

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80779

This is to certify that: DELOY Z 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>
35-13257	WR/DECREED	4/1/1969	0.480 cfs	N/A	N/A	184.0	GROUND WATER
35-2099E	WR/DECREED	5/14/1948	0.470 cfs	N/A	35.0	184.0	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>
35-13257	YES	YES	YES	NO	NO	NO
35-2099E	NO	YES	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>
35-13257	35-14456	0.100 cfs	20.0 af	5.0	40.0	35-13257	0.380 cfs	76.0 af	19.0	144.0
35-2099E	35-2099E	0.470 cfs	140.0 af	35.0	40.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.470 cfs	160.0 af	40.0	40.0		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 12th day of May, 2016.


for Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 80779

IN FILE # 35-2099E

WATER RIGHT NO. 35-2099E **As Modified by Transfer No. 80779**

In accordance with the approval of Transfer No. 80779, Water Right No. 35-2099E is now described as follows:

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

Priority Date: 5/14/1948

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From
 4/01

To
 to 10/31

Diversion Rate

0.470 cfs
 0.470 cfs

Diversion Volume

140.0 af
 140.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENE 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	35			23						58			1.0		20.2	10.7		40.0

Right Acre Limit: 35.0

POU Total Acres: 40.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 35.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2099E and 35-14456 when combined shall not exceed a total diversion rate of 0.47 cfs, a total annual maximum diversion volume of 160.0 af at the field headgate, and the irrigation of 40.0 acres.
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. 120.
4. 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.

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WATER RIGHT NO. 35-2099E
As Modified by Transfer No. 80779

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80779, 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.
6. 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.
7. 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.
8. Right No.35-14456 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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. 35-13257
As Modified by Transfer No. 80779

In accordance with the approval of Transfer No. 80779, Water Right No. 35-13257 is now described as follows:

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

Priority Date: 4/1/1969

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 4/01

To
 to 10/31

Diversion Rate
 0.380 cfs
 0.380 cfs

Diversion Volume
 76.0 af
 76.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENENE Sec 3 Twp 02S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE					
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
01S	34E	34																1.0	1.0	
01S	34E	35											4.4	4.0					8.4	
02S	34E	2					16.0	40.0	29.0				33.0						118.0	
02S	34E	3	6.5												10.1				16.6	

Right Acre Limit: 19.0

POU Total Acres: 144.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 19.0 acres within the place of use described for this right.
2. Rights 35-2130C and 35-13257 when combined shall not exceed a total diversion rate of 2.5 cfs, a total annual maximum diversion volume of 576.0 af at the field headgate, and the irrigation of 144.0 acres.
3. This right is based upon an enlargement of Right No. 35-2130C pursuant to Section 42-1426, Idaho Code.

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WATER RIGHT NO. 35-13257
As Modified by Transfer No. 80779

CONDITIONS OF APPROVAL

4. 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.
5. 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. 35-14456
As Modified by Transfer No. 80779

In accordance with the approval of Transfer No. 80779, Water Right No. 35-14456 is now described as follows:

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

Priority Date: 4/1/1969

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 10/31

Diversion Rate

0.100 cfs

0.100 cfs

Diversion Volume

20.0 af

20.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SESENE

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	35			2.3						5.8			1.0		20.2	10.7		40.0

Right Acre Limit:

5.0

POU Total Acres:

40.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 5.0 acres within the place of use described for this right.
2. Rights 35-2099E and 35-14456 when combined shall not exceed a total diversion rate of 0.47 cfs, a total annual maximum diversion volume of 160.0 af at the field headgate, and the irrigation of 40.0 acres.
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. 120.
4. 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.

