

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 23 2018

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-129120*	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Jeffrey and Chana Duffin
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Peggy Simpson / Elizabeth Maland
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 512 Sheridan Rd / 2037 Crawford Dr Walla Walla Wa 99362
Mailing address City State ZIP
- Telephone _____ Email _____

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 11-8-2018

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☐ Filing fee (see instructions for further explanation):
- ☐ \$25 per undivided water right.
 - ☐ \$100 per split water right.
 - ☐ No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Elizabeth Maland Title, if applicable _____ Date 11-15-18
Signature of new owner/claimant
- Signature: Peggy M. Simpson Title, if applicable _____ Date 11-15-18
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 11/26/2018 Receipt No. E044534 Receipt Amt. \$25.-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by JB Processed by CR Date 12-4-18



ATTORNEYS AND COUNSELORS

Hawley Troxell Ennis & Hawley LLP
412 W. Center Street
Suite 2000
P.O. Box 100
Pocatello, Idaho 83204
www.hawleytroxell.com

JOHN A. BAILEY JR.
ADMITTED TO PRACTICE LAW IN IDAHO
EMAIL: JBAILEY@HAWLEYTROXELL.COM
TELEPHONE: 208.233.2001
DIRECT FAX: 208.232.0150

November 6, 2018

Peggy Simpson
Simpson68@gmail.com

Betty Maland
malande@my180.net

Re: Peggy Simpson and Betty Maland v. Duffin
CV-2017-1333

Dear Peggy and Betty:

Enclosed please find a copy of a letter I received today from Rob Harris along with the Special Warranty Deed signed by the Duffins, I will have this recorded and return to you a conformed copy that has the recording stamp on it. Once I have that I will forward this to the Idaho Department of Water Resources for them to issue the Notice of Change Water Right Ownership. As soon as I have that the matter should be concluded and we can close this file. If you have questions in the meantime, please do not hesitate to contact me.

Best Regards,

JOHN A. BAILEY, JR.
HAWLEY TROXELL ENNIS & HAWLEY LLP

bd.
Enclosure



Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

Email: rharris@holdenlegal.com

November 1, 2018

RECEIVED
NOV 06 2018

BY: _____

John A. Bailey
HAWLEY TROXELL
412 W. Center St., Ste. 2000
Pocatello, ID 83204

Re: Original Special Warranty Deed for Water Right.

Dear John:

Blake Swenson sent me the enclosed original *Special Warranty Deed for Water Right*, which he asked that I sent to you to be recorded. Once the deed is recorded, you will need to submit a copy of this deed along with a completed form from the Idaho Department of Water Resources ("IDWR") called *Notice of Change in Water Right Ownership*. If you have any questions, I suggest you contact Jonie Barg at the Eastern Region Office of IDWR at 208-525-7161. My understanding is that the deed was executed because payment under the settlement agreement was made. Consequently, I am today filing the other documents called for under the settlement agreement, and I will copy you on my correspondence to IDWR relative to those documents. If you have any questions or concerns, please let me know.

Best regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

g:\wpdata\rlh\18488-000 duffin, jeff\deed\2018-11-01, special warranty deed for wr.docx

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

John A. Bailey Jr.
Hawley Troxell Ennis & Hawley LLP
412 West Center St.
Pocatello, ID 83204

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

Jeffrey and Chana Duffin, husband and wife, whose address is P.O. Box 525, Aberdeen, Idaho 83210 (hereinafter the "Grantors") does hereby grant, bargain, sell, assign, and convey unto **Peggy M. Simpson**, a single woman, whose address is 512 Sheridan Rd., Walla Walla, Washington 99362, and **Elizabeth F. Maland**, a single woman, whose address is 2037 Crawford Dr., Walla Walla, Washington 99362, (collectively, the "Grantees") and to the Grantees' heirs and assigns forever, all of the Grantors' right, title, and interest in Water Right No. 35-12912 which is described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantors hereby covenant and warrant to Grantees as follows:

- (A) Grantors are the owners of the Water Right;
- (B) Grantors have not conveyed any of the Water Right to anyone other than Grantees;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantors have the authority to convey the Water Right to Grantees.

Grantors make no other covenants or warranties as to the Water Right.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantors have caused their names to be hereunto subscribed.

DATED this 2nd day of Oct ~~September~~, 2018

"Grantors"

Jeffrey Duffin
Jeffrey Duffin

Chana Duffin
Chana Duffin

STATE OF IDAHO)
County of Bannock)ss.

This record was acknowledged before me on the 2 day of October ~~September~~, 2018, by
JEFFREY DUFFIN.



