

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87236**

This is to certify that: **BUCKEYE FARMS INC**
PO BOX 269
HAGERMAN, ID 83332-0269
AND
OLD CURRAN RANCH LLC
PO BOX 3398
HAILEY, ID 83333

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>
36-15	WR/DECREED	3/8/1902	1.880 cfs	N/A	140.0	140.0	WEATHERBY SPRINGS
36-16831	WR/DECREED	9/10/1884	8.730 cfs	N/A	209.6	242.2	BILLINGSLEY CREEK
36-16857	WR/DECREED	2/15/1946	14.100 cfs	56.0 af	54.0	241.0	BILLINGSLEY CREEK
36-18	WR/DECREED	4/1/1917	5.800 cfs	N/A	140.0	140.0	BILLINGSLEY CREEK

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>
36-15	NO	NO	YES	NO	NO	NO
36-16831	NO	NO	YES	NO	NO	NO
36-16857	NO	NO	YES	NO	NO	NO
36-18	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>
36-15	36-15	1.880 cfs	N/A	140.0	430.2	N/A	N/A	N/A	N/A	N/A
36-16831	36-16831	8.730 cfs	N/A	209.6	430.2	N/A	N/A	N/A	N/A	N/A
36-16857	36-16857	14.100 cfs	N/A	54.0	430.2	N/A	N/A	N/A	N/A	N/A
36-18	36-18	5.800 cfs	N/A	140.0	430.2	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		30.510 cfs	N/A	242.2	430.2		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 36-15

Transfer No. 87236

SCANNED

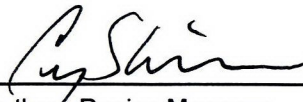
FEB 08 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87236

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 31ST day of January, 2023.



Southern Region Manager



WATER RIGHT NO. 36-15
As Modified by Transfer No. 87236

In accordance with the approval of Transfer No. 87236, Water Right No. 36-15 is now described as follows:

Right Holder: BUCKEYE FARMS INC
 PO BOX 269
 HAGERMAN, ID 83332-0269

Priority Date: 3/8/1902

Source: WEATHERBY SPRINGS

Tributary: BILLINGSLEY CREEK

BENEFICIAL USE

IRRIGATION

From

2/15

To

to 11/30

Diversion Rate

1.880 cfs

1.880 cfs

LOCATION OF POINT(S) OF DIVERSION

WEATHERBY SPRINGS

SENESEW

Sec 30 Twp 07S Rge 14E GOODING 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	13E	23			0.2				0.3	0.7	39.0	40.0	40.0	40.0		23.0	38.0	7.0	228.2
07S	13E	26		25.0	15.0		40.0	30.0		40.0	40.0					12.0			202.0

Right Acre Limit: 140.0

POU Total Acres: 430.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
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. 36A.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Rights 36-15 and 36-18 when combined shall not exceed a total irrigation of 140 acres in any one season.
5. Rights 36-15, 36-18, 36-16857 and 36-16831 when combined shall not exceed a total irrigation of 242.2 acres in any one season.

Transfer No. 87236

SCANNED

FEB 08 2023

WATER RIGHT NO. 36-15
As Modified by Transfer No. 87236

CONDITIONS OF APPROVAL

6. Rights 36-15, 36-18, 36-16857, and 36-16831 are limited to the irrigation of a specific 242.2 acres within the 430.2 acre place of use authorized by this right in a single irrigation season. The specific 242.2 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 242.2 acres to be irrigated within the 430.2 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
7. Rights 36-15, 36-18, 36-16857, 36-16831, 36-16856 and 36-16834 when combined shall not exceed a total irrigation of 251.2 acres in any one season.
8. Rights 36-16987, 36-00015, 36-08728 and 36-07740 when combined shall not exceed a total diversion rate of 6.5 cfs.
9. Water is delivered through the Bar S Ditch, Curren Ditch and North pipeline.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 36-18
As Modified by Transfer No. 87236

In accordance with the approval of Transfer No. 87236, Water Right No. 36-18 is now described as follows:

Right Holder: BUCKEYE FARMS INC
 PO BOX 269
 HAGERMAN, ID 83332-0269

Priority Date: 4/1/1917

Source: BILLINGSLEY CREEK **Tributary:** SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	2/15	to 11/30	5.800 cfs 5.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BILLINGSLEY CREEK NESWNE Sec 31 Twp 07S Rge 14E GOODING 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	13E	23			0.2				0.3	0.7	39.0	40.0	40.0	40.0		23.0	38.0	7.0	228.2
07S	13E	26		25.0	15.0		40.0	30.0		40.0	40.0					12.0			202.0

Right Acre Limit: 140.0

POU Total Acres: 430.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
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. 36A.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Rights 36-15 and 36-18 when combined shall not exceed a total irrigation of 140 acres in any one season.
5. Rights 36-15, 36-18, 36-16857 and 36-16831 when combined shall not exceed a total irrigation of 242.2 acres in any one season.

Transfer No. 87236

SCANNED

FEB 08 2023

WATER RIGHT NO. 36-18
As Modified by Transfer No. 87236

CONDITIONS OF APPROVAL

6. Rights 36-15, 36-18, 36-16857 and 36-16831 are limited to the irrigation of a specific 242.2 acres within the 430.2 acre place of use authorized by this right in a single irrigation season. The specific 242.2 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 242.2 acres to be irrigated within the 430.2 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
7. Rights 36-15, 36-18, 36-16857, 36-16831, 36-16856 and 36-16834 when combined shall not exceed a total irrigation of 251.2 acres in any one season.
8. Rights 36-16988, 36-00018, 36-08730 and 36-07742 when combined shall not exceed a total diversion rate of 20 cfs.
9. Water is delivered through the Curren Ditch and North Pipeline.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 36-16831**As Modified by Transfer No. 87236**

In accordance with the approval of Transfer No. 87236, Water Right No. 36-16831 is now described as follows:

Right Holder: OLD CURRAN RANCH LLC
PO BOX 3398
HAILEY, ID 83333

Priority Date: 9/10/1884

Source: BILLINGSLEY CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

02/15
01/01

To

to 11/30
to 12/31

Diversion Rate

8.730 cfs
0.030 cfs
8.730 cfs

LOCATION OF POINT(S) OF DIVERSION

BILLINGSLEY CREEK

NESWNE

Sec 31 Twp 07S Rge 14E GOODING 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	13E	23			0.2				0.3	0.7	39.0	40.0	40.0	40.0		23.0	38.0	7.0	228.2
07S	13E	26		25.0	15.0		40.0	30.0		40.0	40.0					12.0			202.0

Right Acre Limit: 209.6

POU Total Acres: 430.2

PLACE OF USE: STOCKWATER

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	13E	23														X			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 209.6 acres within the authorized place of use in a single irrigation season.
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. 36A.

Transfer No. 87236

SCANNED

FEB 08 2023

WATER RIGHT NO. 36-16831

As Modified by Transfer No. 87236

CONDITIONS OF APPROVAL

3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. The operation and administration of this water right is also subject to the terms and conditions of the following contractual agreement: The water right agreement entered into on September 16, 1998, between Western Legends LC and The Magic Valley Ground Water District, North Snake Ground Water District, American Falls-Aberdeen Ground Water District, Bingham Ground Water District, The Idaho Ground Water Appropriators, Inc., and Cranney Bros., filed of record in the office of the Gooding County clerk and recorded on September 28, 1998, as instrument No. 177310; the provisions of such agreement (including, without limitation, paragraphs 4.A – 4.F, 5 and 7 thereof) to apply fully to this water right notwithstanding the fact that the agreement may contain references to source of water for this right, acres, priority dates, or other matters of that differ from those specified herein.
5. Rights 36-15, 36-18, 36-16857, 36-16831, 36-16856 and 36-16834 when combined shall not exceed a total irrigation of 251.2 acres in any one season.
6. Rights 36-16831 and 36-16857 when combined shall not exceed the irrigation of 242.2 acres.
7. Rights 36-15, 36-18, 36-16857 and 36-16831 when combined shall not exceed a total irrigation of 242.2 acres in any one season.
8. Rights 36-15, 36-18, 36-16857 and 36-16831 are limited to the irrigation of a specific 242.2 acres within the 430.2 acre place of use authorized by this right in a single irrigation season. The specific 242.2 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 242.2 acres to be irrigated within the 430.2 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
9. Rights 36-16831, 36-16857, 36-16832, 36-16833, 36-16835, and 36-17109 when combined shall not exceed a total diversion rate of 14.58 cfs.
10. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described, so long as the quantity diverted at the point of diversion does not constitute unreasonable waste.
11. Water is delivered through the Curren Ditch.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. 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. 36-16831
As Modified by Transfer No. 87236

