

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 83065**

This is to certify that: **JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342**

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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 43-10388           | WR/DECREED          | 6/1/1879             | 1.971 cfs             | N/A                     | 314.1             | 620.0              | RAFT RIVER    |
| 43-10633           | WR/DECREED          | 6/30/1985            | 0.490 cfs             | N/A                     | 32.0              | 223.0              | GROUND WATER  |
| 43-12961           | WR/DECREED          | 4/1/1871             | 0.705 cfs             | N/A                     | 234.1             | 620.0              | RAFT RIVER    |
| 43-12962           | WR/DECREED          | 4/1/1871             | 0.100 cfs             | N/A                     | 234.1             | 620.0              | RAFT RIVER    |
| 43-12963           | WR/DECREED          | 4/1/1871             | 1.140 cfs             | N/A                     | 234.1             | 620.0              | RAFT RIVER    |
| 43-12964           | WR/DECREED          | 4/1/1879             | 1.830 cfs             | N/A                     | 234.1             | 620.0              | RAFT RIVER    |
| 43-12965           | WR/DECREED          | 4/1/1879             | 0.395 cfs             | N/A                     | 234.1             | 620.0              | RAFT RIVER    |
| 43-170C            | WR/DECREED          | 4/1/1881             | 0.300 cfs             | N/A                     | 80.0              | 620.0              | RAFT RIVER    |
| 43-173C            | WR/DECREED          | 4/1/1882             | 0.914 cfs             | N/A                     | 80.0              | 620.0              | RAFT RIVER    |
| 43-177D            | WR/DECREED          | 5/24/1909            | 4.628 cfs             | N/A                     | 228.0             | 620.0              | RAFT RIVER    |
| 43-178E            | WR/DECREED          | 12/12/1911           | 7.871 cfs             | N/A                     | 394.1             | 620.0              | RAFT RIVER    |
| 43-2289            | WR/DECREED          | 4/13/1943            | 0.260 cfs             | N/A                     | 13.0              | 223.0              | GROUND WATER  |
| 43-2294E           | WR/DECREED          | 3/5/1945             | 3.436 cfs             | 1585.6 af               | 396.4             | 620.0              | GROUND WATER  |
| 43-2301            | WR/DECREED          | 6/4/1947             | 0.840 cfs             | N/A                     | 55.0              | 223.0              | GROUND WATER  |
| 43-2302            | WR/DECREED          | 10/12/1947           | 2.340 cfs             | N/A                     | 120.0             | 223.0              | GROUND WATER  |
| 43-2389            | WR/DECREED          | 3/3/1953             | 1.060 cfs             | 460.0 af                | 115.0             | 620.0              | GROUND WATER  |
| 43-2405            | WR/DECREED          | 3/19/1954            | 2.880 cfs             | 616.0 af                | 154.0             | 620.0              | GROUND WATER  |
| 43-2419            | WR/DECREED          | 1/25/1955            | 1.420 cfs             | 400.0 af                | 100.0             | 620.0              | GROUND WATER  |
| 43-2420B           | WR/DECREED          | 2/3/1955             | 1.520 cfs             | 336.0 af                | 84.0              | 620.0              | GROUND WATER  |
| 43-4003D           | WR/DECREED          | 6/23/1959            | 0.008 cfs             | 284.0 af                | 71.0              | 223.0              | GROUND WATER  |
| 43-4034            | WR/DECREED          | 8/7/1948             | 1.450 cfs             | 386.8 af                | 96.7              | 620.0              | GROUND WATER  |

**SUPPORT DATA**

**Purpose of Transfer (Changes Proposed)**

**IN FILE # 43-170C**

| <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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 43-10388              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-10633              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-12961              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-12962              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-12963              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-12964              | YES          | YES        | YES        | NO             | NO                   | NO                   |

