STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84459

This is to certify that: ROSCOE & JOYCE WARD FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
43-10820	WR/DECREED	4/1/1872	4.800 cfs	N/A	240.0	390.0	RAFT RIVER
43-2411	WR/DECREED	8/11/1954	5.680 cfs	1440.0 af	360.0	390.0	GROUND WATER
43-280	WR/DECREED	4/1/1879	4.800 cfs	N/A	240.0	390.0	RAFT RIVER
43-4181	WR/DECREED	3/15/1956	2.070 cfs	120.0 af	360.0	390.0	GROUND WATER
43-47B	WR/DECREED	4/1/1872	1.820 cfs	N/A	91.0	390.0	RAFT RIVER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-10820	NO	NO	YES	NO	NO	NO
43-2411	NO	NO	YES	NO	NO	NO
43-280	NO	NO	YES	NO	NO	NO
43-4181	NO	NO	YES	NO	NO	NO
43-47B	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-10820	43-10820	4.800 cfs	N/A	240.0	390.0	N/A	N/A	N/A	N/A	N/A
43-2411	43-2411	5.680 cfs	1440.0 af	360.0	390.0	N/A	N/A	N/A	N/A	N/A
43-280	43-280	4.800 cfs	N/A	240.0	390.0	N/A	N/A	N/A	N/A	N/A
43-4181	43-4181	2.070 cfs	120.0 af	360.0	390.0	N/A	N/A	N/A	N/A	N/A
43-47B	43-47B	1.820 cfs	N/A	91.0	390.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**7.800 cfs**	**N/A**	**390.0**	**390.0**		**N/A**	**N/A**	**N/A**	**N/A**

SUPPORT DATA
IN FILE # 43-47B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84459

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 9th day of March, 2021.

Southern Region Manager

WATER RIGHT NO. 43-4181

As Modified by Transfer No. 84459

In accordance with the approval of Transfer No. 84459, Water Right No. 43-4181 is now described as follows:

Right Holder: ROSCOE & JOYCE WARD FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 3/15/1956

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	2.070 cfs	120.0 af
				2.070 cfs	120.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSENW Sec 11 Twp 16S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	11.0				4.7	2.9			101.6
16S	25E	12	5.3	13.0	20.0	0.2	6.7		33.0	23.0									101.2
16S	26E	6	28.0	36.0	27.0		35.0	46.0	5.8	9.4									187.2
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 360.0
POU Total Acres: 390.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 360 acres within the authorized place of use in a single irrigation season.
2. Rights 43-47B, 43-280, 43-2411, 43-4181 and 43-10820 when combined shall not exceed a total diversion rate of 7.80 cfs and the irrigation of 390 acres.
3. 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.143.
4. 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.

Transfer No. 84459

WATER RIGHT NO. 43-4181

As Modified by Transfer No. 84459

CONDITIONS OF APPROVAL

5. 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.

6. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.

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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-2411

As Modified by Transfer No. 84459

In accordance with the approval of Transfer No. 84459, Water Right No. 43-2411 is now described as follows:

Right Holder: ROSCOE & JOYCE WARD FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 8/11/1954

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	5.680 cfs	1440.0 af
				5.680 cfs	1440.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSENW Sec 11 Twp 16S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	11.0				4.7	2.9			101.6
16S	25E	12	5.3	13.0	20.0	0.2	6.7		33.0	23.0									101.2
16S	26E	6	28.0	36.0	27.0		35.0	46.0	5.8	9.4									187.2
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 360.0
POU Total Acres: 390.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 360 acres within the authorized place of use in a single irrigation season.
2. Rights 43-47B, 43-280, 43-2411, 43-4181 and 43-10820 when combined shall not exceed a total diversion rate of 7.80 cfs and the irrigation of 390 acres.
3. 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.143.
4. 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.

Transfer No. 84459

WATER RIGHT NO. 43-2411

As Modified by Transfer No. 84459

CONDITIONS OF APPROVAL

5. 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.

6. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.

