

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80788

RECEIVED
MAR 22 2016

Department of Water Resources
Eastern Region

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) DeLoy Ward and Viola Ward

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☒ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources
Eastern Region

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) DeLoe Ward and Viola Ward Phone (208) 356-5190Mailing address 1305 S. 200 E. Sugar City, Idaho 83440 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No RepresentativeName of Representative Robert L. Harris, HKHC Phone (208) 523-0620Mailing address P.O. Box 50130, Idaho Falls, ID 83405 Email rharris@holdenlegal.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Robert L. Harris
Signature of Applicant or Authorized Representative

Robert L. Harris, Attorney
Print Name and Title if applicable

March 20, 2016
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

This transfer is in response to a potential NOV letter and generally to clean up the shapefiles for the water rights listed in the transfer. It combines the POU and PODs for water rights that were purchased with prior smaller farm purchases adjacent to each other.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ All or Part	SEE ATTACHED	SPREAD	SHEET		
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

Total authorized under rights 15.47 cfs and/or 3704 acre-feet.

2. Total amount of water proposed to be transferred or changed 15.47 cubic feet per second and/or 3704 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☒ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
								SEE ATTACHED	SPREADSHEET	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acres Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			SEE	ATT	ACH	ED		SPR	EAD	SHE	ET								
Total Acres (for irrigation use)																			931

WATER RIGHTS BEFORE TRANSFER

Owner	Type	Basin	Sequence	Priority Date	Basis	Div. Rate (cfs)	Combined Div. Rate (cfs)	Volume Limit (AFA)	Combined Volume (AFA)	Period of Use	Source	Water Use	Acre Limit	Combined Acre Limit	Point(s) of Diversion
DELOY/MOLA WARD	WR	35	2130C	1/11/1949	Decreed	2.5	2.5	640	576	4/1 to 10/31	GROUND WATER	IRRIGATION	125	144	NENE, Sec. 03, 025, 34E
DELOY/MOLA WARD	WR	35	13257 (portion)	4/12/1994	Decreed	0.38	0.38	None		4/1 to 10/31	GROUND WATER	IRRIGATION	19		
DELOY/MOLA WARD	WR	35	2132	1/18/1949	Decreed	4.28	4.28	None	1792	4/1 to 11/01	GROUND WATER	IRRIGATION	220	348	NW/4SW, Sec. 34, 015, 34E
DELOY/MOLA WARD	WR	35	7538	10/28/1975	Decreed	0.78	0.78	None		4/1 to 11/01	GROUND WATER	IRRIGATION	39		
DELOY/MOLA WARD	WR	35	7847	3/21/1979	Decreed	1.78	1.78	None		4/1 to 11/01	GROUND WATER	IRRIGATION	89		
DELOY/MOLA WARD	WR	35	20990	5/14/1948	Decreed	3.73	3.73	1120	1120	4/01 to 11/01	GROUND WATER	IRRIGATION	285	285	NW/4SE, Sec. 03, 025, 34E NE/4SW, Sec. 03, 025, 34E SW/4SW, Sec. 03, 025, 34E
YAMADA RANCHES	WR	35	2896	5/24/1945	Decreed	3.08	3.08	616	616	4/01 to 10/31	GROUND WATER	IRRIGATION	154	154	SE/4NE, Sec. 03, 025, 34E
TOTAL						15.47	15.47		3704				TOTAL	931	

WATER RIGHTS AFTER TRANSFER

Owner	Type	Basin	Sequence	Priority Date	Basis	Div. Rate (cfs)	Combined Div. Rate (cfs)	Volume Limit (AFA)	Combined Volume (AFA)	Period of Use	Source	Water Use	Acre Limit	Combined Acre Limit	Point(s) of Diversion
DELOY/MOLA WARD	WR	35	2130C	1/11/1949	Decreed	2.5	2.5	640	576	4/1 to 10/31	GROUND WATER	IRRIGATION	125	144	NENE, Sec. 03, 025, 34E
DELOY/MOLA WARD	WR	35	13257 (portion)	4/12/1994	Decreed	0.38	0.38	None		4/1 to 10/31	GROUND WATER	IRRIGATION	19		NW/4SW, Sec. 34, 015, 34E
DELOY/MOLA WARD	WR	35	2132	1/18/1949	Decreed	4.28	4.28	None	1792	4/1 to 11/01	GROUND WATER	IRRIGATION	220	348	SENE, Sec. 03, 025, 34E
DELOY/MOLA WARD	WR	35	7538	10/28/1975	Decreed	0.78	0.78	None		4/1 to 11/01	GROUND WATER	IRRIGATION	39		SW/4W, Sec. 03, 025, 34E
DELOY/MOLA WARD	WR	35	7847	3/21/1979	Decreed	1.78	1.78	None		4/1 to 11/01	GROUND WATER	IRRIGATION	89		NW/4SW, Sec. 03, 025, 34E
DELOY/MOLA WARD	WR	35	20990	5/14/1948	Decreed	3.73	3.73	1120	1120	4/01 to 11/01	GROUND WATER	IRRIGATION	285	285	SW/4E, Sec. 03, 025, 34E
YAMADA RANCHES	WR	35	2896	5/24/1945	Decreed	3.08	3.08	616	616	4/01 to 10/31	GROUND WATER	IRRIGATION	154	154	
TOTAL						15.47	15.47		3704				TOTAL	931	

