

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 81182**

This is to certify that: **TODD SHARP**  
2999 E 600 N  
ROBERTS, ID 83444

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>  |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|----------------|
| 35-2144B           | WR/DECREED          | 5/24/1949            | 0.080 cfs             | N/A                     | N/A               | 5.0                | ROBERTS SLOUGH |
| 35-2144E           | WR/DECREED          | 5/24/1949            | 0.160 cfs             | N/A                     | N/A               | 10.0               | ROBERTS SLOUGH |
| 35-2145B           | WR/DECREED          | 5/24/1949            | 1.880 cfs             | N/A                     | 143.0             | 301.0              | ROBERTS SLOUGH |

**Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)**

| <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>  |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|----------------|
| 35-13204           | WR/DECREED          | 5/1/1985             | 1.350 cfs             | N/A                     |                   | 291.0              | ROBERTS SLOUGH |
| 35-2919A           | WR/DECREED          | 1/15/1954            | 0.680 cfs             | N/A                     | 130.0             | 291.0              | ROBERTS SLOUGH |
| 35-8940            | WR/LICENSE          | 4/5/1991             | 2.170 cfs             | 568.0 af                |                   | 142.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 35-2144B              | NO           | YES        | YES        | YES            | NO                   | NO                   |
| 35-2144E              | NO           | YES        | YES        | YES            | NO                   | NO                   |
| 35-2145B              | YES          | NO         | YES        | YES            | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 35-2144B               | 35-2144B                         | 0.080 cfs            | N/A                    | 5.0               | 25.0               | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 35-2144E               | 35-2144E                         | 0.160 cfs            | N/A                    | 10.0              | 25.0               | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 35-2145B               | 35-14481                         | 0.130 cfs            | N/A                    | 10.0              | 25.0               | 35-2145B                           | 1.750 cfs             | N/A                     | 133.0                       | 291.0                        |
| <b>COMBINED TOTALS</b> |                                  | <b>0.370 cfs</b>     | <b>N/A</b>             | <b>25.0</b>       | <b>25.0</b>        |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Transfer No. 81182

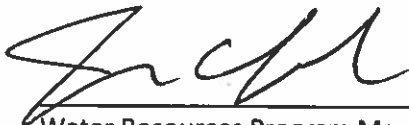
SUPPORT DATA  
IN FILE # 35-2144B

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 81182

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 29<sup>th</sup> day of November, 2016.

  
Water Resources Program Manager



**WATER RIGHT NO. 35-2145B****As Modified by Transfer No. 81182**

In accordance with the approval of Transfer No. 81182, Water Right No. 35-2145B is now described as follows:

**Right Holder:** MERLIN SHARP AND  
BELINDA SHARP  
340 N 4400 E  
RIGBY, ID 83442

**Priority Date:** 5/24/1949

**Source:** ROBERTS SLOUGH

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 4/01 **To** 10/31

**Diversion Rate**  
1.750 cfs  
1.750 cfs

**LOCATION OF POINT(S) OF DIVERSION**

ROBERTS SLOUGH

L3 (SENW)

Sec 34 Twp 05N Rge 37E JEFFERSON 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 |        |
| 04N | 37E | 3   |    |    |      |    | 40.0 | 34.0 | 34.0 | 36.0 |      |    |    |      |    |      |      |    | 144.0  |
|     |     |     |    |    |      |    | L 9  | L 10 |      |      |      |    |    |      |    |      |      |    |        |
| 05N | 37E | 34  |    |    | 19.0 |    |      |      |      | 3.3  | 37.0 |    |    | 39.0 |    | 11.0 | 8.0  |    | 117.3  |
|     |     |     |    |    |      |    |      |      |      | L 3  | L 4  |    |    | L 5  |    |      |      |    |        |
| 05N | 37E | 34  |    |    | 4.7  |    |      |      |      |      |      |    |    |      |    | 14.0 | 11.0 |    | 29.7   |
|     |     |     |    |    | L 3  |    |      |      |      |      |      |    |    |      |    | L 4  | L 5  |    |        |

Right Acre Limit: 133.0

POU Total Acres: 291.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 133 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2145B, 35-2919A, and 35-13204 when combined shall not exceed a total diversion rate of 2.43 cfs and the irrigation of 291 acres.
3. Rights 35-2145B, 35-2919A, 35-8940, and 35-13204 when combined shall not exceed a total diversion rate of 4.60 cfs and the irrigation of 291 acres.
4. Right No. 35-13204 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
5. Use of this right is combined with water from Butte & Market Lake Canal Co.

