

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80764**

This is to certify that: **JOANNE TOEVS AND
WILLIAM R TOEVS
2841 W 1800 S
ABERDEEN, ID 83210**

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>
35-13609	WR/DECREED	9/5/1972	0.610 cfs	192.0 af	48.0	214.0	GROUND WATER
35-7246M	WR/DECREED	9/5/1972	1.680 cfs	664.0 af	N/A	166.0	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>
35-13609	YES	YES	YES	YES	NO	NO
35-7246M	YES	YES	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>
35-13609	35-14454	0.240 cfs	75.2 af	18.8	461.4	35-13609	0.370 cfs	116.8 af	29.2	132.0
35-7246M	35-14453	0.640 cfs	252.8 af	63.2	461.4	35-7246M	1.040 cfs	411.2 af	N/A	102.8
COMBINED TOTALS		0.880 cfs	328.0 af	82.0	461.4		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. 80764

IN FILE # 35-7246M

WATER RIGHT NO. 35-7246M
As Modified by Transfer No. 80764

In accordance with the approval of Transfer No. 80764, Water Right No. 35-7246M is now described as follows:

Right Holder: WILLIAM R TOEVS
 JOANNE TOEVS
 2841 W 1800 S
 ABERDEEN, ID 83210

Priority Date: 9/5/1972

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	1.040 cfs	411.2 af
			1.040 cfs	411.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENESW Sec 16 Twp 04S Rge 31E 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	
04S	31E	16										25.7	25.7	25.7	25.7					102.8

POU Total Acres: 102.8

CONDITIONS OF APPROVAL

1. 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 lands above.
2. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

Transfer No. 80764

WATER RIGHT NO. 35-14453**As Modified by Transfer No. 80764**

In accordance with the approval of Transfer No. 80764, Water Right No. 35-14453 is now described as follows:

Right Holder: WILLIAM R TOEVS AND
JOANNE TOEVS
2841 W 1800 S
ABERDEEN, ID 83210

Priority Date: 9/5/1972

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.640 cfs

0.640 cfs

Diversion Volume

252.8 af

252.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NENE

Sec 5 Twp 05S Rge 31E BINGHAM County

GROUND WATER

NENE

Sec 5 Twp 05S Rge 31E 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	
04S	31E	32									40.0								160.0
05S	31E	5	30.7	40.0	40.0	30.7	40.0	40.0	40.0	40.0									301.4

Right Acre Limit: 63.2

POU Total Acres: 461.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 63.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14453 and 35-14454 when combined shall not exceed the irrigation of 82.0 acres.
3. Rights 35-14453 and 35-14454 are limited to the irrigation of a specific 82.0 acres within the 461.4 acre place of use authorized by this right in a single irrigation season. The specific 82.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 82.0 acres to be irrigated within the 461.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Transfer No. 80764

WATER RIGHT NO. 35-14453
As Modified by Transfer No. 80764

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 80764, 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 lands above.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 35-13609
As Modified by Transfer No. 80764

In accordance with the approval of Transfer No. 80764, Water Right No. 35-13609 is now described as follows:

Right Holder: WILLIAM R TOEVS
 JOANNE TOEVS
 2841 W 1800 S
 ABERDEEN, ID 83210

Priority Date: 9/5/1972

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From
 04/01

To
 to 10/31

Diversion Rate

0.370 cfs
 0.370 cfs

Diversion Volume

116.8 af
 116.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESW

Sec 16 Twp 04S Rge 31E 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	
04S	31E	16									33.0	33.0	33.0	33.0					132.0

Right Acre Limit: 29.2

POU Total Acres: 132.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 29.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13609 and 35-7246M when combined shall not exceed the irrigation of 132.0 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.

WATER RIGHT NO. 35-13609
As Modified by Transfer No. 80764

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 73345, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. 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 lands above.
7. The right holder shall accomplish the change authorized by this transfer within one year(s) 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.

WR

WATER RIGHT NO. 35-14454
As Modified by Transfer No. 80764

In accordance with the approval of Transfer No. 80764, Water Right No. 35-14454 is now described as follows:

Right Holder: WILLIAM R TOEVS AND
 JOANNE TOEVS
 2841 W 1800 S
 ABERDEEN, ID 83210

Priority Date: 9/5/1972

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	0.240 cfs	75.2 af
			0.240 cfs	75.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENE	Sec 5 Twp 05S Rge 31E BINGHAM County
GROUND WATER	NENE	Sec 5 Twp 05S Rge 31E 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	
04S	31E	32									40.0			40.0					160.0
05S	31E	5	30.7	40.0	40.0	30.7	40.0	40.0	40.0	40.0									301.4