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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-47B

As Modified by Transfer No. 84459

In accordance with the approval of Transfer No. 84459, Water Right No. 43-47B is now described as follows:

Right Holder: ROSCOE & JOYCE WARD FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 4/1/1872

Source: RAFT RIVER **Tributary:** SNAKE RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	04/01	to	10/31	1.820 cfs
				1.820 cfs

LOCATION OF POINT(S) OF DIVERSION

RAFT RIVER SENWNW Sec 11 Twp 16S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	11.0				4.7	2.9			101.6
16S	25E	12	5.3	13.0	20.0	0.2	6.7		33.0	23.0									101.2
16S	26E	6	28.0	36.0	27.0		35.0	46.0	5.8	9.4									187.2
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 91.0
POU Total Acres: 390.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 91 acres within the authorized place of use in a single irrigation season.
2. Rights 43-47B, 43-280, 43-2411, 43-4181 and 43-10820 when combined shall not exceed a total diversion rate of 7.80 cfs and the irrigation of 390 acres.
3. 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. 43B.
4. 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.
5. 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.

Transfer No. 84459

WATER RIGHT NO. 43-47B

As Modified by Transfer No. 84459

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

8. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-10820

As Modified by Transfer No. 84459

In accordance with the approval of Transfer No. 84459, Water Right No. 43-10820 is now described as follows:

Right Holder: ROSCOE & JOYCE WARD FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 4/1/1872

Source: RAFT RIVER **Tributary:** SNAKE RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	04/01	to	07/01	4.800 cfs
				4.800 cfs

LOCATION OF POINT(S) OF DIVERSION

RAFT RIVER SENWNW Sec 11 Twp 16S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	11.0				4.7	2.9			101.6
16S	25E	12	5.3	13.0	20.0	0.2	6.7		33.0	23.0									101.2
16S	26E	6	28.0	36.0	27.0		35.0	46.0	5.8	9.4									187.2
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 240.0
POU Total Acres: 390.0

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 43-280 and 43-10820 when combined shall not exceed a total diversion rate of 4.8 cfs and the irrigation of 240 acres.
3. Rights 43-47B, 43-280, 43-2411, 43-4181 and 43-10820 when combined shall not exceed a total diversion rate of 7.80 cfs and the irrigation of 390 acres.
4. 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. 43B.

Transfer No. 84459

WATER RIGHT NO. 43-10820

As Modified by Transfer No. 84459

CONDITIONS OF APPROVAL

5. 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.

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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-280

As Modified by Transfer No. 84459

In accordance with the approval of Transfer No. 84459, Water Right No. 43-280 is now described as follows:

Right Holder: ROSCOE & JOYCE WARD FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 4/1/1879

Source: RAFT RIVER **Tributary:** SNAKE RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	07/01	to	10/01	4.800 cfs
				4.800 cfs

LOCATION OF POINT(S) OF DIVERSION

RAFT RIVER SENWNW Sec 11 Twp 16S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	11.0				4.7	2.9			101.6
16S	25E	12	5.3	13.0	20.0	0.2	6.7		33.0	23.0									101.2
16S	26E	6	28.0	36.0	27.0		35.0	46.0	5.8	9.4									187.2
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 240.0
POU Total Acres: 390.0

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 43-280 and 43-10820 when combined shall not exceed a total diversion rate of 4.8 cfs and the irrigation of 240 acres.
3. Rights 43-47B, 43-280, 43-2411, 43-4181 and 43-10820 when combined shall not exceed a total diversion rate of 7.80 cfs and the irrigation of 390 acres.
4. 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. 43B.
5. 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.

Transfer No. 84459

WATER RIGHT NO. 43-280

As Modified by Transfer No. 84459

CONDITIONS OF APPROVAL

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.

