

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82250

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
MAR 22 2018
Department of Water Resources
Eastern Region

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Delwyn V and Barbara Ellis

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☒ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Delwyn V and Barbara Ellis Phone (208) 684-4268
Mailing address 904 W 200 N Blackfoot, ID 83221 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Shawn D Ellis Phone (208) 681-6004
Mailing address 936 W 350 N Blackfoot, ID 83221 Email okbarranches@hotmail.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Shawn D Ellis POA
Signature of Applicant or Authorized Representative

Delwyn V Ellis
Print Name and Title if applicable

3-22-18
Date

Shawn D Ellis POA
Signature of Applicant or Authorized Representative

Barbara Ellis
Print Name and Title if applicable

3-22-18
Date

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 your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

The installation of center pivots has changed how the water rights are being used. This transfer proposes to change POU and POD to a portion of the rights 35-2684D, 35-4261, 35-2687 and 35-8585 to represent current irrigation practices.

BPE
No change to place of use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	35-2684D	0.1 cfs	Irrigaion	04/01 to 10/31	Ground water
☐ ☒	35-2687	0.31 cfs	Irrigation	04/01 to 10/31	Ground water
☐ ☒	35-4261	0.16 cfs	Irrigation	04/01 to 10/31	Ground water
☐ ☒	35-8585	0.26 cfs	Irrigation	04/01 to 10/31	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.59 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.59 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No			NE	NE	21	02S	34E	Bingham	Ground water	WMIS # 500489

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☒ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Pump to pivot irrigation system.

- b. Who owns the property at the point(s) of diversion? William Benson

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Letter consenting the applicant to utilize diversion system.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

No change. The same 38.0 acres described in this transfer will still be irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

35-2684B and 35-13238 are diverted from the same proposed point of diversion.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/26/2016

WATER RIGHT NO. 35-2684D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARBARA ELLIS
Current Owner	DEL WYN V ELLIS 904 W 200 N BLACKFOOT, ID 83221

Priority Date: 08/15/1961

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	1.59 CFS	328 AFA
Total Diversion			1.59 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWSENE|Sec. 16|Township 02S|Range 34E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

| | | | | | | | | | | | |

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02S	34E	16		SESW	5									
				SWSE	39		SESE	38						

Total Acres: 82

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. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. RIGHT NOS. 35-08032 AND 35-13244 ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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: OR

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:

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 35-2684D

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/26/2016

WATER RIGHT NO. 35-2687

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARBARA ELLIS
Current Owner	DELWYN V ELLIS
	904 W 200 N
	BLACKFOOT, ID 83221

Priority Date: 10/19/1961

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	1.7 CFS	
Total Diversion			1.7 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNWSE|Sec. 21|Township 02S|Range 34E|BINGHAM County

IRRIGATION Use:

Acre Limit: 85

Place(s) of use:

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Place of Use Legal Description: IRRIGATION BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02S	34E	21		SWNE	40									
				NESE	37		NWSE	40		SWSE	25		SESE	37

Total Acres: 179

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. USE OF THIS RIGHT WITH RIGHT NO. 35-04261 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 716 AF.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 85 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 35-04261 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 179 ACRES IN A SINGLE IRRIGATION SEASON.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT NO. 35-04261 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. RIGHT NO. 35-04261 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

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: OR

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 2.67

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

[Close](#)

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[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/26/2016

WATER RIGHT NO. 35-4261

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARBARA ELLIS
Current Owner	DEL WYN V ELLIS
	904 W 200 N
	BLACKFOOT, ID 83221

Priority Date: 05/15/1972

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	0.89 CFS	
Total Diversion			0.89 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNWSE|Sec. 21|Township 02S|Range 34E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

| | | | | | | | | | | | | |

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Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02S	34E	21		SWNE	40									
				NESE	37		NWSE	40		SWSE	25		SESE	37

Total Acres: 179

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. USE OF THIS RIGHT WITH RIGHT NO. 35-02687 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 716 AF.
3. C11 THIS WATER RIGHT 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. USE OF THIS RIGHT WITH RIGHT NO. 35-02687 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 179 ACRES IN A SINGLE IRRIGATION SEASON.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-02687 PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. RIGHT NO. 35-02687 IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE. THIS RIGHT IS FOR AN ENLARGEMENT OF 94 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

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:

Water District Number: 120

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Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 179
Combined Volume Limit: 716
Combined Rate Limit: 1.7
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

Close

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[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/26/2016

WATER RIGHT NO. 35-8585

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARBARA ELLIS
Current Owner	DEL WYN V ELLIS
	904 W 200 N
	BLACKFOOT, ID 83221

Priority Date: 06/12/1985

Basis: License

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	1.42 CFS	384 AFA
Total Diversion			1.42 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWSE|Sec. 21|Township 02S|Range 34E|BINGHAM County

Licensed Diversion Capacity: 2.67

IRRIGATION Use:

Acre Limit: 96

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Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02S	34E	21		SWNE	40									
				NESE	37		NWSE	40		SWSE	26		SESE	38

Total Acres: 181

Conditions of Approval:

1. Rights 35-02687 and 35-08585 when combined shall not exceed a total diversion rate of 2.67 cfs. Right 35-02687 is also diverted through the point(s) of diversion described above. This right is limited to the irrigation of 96 acres within the place of use described above in a single irrigation season.
2. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
3. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Dates:

Licensed Date: 04/21/1997

Decreed Date:

Permit Proof Due Date: 12/1/1990

Permit Proof Made Date: 11/23/1990

Permit Approved Date: 11/21/1989

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 06/12/1985

Protest Deadline Date:

Number of Protests: 0

Other Information:

