

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68463

RECEIVED

AUG 09 2001

Department of Water Resources
Eastern Region

This is to certify that: REID STEWART
3100 W 1000 S
ABERDEEN ID 83210
(208)397-4572

5779

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. 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 Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
35-2312C	AJC/License	03/17/1953	0.96 cfs	194.0 af	125.0	125.0	GROUND WATER
35-7882A	AJC/License	12/26/1979	0.40 cfs	79.6 af	125.0	125.0	GROUND WATER
35-13271A	AJC/Beneficial Use	04/01/1987	0.62 cfs		125.0	125.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

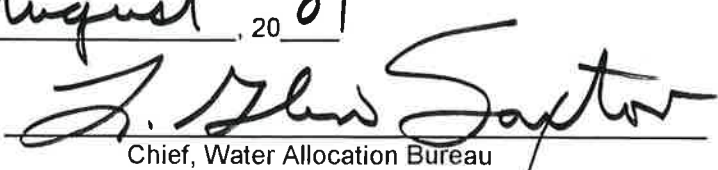
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
35-2312C	NO	NO	YES	NO	NO	NO
35-7882A	NO	NO	YES	NO	NO	NO
35-13271A	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
35-2312C	35-2312C	0.96 cfs	194.0 af	48.5	125.0		N/A	N/A	N/A	N/A
35-7882A	35-7882A	0.40 cfs	79.6 af	19.9	125.0		N/A	N/A	N/A	N/A
35-13271A	35-13271A	0.62 cfs	226.4 af	125.0	125.0		N/A	N/A	N/A	N/A
TOTALS		1.36 cfs	500.0 af	125.0	125.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 6th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 35-2312C**As Modified by Transfer No. 68463**

In accordance with the approval of Transfer No. 68463, Water Right No. 35-2312C is now described as follows.

Right Holder: REID G STEWART And/Or
 HEIDI F STEWART
 3100 W 1000 S
 ABERDEEN ID 83210

Priority Date: 03/17/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	0.96 CFS	194.0 AF
		0.96 CFS	194.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSW Sec. 31 Twp 04S Rge 31E BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 31E 31									30.0	35.0	30.0	30.0					125.0

Total Acres: 125

CONDITIONS OF APPROVAL

- Right 35-2312C is limited to the irrigation of 48.5 acres within the place of use described above in a single irrigation season.
- Rights 35-02312C, 35-7882A and 35-13271A when combined shall not exceed a total diversion rate of 1.36 cfs, a total annual maximum diversion volume of 500.0 af at the field headgate, and the irrigation of 125.0 acres.
- Right 35-13271 is based upon an enlargement of Rights 35-2312C and 35-7882A pursuant to Section 42-1426, Idaho Code.
- All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
- The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- 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 lands above.

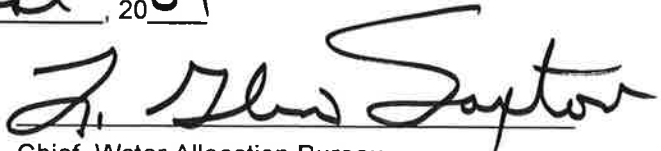
WATER RIGHT NO. 35-2312C
As Modified by Transfer No. 68463

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) 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 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.

This water right 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.

Dated this 6th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 35-7882A

As Modified by Transfer No. 68463

In accordance with the approval of Transfer No. 68463, Water Right No. 35-7882A is now described as follows.

Right Holder: REID G STEWART And/Or
 HEIDI F STEWART
 3100 W 1000 S
 ABERDEEN ID 83210

Priority Date: 12/26/1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.40 CFS	79.6 AF
		0.40 CFS	79.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSW Sec. 31 Twp 04S Rge 31E BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 31E 31									30.0	35.0	30.0	30.0					125.0

Total Acres: 125

CONDITIONS OF APPROVAL

1. Right 35-7882A is limited to the irrigation of 19.9 acres within the place of use described above in a single irrigation season.
2. Rights 35-02312C, 35-7882A and 35-13271A when combined shall not exceed a total diversion rate of 1.36 cfs, a total annual maximum diversion volume of 500.0 af at the field headgate, and the irrigation of 125.0 acres.
3. Right 35-13271 is based upon an enlargement of Rights 35-2312C and 35-7882A pursuant to Section 42-1426, Idaho Code.
4. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
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 lands above.

WATER RIGHT NO. 35-7882A
As Modified by Transfer No. 68463

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) 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 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.

This water right 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.

Dated this 6th day of August, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13271A
As Modified by Transfer No. 68463

In accordance with the approval of Transfer No. 68463, Water Right No. 35-13271A is now described as follows.