Right Acre Limit: 18.8

POU Total Acres: 461.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 18.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14453 and 35-14454 when combined shall not exceed the irrigation of 82.0 acres.
3. Rights 35-14453 and 35-14454 are limited to the irrigation of a specific 82.0 acres within the 461.4 acre place of use authorized by this right in a single irrigation season. The specific 82.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 82.0 acres to be irrigated within the 461.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

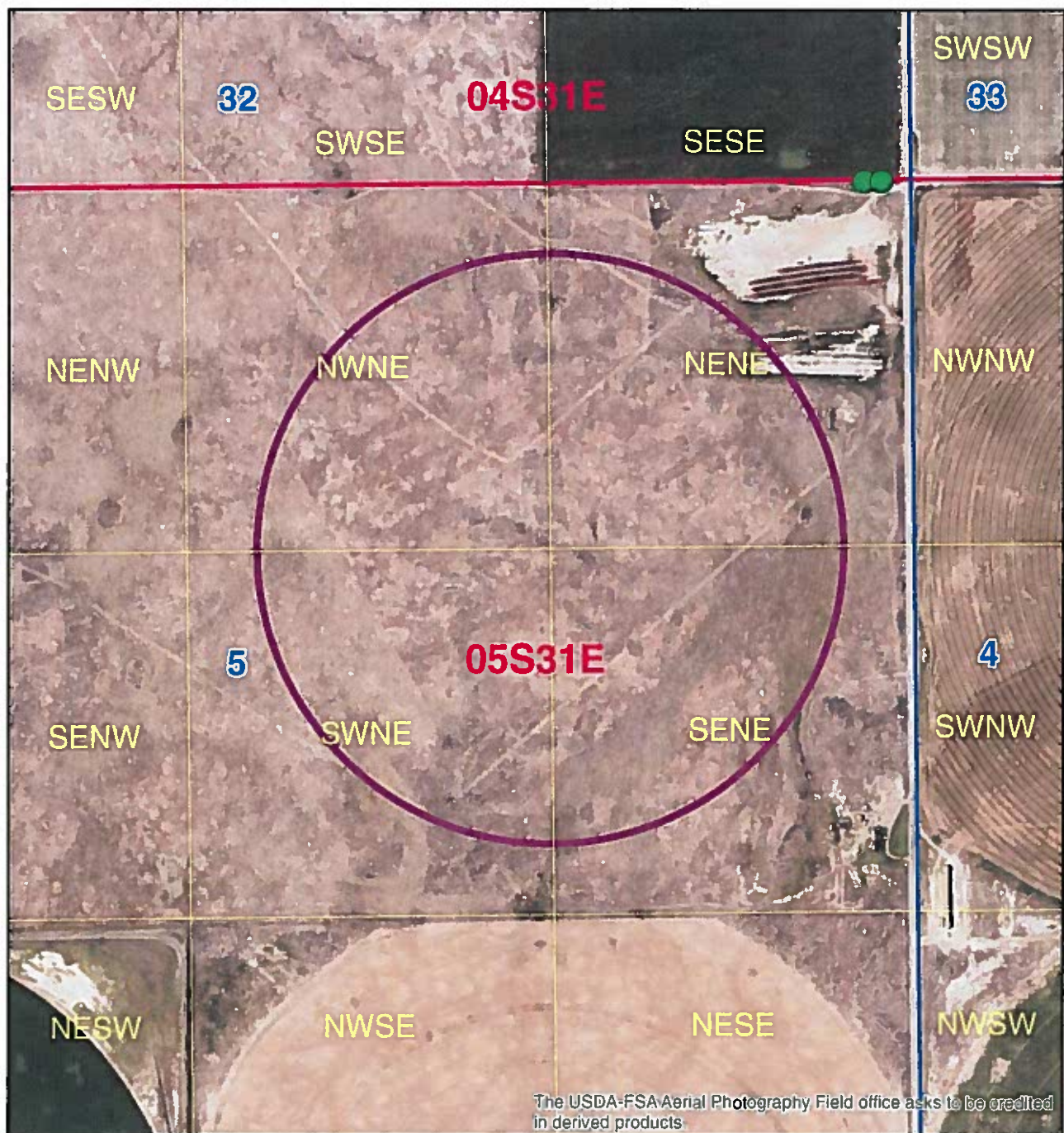
WATER RIGHT NO. 35-14454

As Modified by Transfer No. 80764

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 80764, 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 lands above.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

Transfer Approval 80764



Legend

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

0 255 510 1,020 Feet

1 inch = 574 feet