Transfer No. 83065

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 83065**

**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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 43-12965              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-170C               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-173C               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-177D               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-178E               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-2289               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-2294E              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-2301               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-2302               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-2389               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-2405               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-2419               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-2420B              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 43-4003D              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 43-4034               | YES          | YES        | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 43-10388               | 43-13847                         | 0.100 cfs            | N/A                    | 16.2              | 223.0              | 43-10388                           | 1.870 cfs             | N/A                     | 297.9                       | 588.0                        |
| 43-10633               | 43-10633                         | 0.490 cfs            | N/A                    | 32.0              | 223.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-12961               | 43-13842                         | 0.040 cfs            | N/A                    | 12.1              | 223.0              | 43-12961                           | 0.660 cfs             | N/A                     | 222.0                       | 588.0                        |
| 43-12962               | 43-13843                         | 0.010 cfs            | N/A                    | 12.1              | 223.0              | 43-12962                           | 0.090 cfs             | N/A                     | 222.0                       | 588.0                        |
| 43-12963               | 43-13844                         | 0.060 cfs            | N/A                    | 12.1              | 223.0              | 43-12963                           | 1.080 cfs             | N/A                     | 222.0                       | 588.0                        |
| 43-12964               | 43-13845                         | 0.090 cfs            | N/A                    | 12.1              | 223.0              | 43-12964                           | 1.740 cfs             | N/A                     | 222.0                       | 588.0                        |
| 43-12965               | 43-13846                         | 0.020 cfs            | N/A                    | 12.1              | 223.0              | 43-12965                           | 0.370 cfs             | N/A                     | 222.0                       | 588.0                        |
| 43-170C                | 43-13840                         | 0.020 cfs            | N/A                    | 4.1               | 223.0              | 43-170C                            | 0.280 cfs             | N/A                     | 75.9                        | 588.0                        |
| 43-173C                | 43-13841                         | 0.050 cfs            | N/A                    | 4.1               | 223.0              | 43-173C                            | 0.860 cfs             | N/A                     | 75.9                        | 588.0                        |
| 43-177D                | 43-13839                         | 0.240 cfs            | N/A                    | 11.8              | 223.0              | 43-177D                            | 4.380 cfs             | N/A                     | 216.2                       | 588.0                        |
| 43-178E                | 43-13848                         | 0.410 cfs            | N/A                    | 20.3              | 223.0              | 43-178E                            | 7.460 cfs             | N/A                     | 373.8                       | 588.0                        |
| 43-2289                | 43-2289                          | 0.260 cfs            | N/A                    | 13.0              | 223.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-2294E               | 43-13833                         | 0.180 cfs            | 82.0 af                | 20.5              | 223.0              | 43-2294E                           | 3.250 cfs             | 1503.6 af               | 375.9                       | 588.0                        |
| 43-2301                | 43-2301                          | 0.840 cfs            | N/A                    | 55.0              | 223.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-2302                | 43-2302                          | 2.340 cfs            | 480.0 af               | 120.0             | 223.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-2389                | 43-13838                         | 0.050 cfs            | 23.6 af                | 5.9               | 223.0              | 43-2389                            | 1.010 cfs             | 436.4 af                | 109.1                       | 588.0                        |
| 43-2405                | 43-13837                         | 0.150 cfs            | 31.6 af                | 7.9               | 223.0              | 43-2405                            | 2.730 cfs             | 584.4 af                | 146.1                       | 588.0                        |
| 43-2419                | 43-13835                         | 0.070 cfs            | 20.8 af                | 5.2               | 223.0              | 43-2419                            | 1.350 cfs             | 379.2 af                | 94.8                        | 588.0                        |
| 43-2420B               | 43-13836                         | 0.080 cfs            | 17.2 af                | 4.3               | 223.0              | 43-2420B                           | 1.440 cfs             | 318.8 af                | 79.7                        | 588.0                        |
| 43-4003D               | 43-4003D                         | 0.008 cfs            | 284.0 af               | 71.0              | 223.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 43-4034                | 43-13834                         | 0.070 cfs            | 20.0 af                | 5.0               | 223.0              | 43-4034                            | 1.380 cfs             | 366.8 af                | 91.7                        | 588.0                        |
| <b>COMBINED TOTALS</b> |                                  | <b>4.580 cfs</b>     | <b>N/A</b>             | <b>223.0</b>      | <b>223.0</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 83065

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 13<sup>th</sup> day of March, 2020.

  
\_\_\_\_\_  
Southern Region Manager



**WATER RIGHT NO. 43-2294E**  
**As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-2294E is now described as follows:

**Right Holder:** JASON WARR AND  
 WENDEE WARR  
 2527 S 2400 E  
 MALTA, ID 83342

**Priority Date:** 3/5/1945

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 3.250 cfs             | 1503.6 af               |
|                       |             |           | 3.250 cfs             | 1503.6 af               |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SENE | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NENW | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NESW | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWNW | Sec 20 Twp 14S Rge 27E | CASSIA 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 |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 375.9

POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 375.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.

Transfer No. 83065

**WATER RIGHT NO. 43-2294E**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

4. Rights 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B and 43-4034 when combined shall not exceed a total diversion rate of 11.16 cfs, a total annual maximum diversion volume of 2352.0 af at the field headgate, and the irrigation of 588 acres.
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. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
9. 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 right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
10. If the surface water right(s) 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-12961****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-12961 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1871

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From**  
04/30

**To**  
to 07/01

**Diversion Rate**  
0.660 cfs  
0.660 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWSW Sec 20 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 222.0

POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 222.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.
4. Rights 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed the irrigation of 222.0 acres
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. 83065

**WATER RIGHT NO. 43-12961**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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 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. 43-13842****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13842 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1871

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

04/30

**To**

to 07/01

**Diversion Rate**

0.040 cfs

0.040 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER

NWNW

Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 12.1

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 12.1 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13842, 43-13843, 43-13844, 43-13845, and 43-13846 when combined shall not exceed a total irrigation of 12.1 acres.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065



**WATER RIGHT NO. 43-13842**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-13833****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13833 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 3/5/1945

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 to **To** 11/15

**Diversion Rate**  
0.180 cfs  
0.180 cfs

**Diversion Volume**  
82.0 af  
82.0 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWNW Sec 33 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 20.5

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 20.5 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837 and 43-13838 when combined shall not exceed a total diversion rate of 0.6 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-13833**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
9. 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 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-12962****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-12962 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1871

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
0.090 cfs  
0.090 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWSW Sec 20 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 222.0

POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 222.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.
4. Rights 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed the irrigation of 222.0 acres

Transfer No. 83065

**WATER RIGHT NO. 43-12962**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. 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.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 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.
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 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. 43-13843****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13843 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1871

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

03/15

**To**

to 11/15

**Diversion Rate**

0.010 cfs

0.010 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER

NWNW

Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 12.1

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 12.1 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13842, 43-13843, 43-13844, 43-13845, and 43-13846 when combined shall not exceed a total irrigation of 12.1 acres.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-13843**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43- 4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-12963**

## **As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-12963 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1871

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 07/01

**Diversion Rate**  
1,080 cfs  
1,080 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWSW Sec 20 Twp 14S Rge 27E CASSIA County

### **PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 222.0

POU Total Acres: 588.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 222.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.
4. Rights 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed the irrigation of 222.0 acres

Transfer No. 83065



**WATER RIGHT NO. 43-12963**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. 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.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 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.
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 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. 43-13844****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13844 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1871

