



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

July 2, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

AREVA NC INC
4800 HAMPDEN LANE STE 1100
BETHESDA MD 20814

GOLD EMBLEM FARMS
PO BOX 51780
IDAHO FALLS ID 83405

RE: Transfer No.: 75268
Water Right No(s): 35-2642
Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's homepage on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-525-7161.

Sincerely,



Ernest Carlsen

Water Resource Program Manager

Enclosure(s)

EC:sc

CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2009 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 75268
WATER RIGHTS NOS. 35-2642

AREVA NC INC
4800 HAMPDEN LANE STE 1100
BETHESDA MD 20814

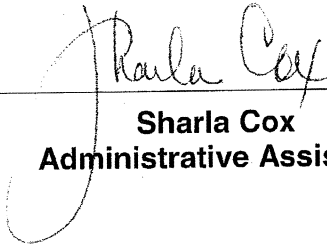
PERKINS COLE LLP
C/O ERIKA MALMEN
251 E FRONT ST STE 400
BOISE ID 83702

ROCKY MOUNTAIN ENVIRONMENTAL ASSOCIATES
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402

AREVA NC INC
4800 HAMPDEN LANE STE 1100
BETHESDA MD 20814

GOLD EMBLEM FARMS
PO BOX 51780
IDAHO FALLS ID 83405

WATER DISTRICT 120
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402



Sharla Cox
Administrative Assistant

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75268**

This is to certify that: AREVA NC INC
4800 HAMPDEN LANE STE 1100
BETHESDA MD 20814

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>
35-2642	WR/Decreed	02/14/1961	7.18 cfs	2400 af	600.0	1,112.0	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>
35-2642	YES	YES	YES	YES	YES	YES

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>
35-2642	35-13855	0.76 cfs	526.8 af	N/A	5.0	35-13854	5.16 cfs	1726af	431.5	1,112.0

COMBINED

TOTALS	0.76 cfs	526.8 af	N/A	5.0	N/A	N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 29 day of June, 2009

Ernest Carlson
for _____
Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13855
As Modified by Transfer No. 75268

In accordance with the approval of Transfer No. 75268, Water Right No. 35-13855 is now described as follows.

Right Holder: GOLD EMBLEM FARMS
 PO BOX 51780
 IDAHO FALLS ID 83405

Priority Date: February 14, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	0.06 CFS	20.0 AF
INDUSTRIAL	01/01 to	12/31	0.70 CFS	506.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 13 Twp 03N	Rge 34E	BONNEVILLE County
GROUND WATER	NESW	Sec. 13 Twp 03N	Rge 34E	BONNEVILLE County
GROUND WATER	NWNW	Sec. 15 Twp 03N	Rge 34E	BONNEVILLE County
GROUND WATER	SWNE	Sec. 22 Twp 03N	Rge 34E	BONNEVILLE County
GROUND WATER	NWNW	Sec. 23 Twp 03N	Rge 34E	BONNEVILLE County
GROUND WATER	NWSW	Sec. 24 Twp 03N	Rge 34E	BONNEVILLE County
GROUND WATER	SWSW	Sec. 25 Twp 03N	Rge 34E	BONNEVILLE 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	
03N 34E 14													.6	.6	.6	.7	2.5
03N 34E 26															2.5		2.5

Total Acres: 5

0.7 cf = 5.24 gal

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 34E 13	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
03N 34E 14	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
03N 34E 15	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
03N 34E 21	X	X	X	X													
03N 34E 22	X	X	X	X	X	X	X	X									X
03N 34E 23	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	
03N 34E 24		X			X	X	X	X	X	X	X	X	X	X	X		
03N 34E 25					X	X	X	X	X	X	X	X					
03N 34E 26	X	X	X	X	X			X	X					X	X	X	

5.24 gps = 314.4 gpm = 452,736 g/day

0.06 cf = 0.45 gal

0.45 g/s = 27 gpm = 38,880 g/day

WATER RIGHT NO. 35-13855
As Modified by Transfer No. 75268

CONDITIONS OF APPROVAL

1. Use of water under this right will 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.
2. 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.
3. Prior to diversion and use of water under Transfer approval 75268, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
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.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. Industrial use is for the operation of a fuel cycle facility and associated offices.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. This right does not grant any right-of-way or easement across the land of another.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. The right holder shall accomplish the change authorized by this transfer within five year(s) of the date of this approval. Failure to accomplish the changes authorized by this transfer before the five year period expires could result in forfeiture of the water right.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 29 day of June, 2009

Ernest Carlson
for Chief, Water Allocation Bureau