PLACE OF USE DESCRIPTION AFTER PROPOSED CHANGES

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Wells and pump into pivot and handline corner systems. System has or will accommodate measuring devices.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The authorized irrigated acres will be rearranged as depicted on the attached map.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Water Right No. 35-2099E (which is subject to contemporaneous transfer).

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/21/2016

WATER RIGHT NO. 35-2130C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DE LOY Z WARD
Current Owner	VIOLA J WARD 1305 S 200 E REXBURG, ID 83440 (208)356-5190
Original Owner	ESTATE OF C L WILLIAMS BY LE GRANDE R WILLIAMS & STEVEN H WHEELER PO BOX 50130 IDAHO FALLS, ID 83405 (208)523-0620
Original Owner	HOLDEN KIDWELL HAHN & CRAPO C/O ROBERT L HARRIS PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620

Priority Date: 01/11/1949

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	2.5 CFS	640 AFA
Total Diversion			2.5 CFS	

Location of Point(s) of Diversi

GROUND WATER|NENENE|Sec. 03|Township 02S|Range 34E|BINGHAM County

IRRIGATION Use:

Acre Limit: 125

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01S	34E	34		SESE	7									
		35		SWSW	10		SESW	4						
02S		2		NENW	16		NWNW	40		SWNW	29			
				NWSW	33									
		3		NENE	10									
				NESE	35									

Total Acres: 184

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.97 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 736 AF. COMBINED RIGHT NOS.: 35-02099E AND 35-13257. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 125 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT
3. WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 184 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-02099E AND 35-13257.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 35-02099E AND 35-13257. RIGHT NO. 35-13257 IS AN ENLARGEMENT OF THIS RIGHT AND RIGHT NO. 35-02099E PURSUANT TO SECTION 42-1426, IDAHO CODE.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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Dates:**Licensed Date:****Decreed Date:** 03/04/2002**Enlargement Use Priority Date:****Enlargement Statute Priority Date:****Water Supply Bank Enrollment Date Accepted:****Water Supply Bank Enrollment Date Removed:****Application Received Date:****Protest Deadline Date:****Number of Protests:** 0**Other Information:****State or Federal:** S**Owner Name Connector:** OR**Water District Number:** 120**Generic Max Rate per Acre:****Generic Max Volume per Acre:****Combined Acres Limit:** 184**Combined Volume Limit:** 736**Combined Rate Limit:** 2.97**Civil Case Number:****Old Case Number:****Decree Plaintiff:****Decree Defendant:****Swan Falls Trust or Nontrust:****Swan Falls Dismissed:****DLE Act Number:****Cary Act Number:****Mitigation Plan:** False**Close**

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/21/2016

WATER RIGHT NO. 35-13257

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DE LOY Z WARD
Current Owner	VIOLA J WARD
	1305 S 200 E
	REXBURG, ID 83440
	(208)356-5190

Priority Date: 04/01/1969

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.48 CFS	
Total Diversion			0.48 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENENE|Sec. 03|Township 02S|Range 34E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
					807.88									

01S	34E	34	SE	7						
		35	SWSW	10	SESW	4				
02S		2	NENW	16	NWNW	40	SWNW	29		
			NWSW	33						
		3	NENE	10						
			NESE	35						

Total Acres: 184

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.97 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 736 AF. COMBINED RIGHT NOS.: 35-02099E AND 35-02130C. THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS
3. C11 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.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 184 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-02099E AND 35-02130C.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-02130C AND 35-02099E PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. THIS RIGHT IS FOR AN ENLARGEMENT OF 24 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 35-02130C AND 35-02099E.