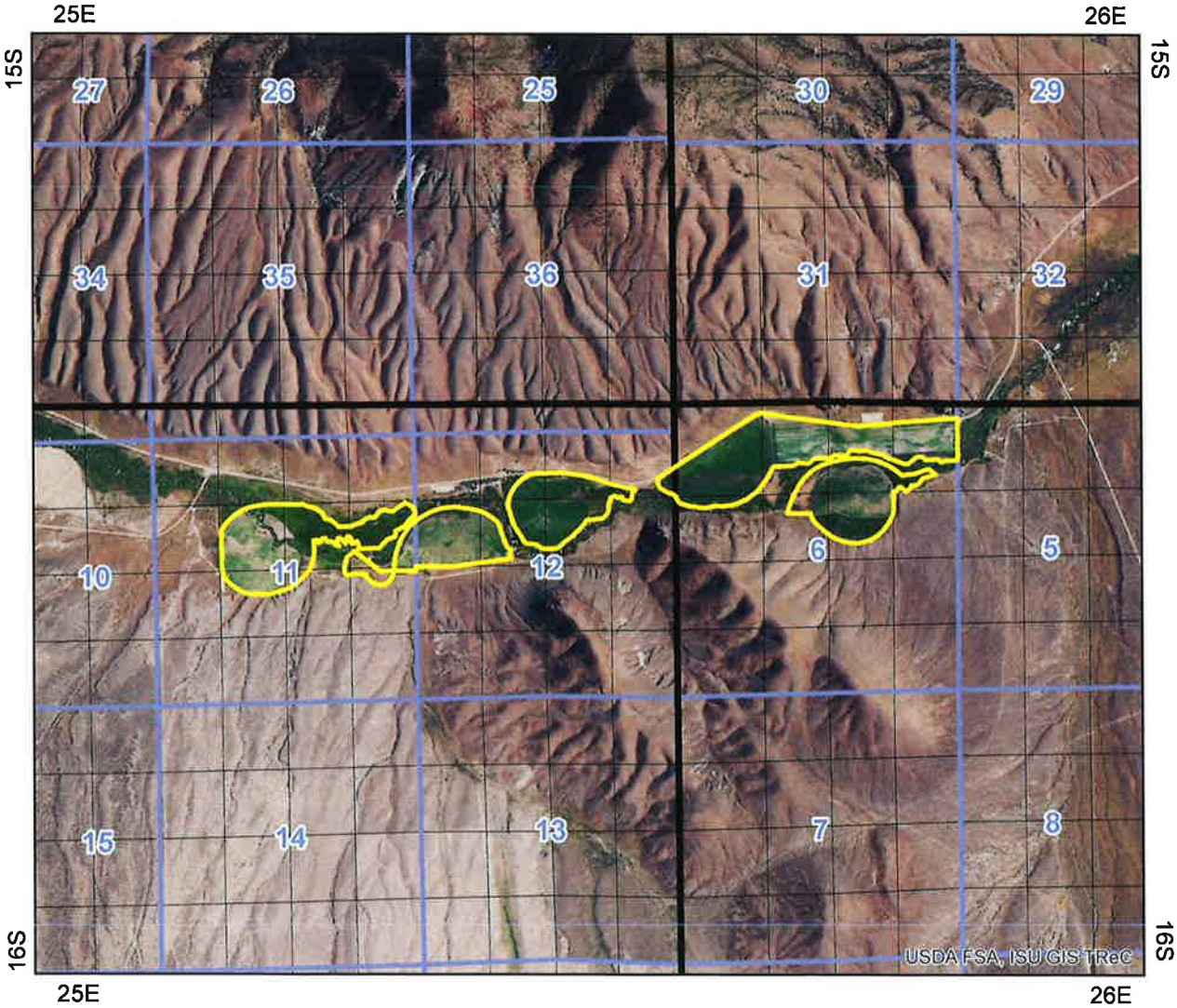
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer # 84459

43-47B, 43-280, 43-2411, 43-4181, and 43-10820

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



0 0.425 0.85 1.7 Miles

Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

N

Rev. 07/

RECEIVED
DEC 14 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84459

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at http://www.idwr.idaho.gov/ .

Name of Applicant(s) ROSCOE & JOYCE WARD FAMILY TRUST

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A *Means the item is always required and must be included with the application.

- ☑ * Completed Application for Transfer of Water Right form, Part 1.
- ☑ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☑ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☑ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☑ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☑ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☑ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☑ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☑ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☑ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☑ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☑ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm .
- ☐ ☑ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☑ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☑ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☑ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☑ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 14 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant ROSCOE & JOYCE WARD FAMILY TRUST Phone (208) 824-5591

Mailing Address 1581 E EY RD, MALTA ID 83342-5502 Email JLJWUSA@YAHOO.COM

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Dallen Ward Phone 208-221-8234 208-233-6276

Mailing Address 5203 Mohawk Pocatello Id 83204 Email

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
Dallen Ward	Dallen Ward Trustee	12/7/20

A. PURPOSE OF TRANSFER

1.