Right Holder: REID G STEWART And/Or
 HEIDI F STEWART
 3100 W 1000 S
 ABERDEEN ID 83210

Priority Date: 04/01/1987

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.62 CFS	226.4 AF
		0.62 CFS	226.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSW Sec. 31 Twp 04S Rge 31E BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
04S 31E 31									30.0	35.0	30.0	30.0					125.0

Total Acres: 125

CONDITIONS OF APPROVAL

1. Rights 35-02312C, 35-7882A and 35-13271A when combined shall not exceed a total diversion rate of 1.36 cfs, a total annual maximum diversion volume of 500.0 af at the field headgate, and the irrigation of 125.0 acres.
2. Right 35-13271 is based upon an enlargement of Rights 35-2312C and 35-7882A pursuant to Section 42-1426, Idaho Code.
3. Right 35-13271A is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
4. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
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 lands above.

WATER RIGHT NO. 35-13271A
As Modified by Transfer No. 68463

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) 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 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.

This water right 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.

Dated this 6th day of August, 2001


Chief, Water Allocation Bureau

SU 7/26/00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5779APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Reid Stewart Phone 208-397-4572
Post Office address 3100 W. 1000 S. Aberdeen, ID 83210

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes I have better farm ground in the SW 1/4 of Sec 31 T4S R31E.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
35-02312C	3/17/1953	0.96 cfs	irrigation	4/01 to 10/31
35-07882A	12/26/1979	0.40 cfs	" "	" to "
35-13271A	4/01/1987	0.62 cfs	" "	" to "

2. Total amount of water being transferred *1.36 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SE	SW	SW	31	4S	31E	Bingham	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	31E	31									30	35	30	30					125

Total Acres 125

PART 1

6. General Information:

- a. Description of diversion system well & pump to sprinkler
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land will not be irrigated

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____

For the Director

PART 2

TRANS NO. 5779

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. X35-02312C

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.96 CFS

SOURCE

GROUNDWATER

Priority: 03/17/1953

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 31, Township 04S, Range 31E
BINGHAM County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04S	31E	31	:					:					:					:	31	31	31	32	:	125.0		
																							TOTAL ACRES		125.0	

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A

Water Right No. X35-02312C

TOTAL COMBINED DIVERSION RATE OF 1.36 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 500 AF. COMBINED RIGHT NOS.: 35-07882A, 35-13271A

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 48.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 125 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-07882A, 35-13271A

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 35-07882A, 35-13271A

RIGHT NO. 35-13271A IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

has been Enrolled in CRP

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. X35-07882A

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	0.40 CFS

SOURCE

GROUNDWATER

Priority: 12/26/1979

LOCATION OF POINT(S) OF DIVERSION:SESWSW , Sec. 31, Township 04S, Range 31E
BINGHAM CountyPLACE OF USE:

IRRIGATION

				NE				NW				SW				SE																	
				NENE	NWNE	SWNE	SENE	: NENW				NWNW	SWNW	SENW	: NESW				NWSW	SWSW	SESW	: NESE				NWSE	SWSE	SESE	:				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	---	---	:	---
04S	31E	31	:											:									:									:	125.0
																:	31	31	31	32	:					:	125.0						
																:	TOTAL ACRES				:					:	125.0						

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A

Water Right No. X35-07882A

TOTAL COMBINED DIVERSION RATE OF 1.36 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 500 AF. COMBINED RIGHT
NOS.: 35-02312C, 35-13271A.

4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 19.9 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 125 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-02312C, 35-13271A.
5. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 35-02312C, 35-13271A
RIGHT NO. 35-13271A IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more
consecutive years of non-use? no If yes, describe:

has been enrolled in CRP

Attach a copy of last year's tax notice for the property to which the water right is
appurtenant or other documents which show ownership. Label document as attachment A.
Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

Claim No. X35-13271A

CONDITIONS/REMARKS:

