

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80829**

This is to certify that: DELOY Z WARD AND
NEAL D WARD AND
SHELLY M WARD AND
VIOLA J WARD
1305 S 2ND E
REXBURG, ID 83440

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>
35-13601	WR/DECREED	4/1/1984	0.400 cfs	92.0 af	23.0	744.0	GROUND WATER
35-13639	WR/DECREED	4/1/1987	0.680 cfs	136.0 af	34.0	744.0	GROUND WATER
35-13962	WR/DECREED	8/4/1979	0.670 cfs	284.4 af	80.0	744.0	GROUND WATER
35-13965	WR/DECREED	2/24/1953	0.590 cfs	127.8 af	32.0	744.0	GROUND WATER
35-13968	WR/DECREED	6/7/1957	0.290 cfs	57.3 af	14.3	744.0	GROUND WATER
35-2314	WR/DECREED	3/26/1953	6.560 cfs	1640.0 af	410.0	744.0	GROUND WATER
35-2441	WR/DECREED	10/21/1955	3.940 cfs	788.0 af	197.0	744.0	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>
35-13601	NO	NO	YES	NO	NO	NO
35-13639	NO	NO	YES	NO	NO	NO
35-13962	NO	NO	YES	NO	NO	NO
35-13965	NO	NO	YES	NO	NO	NO
35-13968	NO	NO	YES	NO	NO	NO
35-2314	NO	NO	YES	NO	NO	NO
35-2441	NO	NO	YES	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>
35-13601	35-13601	0.400 cfs	92.0 af	23.0	744.0	N/A	N/A	N/A	N/A	N/A
35-13639	35-13639	0.680 cfs	136.0 af	34.0	744.0	N/A	N/A	N/A	N/A	N/A
35-13962	35-13962	0.670 cfs	284.4 af	80.0	744.0	N/A	N/A	N/A	N/A	N/A
35-13965	35-13965	0.590 cfs	127.8 af	32.0	744.0	N/A	N/A	N/A	N/A	N/A
35-13968	35-13968	0.290 cfs	57.3 af	14.3	744.0	N/A	N/A	N/A	N/A	N/A
35-2314	35-2314	6.560 cfs	1640.0 af	410.0	744.0	N/A	N/A	N/A	N/A	N/A
35-2441	35-2441	3.940 cfs	788.0 af	197.0	744.0	N/A	N/A	N/A	N/A	N/A

Transfer No. 80829

SUPPORT DATA

IN FILE #

35-2314

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80829

COMBINED TOTALS	12.050 cfs	2976.0 af	744.0	744.0	N/A	N/A	N/A	N/A
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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 26th day of August, 2016.



Water Resources Program Manager



WATER RIGHT NO. 35-2314**As Modified by Transfer No. 80829**

In accordance with the approval of Transfer No. 80829, Water Right No. 35-2314 is now described as follows:

Right Holder: VIOLA J WARD AND
SHELLY M WARD AND
NEAL D WARD
1305 S 2ND E
REXBURG, ID 83440
AND
DE LOY Z WARD
1305 S 200 E
REXBURG, ID 83440

Priority Date: 3/26/1953

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
6.560 cfs
6.560 cfs

Diversion Volume
1640.0 af
1640.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESWNW	Sec 26 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWSWNE	Sec 35 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWNW	Sec 35 Twp 01S Rge 34E	BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	34E	26			36.7	23.3		33.8	39.3	36.2	34.7	39.2	38.2	30.3	24.8	37.5			374.0
01S	34E	34	28.9	2.2	7.7	18.0									19.4			5.6	81.8
01S	34E	35		6.8	17.4		34.3	38.6	38.7	38.6	33.1	40.0	27.7	12.9		0.1			288.2

Right Acre Limit: 410.0

POU Total Acres: 744.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 410.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2314, 35-2441, 35-13601 and 35-13639 when combined shall not exceed a total diversion rate of 10.5 cfs, a total annual maximum diversion volume of 2656.0 af, and the irrigation of 664.0 acres.

