

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80906

This is to certify that: CLARA NEWBY OR
GEORGE NEWBY
5156 E HEISE RD
RIRIE, ID 83443

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>
1-10026	WR/DECREED	5/1/1902	5 300 cfs	N/A	N/A	129.0	SNAKE RIVER
1-10027	WR/DECREED	4/19/1945	2.100 cfs	N/A	105.0	129.0	SNAKE RIVER
1-10520	WR/DECREED	4/1/1939	5 390 cfs	N/A	N/A	129.0	SNAKE RIVER

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>
1-10026	NO	NO	NO	YES	NO	NO
1-10027	NO	NO	NO	YES	NO	NO
1-10520	NO	NO	NO	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>
1-10026	1-10026	5 300 cfs	N/A	N/A	129.0	N/A	N/A	N/A	N/A	N/A
1-10027	1-10027	2.100 cfs	N/A	105.0	129.0	N/A	N/A	N/A	N/A	N/A
1-10520	1-10520	5 390 cfs	N/A	N/A	129.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		N/A	N/A	129.0	129.0		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 20th day of July, 2016.



Water Resources Program Manager

SUPPORT DATA

Transfer No. 80906

IN FILE # 1-10026

WATER RIGHT NO. 1-10026**As Modified by Transfer No. 80906**

In accordance with the approval of Transfer No. 80906, Water Right No. 1-10026 is now described as follows:

Right Holder: GEORGE NEWBY OR
CLARA NEWBY
5156 E HEISE RD
RIRIE, ID 83443

Priority Date: 5/1/1902

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
5.300 cfs
5.300 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	SESW	Sec 5 Twp 03N Rge 41E	BONNEVILLE County
SNAKE RIVER	L3 (NESE)	Sec 31 Twp 04N Rge 41E	JEFFERSON County
SNAKE RIVER	L4 (NWSE)	Sec 31 Twp 04N Rge 41E	JEFFERSON County
SNAKE RIVER	L6 (NWSW)	Sec 31 Twp 04N Rge 41E	JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Total/s
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	41E	31			17.0	0.6	3.4	5.9	22.0	36.0	15.0	0.3			9.8	19.0			129.0
							L1	L2			L5	L6			L3	L4			

POU Total Acres: 129.0

CONDITIONS OF APPROVAL

1. Rights 1-10026, 1-10027 and 1-10520 when combined shall not exceed the irrigation of 129 acres.
2. The point of diversion located in the SESW, Sec. 5, T03N, R41E is limited to a diversion rate of 2.58 cfs.
3. 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. 01.
4. 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).

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WATER RIGHT NO. 1-10026
As Modified by Transfer No. 80906

CONDITIONS OF APPROVAL

5. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works at the point of diversion located in the SESW, Sec. 5, T03N, R41E.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. Water is delivered through the Newby Pumps.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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. 1-10027**As Modified by Transfer No. 80906**

In accordance with the approval of Transfer No. 80906, Water Right No. 1-10027 is now described as follows:

Right Holder: GEORGE NEWBY OR
CLARA NEWBY
5156 E HEISE RD
RIRIE, ID 83443

Priority Date: 4/19/1945

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
2.100 cfs
2.100 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	SESW	Sec 5 Twp 03N Rge 41E	BONNEVILLE County
SNAKE RIVER	L3 (NESE)	Sec 31 Twp 04N Rge 41E	JEFFERSON County
SNAKE RIVER	L4 (NWSE)	Sec 31 Twp 04N Rge 41E	JEFFERSON County
SNAKE RIVER	L6 (NWSW)	Sec 31 Twp 04N Rge 41E	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	41E	31			17.0	0.6	3.4	5.9	22.0	38.0	15.0	0.3			9.8	19.0			129.0
							L1	L2			L5	L6			L3	L4			

Right Acre Limit: 105.0

POU Total Acres: 129.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 105 acres within the authorized place of use in a single irrigation season.
2. Rights 1-10026, 1-10027 and 1-10520 when combined shall not exceed the irrigation of 129 acres.
3. The point of diversion located in the SESW, Sec. 5, T03N, R41E is limited to a diversion rate of 2.58 cfs.
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. 01.

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WATER RIGHT NO. 1-10027
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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. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works at the point of diversion located in the SESW, Sec. 5, T03N, R41E.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. Water is delivered through the Newby Pumps.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 1-10520**As Modified by Transfer No. 80906**

In accordance with the approval of Transfer No. 80906, Water Right No. 1-10520 is now described as follows:

Right Holder: GEORGE NEWBY OR
CLARA NEWBY
5156 E HEISE RD
RIRIE, ID 83443

Priority Date: 4/1/1939

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
5.390 cfs
5.390 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	SESW	Sec 5 Twp 03N Rge 41E	BONNEVILLE County
SNAKE RIVER	L3 (NESE)	Sec 31 Twp 04N Rge 41E	JEFFERSON County
SNAKE RIVER	L4 (NWSE)	Sec 31 Twp 04N Rge 41E	JEFFERSON County
SNAKE RIVER	L6 (NWSW)	Sec 31 Twp 04N Rge 41E	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	41E	31			17.0	0.6	3.4	5.9	22.0	36.0	15.0	0.3			9.8	19.0			129.0
							L1	L2			L5	L6			L3	L4			

POU Total Acres: 129.0

CONDITIONS OF APPROVAL

1. Rights 1-10026, 1-10027 and 1-10520 when combined shall not exceed the irrigation of 129 acres.
2. The point of diversion located in the SESW, Sec. 5, T03N, R41E is limited to a diversion rate of 2.58 cfs.
3. 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. 01.
4. 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).