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-47B	No	No	Yes	No	No	No
43-280	No	No	Yes	No	No	No
43-2411	No	No	Yes	No	No	No
43-4181	No	No	Yes	No	No	No
43-10820	No	No	Yes	No	No	No

Transfer No. 84459

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

The application proposes to shift acres within the place of use for better utilization of the water

B. **DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-4181	2.070 cfs	120.0 af	360.0	390.0		N/A	N/A	N/A	N/A
43-2411	5.680 cfs	1440.0 af	360.0	390.0		N/A	N/A	N/A	N/A
43-47B	1.820 cfs	N/A	91.0	390.0		N/A	N/A	N/A	N/A
43-10820	4.800 cfs	N/A	240.0	390.0		N/A	N/A	N/A	N/A
43-280	4.800 cfs	N/A	240.0	390.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	7.800 cfs	N/A	N/A	18.2		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 7.8 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:
   - ☑ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
   - ☐ As shown in Part 1.
   - ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:
   - ☐ No changes to place of use are proposed. (Proceed to #5.)
   - ☑ As shown in Part 1.
   - ☐ See Attachment.

Transfer No. 84459

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-4181

Current Water Right Owner

ROSCOE & JOYCE WARD
FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 3/15/1956

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	10/31	2.070 CFS	120.0 AFA	
Total Diversion			2.070 CFS	120.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSENW Sec. 11 Twp 16S Rge 25E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	11.0				4.7	2.9			101.6
16S	25E	12	5.3	13.0	20.0	0.2	6.7		33.0	23.0									101.2
16S	26E	6	28.0	36.0	27.0		35.0	46.0	5.8	9.4									187.2
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 360.0

POU Total Acres: 390.0

Transfer No. 84459

Proposed Water Right No. 43-2411

Current Water Right Owner

ROSCOE & JOYCE WARD
FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 8/11/1954

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	10/31	5.680 CFS	1440.0 AFA	
Total Diversion			5.680 CFS	1440.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSENW Sec. 11 Twp 16S Rge 25E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	11.0				4.7	2.9			101.6
16S	25E	12	5.3	13.0	20.0	0.2	6.7		33.0	23.0									101.2
16S	26E	6	28.0	36.0	27.0		35.0	46.0	5.8	9.4									187.2
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 360.0

POU Total Acres: 390.0

Transfer No. 84459

Proposed Water Right No. 43-47B

Current Water Right Owner

ROSCOE & JOYCE WARD
FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 4/1/1872

Origin: Water Right

Basis: Decreed

Status Active

Source: RAFT RIVER **Tributary:** SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	1.820 CFS	
Total Diversion			1.820 CFS	

Source and Point(s) of Diversion:

RAFT RIVER SENWNW Sec. 11 Twp 16S Rge 25E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	11.0				4.7	2.9			101.6
16S	25E	12	5.3	13.0	20.0	0.2	6.7		33.0	23.0									101.2
16S	26E	6	28.0	36.0	27.0		35.0	46.0	5.8	9.4									187.2
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 91.0

POU Total Acres: 390.0

Transfer No. 84459

Proposed Water Right No. 43-10820

Current Water Right Owner

ROSCOE & JOYCE WARD
FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 4/1/1872

Origin: Water Right

Basis: Decreed

Status Active

Source: RAFT RIVER **Tributary:** SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	07/01	4.800 CFS	
Total Diversion			4.800 CFS	

Source and Point(s) of Diversion:

RAFT RIVER SENWNW Sec. 11 Twp 16S Rge 25E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	11.0				4.7	2.9			101.6
16S	25E	12	5.3	13.0	20.0	0.2	6.7		33.0	23.0									101.2
16S	26E	6	28.0	36.0	27.0		35.0	46.0	5.8	9.4									187.2
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 240.0

POU Total Acres: 390.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-280

Current Water Right Owner

ROSCOE & JOYCE WARD
FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 4/1/1879

Origin: Water Right

Basis: Decreed

Status Active

Source: RAFT RIVER **Tributary:** SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	07/01	10/01	4.800 CFS	
Total Diversion			4.800 CFS	

Source and Point(s) of Diversion:

RAFT RIVER SENWNW Sec. 11 Twp 16S Rge 25E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	11.0				4.7	2.9			101.6
16S	25E	12	5.3	13.0	20.0	0.2	6.7		33.0	23.0									101.2
16S	26E	6	28.0	36.0	27.0		35.0	46.0	5.8	9.4									187.2
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 240.0

POU Total Acres: 390.0

Transfer No. 84459

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future
A measuring device is currently installed on ground water wells

b. Who owns the property at the point(s) of diversion
Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☑ **If Yes,** ☐
Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: The proposed 18.2 acres to be shifted will be dried up at there current location
It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
All irrigation water rights for the property are involved in the transfer