WATER RIGHT NO. 35-2314
As Modified by Transfer No. 80829

CONDITIONS OF APPROVAL

3. Rights 35-2314, 35-2441, 35-13601, 35-13639, 35-13968, 35-13965, and 35-13962 when combined shall not exceed a total diversion rate of 12.05 cfs, a total annual maximum diversion volume of 2976.0 af, and the irrigation of 744.0 acres.
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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80829, 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.
7. 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.
8. 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.
9. Right Nos. 35-13601 and 35-13639 are an enlargement of Right Nos. 35-2314 and 35-2441 pursuant to Section 42-1426, Idaho Code.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 35-2441**As Modified by Transfer No. 80829**

In accordance with the approval of Transfer No. 80829, Water Right No. 35-2441 is now described as follows:

Right Holder: NEAL D WARD And
SHELLY M WARD And
VIOLA J WARD
1305 S 2ND E
REXBURG, ID 83440
And
DE LOY Z WARD
1305 S 200 E
REXBURG, ID 83440

Priority Date: 10/21/1955

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
3.940 cfs
3.940 cfs

Diversion Volume
788.0 af
788.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESWNW	Sec 26 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWSWNE	Sec 35 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWNW	Sec 35 Twp 01S Rge 34E	BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	34E	26			36.7	23.3		33.8	39.3	36.2	34.7	39.2	38.2	30.3	24.8	37.5			374.0
01S	34E	34	28.9	2.2	7.7	18.0									19.4			5.6	81.8
01S	34E	35		6.8	17.4		34.3	38.6	38.7	38.6	33.1	40.0	27.7	12.9		0.1			288.2

Right Acre Limit: 197.0

POU Total Acres: 744.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 197.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2314, 35-2441, 35-13601 and 35-13639 when combined shall not exceed a total diversion rate of 10.5 cfs, a total annual maximum diversion volume of 2656.0 af, and the irrigation of 664.0 acres.

WATER RIGHT NO. 35-2441
As Modified by Transfer No. 80829

CONDITIONS OF APPROVAL

3. Rights 35-2314, 35-2441, 35-13601, 35-13639, 35-13968, 35-13965, and 35-13962 when combined shall not exceed a total diversion rate of 12.05 cfs, a total annual maximum diversion volume of 2976.0 af, and the irrigation of 744.0 acres.
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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80829, 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.
7. 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.
8. 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.
9. Right Nos. 35-13601 and 35-13639 are an enlargement of Right Nos. 35-2314 and 35-2441 pursuant to Section 42-1426, Idaho Code.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 35-13601**As Modified by Transfer No. 80829**

In accordance with the approval of Transfer No. 80829, Water Right No. 35-13601 is now described as follows:

Right Holder: DE LOY Z WARD
1305 S 200 E
REXBURG, ID 83440
OR
NEAL D WARD OR
SHELLY M WARD OR
VIOLA J WARD
1305 S 2ND E
REXBURG, ID 83440

Priority Date: 4/1/1984

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.400 cfs
0.400 cfs

Diversion Volume
92.0 af
92.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESWNW	Sec 26 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWSWNE	Sec 35 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWNW	Sec 35 Twp 01S Rge 34E	BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	34E	26			36.7	23.3		33.8	39.3	36.2	34.7	39.2	38.2	30.3	24.8	37.5			374.0
01S	34E	34	28.9	2.2	7.7	18.0									19.4			5.6	81.8
01S	34E	35		6.8	17.4		34.3	38.6	38.7	38.6	33.1	40.0	27.7	12.9		0.1			288.2

Right Acre Limit: 23.0

POU Total Acres: 744.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 23.0 acres within the place of use described for this right.
2. Rights 35-2314, 35-2441, 35-13601 and 35-13639 when combined shall not exceed a total diversion rate of 10.5 cfs, a total annual maximum diversion volume of 2656.0 af, and the irrigation of 664.0 acres.