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

IRRIGATION

**From**

04/01

**To**

to 07/01

**Diversion Rate**

0.060 cfs

0.060 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER

NWNW

Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 12.1

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 12.1 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13842, 43-13843, 43-13844, 43-13845, and 43-13846 when combined shall not exceed a total irrigation of 12.1 acres.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-13844**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-12964****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-12964 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1879

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From**  
07/01

**To**  
to 10/01

**Diversion Rate**  
1.740 cfs  
1.740 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWSW Sec 20 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 222.0

POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 222.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.
4. Rights 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed the irrigation of 222.0 acres

Transfer No. 83065

**WATER RIGHT NO. 43-12964**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. 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.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 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.
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 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. 43-13845**  
**As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13845 is now described as follows:

**Right Holder:** JASON WARR AND  
 WENDEE WARR  
 2527 S 2400 E  
 MALTA, ID 83342

**Priority Date:** 4/1/1879

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
 IRRIGATION

**From** 07/01 **to** 10/01

**Diversion Rate**  
 0.090 cfs  
 0.090 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWNW Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |      |      |    |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 12.1  
 POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 12.1 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13842, 43-13843, 43-13844, 43-13845, and 43-13846 when combined shall not exceed a total irrigation of 12.1 acres.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-13845**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-12965****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-12965 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1879

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 to **To** 10/01

**Diversion Rate**  
0.370 cfs  
0.370 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWSW Sec 20 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 222.0

POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 222.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.
4. Rights 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed the irrigation of 222.0 acres

Transfer No. 83065



**WATER RIGHT NO. 43-12965**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. 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.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 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.
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 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. 43-13846****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13846 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1879

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From**  
04/01

to **To**  
10/01

**Diversion Rate**  
0.020 cfs  
0.020 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWNW Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |      |      |    |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 12.1

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 12.1 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13842, 43-13843, 43-13844, 43-13845, and 43-13846 when combined shall not exceed a total irrigation of 12.1 acres.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-13846**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
6. 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.
7. 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.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-10388**

## **As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-10388 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 6/1/1879

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From**  
04/01

**To**  
to 10/01

**Diversion Rate**  
1.870 cfs  
1.870 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWSW Sec 20 Twp 14S Rge 27E CASSIA County

### **PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 297.9

POU Total Acres: 588.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 297.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.
4. 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. 83065

**WATER RIGHT NO. 43-10388**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. 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.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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. 43-13847**  
**As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13847 is now described as follows:

**Right Holder:** JASON WARR AND  
 WENDEE WARR  
 2527 S 2400 E  
 MALTA, ID 83342

**Priority Date:** 6/1/1879

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
 IRRIGATION

**From** 04/01 **To** 10/01

**Diversion Rate**  
 0.100 cfs  
 0.100 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWNW Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 16.2  
 POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 16.2 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-13847**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
5. 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.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 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.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-178E****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-178E is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 12/12/1911

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
7.460 cfs  
7.460 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWSW Sec 20 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 373.8

POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 373.8 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres..
3. 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.
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. 83065



**WATER RIGHT NO. 43-178E**  
**As Modified by Transfer No. 83065**

**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(s).
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. 43-13848****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13848 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 12/12/1911

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From**  
03/15 to **To**  
11/15

**Diversion Rate**  
0.410 cfs  
0.410 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWNW Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 20.3

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 20.3 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-13848**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

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(s).
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. This right does not grant any right-of-way or easement across the land of another.
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 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. 43-2289****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-2289 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/13/1943

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
0.260 cfs  
0.260 cfs

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWNW Sec 33 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |      |      |    |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 13.0

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 13 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2289, 43-2301 and 43-4003D when combined shall not exceed a total diversion rate of 1.11 cfs, a total annual maximum diversion volume of 284 af at the field headgate, and the irrigation of 71 acres.
3. Rights 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 3.45 cfs, a total annual maximum diversion volume of 764 af at the field headgate, and the irrigation of 223 acres.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-2289**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. 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. 143.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 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.
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. 43-2301

### As Modified by Transfer No. 83065

In accordance with the approval of Transfer No. 83065, Water Right No. 43-2301 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 6/4/1947

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
0.840 cfs  
0.840 cfs

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWNW Sec 33 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |      |      |    |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 55.0

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 55 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2289, 43-2301 and 43-4003D when combined shall not exceed a total diversion rate of 1.11 cfs, a total annual maximum diversion volume of 284 af at the field headgate, and the irrigation of 71 acres.
3. Rights 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 3.45 cfs, a total annual maximum diversion volume of 764 af at the field headgate, and the irrigation of 223 acres.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-2301**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. 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. 143.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 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.
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. 43-2302****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-2302 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 10/12/1947

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 2.340 cfs             | 480.0 af                |
|                       |             |           | 2.340 cfs             | 480.0 af                |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      SWNW                      Sec 33 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 120.0

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 120 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2302 and 43-10633 when combined shall not exceed a total diversion rate of 2.34 cfs, a total annual maximum diversion volume of 480 af at the field headgate.
3. Rights 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 3.45 cfs, a total annual maximum diversion volume of 764 af at the field headgate, and the irrigation of 223 acres.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.

Transfer No. 83065



**WATER RIGHT NO. 43-2302**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. Right No. 43-10633 is an expansion of this right pursuant to Idaho Code § 42-1416B.
6. 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. 143.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-4034****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-4034 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 8/7/1948

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 1,380 cfs             | 366.8 af                |
|                       |             |           | 1,380 cfs             | 366.8 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SENE | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NENW | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NESW | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWNW | Sec 20 Twp 14S Rge 27E | CASSIA 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 |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 91.7  
POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 91.7 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.