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☑	undergone a period of five or more consecutive years of non-use,
☐	☑	currently leased to the Water Supply Bank,
☐	☑	currently used in a mitigation plan limiting the use of water under the right, or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

Transfer No. 84459

Current Water Right No. 43-4181

Current Water Right Owner

ROSCOE & JOYCE WARD
FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 3/15/1956

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	10/31	2.070 CFS	120.0 AFA	
Total Diversion			2.070 CFS	120.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSENW Sec. 11 Twp 16S Rge 25E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	13.0				19.0	4.3			119.3
16S	25E	12	3.1	13.0	18.0		6.7		33.0	23.0									96.8
16S	26E	6	27.0	36.0	14.2		35.0	46.0	5.8	9.9									173.9
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 360.0

POU Total Acres: 390.0

Conditions/Remarks:

1. This right is limited to the irrigation of 360 acres within the authorized place of use in a single irrigation season.

2. Rights 43-47B, 43-280, 43-2411, 43-4181 and 43-10820 when combined shall not exceed a total diversion rate of 7.80 cfs and the irrigation of 390 acres.

3. 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.143.

4. 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.

5. 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.

6. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water rights to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.

Conditions/Remarks:

7. If the surface water rights appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

8. The right holder shall accomplish the change authorized by this transfer within five years 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Current Water Right No. 43-2411

Current Water Right Owner
ROSCOE & JOYCE WARD
FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 8/11/1954
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	10/31	5.680 CFS	1440.0 AFA	
Total Diversion			5.680 CFS	1440.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER SWSENW Sec. 11 Twp 16S Rge 25E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	13.0				19.0	4.3			119.3
16S	25E	12	3.1	13.0	18.0		6.7		33.0	23.0									96.8
16S	26E	6	27.0	36.0	14.2		35.0	46.0	5.8	9.9									173.9
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 360.0
POU Total Acres: 390.0

Conditions/Remarks:

1. This right is limited to the irrigation of 360 acres within the authorized place of use in a single irrigation season.

2. Rights 43-47B, 43-280, 43-2411, 43-4181 and 43-10820 when combined shall not exceed a total diversion rate of 7.80 cfs and the irrigation of 390 acres.

3. 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.143.

4. 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.

5. 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.

6. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water rights to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.

Conditions/Remarks:

7. If the surface water rights appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

8. The right holder shall accomplish the change authorized by this transfer within five years 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Current Water Right No. 43-47B

Current Water Right Owner

ROSCOE & JOYCE WARD
FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 4/1/1872

Origin: Water Right

Basis: Decreed

Status: Active

Source: RAFT RIVER **Tributary:** SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	1.820 CFS	
Total Diversion			1.820 CFS	

Source and Point(s) of Diversion:

RAFT RIVER SENWNW Sec. 11 Twp 16S Rge 25E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	13.0				19.0	4.3			119.3
16S	25E	12	3.1	13.0	18.0		6.7		33.0	23.0									96.8
16S	26E	6	27.0	36.0	14.2		35.0	46.0	5.8	9.9									173.9
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 91.0

POU Total Acres: 390.0

Conditions/Remarks:

1. This right is limited to the irrigation of 91 acres within the authorized place of use in a single irrigation season.

2. Rights 43-47B, 43-280, 43-2411, 43-4181 and 43-10820 when combined shall not exceed a total diversion rate of 7.80 cfs and the irrigation of 390 acres.

3. 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. 43B.

4. 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.

5. 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.

6. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.

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

Conditions/Remarks:

8. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Current Water Right No. 43-10820

Current Water Right Owner

ROSCOE & JOYCE WARD
FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 4/1/1872

Origin: Water Right

Basis: Decreed

Status: Active

Source: RAFT RIVER **Tributary:** SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	07/01	4.800 CFS	
Total Diversion			4.800 CFS	

Source and Point(s) of Diversion:

RAFT RIVER SENWNW Sec. 11 Twp 16S Rge 25E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	13.0				19.0	4.3			119.3
16S	25E	12	3.1	13.0	18.0		6.7		33.0	23.0									96.8
16S	26E	6	27.0	36.0	14.2		35.0	46.0	5.8	9.9									173.9
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 240.0

POU Total Acres: 390.0

Conditions/Remarks:

1. This right is limited to the irrigation of 240 acres within the authorized place of use in a single irrigation season.