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WATER RIGHT NO. 1-10520

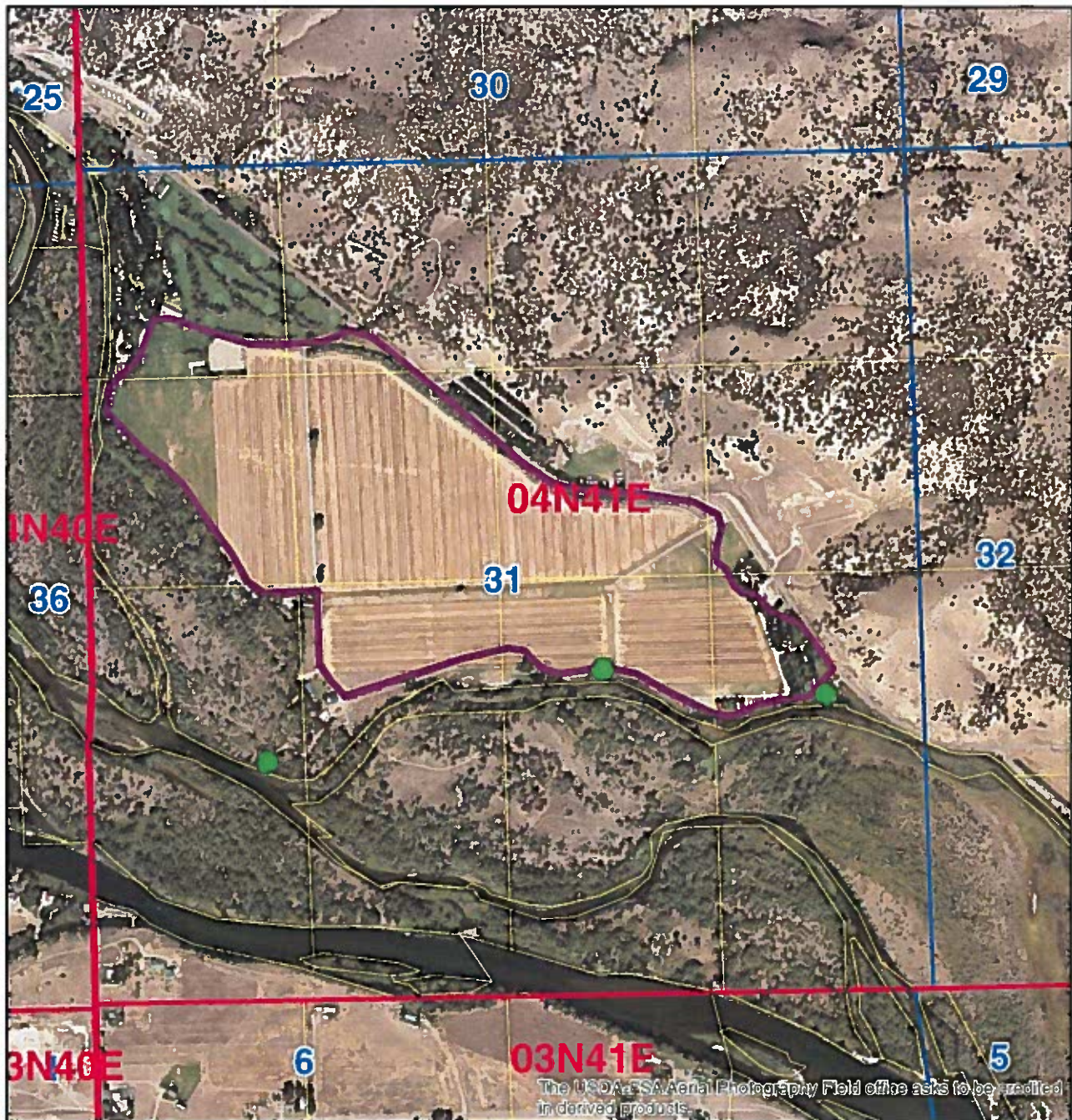
As Modified by Transfer No. 80906

CONDITIONS OF APPROVAL

5. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works at the point of diversion located in the SESW, Sec. 5, T03N, R41E.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. Water is delivered through the Newby Pumps.
8. The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 80906

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

0 450 900 1,800 Feet

1 inch = 1,005 feet

