

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87434**

This is to certify that: **DESERT DEEP PROPERTIES LLC**
1344 N 1900 E
TERRETON, ID 83459

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>
31-2328	WR/DECREED	7/3/1953	5.000 cfs	1400.0 af	400.0	596.0	GROUND WATER
31-2360	WR/DECREED	1/2/1957	2.680 cfs	749.0 af	214.0	596.0	GROUND WATER
31-2375B	WR/DECREED	10/10/1960	0.740 cfs	140.0 af	40.0	596.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

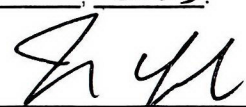
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
31-2328	NO	NO	YES	NO	NO	NO
31-2360	NO	NO	YES	NO	NO	NO
31-2375B	NO	NO	YES	NO	NO	NO

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>
31-2328	31-2328	5.000 cfs	1400.0 af	400.0	596.0	N/A	N/A	N/A	N/A	N/A
31-2360	31-2360	2.680 cfs	749.0 af	214.0	596.0	N/A	N/A	N/A	N/A	N/A
31-2375B	31-2375B	0.740 cfs	140.0 af	40.0	596.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		8.420 cfs	2289.0 af	596.0	596.0		N/A	N/A	N/A	N/A

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 27th day of January, 2023.



Regional Manager

SUPPORT DATA

Transfer No. 87434

IN FILE # 31-2328

SCANNED

JAN 27 2023

WATER RIGHT NO. 31-2328**As Modified by Transfer No. 87434**

In accordance with the approval of Transfer No. 87434, Water Right No. 31-2328 is now described as follows:

Right Holder: DESERT DEEP PROPERTIES LLC
1344 N 1900 E
TERRETON, ID 83459

Priority Date: 7/3/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	5.000 cfs	1400.0 af
			5.000 cfs	1400.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 23 Twp 06N Rge 35E	JEFFERSON County
GROUND WATER	SWNENW	Sec 26 Twp 06N Rge 35E	JEFFERSON 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	35E	23	23.0	30.0	19.0	32.0	33.0	36.0	38.0	33.0	34.0	34.0	33.0	34.0					379.0
06N	35E	26					33.0	39.0	39.0	34.0	34.0	38.0							217.0

Right Acre Limit: 400.0

POU Total Acres: 596.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 400.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2328, 31-2360, and 31-2375B when combined shall not exceed a total diversion rate of 8.42 cfs, a total annual maximum diversion volume of 2086.0 af at the field headgate, and the irrigation of 596.0 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. 110.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 87434

SCANNED
JAN 27 2023

WATER RIGHT NO. 31-2328

As Modified by Transfer No. 87434

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 87434, 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.
6. 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.
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. The right holder shall accomplish the change authorized by this transfer within one 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. 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. 31-2360**As Modified by Transfer No. 87434**

In accordance with the approval of Transfer No. 87434, Water Right No. 31-2360 is now described as follows:

Right Holder: DESERT DEEP PROPERTIES LLC
1344 N 1900 E
TERRETON, ID 83459

Priority Date: 1/2/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	2.680 cfs	749.0 af
			2.680 cfs	749.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 23 Twp 06N Rge 35E	JEFFERSON County
GROUND WATER	SWNENW	Sec 26 Twp 06N Rge 35E	JEFFERSON 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	35E	23	23.0	30.0	19.0	32.0	33.0	36.0	38.0	33.0	34.0	34.0	33.0	34.0					379.0
06N	35E	26					33.0	39.0	39.0	34.0	34.0	38.0							217.0

Right Acre Limit: 214.0

POU Total Acres: 596.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 214.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2328, 31-2360, 31-2375B when combined shall not exceed a total diversion rate of 8.42 cfs, a total annual maximum diversion volume of 2086.0 af at the field headgate, and the irrigation of 596.0 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. 110.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 87434

SCANNED

JAN 27 2023

WATER RIGHT NO. 31-2360
As Modified by Transfer No. 87434

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 87434, 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.
6. 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.
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. The right holder shall accomplish the change authorized by this transfer within one 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. 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. 31-2375B**As Modified by Transfer No. 87434**

In accordance with the approval of Transfer No. 87434, Water Right No. 31-2375B is now described as follows:

Right Holder: DESERT DEEP PROPERTIES LLC
1344 N 1900 E
TERRETON, ID 83459

Priority Date: 10/10/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.740 cfs	140.0 af
			0.740 cfs	140.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 23 Twp 06N Rge 35E	JEFFERSON County
GROUND WATER	SWNENW	Sec 26 Twp 06N Rge 35e	JEFFERSON 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	35E	23	23.0	30.0	19.0	32.0	33.0	36.0	38.0	33.0	34.0	34.0	33.0	34.0					379.0
06N	35E	26					33.0	39.0	39.0	34.0	34.0	38.0							217.0

Right Acre Limit: 40.0
POU Total Acres: 596.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2328, 31-2360, and 31-2375B when combined shall not exceed a total diversion rate of 8.42 cfs, a total annual maximum diversion volume of 2086 af at the field headgate, and the irrigation of 596.0 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. 110.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 87434

SCANNED

JAN 27 2023

WATER RIGHT NO. 31-2375B
As Modified by Transfer No. 87434

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 87434, 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.
6. 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.
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. The right holder shall accomplish the change authorized by this transfer within one 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. 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 87434

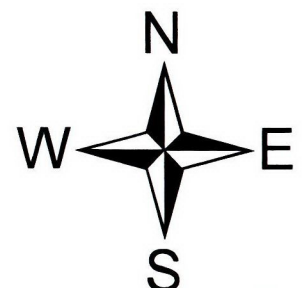
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

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

0 750 1,500 3,000 Feet



SCANNED

Date: 1/27/2023
JAN 27 2023