WATER RIGHT NO. 35-13601
As Modified by Transfer No. 80829

CONDITIONS OF APPROVAL

3. Rights 35-2314, 35-2441, 35-13601, 35-13639, 35-13968, 35-13965, and 35-13962 when combined shall not exceed a total diversion rate of 12.05 cfs, a total annual maximum diversion volume of 2976.0 af, and the irrigation of 744.0 acres.
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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80829, 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.
7. 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.
8. 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.
9. This right is based upon an enlargement of Right Nos. 35-2314 and 35-2441 pursuant to Section 42-1426, Idaho Code.
10. 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.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 35-13639
As Modified by Transfer No. 80829

In accordance with the approval of Transfer No. 80829, Water Right No. 35-13639 is now described as follows:

Right Holder: NEAL D WARD OR
 SHELLY M WARD OR
 VIOLA J WARD
 1305 S 2ND E
 REXBURG, ID 83440
 OR
 DE LOY Z WARD
 1305 S 200 E
 REXBURG, ID 83440

Priority Date: 4/1/1987

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 04/01

To
 to 10/31

Diversion Rate
 0.680 cfs
 0.680 cfs

Diversion Volume
 136.0 af
 136.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESWNW	Sec 26 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWSWNE	Sec 35 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWNW	Sec 35 Twp 01S Rge 34E	BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	34E	26			36.7	23.3		33.8	39.3	36.2	34.7	39.2	38.2	30.3	24.8	37.5			374.0
01S	34E	34	28.9	2.2	7.7	18.0									19.4			5.6	81.8
01S	34E	35		6.8	17.4		34.3	38.6	38.7	38.6	33.1	40.0	27.7	12.9		0.1			288.2

Right Acre Limit: 34.0

POU Total Acres: 744.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 34.0 acres within the place of use described for this right.
2. Rights 35-2314, 35-2441, 35-13601 and 35-13639 when combined shall not exceed a total diversion rate of 10.5 cfs, a total annual maximum diversion volume of 2656.0 af, and the irrigation of 664.0 acres.

WATER RIGHT NO. 35-13639
As Modified by Transfer No. 80829

CONDITIONS OF APPROVAL

3. Rights 35-2314, 35-2441, 35-13601, 35-13639, 35-13968, 35-13965, and 35-13962 when combined shall not exceed a total diversion rate of 12.05 cfs, a total annual maximum diversion volume of 2976.0 af, and the irrigation of 744.0 acres.
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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80829, 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.
7. 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.
8. 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.
9. This right is based upon an enlargement of Right Nos. 35-2314 and 35-2441 pursuant to Section 42-1426, Idaho Code.
10. 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.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 35-13968**As Modified by Transfer No. 80829**

In accordance with the approval of Transfer No. 80829, Water Right No. 35-13968 is now described as follows:

Right Holder: DE LOY Z WARD
1305 S 200 E
REXBURG, ID 83440
AND
VIOLA J WARD AND
NEAL D WARD AND
SHELLY M WARD
1305 S 2ND E
REXBURG, ID 83440

Priority Date: 6/7/1957

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From
04/01

To
to 11/01

Diversion Rate

0.290 cfs
0.290 cfs

Diversion Volume

57.3 af
57.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESWNW	Sec 26 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWSWNE	Sec 35 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWNW	Sec 35 Twp 01S Rge 34E	BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	34E	26			36.7	23.3		33.8	39.3	36.2	34.7	39.2	38.2	30.3	24.8	37.5			374.0
01S	34E	34	28.9	2.2	7.7	18.0									19.4			5.6	81.8
01S	34E	35		6.8	17.4		34.3	38.6	38.7	38.6	33.1	40.0	27.7	12.9		0.1			288.2

Right Acre Limit: 14.3

POU Total Acres: 744.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 14.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13968, 35-13965, and 35-13962 when combined shall not exceed a total annual maximum diversion volume of 320.0 af, and the irrigation of 80.0 acres.

