631

In accordance with the approval of Transfer No. 87631, Water Right No. 35-7391D is now described as follows:

Right Holder: HERITAGE FARMS LLC
2043 E CENTER ST
POCATELLO, ID 83201-3300

Priority Date: 3/13/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.040 cfs 0.040 cfs	17.0 af 17.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec 25 Twp 07S Rge 29E POWER 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	
07S	29E	25											34.0	40.0			19.0	18.0	111.0
07S	29E	36	39.0	39.0	10.0	10.0	40.0	40.0	27.5	27.5									233.0

Right Acre Limit: 33.0
POU Total Acres: 344.0

CONDITIONS OF APPROVAL

1. Rights 35-7391D and 35-2432D when combined shall not exceed a total annual maximum diversion volume of 132 af at the field headgate and the irrigation of 33 acres.
2. Rights 35-2432D, 35-7391D, 35-8636, 35-8804B, and 35-14824 when combined shall not exceed a total diversion rate of 5.90 cfs, a total annual maximum diversion volume of 1376 af at the field headgate, and the irrigation of 344 acres.
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. 120.
4. Prior to the diversion and use of water under Transfer approval 87631, 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. 87631

SCANNED

MAY 12 2013

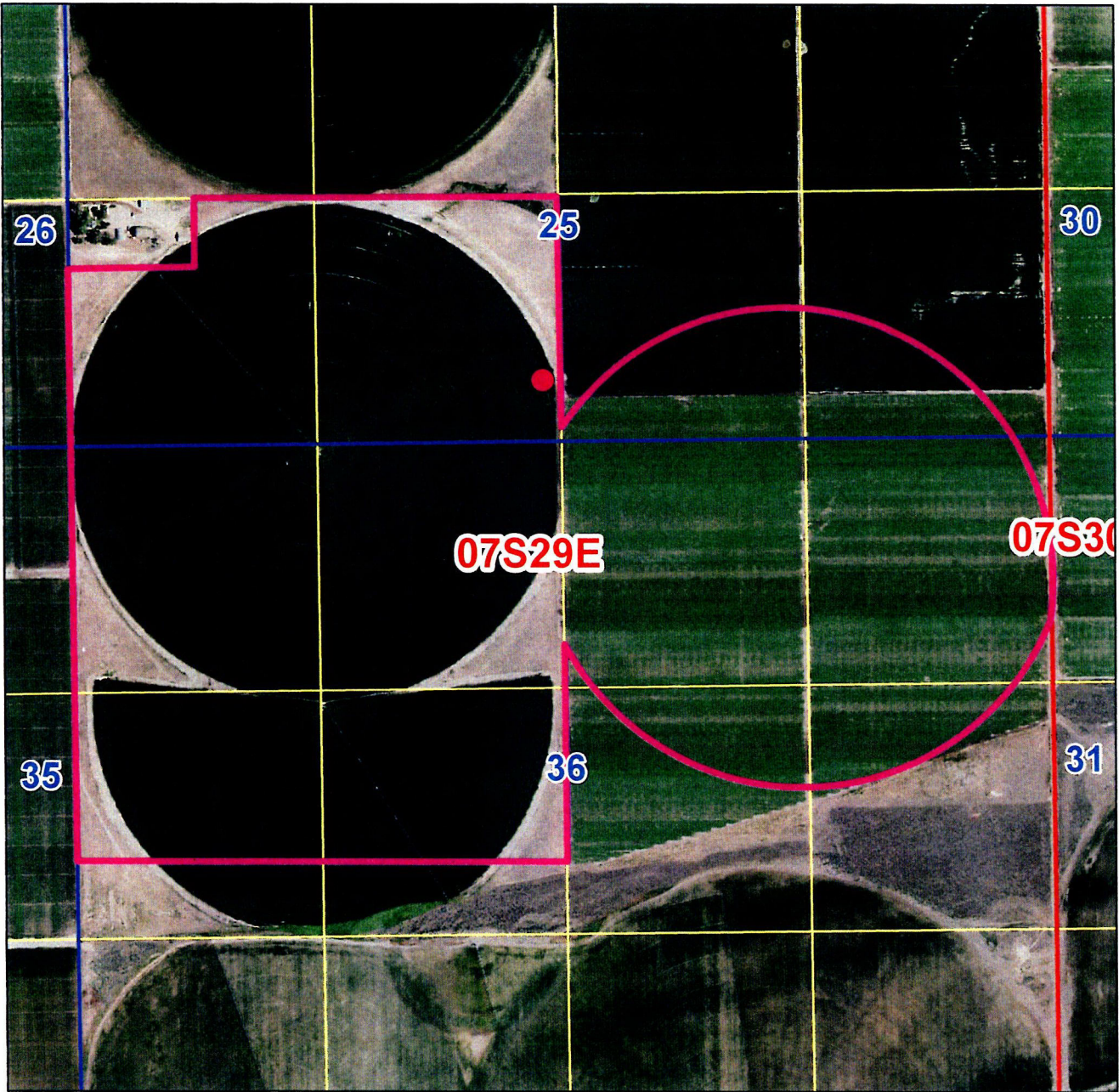
WATER RIGHT NO. 35-7391D
As Modified by Transfer No. 87631

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. 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 place of use.
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.

Attachment to Transfer Approval 87631

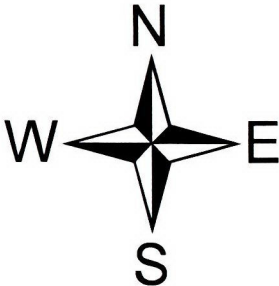
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

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

0 375 750 1,500 Feet



SCANNED
MAY 17 2023

Date: 5/11/2023