April Hilgert
Notary Public for Idaho
My Commission Expires: _____

STATE OF IDAHO)
County of Bannock)ss.

This record was acknowledged before me on the 2 day of October ~~September~~, 2018, by
CHANA DUFFIN.



April Hilgert
Notary Public for Idaho
My Commission Expires: _____

EXHIBIT A
WATER RIGHT DESCRIPTION

4/10/2018

Water Right Report

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/10/2018

WATER RIGHT NO. 35-12912

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHANA DUFFIN
Current Owner	JEFFREY DUFFIN PO BOX 525 ABERDEEN, ID 83210 2082211115
Original Owner	MARILYN DUFFIN
Original Owner	VERN R DUFFIN 2142 S 2800 W ABERDEEN, ID 83210 2083974100

Priority Date: 04/01/1961
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	1.36 CFS	312 AFA
Total Diversion			1.36 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESWSW|Sec. 15|Township 06S|Range 30E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?BasinNumber=35&SequenceNumber=12912&SplitSulix=9420%20&TypeWaterRight=True>

4/10/2018

Water Right Report

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06S	30E	15		NWSE	39		SWSE	39						

Total Acres: 78

Conditions of Approval:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. RIGHT NO. 35-02485 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?BasinNumber=35&SequenceNumber=12612&SplitSuffix=5420%20&Type=WaterRight=True>



ATTORNEYS AND COUNSELORS

Hawley Troxell Ennis & Hawley LLP
412 W. Center Street
Suite 2000
P.O. Box 100
Pocatello, Idaho 83204
www.hawleytroxell.com

JOHN A. BAILEY JR.
ADMITTED TO PRACTICE LAW IN IDAHO
EMAIL: JBailey@HawleyTroxell.com
TELEPHONE: 208.233.2001
DIRECT FAX: 208.232.0150

November 12, 2018

Peggy Simpson
Simpson68@gmail.com

Betty Maland
malande@my180.net

Re: Peggy Simpson and Betty Maland v. Duffin
CV-2017-1333

Dear Peggy and Betty:

Attached please find a copy of the Special Warranty Deed that has been recorded. I am sending the original to Peggy in the mail today. As soon as I receive the documentation from the Department of Water Resources I will forward those documents to you. If you have any questions in the meantime, please give me a call.

Best Regards,

A handwritten signature in black ink, appearing to read 'John A. Bailey, Jr.'.

JOHN A. BAILEY, JR.
HAWLEY TROXELL ENNIS & HAWLEY LLP

bd.

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

John A. Bailey Jr.
Hawley Troxell Ennis & Hawley LLP
412 West Center St.
Pocatello, ID 83204

Instrument # 702027

BINGHAM COUNTY

11-8-2018 01:35:27 PM No. of Pages: 4

Recorded for : JOHN A. BAILEY JR.

PAMELA W. ECKHARDT

Fee: 15.00

Ex-Officio Recorder Deputy

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

Jeffrey and Chana Duffin, husband and wife, whose address is P.O. Box 525, Aberdeen, Idaho 83210 (hereinafter the "Grantors") does hereby grant, bargain, sell, assign, and convey unto **Peggy M. Simpson**, a single woman, whose address is 512 Sheridan Rd., Walla Walla, Washington 99362, and **Elizabeth F. Maland**, a single woman, whose address is 2037 Crawford Dr., Walla Walla, Washington 99362, (collectively, the "Grantees") and to the Grantees' heirs and assigns forever, all of the Grantors' right, title, and interest in Water Right No. 35-12912 which is described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantors hereby covenant and warrant to Grantees as follows:

- (A) Grantors are the owners of the Water Right;
- (B) Grantors have not conveyed any of the Water Right to anyone other than Grantees;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantors have the authority to convey the Water Right to Grantees.

Grantors make no other covenants or warranties as to the Water Right.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantors have caused their names to be hereunto subscribed.

DATED this 2nd Oct day of ~~September~~, 2018

"Grantors"

Jeffrey Duffin
Jeffrey Duffin

Chana Duffin
Chana Duffin

STATE OF IDAHO)
County of Bannock)ss.

This record was acknowledged before me on the 2 day of October, 2018, by
JEFFREY DUFFIN.



April Hilgert
Notary Public for Idaho
My Commission Expires: _____

STATE OF IDAHO)
County of Bannock)ss.

This record was acknowledged before me on the 2 day of October, 2018, by
CHANA DUFFIN.