CONDITIONS OF APPROVAL

14. 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. 36-16857
As Modified by Transfer No. 87236

In accordance with the approval of Transfer No. 87236, Water Right No. 36-16857 is now described as follows:

Right Holder: OLD CURRAN RANCH LLC
 PO BOX 3398
 HAILEY, ID 83333

Priority Date: 2/15/1946

Source: BILLINGSLEY CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
DIVERSION TO STORAGE	01/01	to 12/31	14.100 cfs	
IRRIGATION	02/15	to 11/30	1.950 cfs	
WILDLIFE	01/01	to 12/31	14.100 cfs	
WILDLIFE STORAGE	01/01	to 12/31	14.100 cfs	56.0 af

LOCATION OF POINT(S) OF DIVERSION

BILLINGSLEY CREEK NESWNE Sec 31 Twp 07S Rge 14E GOODING 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	13E	23			0.2				0.3	0.7	39.0	40.0	40.0	40.0		23.0	38.0	7.0	228.2
07S	13E	26		25.0	15.0		40.0	30.0		40.0	40.0					12.0			202.0

Right Acre Limit: 54.0
 POU Total Acres: 430.2

PLACE OF USE: WILDLIFE

			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	13E	23															X		
07S	13E	26								X									

PLACE OF USE: WILDLIFE STORAGE

			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	13E	23															X		
07S	13E	26								X									

Transfer No. 87236

SCANNED
 FEB 08 2023

WATER RIGHT NO. 36-16857
As Modified by Transfer No. 87236

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 54.0 acres within the authorized place of use in a single irrigation season.
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. 36A.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Rights 36-16831 and 36-16857 when combined shall not exceed the irrigation of 242.2 acres.
5. Rights 36-15, 36-18, 36-16857 and 36-16831 when combined shall not exceed a total irrigation of 242.2 acres in any one season.
6. Rights 36-15, 36-18, 36-16857 and 36-16831 are limited to the irrigation of a specific 242.2 acres within the 430.2 acre place of use authorized by this right in a single irrigation season. The specific 242.2 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 242.2 acres to be irrigated within the 430.2 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
7. Rights 36-15, 36-18, 36-16857, 36-16831, 36-16856 and 36-16834 when combined shall not exceed a total irrigation of 251.2 acres in any one season.
8. Rights 36-16831, 36-16857, 36-16832, 36-16833, 36-16835, and 36-17109 when combined shall not exceed a total diversion rate of 14.58 cfs.
9. The operation and administration of this water right is also subject to the terms and conditions of the following contractual agreement: The water right agreement entered into on September 16, 1998, between Western Legends LC and The Magic Valley Ground Water District, North Snake Ground Water District, American Falls-Aberdeen Ground Water District, Bingham Ground Water District, The Idaho Ground Water Appropriators, Inc., and Cranney Bros., filed of record in the office of the Gooding County clerk and recorded on September 28, 1998, as instrument No. 177310; the provisions of such agreement (including, without limitation, paragraphs 4.A – 4.F, 5 and 7 thereof) to apply fully to this water right notwithstanding the fact that the agreement may contain references to source of water for this right, acres, priority dates, or other matters of that differ from those specified herein.
10. Water is delivered through the Curren Ditch.
11. Storage capacity is 56.0 AF.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 36-16857
As Modified by Transfer No. 87236