Transfer No. 81182

**WATER RIGHT NO. 35-2145B**  
**As Modified by Transfer No. 81182**

**CONDITIONS OF APPROVAL**

6. The following rights are diverted through point(s) of diversion described above: 35-2144B, 35-2144E, 35-2145B, 35-2919A, 35-13204, and 35-14481.
7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



**WATER RIGHT NO. 35-14481****As Modified by Transfer No. 81182**

In accordance with the approval of Transfer No. 81182, Water Right No. 35-14481 is now described as follows:

**Right Holder:** TODD SHARP AND  
JENESSA SHARP  
2999 E 600 N  
ROBERTS, ID 83444

**Priority Date:** 5/24/1949

**Source:** ROBERTS SLOUGH

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 4/01 **To** 10/31

**Diversion Rate**  
0.130 cfs  
0.130 cfs

**LOCATION OF POINT(S) OF DIVERSION**

ROBERTS SLOUGH  
ROBERTS SLOUGH

L3 (SENW)  
L3 (SWNE)

Sec 34 Twp 05N Rge 37E JEFFERSON County  
Sec 34 Twp 05N Rge 37E JEFFERSON 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 | 37E | 33  |    |    |    |    |    |    |    |    |    |    |      |    |    |    |    | 10.0 | 10.0   |
| 05N | 37E | 34  |    |    |    |    |    |    |    |    |    |    | 15.0 |    |    |    |    |      | 15.0   |

Right Acre Limit: 10.0

POU Total Acres: 25.0

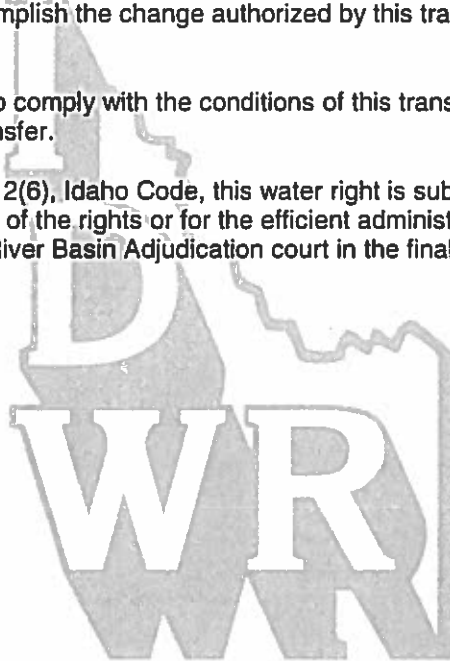
**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 10 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2144B, 35-2144E, and 35-14481 when combined shall not exceed the irrigation of 25 acres.
3. 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.
4. Use of water under this right will 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. 1.

**WATER RIGHT NO. 35-14481**  
**As Modified by Transfer No. 81182**

**CONDITIONS OF APPROVAL**

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. The following rights are diverted through point(s) of diversion described above: 35-2144B, 35-2144E, 35-2145B, 35-2919A, 35-13204, and 35-14481.
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 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. 35-2144B****As Modified by Transfer No. 81182**

In accordance with the approval of Transfer No. 81182, Water Right No. 35-2144B is now described as follows:

**Right Holder:** JENESSA SHARP AND  
TODD SHARP  
2999 E 600 N  
ROBERTS, ID 83444

**Priority Date:** 5/24/1949

**Source:** ROBERTS SLOUGH

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From**  
4/01

**To**  
to 10/31

**Diversion Rate**  
0.080 cfs  
0.080 cfs

**LOCATION OF POINT(S) OF DIVERSION**

ROBERTS SLOUGH  
ROBERTS SLOUGH

L3 (SWNE)  
L3 (SENW)

Sec 34 Twp 05N Rge 37E JEFFERSON County  
Sec 34 Twp 05N Rge 37E JEFFERSON 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 | 37E | 33  |    |    |    |    |    |    |    |    |    |    |      |    |    |    |    | 10.0 | 10.0   |
| 05N | 37E | 34  |    |    |    |    |    |    |    |    |    |    | 15.0 |    |    |    |    |      | 15.0   |

