

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82306**

This is to certify that: ELIZABETH DASCANIO AND
JUSTIN DASCANIO
3580 E 960 N
MENAN, ID 83434

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>
35-14174	WR/DECREED	3/5/1948	1.120 cfs	224.0 af	56.0	154.0	GROUND WATER
35-14176	WR/DECREED	12/31/1940	1.630 cfs	370.2 af	92.6	154.0	GROUND WATER
35-14178	WR/DECREED	9/28/1981	0.100 cfs	21.8 af	5.4	154.0	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>
35-14174	YES	YES	NO	NO	NO	NO
35-14176	YES	YES	NO	NO	NO	NO
35-14178	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>
35-14174	35-14587	0.110 cfs	21.8 af	5.5	15.0	35-14174	0.990 cfs	197.0 af	49.3	135.8
35-14176	35-14588	0.160 cfs	36.1 af	9.0	15.0	35-14176	1.440 cfs	327.0 af	81.7	135.8
35-14178	35-14589	0.010 cfs	2.1 af	0.5	15.0	35-14178	0.080 cfs	19.2 af	4.8	135.8
COMBINED TOTALS		0.280 cfs	60.0 af	15.0	15.0		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 29th day of June, 2018.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 82306

IN FILE # 35-14174

WATER RIGHT NO. 35-14174**As Modified by Transfer No. 82306**

In accordance with the approval of Transfer No. 82306, Water Right No. 35-14174 is now described as follows:

Right Holder: ADEN GUNDERSON
C/O NYLE RAYMOND
3310 E 750 N
MENAN, ID 83434

Priority Date: 3/5/1948

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.990 cfs

0.990 cfs

Diversion Volume

197.0 af

197.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSWSW

Sec 15 Twp 05N Rge 38E MADISON County

GROUND WATER

NWNENW

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	15										31.0	31.0	13.0					75.0
05N	38E	16									3.0				14.8			6.0	23.8
05N	38E	21	15.0																15.0
			L 1																
05N	38E	22					20.0	2.0											22.0
								L 4											

Right Acre Limit: 49.3

POU Total Acres: 135.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 49.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14174, 35-14176 and 35-14178 when combined shall not exceed the irrigation of 135.8 acres.
3. Use of this right is combined with water from Butte & Market Lake Canal Co.
4. Use of this right is combined with water from Palisades Water Users Association.
5. The place of use does not include federal land.

Transfer No. 82306

WATER RIGHT NO. 35-14174
As Modified by Transfer No. 82306

CONDITIONS OF APPROVAL

6. The following rights are diverted through point(s) of diversion described above: 35-14174, 35-14176, 35-14178.
7. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 35-14587

As Modified by Transfer No. 82306

In accordance with the approval of Transfer No. 82306, Water Right No. 35-14587 is now described as follows:

Right Holder: ELIZABETH DASCANIO AND
JUSTIN DASCANIO
3580 E 960 N
MENAN, ID 83434

Priority Date: 3/5/1948

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.110 cfs

0.110 cfs

Diversion Volume

21.8 af

21.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESE

Sec 16 Twp 05N Rge 38E JEFFERSON 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	
05N	38E	16													14.0	1.0			15.0

Right Acre Limit: 5.5

POU Total Acres: 15.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14587, 35-14588 and 35-14589 when combined shall not exceed the irrigation of 15 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. Prior to the diversion and use of water under Transfer approval 82306, 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. 82306

WATER RIGHT NO. 35-14587
As Modified by Transfer No. 82306

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. 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.
7. The point of diversion does not include federal land.
8. The place of use does not include federal land.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 35-14176**As Modified by Transfer No. 82306**

In accordance with the approval of Transfer No. 82306, Water Right No. 35-14176 is now described as follows:

Right Holder: ADEN GUNDERSON
C/O NYLE RAYMOND
3310 E 750 N
MENAN, ID 83434

Priority Date: 12/31/1940

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

1.440 cfs

1.440 cfs

Diversion Volume

327.0 af

327.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

SWSWSW
NWNENW

Sec 15 Twp 05N Rge 38E MADISON County
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	15											31.0	31.0	13.0				75.0
05N	38E	16									3.0								23.8
05N	38E	21	15.0												14.8			6.0	15.0
			L 1																
05N	38E	22					20.0	2.0											22.0
								L 4											

Right Acre Limit: 81.7

POU Total Acres: 135.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 81.7 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14174, 35-14176 and 35-14178 when combined shall not exceed the irrigation of 135.8 acres.
3. Use of this right is combined with water from Butte & Market Lake Canal Co.
4. Use of this right is combined with water from Palisades Water Users Association.
5. The place of use does not include federal land.

