

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82835**

This is to certify that: **DAVID ALLEN**
17535 S OLD HWY 91
DOWNEY, ID 83234

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>
29-13991	WR/DECREED	10/17/1960	0.230 cfs	96.8 af	N/A	40.0	GROUND WATER
29-2340	WR/DECREED	9/28/1953	1.480 cfs	514.5 af	147.0	215.0	GROUND WATER
29-7031	WR/DECREED	4/3/1969	2.900 cfs	753.2 af	N/A	215.0	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>
29-13991	NO	YES	YES	NO	NO	NO
29-2340	NO	NO	YES	NO	NO	NO
29-7031	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>
29-13991	29-13991	0.230 cfs	96.8 af	34.5	244.0	N/A	N/A	N/A	N/A	N/A
29-2340	29-2340	1.480 cfs	514.5 af	147.0	244.0	N/A	N/A	N/A	N/A	N/A
29-7031	29-7031	2.900 cfs	753.2 af	215.0	244.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.130 cfs	850.0 af	244.0	244.0		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 1st day of May, 2019.



Water Resources Program Manager

Transfer No. 82835

SUPPORT DATA
IN FILE # 29-2340

WATER RIGHT NO. 29-13991
As Modified by Transfer No. 82835

In accordance with the approval of Transfer No. 82835, Water Right No. 29-13991 is now described as follows:

Right Holder: EQUITY TRUST COMPANY
C/O DAVID L. ALLEN
17535 S OLD HWY 91
DOWNEY, ID 83234

Priority Date: 10/17/1960

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	0.230 cfs	96.8 af
			0.230 cfs	96.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENW	Sec 17 Twp 11S Rge 37E BANNOCK County
GROUND WATER	SWNW	Sec 17 Twp 11S Rge 37E BANNOCK 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	
11S	37E	17					30.0		35.0	40.0	40.0	35.0	32.0	32.0					244.0

Right Acre Limit: 34.5
POU Total Acres: 244.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 34.5 acres within the authorized place of use in a single irrigation season.
2. Rights 29-2340, 29-7031 and 29-13991 when combined shall not exceed a total diversion rate of 3.13 cfs, a total annual maximum diversion volume of 850 af at the field headgate, and the irrigation of 244 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. This right does not grant any right-of-way or easement across the land of another.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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WATER RIGHT NO. 29-13991
As Modified by Transfer No. 82835

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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. 29-7031**As Modified by Transfer No. 82835**

In accordance with the approval of Transfer No. 82835, Water Right No. 29-7031 is now described as follows:

Right Holder: DAVID ALLEN
17535 S OLD HWY 91
DOWNEY, ID 83234
AND
CAROLYN ALLEN
350 N MAIN ST
FARMINGTON, UT 84025

Priority Date: 4/3/1969

Source: GROUND WATER

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/15	2.900 cfs	752.5 af
STOCKWATER	01/01	to 12/31	0.020 cfs	0.7 af
			2.900 cfs	753.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENW	Sec 17 Twp 11S Rge 37E	BANNOCK County
GROUND WATER	SWNW	Sec 17 Twp 11S Rge 37E	BANNOCK 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	
11S	37E	17					30.0		35.0	40.0	40.0	35.0	32.0	32.0					244.0

Right Acre Limit: 215.0

POU Total Acres: 244.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	37E	17					X		X	X	X	X	X	X					

CONDITIONS OF APPROVAL

1. Rights 29-2340 and 29-7031 when combined shall not exceed a total diversion rate of 2.90 cfs, a total annual maximum diversion volume of 753.2 af at the field headgate, and the irrigation of 215.0 acres.

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WATER RIGHT NO. 29-7031
As Modified by Transfer No. 82835

CONDITIONS OF APPROVAL

2. Rights 29-2340, 29-7031 and 29-13991 when combined shall not exceed a total diversion rate of 3.13 cfs, a total annual maximum diversion volume of 850 af at the field headgate, and the irrigation of 244 acres.
3. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. The period of use for the irrigation described in this approval may be extended to 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 after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 03/22/2004.
5. 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 lands above.
6. This right does not grant any right-of-way or easement across the land of another.
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. 29-2340
As Modified by Transfer No. 82835

In accordance with the approval of Transfer No. 82835, Water Right No. 29-2340 is now described as follows:

Right Holder: DAVID ALLEN
 17535 S OLD HWY 91
 DOWNEY, ID 83234
 AND
 CAROLYN ALLEN
 350 N MAIN ST
 FARMINGTON, UT 84025

Priority Date: 9/28/1953

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

1.480 cfs

1.480 cfs

Diversion Volume

514.5 af

514.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
 GROUND WATER

SENW
 SWNW

Sec 17 Twp 11S Rge 37E BANNOCK County
 Sec 17 Twp 11S Rge 37E BANNOCK 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	
11S	37E	17					30.0		35.0	40.0	40.0	35.0	32.0	32.0					244.0

Right Acre Limit: 147.0

POU Total Acres: 244.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 147 acres within the place of use described above in a single irrigation season.
2. Rights 29-2340 and 29-7031 when combined shall not exceed a total diversion rate of 2.90 cfs, a total annual maximum diversion volume of 753.2 af at the field headgate, and the irrigation of 215.0 acres.
3. Rights 29-2340, 29-7031 and 29-13991 when combined shall not exceed a total diversion rate of 3.13 cfs, a total annual maximum diversion volume of 850 af at the field headgate, and the irrigation of 244 acres.

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WATER RIGHT NO. 29-2340
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CONDITIONS OF APPROVAL

4. 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 lands above.
5. This right does not grant any right-of-way or easement across the land of another.
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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Attachment to Transfer Approval 82835

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.

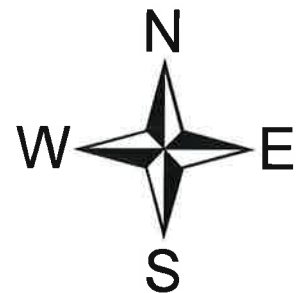


Legend

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

0 500 1,000 2,000 Feet

1 inch = 838 feet



Date: 5/1/2019