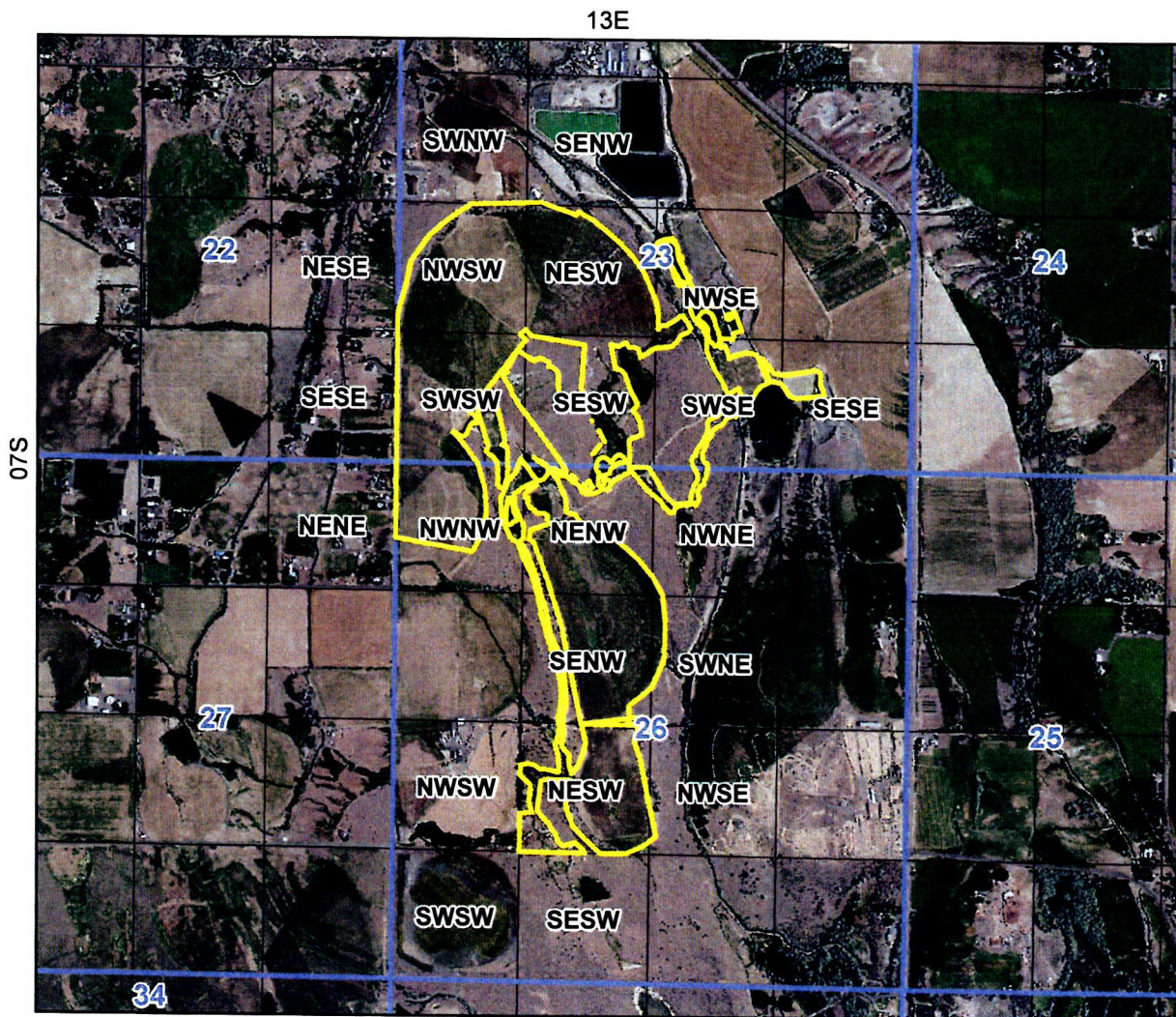
CONDITIONS OF APPROVAL

13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.



State of Idaho
Department of Water Resources
Attachment to Transfer # 87236
36-15, 36-18, 36-16831, and 36-16857

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



0 0.225 0.45 0.9 Miles

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



SCANNED
FEB 08 2023