Transfer No. 83065

**WATER RIGHT NO. 43-4034**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

4. Rights 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B and 43-4034 when combined shall not exceed a total diversion rate of 11.16 cfs, a total annual maximum diversion volume of 2352.0 af at the field headgate, and the irrigation of 588 acres.
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. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
9. 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 right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
10. If the surface water right(s) 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# **WATER RIGHT NO. 43-10633**

## **As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-10633 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 6/30/1985

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
0.490 cfs  
0.490 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWNW Sec 33 Twp 14S Rge 27E CASSIA County

### **PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |      |      |    |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 32.0  
POU Total Acres: 223.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 32 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2302 and 43-10633 when combined shall not exceed a total diversion rate of 2.34 cfs, a total annual maximum diversion volume of 480 af at the field headgate.
3. Rights 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 3.45 cfs, a total annual maximum diversion volume of 764 af at the field headgate, and the irrigation of 223 acres.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-10633**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. This right is an expansion of Right No 43-2302 pursuant to Idaho Code § 42-1416B.
6. 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. 143.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-13834****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13834 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 8/7/1948

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.070 cfs             | 20.0 af                 |
|                       |             |           | 0.070 cfs             | 20.0 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWNW Sec 33 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 5.0

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 5.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837 and 43-13838 when combined shall not exceed a total diversion rate of 0.6 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-13834**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43- 2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
9. 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 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-4003D****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-4003D is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 6/23/1959

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.008 cfs             | 284.0 af                |
|                       |             |           | 0.008 cfs             | 284.0 af                |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      SWNW                      Sec 33 Twp 14S Rge 27E CASSIA 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 |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |      |      |    |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 71.0

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 71 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2289, 43-2301 and 43-4003D when combined shall not exceed a total diversion rate of 1.11 cfs, a total annual maximum diversion volume of 284 af at the field headgate, and the irrigation of 71 acres.
3. Rights 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 3.45 cfs, a total annual maximum diversion volume of 764 af at the field headgate, and the irrigation of 223 acres.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.

Transfer No. 83065



**WATER RIGHT NO. 43-4003D**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. 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. 143.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 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.
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. 43-2419****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-2419 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 1/25/1955

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 1,350 cfs             | 379.2 af                |
|                       |             |           | 1,350 cfs             | 379.2 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SENE | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NENW | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NESW | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWNW | Sec 20 Twp 14S Rge 27E | CASSIA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 94.8

POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 94.8 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.

Transfer No. 83065

**WATER RIGHT NO. 43-2419**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

4. Rights 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B and 43-4034 when combined shall not exceed a total diversion rate of 11.16 cfs, a total annual maximum diversion volume of 2352.0 af at the field headgate, and the irrigation of 588 acres.
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. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. 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 right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
10. If the surface water right(s) 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# **WATER RIGHT NO. 43-13835**

## **As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13835 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 1/25/1955

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.070 cfs             | 20.8 af                 |
|                       |             |           | 0.070 cfs             | 20.8 af                 |

### **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWNW Sec 33 Twp 14S Rge 27E CASSIA 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 |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 5.2  
POU Total Acres: 223.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 5.2 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837 and 43-13838 when combined shall not exceed a total diversion rate of 0.6 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-13835**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
9. 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 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-2420B**  
**As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-2420B is now described as follows:

**Right Holder:** JASON WARR AND  
 WENDEE WARR  
 2527 S 2400 E  
 MALTA, ID 83342

**Priority Date:** 2/3/1955

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 1.440 cfs             | 318.8 af                |
|                       |             |           | 1.440 cfs             | 318.8 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SENE | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NENW | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NESW | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWNW | Sec 20 Twp 14S Rge 27E | CASSIA 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 |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 79.7

POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 79.7 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.

Transfer No. 83065

**WATER RIGHT NO. 43-2420B**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

4. Rights 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B and 43-4034 when combined shall not exceed a total diversion rate of 11.16 cfs, a total annual maximum diversion volume of 2352.0 af at the field headgate, and the irrigation of 588 acres..
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. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. 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 right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
10. If the surface water right(s) 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13836****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13836 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 2/3/1955

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.080 cfs             | 17.2 af                 |
|                       |             |           | 0.080 cfs             | 17.2 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWNW Sec 33 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 4.3

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 4.3 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837 and 43-13838 when combined shall not exceed a total diversion rate of 0.6 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065



**WATER RIGHT NO. 43-13836**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
9. 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 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-2405****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-2405 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 3/19/1954

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 2.730 cfs             | 584.4 af                |
|                       |             |           | 2.730 cfs             | 584.4 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SENE | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NENW | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NESW | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWNW | Sec 20 Twp 14S Rge 27E | CASSIA 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 |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 146.1

POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 146.1 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.

Transfer No. 83065

**WATER RIGHT NO. 43-2405**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

4. Rights 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B and 43-4034 when combined shall not exceed a total diversion rate of 11.16 cfs, a total annual maximum diversion volume of 2352.0 af at the field headgate, and the irrigation of 588 acres.
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. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. 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 right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
10. If the surface water right(s) 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13837****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13837 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 3/19/1954

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.150 cfs             | 31.6 af                 |
|                       |             |           | 0.150 cfs             | 31.6 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      SWNW                      Sec 33 Twp 14S Rge 27E CASSIA 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 |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 7.9

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 7.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837 and 43-13838 when combined shall not exceed a total diversion rate of 0.6 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

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**WATER RIGHT NO. 43-13837**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
9. 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 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-2389**  
**As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-2389 is now described as follows:

**Right Holder:** JASON WARR AND  
 WENDEE WARR  
 2527 S 2400 E  
 MALTA, ID 83342

**Priority Date:** 3/3/1953

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/15       | to 11/15  | 1.010 cfs             | 436.4 af                |
|                       |             |           | 1.010 cfs             | 436.4 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SENE | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NENW | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | NESW | Sec 17 Twp 14S Rge 27E | CASSIA County |
| GROUND WATER | SWNW | Sec 20 Twp 14S Rge 27E | CASSIA 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 |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 109.1

POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 109.1 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.