Transfer No. 82306

WATER RIGHT NO. 35-14176
As Modified by Transfer No. 82306

CONDITIONS OF APPROVAL

6. The following rights are diverted through point(s) of diversion described above: 35-14174, 35-14176, 35-14178.
7. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 35-14588

As Modified by Transfer No. 82306

In accordance with the approval of Transfer No. 82306, Water Right No. 35-14588 is now described as follows:

Right Holder: ELIZABETH DASCANIO AND
JUSTIN DASCANIO
3580 E 960 N
MENAN, ID 83434

Priority Date: 12/31/1940

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.160 cfs

0.160 cfs

Diversion Volume

36.1 af

36.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESE

Sec 16 Twp 05N Rge 38E JEFFERSON 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	
05N	38E	16													14.0	1.0			15.0

Right Acre Limit: 9.0

POU Total Acres: 15.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 9.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14587, 35-14588 and 35-14589 when combined shall not exceed the irrigation of 15 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. Prior to the diversion and use of water under Transfer approval 82306, 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. 82306

WATER RIGHT NO. 35-14588
As Modified by Transfer No. 82306

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. 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.
7. The point of diversion does not include federal land.
8. The place of use does not include federal land.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 35-14178
As Modified by Transfer No. 82306

In accordance with the approval of Transfer No. 82306, Water Right No. 35-14178 is now described as follows:

Right Holder: ADEN GUNDERSON
 C/O NYLE RAYMOND
 3310 E 750 N
 MENAN, ID 83434

Priority Date: 9/28/1981

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.080 cfs

0.080 cfs

Diversion Volume

19.2 af

19.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
 GROUND WATER

SWSWSW
 NWNENW

Sec 15 Twp 05N Rge 38E MADISON County
 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	15										31.0	31.0	13.0					75.0
05N	38E	16									3.0				14.8			6.0	23.8
05N	38E	21	15.0																15.0
			L 1																
05N	38E	22					20.0	2.0											22.0
								L 4											

Right Acre Limit: 4.8

POU Total Acres: 135.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14174, 35-14176 and 35-14178 when combined shall not exceed the irrigation of 135.8 acres.
3. Use of this right is combined with water from Butte & Market Lake Canal Co.
4. Use of this right is combined with water from Palisades Water Users Association.
5. The place of use does not include federal land.

Transfer No. 82306

WATER RIGHT NO. 35-14178
As Modified by Transfer No. 82306

CONDITIONS OF APPROVAL

6. The following rights are diverted through point(s) of diversion described above: 35-14174, 35-14176, 35-14178.
7. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 35-14589
As Modified by Transfer No. 82306

In accordance with the approval of Transfer No. 82306, Water Right No. 35-14589 is now described as follows:

Right Holder: ELIZABETH DASCANIO
 JUSTIN DASCANIO
 3580 E 960 N
 MENAN, ID 83434

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	04/01	to 10/31	0.010 cfs	2.1 af
			0.010 cfs	2.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec 16 Twp 05N Rge 38E JEFFERSON 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	
05N	38E	16													14.0	1.0			15.0

Right Acre Limit: 0.5
 POU Total Acres: 15.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14587, 35-14588 and 35-14589 when combined shall not exceed the irrigation of 15 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. Prior to the diversion and use of water under Transfer approval 82306, 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. 82306

WATER RIGHT NO. 35-14589
As Modified by Transfer No. 82306

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. 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.
7. The point of diversion does not include federal land.
8. The place of use does not include federal land.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Attachment to Transfer Approval 82306

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

0 105 210 420 Feet
1 inch = 231 feet