2. Rights 43-280 and 43-10820 when combined shall not exceed a total diversion rate of 4.8 cfs and the irrigation of 240 acres.

3. Rights 43-47B, 43-280, 43-2411, 43-4181 and 43-10820 when combined shall not exceed a total diversion rate of 7.80 cfs and the irrigation of 390 acres.

4. 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. 43B.

5. 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.

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 five years of the date of this approval.

Conditions/Remarks:

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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Current Water Right No. 43-280

Current Water Right Owner

ROSCOE & JOYCE WARD
FAMILY TRUST
1581 E EY RD
MALTA, ID 83342-5502

Priority Date: 4/1/1879
Origin: Water Right
Basis: Decreed
Status: Active
Source: RAFT RIVER **Tributary:** SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	07/01	10/01	4.800 CFS	
Total Diversion			4.800 CFS	

Source and Point(s) of Diversion:
RAFT RIVER SENWNW Sec. 11 Twp 16S Rge 25E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	25E	11			24.0	23.0				36.0	13.0				19.0	4.3			119.3
16S	25E	12	3.1	13.0	18.0		6.7		33.0	23.0									96.8
16S	26E	6	27.0	36.0	14.2		35.0	46.0	5.8	9.9									173.9
			L 1	L 2			L 3	L 4	L 5										

Right Acre Limit: 240.0
POU Total Acres: 390.0

Conditions/Remarks:

1. This right is limited to the irrigation of 240 acres within the authorized place of use in a single irrigation season.

2. Rights 43-280 and 43-10820 when combined shall not exceed a total diversion rate of 4.8 cfs and the irrigation of 240 acres.

3. Rights 43-47B, 43-280, 43-2411, 43-4181 and 43-10820 when combined shall not exceed a total diversion rate of 7.80 cfs and the irrigation of 390 acres.

4. 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. 43B.

5. 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.

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 five years of the date of this approval.

Conditions/Remarks:

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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements)

☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.** If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☑ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

Raft River water rights are included in the transfer. The surface water rights are used when available.

FOR DEPARTMENT USE ONLY

Transfer Contains 20 pages and _____ attachments.

Received By BW Date 12.7.2020 Prelim. Check By _____ Date _____

Fee Paid $580- Date 12.14.2020 Receipted By SG Receipt # S038297

Add'l Fee Paid _____ Date _____ Receipted By _____ Receipt # _____

Transfer No. 84459

From: **Roberta WARD** imaward1979@gmail.com
Subject: Trust EY
Date: October 28, 2020 at 8:41 AM
To: DALLEN -Roberta Ward imaward1979@gmail.com

DATED is 22nd day of February 2020. (02.22.2020)

JOYCE L. WARD
Trustee

HARLAN HAROLD WARD
Trustee

DALLEN ROSCOE WARD
Trustee

AUSTIN ROSCOE PACE
Trustee

STATE OF IDAHO)
)ss.
COUNTY OF CASSIA)

On this 22nd day of February 2020, before me, the undersigned, a Notary Public for Idah personally appeared Joyce L. Ward, Harlan Harold Ward, Dallen Roscoe Ward, and Austin Ros Pace, trustees of the Roscoe & Joyce Ward Family Trust dated October 11, 2004, known to me be the persons whose names are subscribed to the within instrument as said Trustees, and acknowledged to me that they executed the same as such Trustees.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal t and year in this certificate first above written.