Transfer No. 83065

**WATER RIGHT NO. 43-2389**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

4. Rights 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B and 43-4034 when combined shall not exceed a total diversion rate of 11.16 cfs, a total annual maximum diversion volume of 2352.0 af at the field headgate, and the irrigation of 588 acres.
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. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. 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 right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
10. If the surface water right(s) 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 43-13838**  
**As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13838 is now described as follows:

**Right Holder:** JASON WARR AND  
 WENDEE WARR  
 2527 S 2400 E  
 MALTA, ID 83342

**Priority Date:** 3/3/1953

**Source:** GROUND WATER

|                              |                    |                  |                              |                                |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
| IRRIGATION                   | 03/15              | to 11/15         | 0.050 cfs                    | 23.6 af                        |
|                              |                    |                  | 0.050 cfs                    | 23.6 af                        |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      SWNW                      Sec 33 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 5.9

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 5.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837 and 43-13838 when combined shall not exceed a total diversion rate of 0.6 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065



**WATER RIGHT NO. 43-13838**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43- 4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. 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.
9. 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 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to 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. 43-177D**  
**As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-177D is now described as follows:

**Right Holder:** JASON WARR AND  
 WENDEE WARR  
 2527 S 2400 E  
 MALTA, ID 83342

**Priority Date:** 5/24/1909

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
 IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
 4.380 cfs  
 4.380 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWSW Sec 20 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 216.2

POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 216.2 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs..
4. 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. 83065

**WATER RIGHT NO. 43-177D**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. 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.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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. 43-13839****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13839 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 5/24/1909

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From**  
03/15

**To**  
to 11/15

**Diversion Rate**  
0.240 cfs  
0.240 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWNW Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 11.8

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 11.8 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-13839**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
5. 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.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 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.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-170C****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-170C is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1881

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 10/01

**Diversion Rate**  
0.280 cfs  
0.280 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWSW Sec 20 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 75.9

POU Total Acres: 588.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 75.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs
4. 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. 83065

**WATER RIGHT NO. 43-170C**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. 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.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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. 43-13840****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13840 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1881

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 10/01

**Diversion Rate**  
0.020 cfs  
0.020 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWNW Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 4.1

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 4.1 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065



**WATER RIGHT NO. 43-13840**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
5. 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.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 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.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-173C**

## **As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-173C is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1882

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 10/01

**Diversion Rate**  
0.860 cfs  
0.860 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWSW Sec 20 Twp 14S Rge 27E CASSIA County

### **PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE |        |
| 14S | 27E | 17  | 38.0 | 40.0 | 37.0 | 37.0 | 36.0 | 31.0 | 39.0 | 39.0 | 38.0 | 30.0 | 34.0 | 33.0 |    |    |    |    | 432.0  |
| 14S | 27E | 20  |      |      |      |      | 39.0 | 40.0 | 39.0 | 38.0 |      |      |      |      |    |    |    |    | 156.0  |

Right Acre Limit: 75.9

POU Total Acres: 588.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 75.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965 and 43-178E when combined shall not exceed a total diversion rate of 20.75 cfs and the irrigation of 588 acres.
3. Rights 43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964 and 43-12965 when combined shall not exceed a total diversion rate of 13.29 cfs.
4. 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. 83065

**WATER RIGHT NO. 43-173C**  
**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

5. 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.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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. 43-13841****As Modified by Transfer No. 83065**

In accordance with the approval of Transfer No. 83065, Water Right No. 43-13841 is now described as follows:

**Right Holder:** JASON WARR AND  
WENDEE WARR  
2527 S 2400 E  
MALTA, ID 83342

**Priority Date:** 4/1/1882

**Source:** RAFT RIVER

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 **To** 10/01

**Diversion Rate**  
0.050 cfs  
0.050 cfs

**LOCATION OF POINT(S) OF DIVERSION**

RAFT RIVER NWNW Sec 32 Twp 14S Rge 27E CASSIA County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |      |      |      | NW |      |      |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|------|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14S | 27E | 32  | 38.0 | 36.0 | 35.5 | 38.5 |    |      |      |    |    |    |    |    |    |    |    |    | 148.0  |
| 14S | 27E | 33  |      |      |      |      |    | 37.0 | 38.0 |    |    |    |    |    |    |    |    |    | 75.0   |

Right Acre Limit: 4.1

POU Total Acres: 223.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 4.1 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, and 43-13847 when combined shall not exceed a total diversion rate of 0.72 cfs.
3. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847 and 43-13848 when combined shall not exceed a total diversion rate of 1.13 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.

