

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80755**

This is to certify that: DOUGLAS PHILLIPS AND
JEANNETTE PHILLIPS
904 N 1200 W
BLACKFOOT, ID 83221
AND
ELIZABETH H PHILLIPS AND
JOSEPH PHILLIPS
774 N 1200 W
BLACKFOOT, ID 83221

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>
35-2265	WR/DECREED	10/9/1952	8.000 cfs	1416.0 af	354.0	398.0	GROUND WATER
35-4214	WR/DECREED	6/1/1960	0.590 cfs	250.0 af	N/A	398.0	GROUND WATER
35-7930	WR/LICENSE	4/10/1998	1.710 cfs	N/A	N/A	240.0	GROUND WATER

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>
35-2541	WR/DECREED	6/11/1958	2.880 cfs	876.0 af		219.0	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>
35-2265	NO	NO	YES	NO	NO	NO
35-4214	NO	NO	YES	NO	NO	NO
35-7930	YES	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>
35-2265	35-2265	6.000 cfs	1416.0 af	354.0	419.0	N/A	N/A	N/A	N/A	N/A
35-4214	35-4214	0.590 cfs	250.0 af	398.0	419.0	N/A	N/A	N/A	N/A	N/A
35-7930	35-14452	0.400 cfs	84.0 af	21.0	419.0	35-7930	1.310 cfs	556.1 af	N/A	219.0
COMBINED TOTALS		6.400 cfs	1676.0 af	419.0	419.0		N/A	N/A	N/A	N/A

Transfer No. 80755

IN FILE #

35-2265

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80755

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



WATER RIGHT NO. 35-7930**As Modified by Transfer No. 80755**

In accordance with the approval of Transfer No. 80755, Water Right No. 35-7930 is now described as follows:

Right Holder: JOSEPH PHILLIPS AND
ELIZABETH H PHILLIPS
774 N 1200 W
BLACKFOOT, ID 83221

Priority Date: 4/10/1998

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

04/01
01/01

To

to 10/31
to 12/31

Diversion Rate

1.310 cfs
0.060 cfs
1.310 cfs

Diversion Volume

556.1 af

556.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 30 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	30			1.0				2.0	11.0	38.0	36.0	39.5	36.3		36.2	35.0		219.0
									L2			L3	L4						

POU Total Acres: 219.0

PLACE OF USE: STOCKWATER

			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	30			X				X	X	X	X	X	X		X	X		
									L2			L3	L4						

CONDITIONS OF APPROVAL

1. Right 35-02541 is also diverted through the point of diversion described above.
2. Rights 35-02541 and 35-07930 when combined shall not exceed a total annual maximum diversion volume of 876 af at the field headgate for irrigation purposes, and the irrigation of 219 acres.
3. This right shall not exceed a total annual maximum diversion volume of 7.2 af for stockwater purposes.

Transfer No. 80755

WATER RIGHT NO. 35-7930

As Modified by Transfer No. 80755

CONDITIONS OF APPROVAL

4. 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.



WATER RIGHT NO. 35-14452
As Modified by Transfer No. 80755

In accordance with the approval of Transfer No. 80755, Water Right No. 35-14452 is now described as follows:

Right Holder: JOSEPH PHILLIPS AND
 ELIZABETH H PHILLIPS
 774 N 1200 W
 BLACKFOOT, ID 83221

Priority Date: 4/10/1998

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.400 cfs
 0.400 cfs

Diversion Volume
 84.0 af
 84.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 13 Twp 01S Rge 33E 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	33E	13		24.5	16.7	1.5	138.0	30.8	36.8	40.0	40.0	16.8	17.0	38.8	23.0	40.0	38.9	16.2	419.0

Right Acre Limit: 21.0

POU Total Acres: 419.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 21.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2265, 35-4214 and 35-14452 when combined shall not exceed a total diversion rate of 6.4 cfs, a total annual maximum diversion volume of 1676.0 af at the field headgate, and the irrigation of 419.0 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. 35-14452
As Modified by Transfer No. 80755

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80755, 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. 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.

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WATER RIGHT NO. 35-2265
As Modified by Transfer No. 80755

In accordance with the approval of Transfer No. 80755, Water Right No. 35-2265 is now described as follows:

Right Holder: DOUGLAS PHILLIPS AND
 JEANNETTE PHILLIPS
 904 N 1200 W
 BLACKFOOT, ID 83221

Priority Date: 10/9/1952

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 6.000 cfs
 6.000 cfs

Diversion Volume
 1416.0 af
 1416.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 13 Twp 01S Rge 33E 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	33E	13		24.5	16.7	1.5	38.0	30.8	36.8	40.0	40.0	16.8	17.0	38.8	23.0	40.0	38.9	16.2	419.0

Right Acre Limit: 354.0

POU Total Acres: 419.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 354.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2265 and 35-4214 when combined shall not exceed a total diversion rate of 6.0 cfs, a total annual maximum diversion volume of 1592.0 af at the field headgate, and the irrigation of 398.0 acres.
3. Rights 35-2265, 35-4214 and 35-14452 when combined shall not exceed a total diversion rate of 6.4 cfs, a total annual maximum diversion volume of 1676.0 af at the field headgate, and the irrigation of 419.0 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.