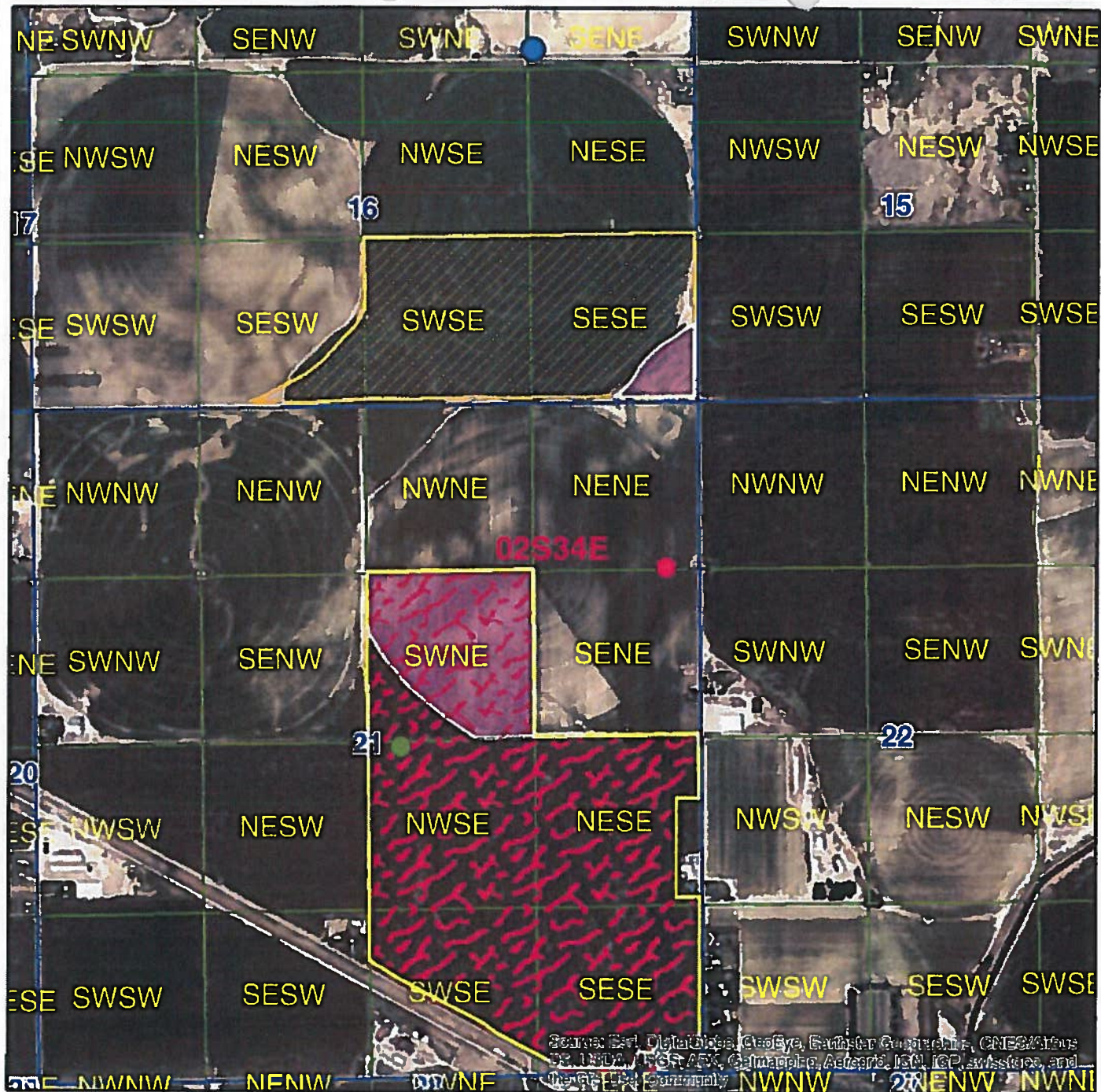
State or Federal:

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Owner Name Connector:
Water District Number: 120
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit:
Combined Volume Limit:
Combined Rate Limit: 2.67
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

Close

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- 35-2684D 35-2687 35-4261 35-8585 Proposed Point of Diversion
- 35-2687 35-4261 35-8585 Current Point of Diversion
- 35-2684D Current Point of Diversion
- 35-4261_35-2687_Current_Place_of_Use
- 35-2684D 35-2687 35-4261 35-8585 Proposed Place of Use
- 35-8585_Current_Place_of_Use
- 35-2684D_Current_Place_of_Use
- Township/Range
- Sections
- QQ

0 550 1,100 2,200 Feet
1 inch = 1,151 feet



Limited Power of Attorney

Let it be known to all: I, Delwyn V. or Barbara Ellis being of the age of consent and residing at 1607 West Beck Lane Phoenix, AZ 85023, do hereby establish, designate and appoint Shawn D. Ellis, my son, as my representative or official allocated attorney in fact to perform in my name and stead.

Therefore: This power of attorney applies only to water right changes, point of diversion changes etc. at the Idaho Department of Water Resources or Water district 01.

Signed this 7 day of March, 2018

Delwyn V. Ellis

Delwyn V. Ellis
Barbara Ellis *Barbara Ellis*
Shawn D. Ellis

Shawn D. Ellis

Witnessed by:

Genevieve Thomas

Delwyn Ellis will move

33 To 35 acres water rights
1/4 of Bill Benson South west
side. Delwyn still owns
land and water Just
moving point of diversion

all so on Benson's North
East corner move 6-7 acres
of water for Delwyn's
South East Pivot corner.

water and land are still
Delwyn's.

Delwyn V Ellis

William B. Benson
7/6/16