3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.36 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 500 AF. COMBINED RIGHT NOS.: 35-02312C, 35-07882A.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 125 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-02312C, 35-07882A.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-02312C, 35-07882A PURSUANT TO SECTION 42-1426, IDAHO CODE. THIS RIGHT IS FOR AN ENLARGEMENT OF 56.6 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.
6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 35-02312C, 35-07882A.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

has been enrolled in CRP

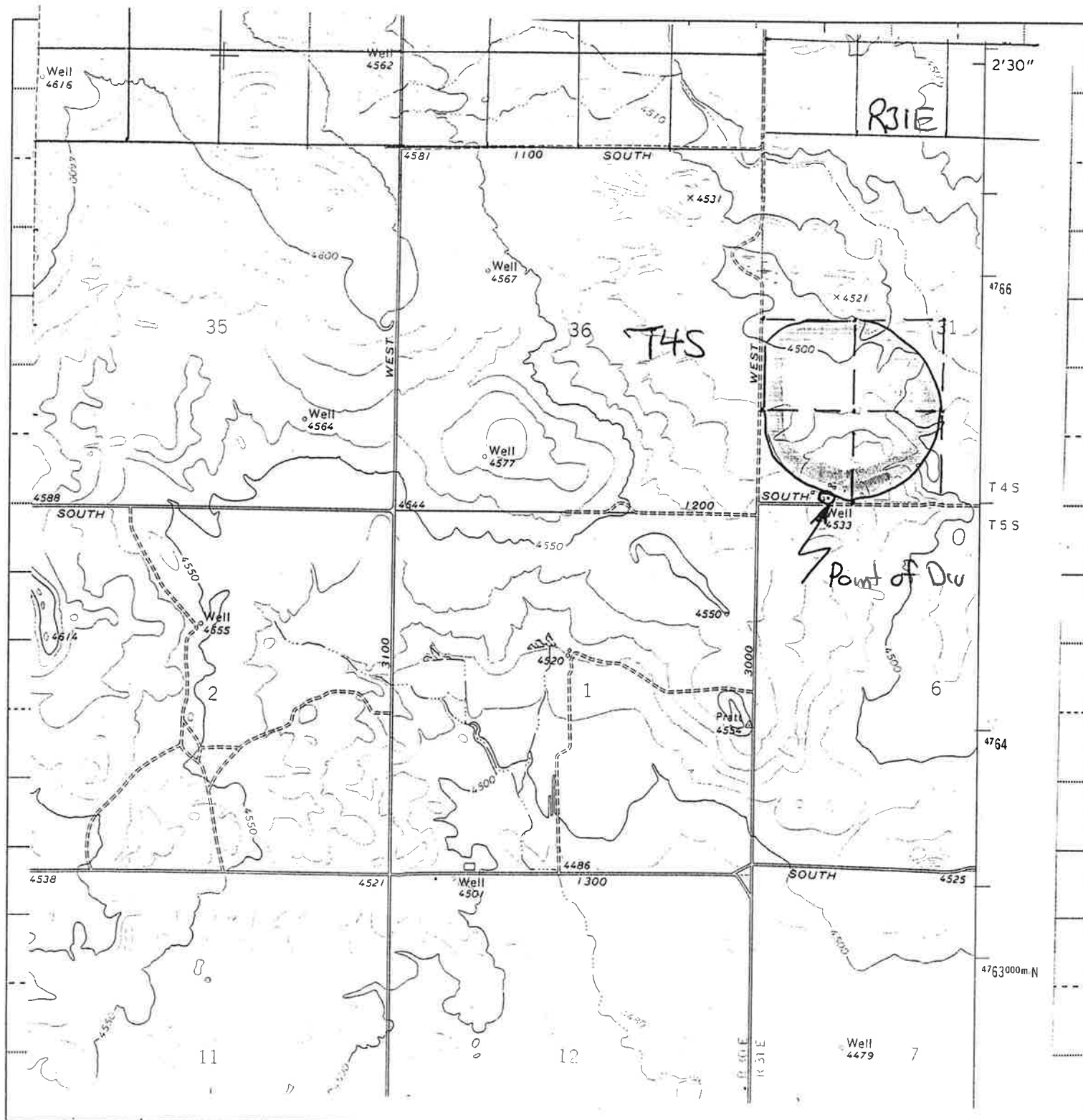
Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

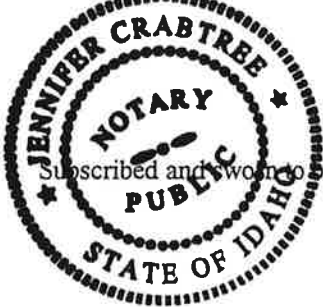
1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	to _____
_____	_____	_____	to _____
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Rick S. Stewart
 (Signature of Applicant)

Subscribed and sworn to before me this 23rd day of June, 20 00.

Jennifer Crabtree
 (Notary Public)

My commission expires 9/23/03

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 5 attachments
 Received by HWT Date 6-23-00 Protest filed by _____
 Prelim. Check by _____ Fee \$100.00
 Receipted by HWT #E025930 Date 6-26-00
 Published in Morning News Copies of protest forwarded by _____
 Pub. Dates 7/12 & 7/13/00 Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____