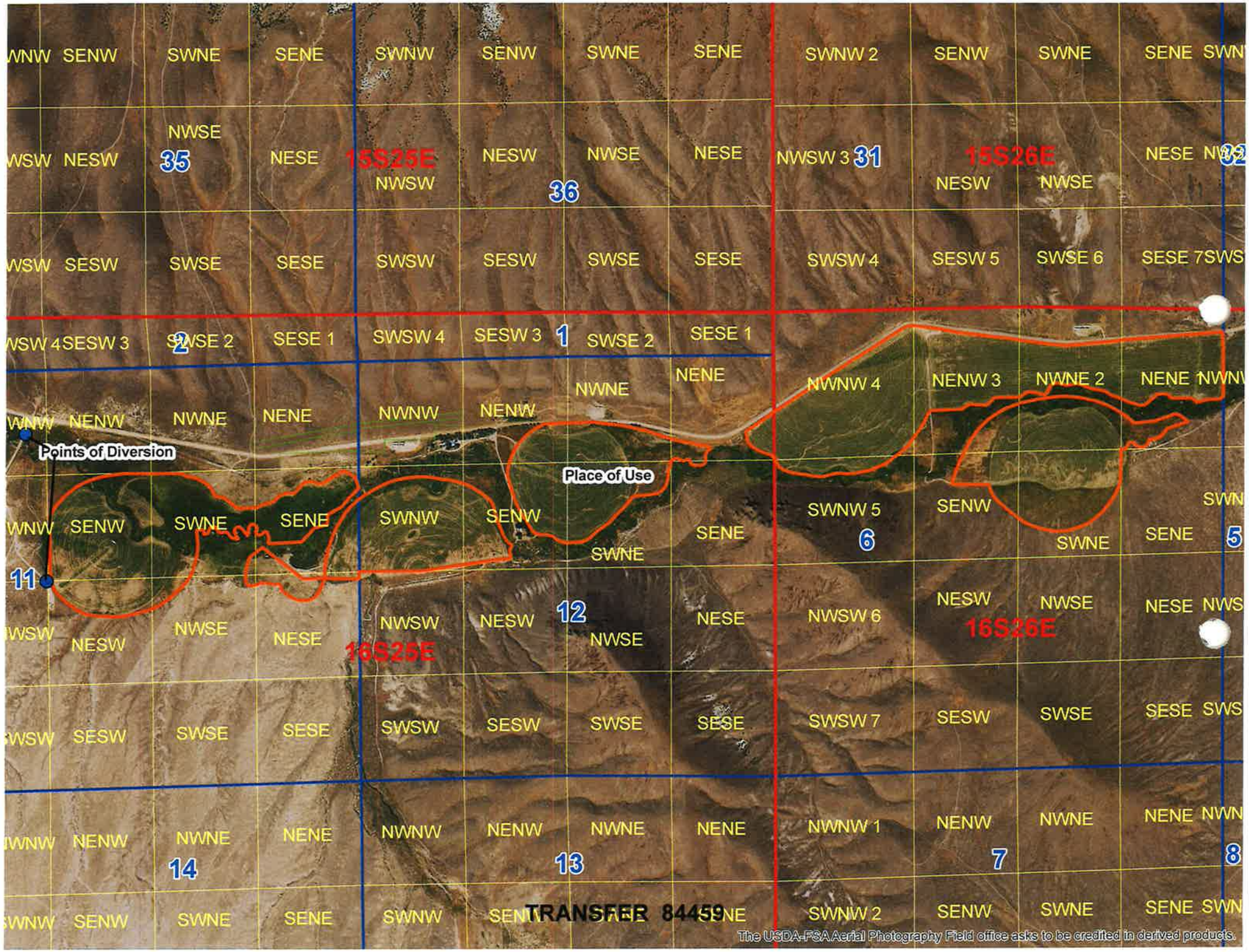
DENNIS S. VOORHEES
COMMISSION NO. 10869
NOTARY PUBLIC
STATE OF IDAHO

NOTARY PUBLIC for IDAHO

My Commission Expires: May 14, 2024

TRANSFER 84459

REGISTRATION OF TRUST – 2


Points of Diversion
Place of Use
15S25E
15S26E
16S25E
16S26E
35
36
31
1
2
11
12
6
5
14
13
7
8
TRANSFER 84459
The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037
Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 16, 2021

ROSCOE & JOYCE WARD FAMILY TRUST
1581 E EY RD
MALTA ID 83342-5502

Re: Transfer No: 84459
Water Right No(s).: 43-47B , 43-280, 43-2411, 43-4181, 43-10820

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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 home page 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) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

c:

D L EVANS BANK
PO BOX 87
TWIN FALLS ID 83303-0087

WATER DISTRICT 43B
RICK NEFF
PO BOX 55
MALTA ID 83342-0055

WATER DISTRICT 143
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2021 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84459
Water Right No(s).: 43-47B , 43-280, 43-2411, 43-4181, 43-10820

ROSCOE & JOYCE WARD FAMILY TRUST
1581 E EY RD
MALTA ID 83342-5502

D L EVANS BANK
PO BOX 87
TWIN FALLS ID 83303-0087

WATER DISTRICT 43B
RICK NEFF
PO BOX 55
MALTA ID 83342-0055

WATER DISTRICT 143
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

Denise Maline

Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document 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 of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director 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 Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

(a) The petition for reconsideration is disposed of; or
(b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sufficiency Memorandum

Date: February 23, 2021

To: Transfer 84459

From: Benny Walker

Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to shift 18.2 acres of irrigation from 2 Ground Water rights and 3 Raft River rights consisting of a total of 1.47 cfs of all 5 water rights for a parcel located approximately 16.7-17.5 miles south and 4.0-7.0 miles west of the City of Malta within the parcel owned by the applicant.