Right Acre Limit: 5.0

POU Total Acres: 25.0

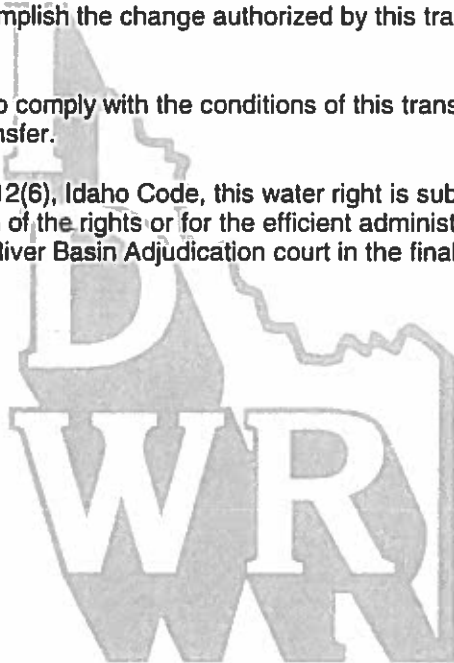
**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2144B, 35-2144E, and 35-14481 when combined shall not exceed the irrigation of 25 acres.
3. 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.
4. Use of water under this right will 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. 1.

**WATER RIGHT NO. 35-2144B**  
**As Modified by Transfer No. 81182**

**CONDITIONS OF APPROVAL**

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. The following rights are diverted through point(s) of diversion described above: 35-2144B, 35-2144E, 35-2145B, 35-2919A, 35-13204, and 35-14481.
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 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. 35-2144E****As Modified by Transfer No. 81182**

In accordance with the approval of Transfer No. 81182, Water Right No. 35-2144E is now described as follows:

**Right Holder:** TODD SHARP AND  
JENESSA SHARP  
2999 E 600 N  
ROBERTS, ID 83444

**Priority Date:** 5/24/1949

**Source:** ROBERTS SLOUGH

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From**  
4/01

**To**  
to 10/31

**Diversion Rate**  
0.160 cfs  
0.160 cfs

**LOCATION OF POINT(S) OF DIVERSION**

ROBERTS SLOUGH  
ROBERTS SLOUGH

L3 (SWNE)  
L3 (SENW)

Sec 34 Twp 05N Rge 37E JEFFERSON County  
Sec 34 Twp 05N Rge 37E 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 | 37E | 33  |    |    |    |    |    |    |    |    |    |    |      |    |    |    |    | 10.0 | 10.0   |
| 05N | 37E | 34  |    |    |    |    |    |    |    |    |    |    | 15.0 |    |    |    |    |      | 15.0   |

Right Acre Limit: 10.0

POU Total Acres: 25.0

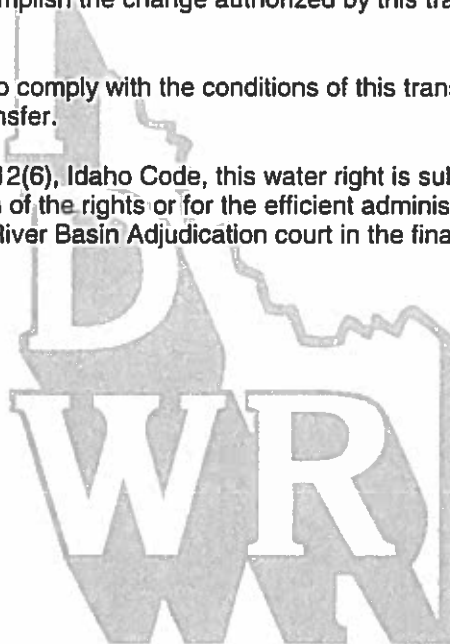
**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 10 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2144B, 35-2144E, and 35-14481 when combined shall not exceed the irrigation of 25 acres.
3. 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.
4. Use of water under this right will 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. 1.

