

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 83213

This is to certify that: **AMY HAYES AND
DESTRY HAYES
134 S 2ND W
RIGBY, ID 83442**

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>
35-4275B	WR/DECREED	6/1/1938	0.120 cfs	28.0 af	7.0	9.0	GROUND WATER
35-8657B	WR/DECREED	9/28/1981	0.040 cfs	8.0 af	2.0	9.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-4275B	YES	YES	NO	NO	NO	NO
35-8657B	YES	YES	NO	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>
35-4275B	35-14638	0.040 cfs	10.4 af	2.6	3.3	35-4275B	0.080 cfs	17.6 af	4.4	5.7
35-8657B	35-14639	0.020 cfs	2.8 af	0.7	3.3	35-8657B	0.020 cfs	5.2 af	1.3	5.7
COMBINED TOTALS		0.060 cfs	13.2 af	3.3	3.3		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 28th day of June, 2019



Water Resources Program Manager

SUPPORT DATA

Transfer No. 83213

IN FILE # 35-4275B

WATER RIGHT NO. 35-4275B
As Modified by Transfer No. 83213

In accordance with the approval of Transfer No. 83213, Water Right No. 35-4275B is now described as follows:

Right Holder: BRENT G GUNDERSON
 905 TWIN BUTTE RD
 MENAN, ID 83434-5116

Priority Date: 6/1/1938

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.080 cfs	17.6 af
			0.080 cfs	17.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L4 (NWNW) Sec 22 Twp 05N Rge 38E MADISON 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	
05N	38E	22						5.7											5.7
							L4												

Right Acre Limit: 4.4

POU Total Acres: 5.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4.4 acres within the authorized place of use in a single irrigation season.
2. Rights 35-4275B and 35-8657B when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 22.8 af at the field headgate, and the irrigation of 5.7 acres.
3. Use of this right is combined with water from Palisades Water Users Association.
4. Right No. 35-08657B is also diverted through point of diversion described above.
5. 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. 35-14638**As Modified by Transfer No. 83213**

In accordance with the approval of Transfer No. 83213, Water Right No. 35-14638 is now described as follows:

Right Holder: DESTRY HAYES
AMY HAYES
134 S 2ND W
RIGBY, ID 83442

Priority Date: 6/1/1938

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.040 cfs

0.040 cfs

Diversion Volume

10.4 af

10.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

L4 (NWNW)

Sec 22 Twp 05N Rge 38E MADISON 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	
05N	38E	22						3.3											3.3
								L 4											

Right Acre Limit: 2.6

POU Total Acres: 3.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14638 and 35-14639 when combined shall not exceed the irrigation of 3.3 acres.
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. 120.
4. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
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 this right is combined with water from Palisades Water Users Association.

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WATER RIGHT NO. 35-14638
As Modified by Transfer No. 83213

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to 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. 35-8657B
As Modified by Transfer No. 83213

In accordance with the approval of Transfer No. 83213, Water Right No. 35-8657B is now described as follows:

Right Holder: BRENT G GUNDERSON
 905 TWIN BUTTE RD
 MENAN, ID 83434-5116

Priority Date: 9/28/1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.020 cfs	5.2 af
			0.020 cfs	5.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L4 (NWNW) Sec 22 Twp 05N Rge 38E MADISON 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	
05N	38E	22						5.7											5.7
							L4												

Right Acre Limit: 1.3

POU Total Acres: 5.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-4275B and 35-8657B when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 22.8 af at the field headgate, and the irrigation of 5.7 acres.
3. Use of this right is combined with water from Palisades Water Users Association.
4. Right No. 35-4275B is also diverted through point of diversion described above.
5. 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. 35-14639
As Modified by Transfer No. 83213

In accordance with the approval of Transfer No. 83213, Water Right No. 35-14639 is now described as follows:

Right Holder: DESTRY HAYES
 AMY HAYES
 134 S 2ND W
 RIGBY, ID 83442

Priority Date: 9/28/1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.020 cfs	2.8 af
			0.020 cfs	2.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L4 (NWNW) Sec 22 Twp 05N Rge 38E MADISON 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	
05N	38E	22						3.3											3.3
								L 4											

Right Acre Limit: 0.7
 POU Total Acres: 3.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.7 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14638 and 35-14639 when combined shall not exceed the irrigation of 3.3 acres.
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. 120.
4. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
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 this right is combined with water from Palisades Water Users Association.

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WATER RIGHT NO. 35-14639
As Modified by Transfer No. 83213

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to 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 83213

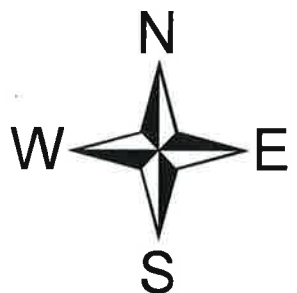
This map depicts the IRRIGATION place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

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

0 50 100 200 Feet
1 inch = 80 feet



Date: 6/28/2019