Transfer No. 83065

**WATER RIGHT NO. 43-13841**

**As Modified by Transfer No. 83065**

**CONDITIONS OF APPROVAL**

4. Rights 43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, 43-13848, 43-2289, 43-2301, 43-2302, 43-4003D and 43-10633 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 892 af at the field headgate, and the irrigation of 223 acres.
5. 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.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 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.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 # 83065

43-13833, 43-13834, 43-13835, 43-13836, 43-13837, 43-13838, 43-2289, 43-2301, 43-2302, 43-4003D, and 43-10633

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

27E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.1 0.2 0.4 Miles



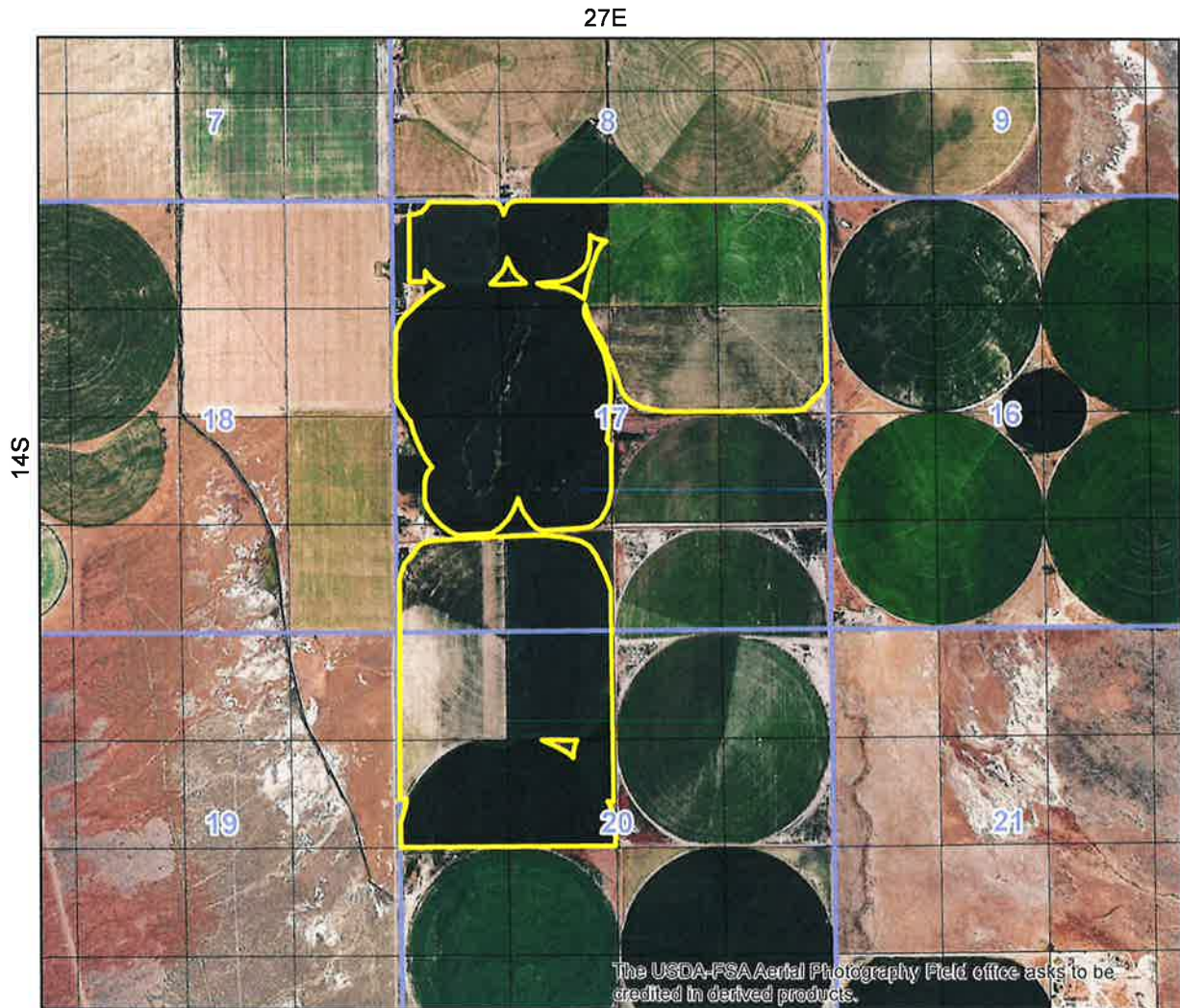


State of Idaho  
Department of Water Resources

## Attachment to Transfer # 83065

43-170C, 43-173C, 43-177D, 43-2294E, 43-2389, 43-2405, 43-2419, 43-2420B,  
43-4034, 43-10388, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965, and 43-178E

