

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 83246

This is to certify that: **NANCY VAN KAMPEN TRUST**
166 E 350 S
LOGAN, UT 84321

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>
29-12064	WR/DECREED	4/1/1880	1.200 cfs	N/A	60.0	81.0	DEMPSEY CREEK
29-13726	WR/DECREED	8/7/1932	1.620 cfs	N/A	N/A	81.2	DEMPSEY CREEK
29-170	WR/DECREED	7/1/1881	0.400 cfs	N/A	20.0	81.0	DEMPSEY CREEK
29-171	WR/DECREED	4/1/1882	0.300 cfs	N/A	15.0	81.0	DEMPSEY CREEK

Purpose of Transfer (Changes Proposed)

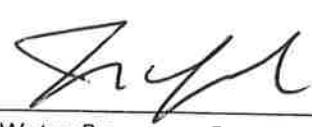
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-12064	NO	NO	YES	NO	NO	NO
29-13726	NO	NO	YES	NO	NO	NO
29-170	NO	NO	YES	NO	NO	NO
29-171	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
29-12064	29-12064	1.200 cfs	N/A	60.0	81.0	N/A	N/A	N/A	N/A	N/A
29-13726	29-13726	1.620 cfs	N/A	N/A	81.0	N/A	N/A	N/A	N/A	N/A
29-170	29-170	0.400 cfs	N/A	20.0	81.0	N/A	N/A	N/A	N/A	N/A
29-171	29-171	0.300 cfs	N/A	15.0	81.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.620 cfs	N/A	81.0	81.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 8th day of July, 2019.


Water Resources Program Manager

Transfer No. 83246

SUPPORT DATA
IN FILE # 29-170

WATER RIGHT NO. 29-170

As Modified by Transfer No. 83246

In accordance with the approval of Transfer No. 83246, Water Right No. 29-170 is now described as follows:

Right Holder: NANCY VAN KAMPEN TRUST
166 E 350 S
LOGAN, UT 84321

Priority Date: 7/1/1881

Source: DEMPSEY CREEK

Tributary: PORTNEUF RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 09/15

Diversion Rate
0.400 cfs
0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

DEMPSEY CREEK NESWSW Sec 4 Twp 10S Rge 38E BANNOCK 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	
09S	38E	29																5.1	5.1
09S	38E	32	19.3			14.4													33.7
09S	38E	33					5.1	37.1											42.2

Right Acre Limit: 20.0

POU Total Acres: 81.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 20 acres within the authorized place of use in a single irrigation season.
2. Rights 29-170, 29-171, 29-12064, and 29-13726 when combined shall not exceed a total diversion rate of 1.62 cfs and the irrigation of 81 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/22/2004.

WATER RIGHT NO. 29-170
As Modified by Transfer No. 83246

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. 29.
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. Water is delivered through West Dempsey Ditch.
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 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. 29-171**As Modified by Transfer No. 83246**

In accordance with the approval of Transfer No. 83246, Water Right No. 29-171 is now described as follows:

Right Holder: NANCY VAN KAMPEN TRUST
166 E 350 S
LOGAN, UT 84321

Priority Date: 4/1/1882

Source: DEMPSEY CREEK

Tributary: PORTNEUF RIVER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 09/15

Diversion Rate
0.300 cfs
0.300 cfs

LOCATION OF POINT(S) OF DIVERSION

DEMPSEY CREEK NESWSW Sec 4 Twp 10S Rge 38E BANNOCK 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	
09S	38E	29																5.1	5.1
09S	38E	32	19.3			14.4													33.7
09S	38E	33					5.1	37.1											42.2

Right Acre Limit: 15.0

POU Total Acres: 81.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 15 acres within the authorized place of use in a single irrigation season.
2. Rights 29-170, 29-171, 29-12064, and 29-13726 when combined shall not exceed a total diversion rate of 1.62 cfs and the irrigation of 81 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/22/2004.

WATER RIGHT NO. 29-171
As Modified by Transfer No. 83246

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. 29.
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. Water is delivered through West Dempsey Ditch.
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 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. 29-12064**As Modified by Transfer No. 83246**

In accordance with the approval of Transfer No. 83246, Water Right No. 29-12064 is now described as follows:

Right Holder: NANCY VAN KAMPEN TRUST
166 E 350 S
LOGAN, UT 84321

Priority Date: 4/1/1880

Source: DEMPSEY CREEK

Tributary: PORTNEUF RIVER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 09/15

Diversion Rate
1,200 cfs
1,200 cfs

LOCATION OF POINT(S) OF DIVERSION

DEMPSEY CREEK NESWSW Sec 4 Twp 10S Rge 38E BANNOCK 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	
09S	38E	29																5.1	5.1
09S	38E	32	19.3			14.4													33.7
09S	38E	33					5.1	37.1											42.2

Right Acre Limit: 60.0

POU Total Acres: 81.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 60 acres within the authorized place of use in a single irrigation season.
2. Rights 29-170, 29-171, 29-12064, and 29-13726 when combined shall not exceed a total diversion rate of 1.62 cfs and the irrigation of 81 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/22/2004.