The rights involved with the application are located within Water District 143 and 43B. Therefore watermaster comments were solicited. The watermaster of 43B did not respond to this application, therefore IDWR presumes that the watermaster does not oppose this application and has no comments for IDWR to consider. The watermaster of 143 did respond and gave his consent for approval of the transfer. Therefore the application will continue processing through to approval. Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration

- **Authority to File:**
  The applicant is listed as the current owner of the water rights involved in the transfer according to department records. The applicant also owns the proposed place of use.

- **Water Right Validity:**
  The water rights involved in the transfer was decreed in 2002. Recent aerial photography indicates that the land has been irrigated in recent years.

- **Injury to Other Water Rights:**
  None anticipated.

- **Enlargement of Use:**
  None anticipated.

- **Local Public Interest:**
  No impacts anticipated.

- **Beneficial Use/Conservation of Water Resources:**
  Proposed use is recognized as a beneficial use of water

- **Effect on Economy of the Local Area:**
  None anticipated.

- **Effect of the Agricultural Base of the Local Area:**
  None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 84459
Water Right No: 43-47B, etc.
Applicant Name: Roscoe & Joyce Ward Family Trust

Watermaster's Recommendation:

a) _X_ I do not oppose approval of this application

b) ___ I do not oppose approval of this application under the following terms:

c) ___ I oppose approval of this application(s) for the following reasons:

d) ___ Additional comment:

Dated: February 17, 2021

Water District 143

Nathan Erickson, Watermaster

State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037
Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 27, 2021

D L EVANS BANK
PO BOX 87
TWIN FALLS ID 83303-0087

RE: Transfer No. 84459
Water Right No(s). 43-47B, etc. (Roscoe & Joyce Ward Family Trust)

Dear Security Interest Holder:

Attached is a copy of an Application for Transfer that may be of interest to you, as a Security Interest holder. This application is currently being processed by the Department, and is nearing the final approval stage.

Please review the application, and submit any necessary comments or concerns to this office within 14 days. If the department has not received any response from you within 14 days; we will presume that you do not oppose approval of the application and that you have no comments or concerns for the department to consider.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 27, 2021

WATER DISTRICT #143
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

RE: Transfer No. 84459
Water Right No(s). 43-47B, etc. (Roscoe & Joyce Ward Family Trust)

Dear Nathan:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. *You can find a copy of the application at:* https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037
Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 27, 2021

WATER DISTRICT #43B
RICK NEFF
PO BOX 55
MALTA ID 83342-0055

RE: Transfer No. 84459
Water Right No(s). 43-47B, etc. (Roscoe & Joyce Ward Family Trust)

Dear Rick:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office *within 14 days* of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

MEMORANDUM

Date: January 22, 2021

To: Transfer 84459 File

From: Benny Walker

Re: Transfer Synopsis

Application for transfer proposes to shift 18.2 acres of irrigation within a 390 acre place of use. The portion of 2 Ground Water rights and 3 Raft River rights consist of a combined total of 1.47 cfs of all 5 water rights to be changed. The parcel is located approximately 16.7-17.5 miles south and 4.0-7.0 miles west of the City of Malta.

The rights involved with the application are located within Water District 143 and 43B. Therefore watermaster comments will be solicited. Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration

MEMORANDUM

Date: January 22, 2021

To: Transfer 84459

From: Benny Walker

Re: Legal Notice Not Required

Legal Notice Not Required
1/21/2021

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

MEMORANDUM

TO: Transfer 84459 File

FROM: Benny Walker

DATE: January 21, 2021

SUBJECT: Filing Fee

The filing fee of, $580.00, for this transfer is based on the amount of water proposed to be transferred or changed, 1.47 cfs. The transfer fee schedule for a transfer involving 1.01-2.00 cfs indicates that the filing fee is $580.00. The applicant submitted a fee of $580.00 for this transfer. (Receipt S038297).