April Hilgert
Notary Public for Idaho
My Commission Expires: _____

EXHIBIT A
WATER RIGHT DESCRIPTION

4/10/2018

Water Right Report

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/10/2018

WATER RIGHT NO. 35-12912

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHANA DUFFIN
Current Owner	JEFFREY DUFFIN
	PO BOX 525
	ABERDEEN, ID 83210
	2082211115
Original Owner	MARILYN DUFFIN
Original Owner	VERN R DUFFIN
	2142 S 2800 W
	ABERDEEN, ID 83210
	2083974100

Priority Date: 04/01/1961

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	1.36 CFS	312 AFA
Total Diversion			1.36 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NE|SW|Sec. 15|Township 06S|Range 30E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?BasinNumber=35&SequenceNumber=12912&SplitSuffix=%20%20&TypeWaterRight=True>

4/10/2016

Water Right Report

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06S	30E	15		NWSE	39		SWSE	39						

Total Acres: 78

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. RIGHT NO. 35-02485 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

<http://www.idwr.idaho.gov/apps/ExtSearch/RightReportAJ.asp?BasinNumber=35&SequenceNumber=12912&SplitSuffix=9&20%20&TypeWaterRight=True>

CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2018 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.: 81598
Water Right No(s): 35-7853B , 35-12912**

**PEGGY M SIMPSON
512 SHERIDAN RD
WALLA WALLA WA 99362**

**ELIZABETH MALAND
2037 CRAWFORD DR
WALLA WALLA WA 99362**

**JEFFREY DUFFIN
CHANA DUFFIN
PO BOX 525
ABERDEEN ID 83210**

**ROBERT L HARRIS
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405-0130**

**WATER DISTRICT 120
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402**



Sharla Cox

Administrative Assistant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81598

This is to certify that: ELIZABETH MALAND
2037 CRAWFORD DR
WALLA WALLA, WA 99362
AND
PEGGY M SIMPSON
512 SHERIDAN RD
WALLA WALLA, WA 99362

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>
35-12912	WR/DECREED	4/1/1961	1.360 cfs	312.0 af	N/A	78.0	GROUND WATER
35-7853B	WR/LICENSE	4/24/1979	1.360 cfs	312.0 af	N/A	78.0	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>
35-12912	NO	YES	NO	NO	NO	NO
35-7853B	NO	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>
35-12912	35-12912	1.360 cfs	312.0 af	N/A	78.0	N/A	N/A	N/A	N/A	N/A
35-7853B	35-7853B	1.360 cfs	312.0 af	N/A	78.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.720 cfs	312.0 af	N/A	78.0		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 7th day of November, 2018.



Water Resources Program Manager

WATER RIGHT NO. 35-7853B

As Modified by Transfer No. 81598

In accordance with the approval of Transfer No. 81598, Water Right No. 35-7853B is now described as follows:

Right Holder: ELIZABETH MALAND
2037 CRAWFORD DR
WALLA WALLA, WA 99362
AND
PEGGY M SIMPSON
512 SHERIDAN RD
WALLA WALLA, WA 99362

Priority Date: 4/24/1979

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	1.360 cfs	312.0 af
			1.360 cfs	312.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 15 Twp 06S Rge 30E BINGHAM 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	
06S	30E	15														39.0	39.0		78.0

POU Total Acres: 78.0

CONDITIONS OF APPROVAL

1. Rights 35-7853B and 35-12912 when combined shall not exceed a total annual maximum diversion volume of 312 af at the field headgate and the irrigation of 78 acres.
2. This right when combined with all other rights shall provide no more than 4.0 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. 120.

WATER RIGHT NO. 35-7853B
As Modified by Transfer No. 81598

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under Transfer approval 81598, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
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.

WATER RIGHT NO. 35-12912 **As Modified by Transfer No. 81598**

In accordance with the approval of Transfer No. 81598, Water Right No. 35-12912 is now described as follows:

Right Holder: JEFFREY DUFFIN AND
 CHANA DUFFIN
 PO BOX 525
 ABERDEEN, ID 83210

Priority Date: 4/1/1961

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	1.360 cfs	312.0 af
			1.360 cfs	312.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 15 Twp 06S Rge 30E BINGHAM 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	
06S	30E	15															39.0	39.0	78.0

POU Total Acres: 78.0

CONDITIONS OF APPROVAL

1. Rights 35-7853B and 35-12912 when combined shall not exceed a total annual maximum diversion volume of 312 af at the field headgate and the irrigation of 78 acres.
2. This right when combined with all other rights shall provide no more than 4.0 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. 120.
4. Prior to the diversion and use of water under Transfer approval 81598, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Transfer No. 81598