Transfer No. 83246

WATER RIGHT NO. 29-12064
As Modified by Transfer No. 83246

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. 29.
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. Water is delivered through West Dempsey Ditch.
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 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. 29-13726

As Modified by Transfer No. 83246

In accordance with the approval of Transfer No. 83246, Water Right No. 29-13726 is now described as follows:

Right Holder: NANCY VAN KAMPEN TRUST
166 E 350 S
LOGAN, UT 84321

Priority Date: 8/7/1932

Source: DEMPSEY CREEK

Tributary: PORTNEUF RIVER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
1.620 cfs
1.620 cfs

LOCATION OF POINT(S) OF DIVERSION

DEMPSEY CREEK NESWSW Sec 4 Twp 10S Rge 38E BANNOCK 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	
09S	38E	29																5.1	5.1
09S	38E	32	19.3			14.4													33.7
09S	38E	33					5.1	37.1											42.2

POU Total Acres: 81.0

CONDITIONS OF APPROVAL

1. Rights 29-170, 29-171, 29-12064, and 29-13726 when combined shall not exceed a total diversion rate of 1.62 cfs and the irrigation of 81 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. The operation and administration of this water right is subject to the terms and conditions of the Portneuf River Settlement Agreement, Basin 29: Portneuf River filed with the SRBA District Court April 22, 2005, and the addendum to the agreement filed December 17, 2007.

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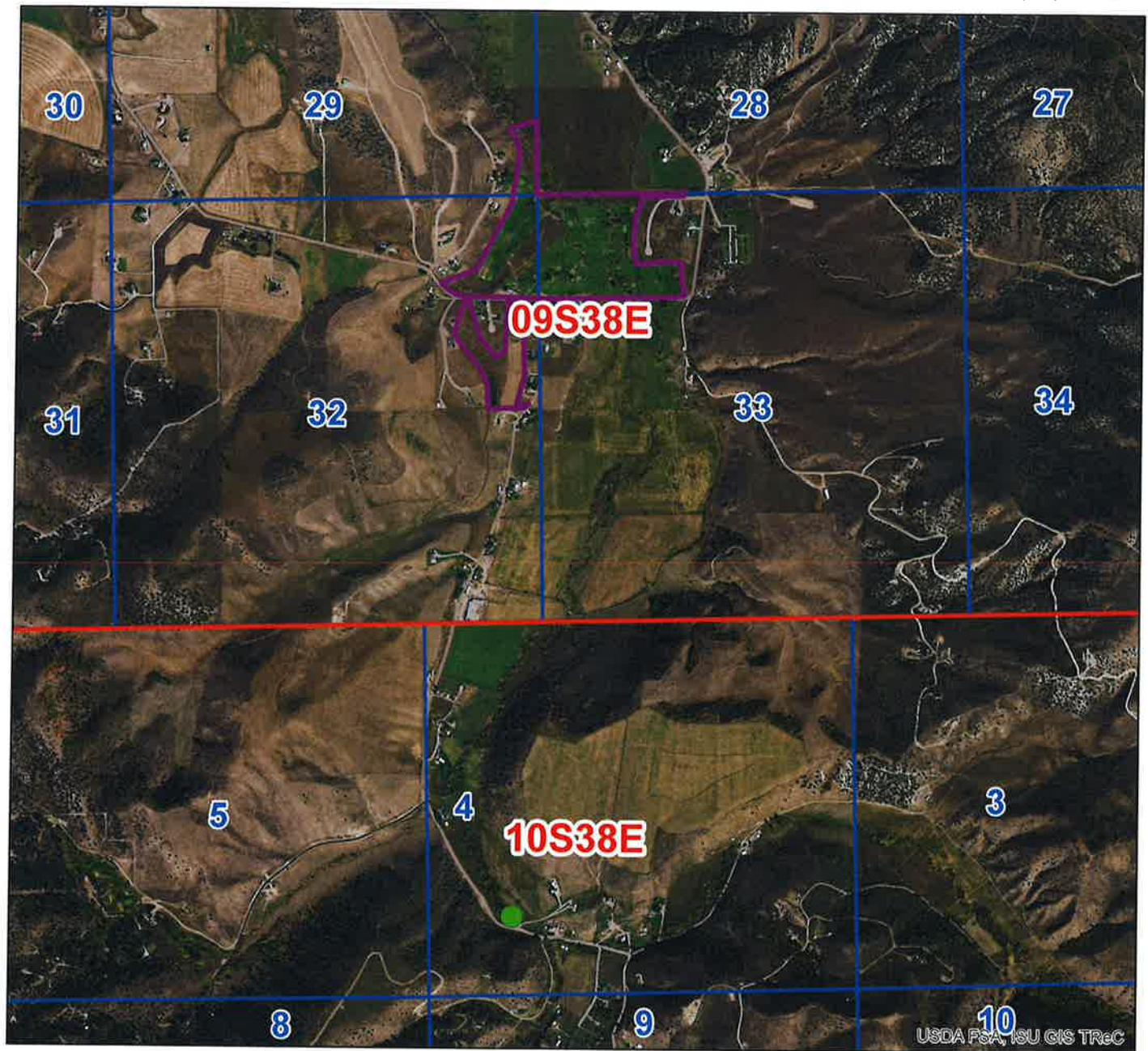
WATER RIGHT NO. 29-13726
As Modified by Transfer No. 83246

CONDITIONS OF APPROVAL

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

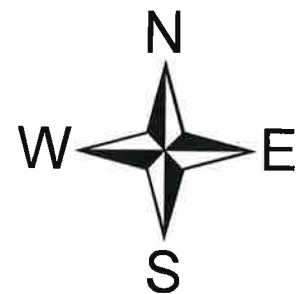
Attachment to Transfer Approval 83246

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



0 1,150 2,300 4,600 Feet

1 inch = 1,928 feet



Legend

-  Water Right POD
-  Water Right POU
-  Township/Range
-  Sections

Date: 7/8/2019