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



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

0 0.275 0.55 1.1 Miles

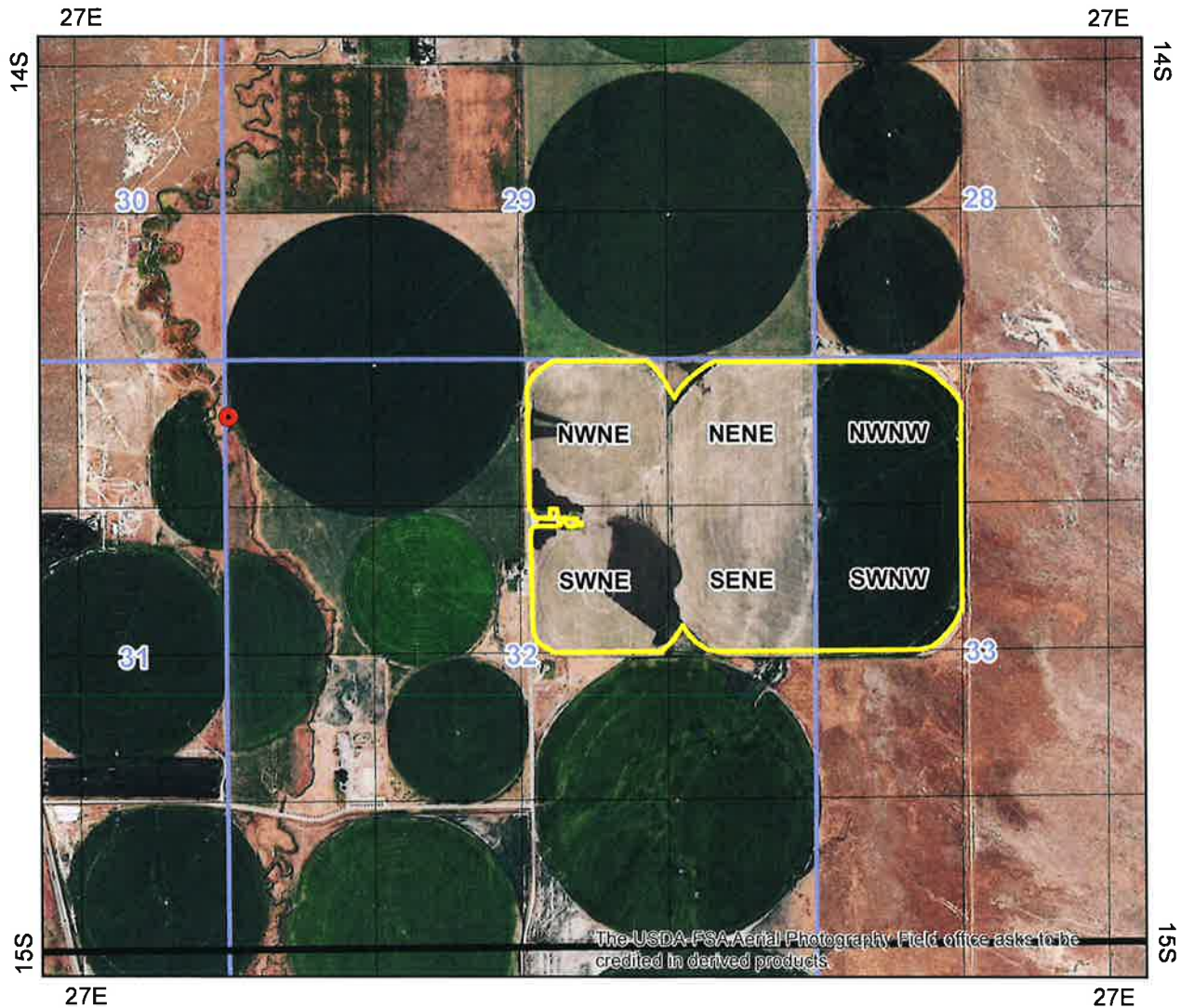


State of Idaho  
Department of Water Resources

## Attachment to Transfer # 83065

43-13839, 43-13840, 43-13841, 43-13842, 43-13843, 43-13844, 43-13845, 43-13846, 43-13847, and 43-13848

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



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.175 0.35 0.7 Miles







## 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](http://www.idwr.idaho.gov) • Email: [southerninfo@idwr.idaho.gov](mailto:southerninfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

March 18, 2020

JASON WARR  
WENDEE WARR  
2527 S 2400 E  
MALTA ID 83342

Re: Transfer No: 83065

Water Right No(s): 43-170C, 43-173C, 43-177D, 43-178E, 43-2289, 43-2294E, 43-2301, 43-2302, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4003D, 43-4034, 43-10388, 43-10633, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965

### 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 18, 2020 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: 83065

Water Right No(s): 43-170C, 43-173C, 43-177D, 43-178E, 43-2289, 43-2294E, 43-2301, 43-2302, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4003D, 43-4034, 43-10388, 43-10633, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965

JASON WARR  
WENDEE WARR  
2527 S 2400 E  
MALTA ID 83342

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

A handwritten signature in blue ink that reads "Denise Maline". The signature is written in a cursive style and is positioned above a horizontal line.

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 11, 2020  
**To:** Transfer 83065 File  
**From:** Benny Walker  
**Re:** Evaluation of Sufficiency of Information Submitted

Application proposes transferring a 32.0 acre portion (1.13 cfs) of 6 ground water irrigation rights and 10 Raft River irrigation rights from a farm located approximately 6.7–8.2 miles south and 1.8–2.8 miles east of Malta to a farm located 9.7–9.9 miles south and 2.4–3.1 miles east of Malta. The application also proposes to shift 6.5 acres (0.1 cfs) for 5 ground water rights currently utilized at the proposed place of use. The ground water rights will be diverted from an existing well located at the proposed place of use. In addition the application proposes to change the point of diversion for the 10 Raft River rights to an existing diversion near the proposed place of use (moving approximately 1.5 miles upstream from the current point of diversion on the Raft River).

The wells involved with the transfer are located outside of the ESPA area so a ground water model analysis is not required. The transfer's proposed changes are within Water District 143, and 43B therefore watermaster comments were sought and consent was given. The purpose of this transfer is to replace 32 curtailed expansion acres for water right 43-10633. In addition the transfer will change the ownership of 5 ground water rights.

The fee for this transfer was based on 1.23 cfs, a percentage of the cfs being transferred or changed, and the fee for the change of ownership of 5 ground water rights.

Application was subject to notice and protest. No protests were received.

- **Authority to File:**  
The applicants are listed as the current of the majority of the water rights within the transfer. For the five water rights changing ownership the applicants provided the appropriate deeds to change the ownership.
- **Water Right Validity:**  
The water rights involved in this transfer were decreed in 2002. Current aerial photography indicates that the water rights have been used in recent years.
- **Injury to Other Water Rights:**  
None anticipated.
- **Enlargement of Use:**  
None anticipated.
- **Local Public Interest:**  
No negative impacts anticipated. Application was subject to notice and protest. No protest were received. Watermaster comments were solicited and the watermaster did not oppose the approval of this application.
- **Beneficial Use/Conservation of Water Resources:**  
Proposed uses are recognized as beneficial uses 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.

