

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4413

WATER RIGHT NO(S). 35-02078/35-02104B/35-02726 & CLAIM NO. A35-12344

This is to certify that: **CARL PHILLIPS**
NOLA PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 35-02078 : IRRIGATION Priority: 08/26/1947	04/01 to 10/31	2.10 CFS	420.0 AF
Right No. 35-02104B : IRRIGATION Priority: 08/03/1948	04/01 to 10/31	1.10 CFS	220.0 AF
Right No. 35-02726 : IRRIGATION Priority: 07/03/1963	04/01 to 10/31	1.30 CFS	260.0 AF
Claim No. A35-12344 : IRRIGATION Priority: 05/01/1971	04/01 to 10/31	1.10 CFS	292.0 AF
TOTAL:		* 4.50 CFS	1,192.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 7, Township 05S, Range 31E
NENE , Sec. 18, Township 05S, Range 31E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	31E	7	NESE 34	NWSE 35	SWSE 32	
			SESE 39			140
	18		NENE 39	NWNE 39	SWNE 40	
			SENE 40			158

Total number of acres irrigated: ** 298

MAY 22 1999

TRANSFER NO. 4413

WATER RIGHT NO(S). 35-02078/35-02104B/35-02726 & CLAIM NO. A35-12344

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
6. Approval of this transfer in no way confirms the right(s) claimed.
7. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
8. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 11. The total instantaneous diversion of water from all points of diversion under Transfer No. 4413 shall not exceed 4.50 cfs, nor total combined annual volume of 1,192 af.
- ** 12. Right No. 35-02078 is limited to the irrigation of 105 acres in the place of use described above in a single irrigation season.
- ** 13. Right No. 35-02104B is limited to the irrigation of 55 acres in the place of use described above in a single irrigation season.
- ** 14. Right No. 35-02726 is limited to the irrigation of 65 acres in the place of use described above in a single irrigation season.
- ** 15. Claim No. A35-12344 is limited to the irrigation of 73 acres in the place of use described above in a single irrigation season.

MAY 22 1996

TRANSFER NO. 4413

WATER RIGHT NO(S). 35-02078/35-02104B/35-02726 & CLAIM NO. A35-12344

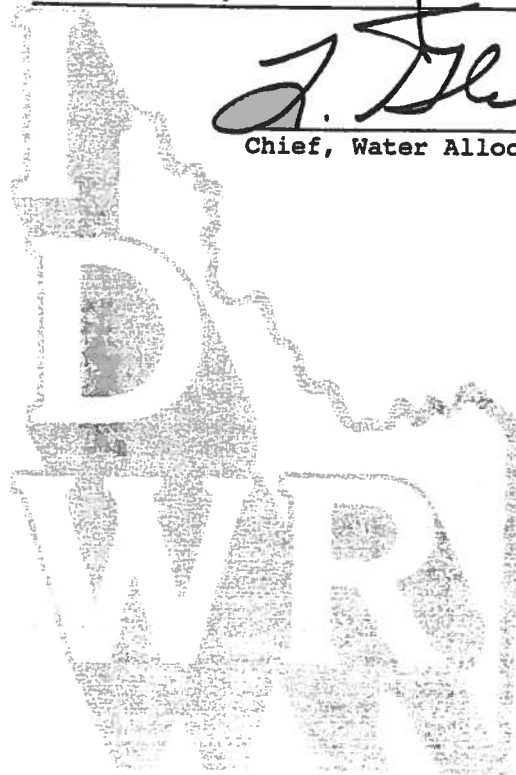
CONDITIONS OF APPROVAL AND REMARKS

- * 16. Right Nos. 35-02078, 35-02104B, 35-02726 and Claim No. A35-12344 when combined shall not exceed a total combined diversion rate of 4.50 cfs.

Dated this 13th day of

May, 1996

J. Glen Saylor
Chief, Water Alloc. Bureau



RECEIVED

MAY 22 1996