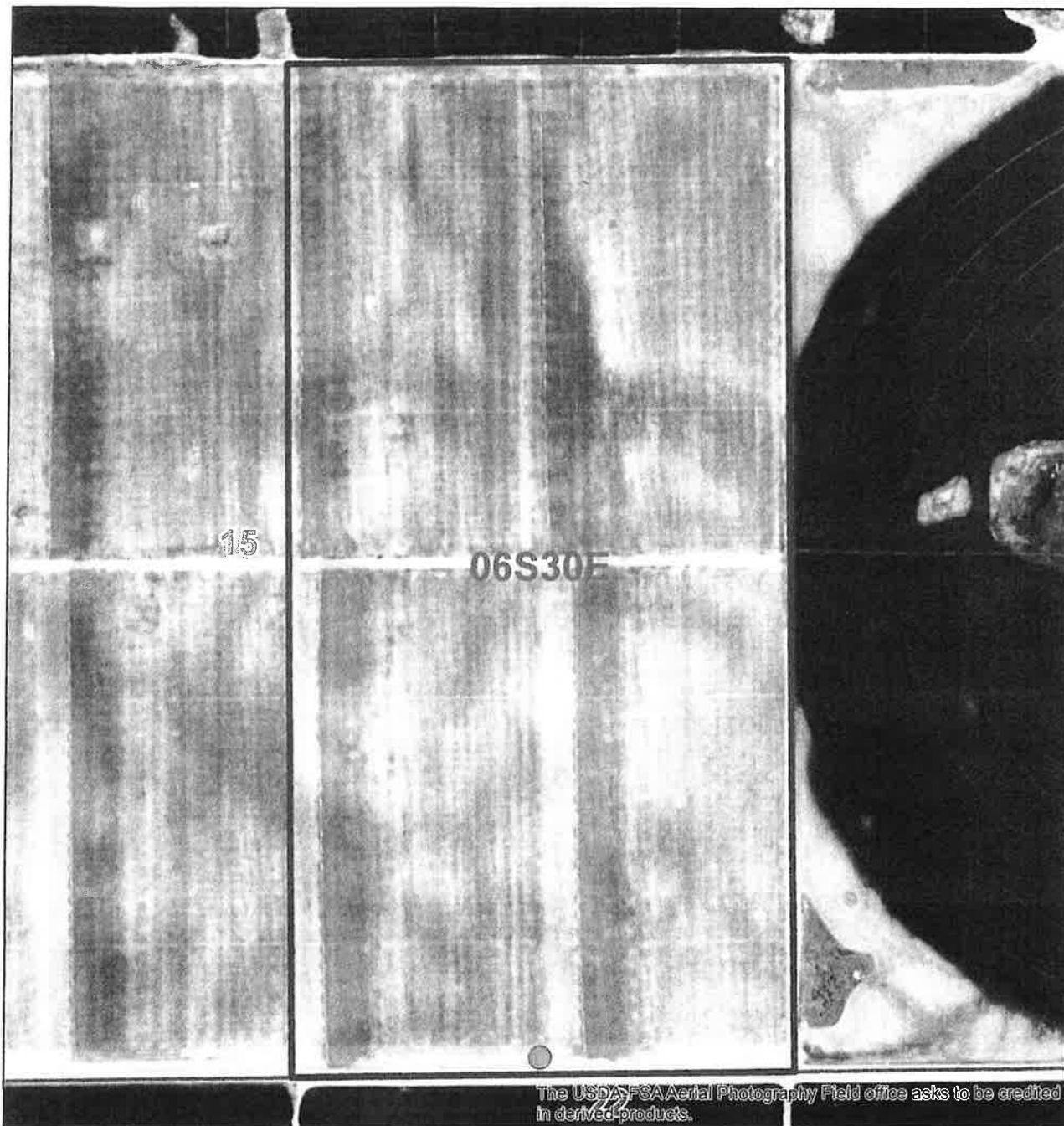
WATER RIGHT NO. 35-12912
As Modified by Transfer No. 81598

CONDITIONS OF APPROVAL

5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
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 81598

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

0 195 390 780 Feet



1 inch = 418 feet





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

December 04, 2018

PEGGY M SIMPSON
512 SHERIDAN RD
WALLA WALLA WA 99362-4255

ELIZABETH MALAND
2037 CRAWFORD DR
WALLA WALLA WA 99362

Re: Change in Ownership for Water Right No(s): 35-12912

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 525-7161.

Sincerely,

Cher Ramos
Technical Records Specialist I

Enclosure(s)

cc: Aberdeen/American Falls GWD
Water District 120