WATER RIGHT NO. 35-13968
As Modified by Transfer No. 80829

CONDITIONS OF APPROVAL

3. Rights 35-2314, 35-2441, 35-13601, 35-13639, 35-13968, 35-13965, and 35-13962 when combined shall not exceed a total diversion rate of 12.05 cfs, a total annual maximum diversion volume of 2976.0 af, and the irrigation of 744.0 acres.
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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80829, 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.
7. 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.
8. This right does not grant any right-of-way or easement across the land of another.
9. 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.
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. 35-13965
As Modified by Transfer No. 80829

In accordance with the approval of Transfer No. 80829, Water Right No. 35-13965 is now described as follows:

Right Holder: DELOY Z WARD And
 VIOLA J WARD And
 NEAL D WARD And
 SHELLY M WARD
 1305 S 2ND E
 REXBURG, ID 83440

Priority Date: 2/24/1953

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	0.590 cfs	127.8 af
			0.590 cfs	127.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESWNW	Sec 26 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWSWNE	Sec 35 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWNW	Sec 35 Twp 01S Rge 34E	BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	34E	26			36.7	23.3		33.8	39.3	36.2	34.7	39.2	38.2	30.3	24.8	37.5			374.0
01S	34E	34	28.9	2.2	7.7	18.0									19.4			5.6	81.8
01S	34E	35		6.8	17.4		34.3	38.6	38.7	38.6	33.1	40.0	27.7	12.9		0.1			288.2

Right Acre Limit: 32.0

POU Total Acres: 744.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 32.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13968, 35-13965, and 35-13962 when combined shall not exceed a total annual maximum diversion volume of 320.0 af, and the irrigation of 80.0 acres.
3. Rights 35-2314, 35-2441, 35-13601, 35-13639, 35-13968, 35-13965, and 35-13962 when combined shall not exceed a total diversion rate of 12.05 cfs, a total annual maximum diversion volume of 2976.0 af, and the irrigation of 744.0 acres.

WATER RIGHT NO. 35-13965
As Modified by Transfer No. 80829

CONDITIONS OF APPROVAL

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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80829 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.
7. 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.
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
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. 35-13962
As Modified by Transfer No. 80829

In accordance with the approval of Transfer No. 80829, Water Right No. 35-13962 is now described as follows:

Right Holder: VIOLA J WARD AND
 NEAL D WARD AND
 DELOY Z WARD AND
 SHELLY M WARD
 1305 S 2ND E
 REXBURG, ID 83440

Priority Date: 8/4/1979

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	0.670 cfs	284.4 af
			0.670 cfs	284.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESWNW	Sec 26 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWSWNE	Sec 35 Twp 01S Rge 34E	BINGHAM County
GROUND WATER	SWNW	Sec 35 Twp 01S Rge 34E	BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	34E	26			36.7	23.3		33.8	39.3	36.2	34.7	39.2	38.2	30.3	24.8	37.5			374.0
01S	34E	34	28.9	2.2	7.7	18.0									19.4			5.6	81.8
01S	34E	35		6.8	17.4		34.3	38.6	38.7	38.6	33.1	40.0	27.7	12.9		0.1			288.2

Right Acre Limit: 80.0

POU Total Acres: 744.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13968, 35-13965, and 35-13962 when combined shall not exceed a total annual maximum diversion volume of 320.0 af, and the irrigation of 80.0 acres.
3. Rights 35-2314, 35-2441, 35-13601, 35-13639, 35-13968, 35-13965, and 35-13962 when combined shall not exceed a total diversion rate of 12.05 cfs, a total annual maximum diversion volume of 2976.0 af, and the irrigation of 744.0 acres.