**WATER RIGHT NO. 35-2144E**  
**As Modified by Transfer No. 81182**

**CONDITIONS OF APPROVAL**

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. The following rights are diverted through point(s) of diversion described above: 35-2144B, 35-2144E, 35-2145B, 35-2919A, 35-13204, and 35-14481.
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 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. 35-13204****As Modified by Transfer No. 81182**

In accordance with the approval of Transfer No. 81182, Water Right No. 35-13204 is now described as follows:

**Right Holder:** MERLIN SHARP And  
BELINDA SHARP  
340 N 4400 E  
RIGBY, ID 83442

**Priority Date:** 5/1/1985

**Source:** ROBERTS SLOUGH

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 4/01 **To** 10/31

**Diversion Rate**  
1.350 cfs  
1.350 cfs

**LOCATION OF POINT(S) OF DIVERSION**

ROBERTS SLOUGH L3 (SENW) Sec 34 Twp 05N Rge 37E JEFFERSON 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 |        |
| 04N | 37E | 3   |    |    |      |    | 40.0 | 34.0 | 34.0 | 36.0 |      |    |    |      |    |      |      |    | 144.0  |
|     |     |     |    |    |      |    | L 9  | L 10 |      |      |      |    |    |      |    |      |      |    |        |
| 05N | 37E | 34  |    |    | 19.0 |    |      |      |      | 3.3  | 37.0 |    |    | 39.0 |    | 11.0 | 8.0  |    | 117.3  |
|     |     |     |    |    |      |    |      |      |      | L 3  | L 4  |    |    | L 5  |    |      |      |    |        |
| 05N | 37E | 34  |    |    | 4.7  |    |      |      |      |      |      |    |    |      |    | 14.0 | 11.0 |    | 29.7   |
|     |     |     |    |    | L 3  |    |      |      |      |      |      |    |    |      |    | L 4  | L 5  |    |        |

POU Total Acres: 291.0

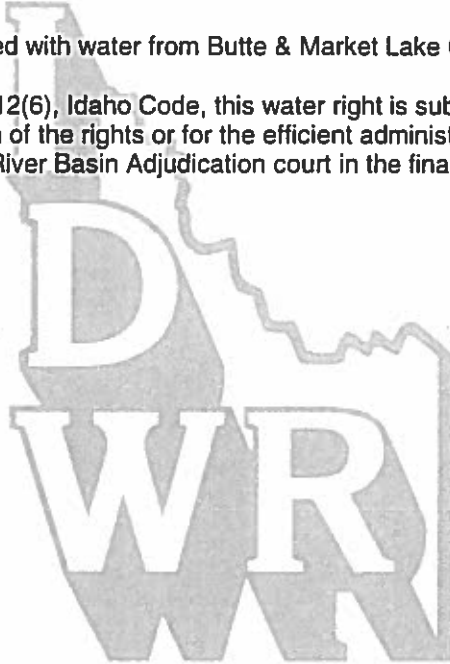
**CONDITIONS OF APPROVAL**

1. This right is based upon an enlargement of Right Nos. 35-2145B and 35-2919A pursuant to Section 42-1426, Idaho Code.
2. This right is for an enlargement of 158 acres within the place of use described for this right.
3. Rights 35-2145B, 35-2919A, and 35-13204 when combined shall not exceed a total diversion rate of 2.43 cfs and the irrigation of 291 acres.
4. Rights 35-2145B, 35-2919A, 35-8940, and 35-13204 when combined shall not exceed a total diversion rate of 4.60 cfs and the irrigation of 291 acres.

**WATER RIGHT NO. 35-13204**  
**As Modified by Transfer No. 81182**

**CONDITIONS OF APPROVAL**

5. 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.
6. The following rights are diverted through point(s) of diversion described above: 35-2144B, 35-2144E, 35-2145B, 35-2919A, 35-13204, and 35-14481.
7. Use of this right is combined with water from Butte & Market Lake Canal Co.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



**WATER RIGHT NO. 35-2919A****As Modified by Transfer No. 81182**

In accordance with the approval of Transfer No. 81182, Water Right No. 35-2919A is now described as follows:

**Right Holder:** MERLIN SHARP And  
BELINDA SHARP  
340 N 4400 E  
RIGBY, ID 83442

**Priority Date:** 1/15/1954

**Source:** ROBERTS SLOUGH

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**  
IRRIGATION

**From** 4/01 to **To** 10/31

**Diversion Rate**  
0.680 cfs  
0.680 cfs

**LOCATION OF POINT(S) OF DIVERSION**

ROBERTS SLOUGH

L3 (SENW)