Twin Falls Times-News  
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500  
TWIN FALLS ID 83301

ORDER NUMBER 96676

Ruby Aufderheide  
(Legals Clerk)

STATE OF IDAHO )  
                          SS  
COUNTY OF TWIN FALLS )

On this 9 day of January in the year of 2020 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

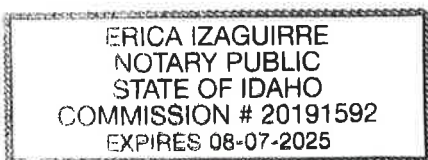
Erica Izaguirre  
Notary Public FOR Idaho  
Residing at: Twin Falls, Idaho  
My Commission expires: 8/7/25

Section: Legals

Category: 50 Legal

PUBLISHED ON: 01/02/2020, 01/09/2020

TOTAL AD COST: 116.67  
FILED ON: 1/9/2020



NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 83065

JASON WARR and WENDEE WARR, 2527 S 2400 E, MALTA, ID 83342; have filed Application No. 83065 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10388, 43-10633, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965, 43-170C, 43-173C, 43-177D, 43-178E, 43-2289, 43-2294E, 43-2301, 43-2302, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4003D, 43-4034; to see a full description of these rights and the proposed transfer, please see [www.idwr.idaho.gov/apps/wr/QueryNewTransfers/Query-NewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/Query-NewTransfers.aspx). The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 32.0 acre portion (1.13 cfs) of 6 ground water irrigation rights and 10 Raft River irrigation rights from a farm located approximately 6.7 to 8.2 miles south and 1.8 to 2.8 miles east of Malta to a farm located 9.7 to 9.9 miles south and 2.4 to 3.1 miles east of Malta. The application also proposes to shift 6.5 acres (0.1 cfs) for 5 ground water rights currently utilized at the proposed place of use. The ground water rights will be diverted from an existing well located at the proposed place of use. In addition the application proposes to change the point of diversion for the 10 Raft River rights to an existing diversion near the proposed place of use (moving approximately 1.5 miles upstream from the current point of diversion on the Raft River).

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **January 21, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH: January 2 and 9, 2019

RECEIVED

JAN 15 2020

DEPT OF WATER RESOURCES  
SOUTHERN REGION

✓ dm 1-17-2020

State of Idaho  
Department of Water Resources

**RECOMMENDATION OF WATERMASTER**

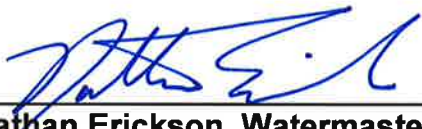
Transfer No: 83065  
Water Right No: 43-170C, etc.  
Applicant Name: JASON & WENDEE WARR

Watermaster's Recommendation:

- a) ☒ 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: December 26, 2019**

**Water District 143**

  
\_\_\_\_\_  
**Nathan Erickson, Watermaster**



# Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 96676

|             |                                  |                 |                         |
|-------------|----------------------------------|-----------------|-------------------------|
| Publication | Times News                       |                 |                         |
| Contact     | ID DEPARTMENT OF WATER RESOURCES | PO Number       |                         |
| Address 1   | 650 ADDISON AVE W, STE 500       | Rate            | Legal Notice            |
| Address 2   |                                  | Order Price     | 116.67                  |
| City St Zip | TWIN FALLS ID 83301              | Amount Paid     | 0.00                    |
| Phone       | 2087363033                       | Amount Due      | 116.67                  |
| Fax         |                                  |                 |                         |
| Section     | Legals                           | Start/End Dates | 01/02/2020 - 01/09/2020 |
| SubSection  |                                  | Insertions      | 2                       |
| Category    | 50 Legal                         | Size            | 74                      |
| Ad Key      | 96676-1                          | Salesperson(s)  | Ruby Aufderheide        |
| Keywords    | Transfer No 83065 Warr           | Taken By        | Ruby Aufderheide        |
| Notes       |                                  |                 |                         |

## Ad Proof

### NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 83065

JASON WARR and WENDEE WARR, 2527 S 2400 E, MALTA, ID 83342; have filed Application No. 83065 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10388, 43-10633, 43-12961, 43-12962, 43-12963, 43-12964, 43-12965, 43-170C, 43-173C, 43-177D, 43-178E, 43-2289, 43-2294E, 43-2301, 43-2302, 43-2389, 43-2405, 43-2419, 43-2420B, 43-4003D, 43-4034; to see a full description of these rights and the proposed transfer, please see [www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 32.0 acre portion (1.13 cfs) of 6 ground water irrigation rights and 10 Raft River irrigation rights from a farm located approximately 6.7 to 8.2 miles south and 1.8 to 2.8 miles east of Malta to a farm located 9.7 to 9.9 miles south and 2.4 to 3.1 miles east of Malta. The application also proposes to shift 6.5 acres (0.1 cfs) for 5 ground water rights currently utilized at the proposed place of use. The ground water rights will be diverted from an existing well located at the proposed place of use. In addition the application proposes to change the point of diversion for the 10 Raft River rights to an existing diversion near the proposed place of use (moving approximately 1.5 miles upstream from the current point of diversion on the Raft River).

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **January 21, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**PUBLISH:** January 2 and 9, 2019

✓ NM 12/26/2019

Proof of legal notice received  
from Times News 12/26/2019