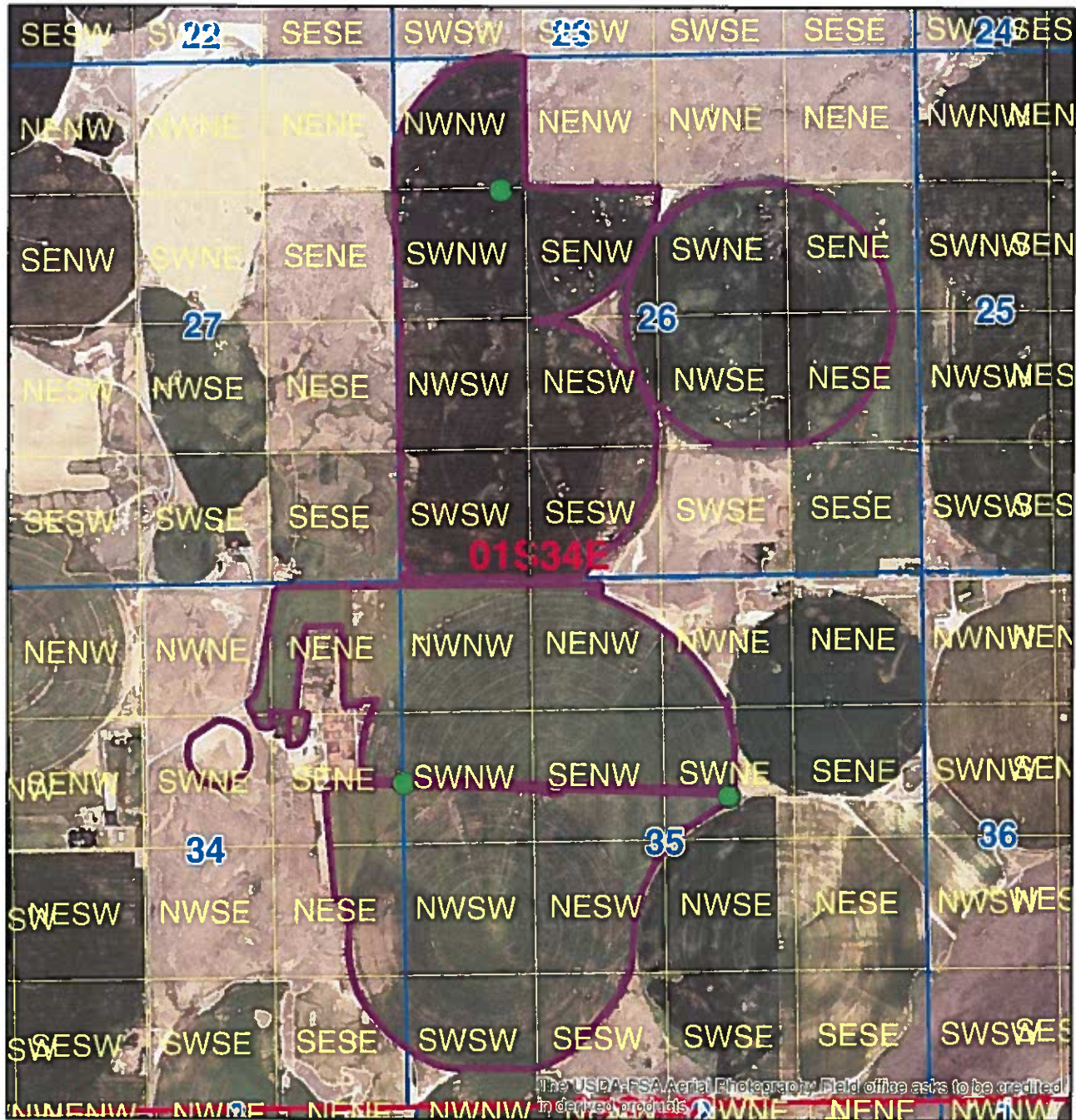
WATER RIGHT NO. 35-13962
As Modified by Transfer No. 80829

CONDITIONS OF APPROVAL

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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 80829, 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.
7. 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.
8. 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.
9. This right does not grant any right-of-way or easement across the land of another.
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.

Transfer Approval 80829

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

0 700 1,400 2,800 Feet

1 inch = 1,612 feet