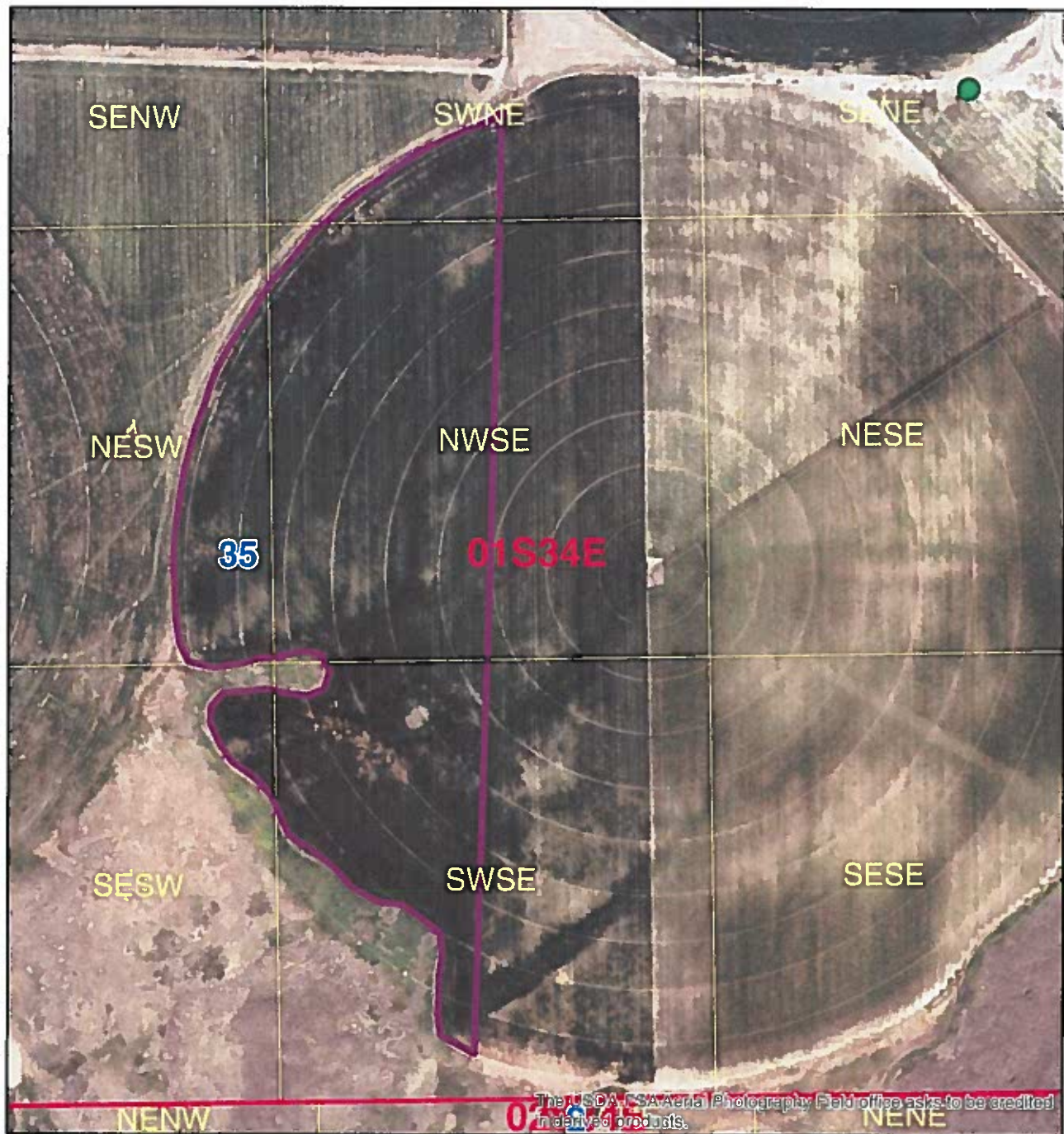
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WATER RIGHT NO. 35-14456
As Modified by Transfer No. 80779

CONDITIONS OF APPROVAL

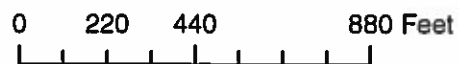
5. Prior to the diversion and use of water under Transfer approval 80779, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 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.
7. 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.
8. This right does not grant any right-of-way or easement across the land of another.
9. This right is based upon an enlargement of Right No. 35-2099E 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. 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.

Transfer Approval 80779



Legend

-  Water Right POD
 Water Right POU
 Township/Range
 Sections
 QQ



1 inch = 480 feet