WATER RIGHT NO. 35-2265
As Modified by Transfer No. 80755

CONDITIONS OF APPROVAL

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 80755, 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. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-4214**As Modified by Transfer No. 80755**

In accordance with the approval of Transfer No. 80755, Water Right No. 35-4214 is now described as follows:

Right Holder: DOUGLAS PHILLIPS AND
JEANNETTE PHILLIPS
904 N 1200 W
BLACKFOOT, ID 83221

Priority Date: 6/1/1960

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.590 cfs

0.590 cfs

Diversion Volume

250.0 af

250.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNWNE

Sec 13 Twp 01S Rge 33E 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	33E	13		24.5	16.7	1.5	38.0	30.8	36.8	40.0	40.0	16.8	17.0	38.8	23.0	40.0	38.9	16.2	419.0

Right Acre Limit: 398.0

POU Total Acres: 419.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 398.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2265 and 35-4214 when combined shall not exceed a total diversion rate of 6.0 cfs, a total annual maximum diversion volume of 1592.0 af at the field headgate, and the irrigation of 398.0 acres.
3. Rights 35-2265, 35-4214 and 35-14452 when combined shall not exceed a total diversion rate of 6.4 cfs, a total annual maximum diversion volume of 1676.0 af at the field headgate, and the irrigation of 419.0 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.

WATER RIGHT NO. 35-4214
As Modified by Transfer No. 80755

CONDITIONS OF APPROVAL

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 80755, 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. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-2541
As Modified by Transfer No. 80755

In accordance with the approval of Transfer No. 80755, Water Right No. 35-2541 is now described as follows:

Right Holder: JOSEPH PHILLIPS AND
 ELIZABETH H PHILLIPS
 774 N 1200 W
 BLACKFOOT, ID 83221

Priority Date: 6/11/1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	2.880 cfs	876.0 af
			2.880 cfs	876.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENESW Sec 30 Twp 01S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

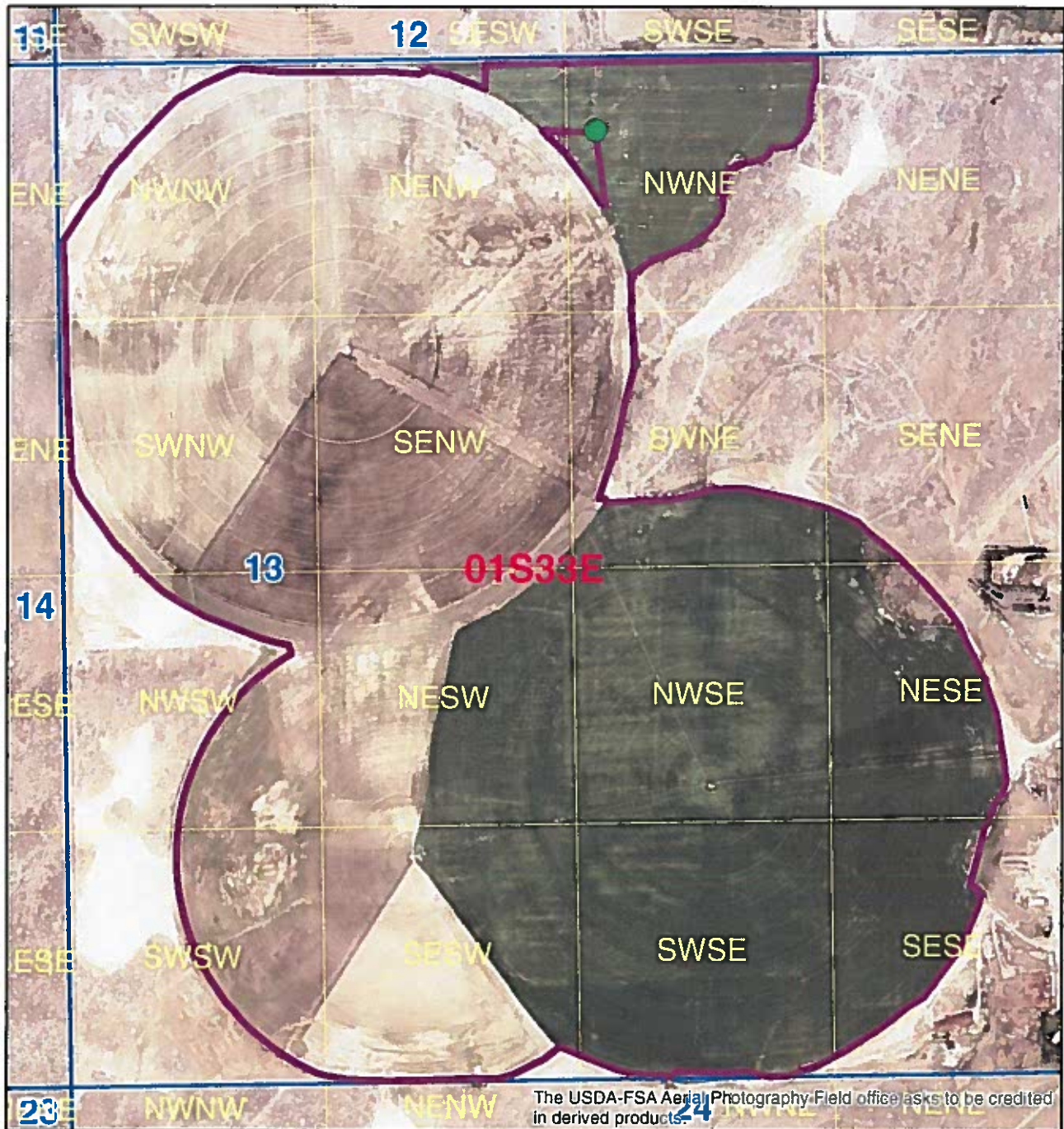
			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	34E	30			1.0				2.0	1.0	38.0	36.0	33.5	36.3		36.2	35.0		219.0
									L2				L3	L4					

POU Total Acres: 219.0

CONDITIONS OF APPROVAL

1. Rights 35-02541 and 35-07930 when combined shall not exceed a total annual maximum diversion volume of 876 af at the field headgate for irrigation purposes, and the irrigation of 219 acres.
2. 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 80755



Legend

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

0 370 740 1,480 Feet

1 inch = 820 feet