Sec 34 Twp 05N Rge 37E JEFFERSON 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 |        |
| 04N | 37E | 3   |    |    |      |    | 40.0 | 34.0 | 34.0 | 36.0 |      |    |    |      |    |      |      |    | 144.0  |
|     |     |     |    |    |      |    | L 9  | L 10 |      |      |      |    |    |      |    |      |      |    |        |
| 05N | 37E | 34  |    |    | 19.0 |    |      |      |      | 3.3  | 37.0 |    |    | 39.0 |    | 11.0 | 8.0  |    | 117.3  |
|     |     |     |    |    |      |    |      |      |      | L 3  | L 4  |    |    | L 5  |    |      |      |    |        |
| 05N | 37E | 34  |    |    | 4.7  |    |      |      |      |      |      |    |    |      |    | 14.0 | 11.0 |    | 29.7   |
|     |     |     |    |    | L 3  |    |      |      |      |      |      |    |    |      |    | L 4  | L 5  |    |        |

Right Acre Limit: 130.0

POU Total Acres: 291.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 130 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2145B, 35-2919A, and 35-13204 when combined shall not exceed a total diversion rate of 2.43 cfs and the irrigation of 291 acres.
3. Rights 35-2145B, 35-2919A, 35-8940, and 35-13204 when combined shall not exceed a total diversion rate of 4.60 cfs and the irrigation of 291 acres.
4. Right No. 35-13204 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
5. Use of this right is combined with water from Butte & Market Lake Canal Co.

Transfer No. 81182

**WATER RIGHT NO. 35-2919A**  
**As Modified by Transfer No. 81182**

**CONDITIONS OF APPROVAL**

6. The following rights are diverted through point(s) of diversion described above: 35-2144B, 35-2144E, 35-2145B, 35-2919A, 35-13204, and 35-14481.
7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



**WATER RIGHT NO. 35-8940****As Modified by Transfer No. 81182**

In accordance with the approval of Transfer No. 81182, Water Right No. 35-8940 is now described as follows:

**Right Holder:** MERLIN SHARP AND  
BELINDA SHARP  
340 N 4400 E  
RIGBY, ID 83442

**Priority Date:** 4/5/1991

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 04/01 to **To** 10/31

**Diversion Rate**  
2.170 cfs  
2.170 cfs

**Diversion Volume**  
568.0 af  
568.0 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SENW Sec 3 Twp 04N Rge 37E 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 |        |
| 04N | 37E | 3   |  |    |    |    |    | 40.0 | 34.0 | 34.0 | 34.0 |    |    |    |    |    |    |    |    | 142.0  |
|     |     |     |  |    |    |    |    | L 9  | L 10 |      |      |    |    |    |    |    |    |    |    |        |

POU Total Acres: 142.0

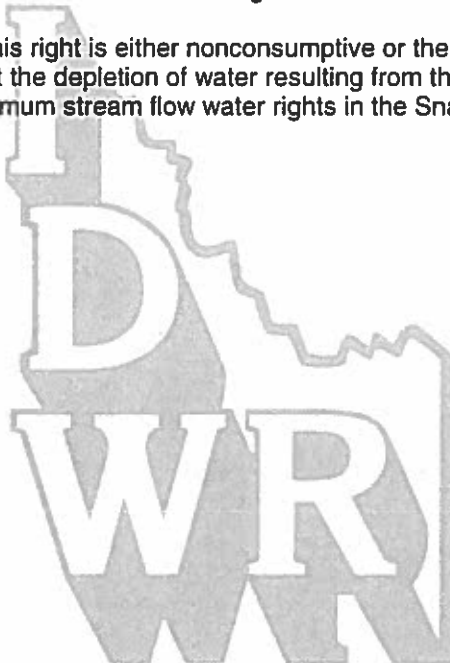
**CONDITIONS OF APPROVAL**

1. Rights 35-2145B, 35-2919A, 35-8940, and 35-13204 when combined shall not exceed a total diversion rate of 4.60 cfs and the irrigation of 291 acres.
2. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
3. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

**WATER RIGHT NO. 35-8940**  
**As Modified by Transfer No. 81182**

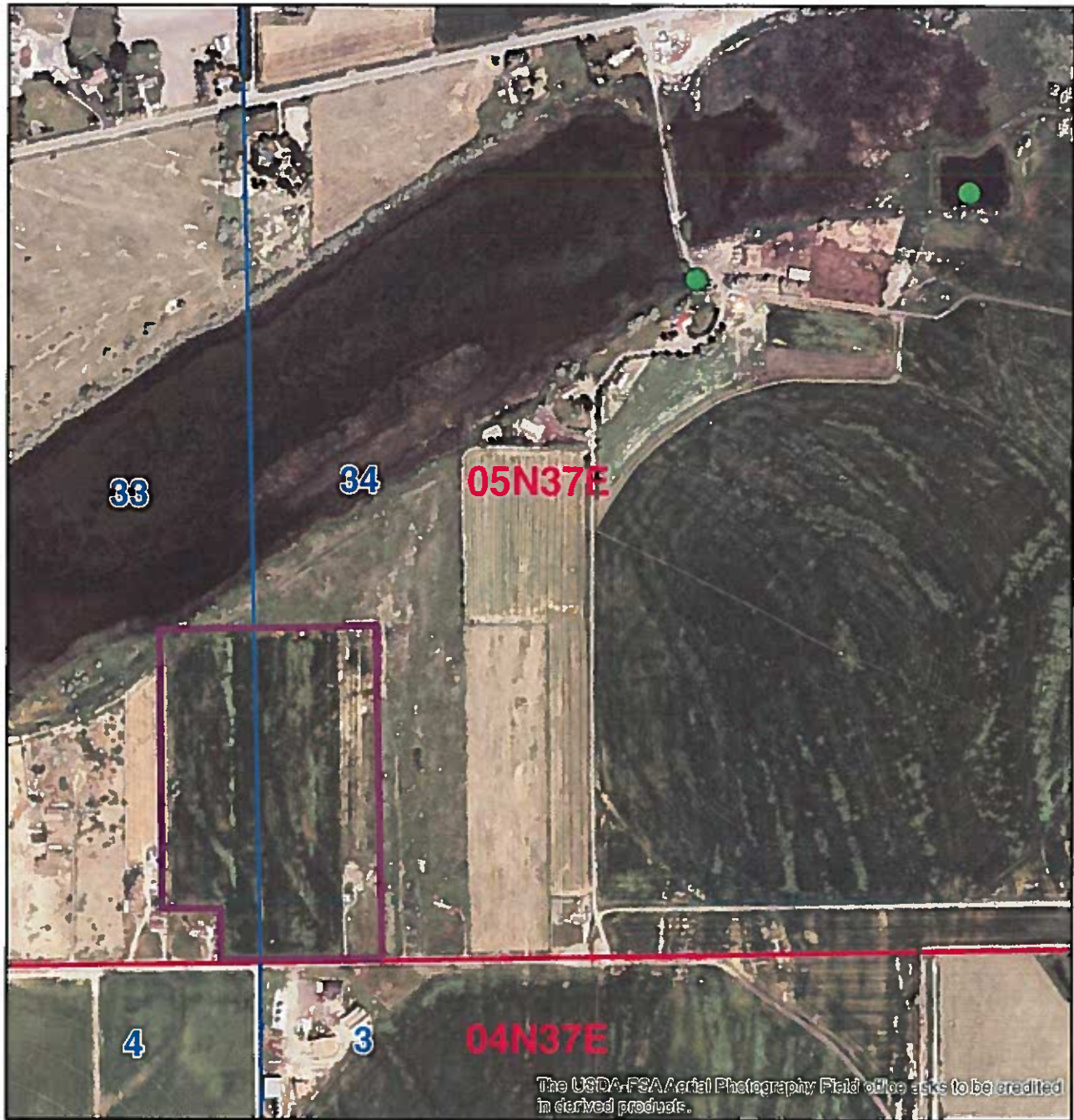
**CONDITIONS OF APPROVAL**

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 568 af at the field headgate for the place of use.
5. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (June 14, 1991) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
6. Use of water pursuant to this right is either nonconsumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right. Regulation of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required.



# Transfer Approval 81182

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

0 285 570 1,140 Feet

1 inch = 633 feet