Dates:

Licensed Date:

Decreed Date: 03/04/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

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State or Federal: S
Owner Name Connector: OR
Water District Number: 120
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 184
Combined Volume Limit: 736
Combined Rate Limit: 2.97
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/21/2016

WATER RIGHT NO. 35-2132

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DE LOY Z WARD
Current Owner	VIOLA J WARD
	1305 S 200 E
	REXBURG, ID 83440
	(208)356-5190
Original Owner	BARBARA ELLIS
Original Owner	DELWYN V ELLIS
	904 W 200 N
	BLACKFOOT, ID 83221

Priority Date: 01/18/1949

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	4.28 CFS	
Total Diversion			4.28 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNWSW|Sec. 34|Township 01S|Range 34E|BINGHAM County

IRRIGATION Use:

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Acre Limit: 220

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01S	34E	33		NESE	40		NWSE	39		SWSE	39		SESE	39
		34		NESW	37		NWSW	40		SWSW	40		SESW	35
				SWSE	39									

Total Acres: 348

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.16 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1392 AF. COMBINED RIGHT NOS.: 35-07847, 35-07538.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 220 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 348 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-07847, 35-07538.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 35-07847, 35-07538.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 02/25/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

80788

1

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 348

Combined Volume Limit: 1392

Combined Rate Limit: 6.16

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/21/2016

WATER RIGHT NO. 35-7538

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DE LOY Z WARD
Current Owner	VIOLA J WARD
	1305 S 200 E
	REXBURG, ID 83440
	(208)356-5190
Original Owner	BARBARA ELLIS
Original Owner	DELWYN V ELLIS
	904 W 200 N
	BLACKFOOT, ID 83221

Priority Date: 10/28/1975

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.78 CFS	
Total Diversion			0.78 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNWSW|Sec. 34|Township 01S|Range 34E|BINGHAM County

IRRIGATION Use:

80788

Acre Limit: 39

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01S	34E	33		NESE	40		NWSE	39		SWSE	39		SESE	39
		34		NESW	37		NWSW	40		SWSW	40		SESW	35
				SWSE	39									

Total Acres: 348

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.16 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1392 AF. COMBINED RIGHT NOS.: 35-07847, 35-02132
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 39 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 348 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-07847, 35-02132
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 35-07847, 35-02132.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 03/04/2002

Permit Proof Due Date: 12/1/1980

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 12/5/1975

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

80788

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 348

Combined Volume Limit: 1392

Combined Rate Limit: 6.16

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/21/2016

WATER RIGHT NO. 35-7847

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DE LOY Z WARD
Current Owner	VIOLA J WARD
	1305 S 200 E
	REXBURG, ID 83440
	(208)356-5190
Original Owner	BARBARA ELLIS
Original Owner	DELWYN V ELLIS
	904 W 200 N
	BLACKFOOT, ID 83221

Priority Date: 03/21/1979

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	1.78 CFS	
Total Diversion			1.78 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNWSW|Sec. 34|Township 01S|Range 34E|BINGHAM County

IRRIGATION Use:

Acre Limit: 89

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01S	34E	33		NESE	40		NWSE	39		SWSE	39		SESE	39
		34		NESW	37		NWSW	40		SWSW	40		SESW	35
				SWSE	39									

Total Acres: 348

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.16 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1392 AF COMBINED RIGHT NOS.: 35-07538, 35-02132
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 89 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 348 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-07538, 35-02132
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 35-07538, 35-02132.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 03/04/2002

Permit Proof Due Date: 5/1/1980

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 4/17/1979

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

80788

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 348

Combined Volume Limit: 1392

Combined Rate Limit: 6.16

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/21/2016

WATER RIGHT NO. 35-2099D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DE LOY Z WARD
Current Owner	VIOLA J WARD 1305 S 200 E REXBURG, ID 83440 (208)356-5190
Original Owner	HOLDEN KIDWELL HAHN & CRAPO C/O ROBERT L HARRIS PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Original Owner	GWENDOLYN WHEELER FAMILY LTD PARTNERSHIP PO BOX 50130 IDAHO FALLS, ID 83405 (208)523-0620

Priority Date: 05/14/1948

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	3.73 CFS	1120 AFA
Total Diversion			3.73 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWSENE|Sec. 03|Township 02S|Range 34E|BINGHAM County
 GROUND WATER|NESWNW|Sec. 03|Township 02S|Range 34E|BINGHAM County
 GROUND WATER|SWNWSW|Sec. 03|Township 02S|Range 34E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02S	34E	3		NENE	24		NWNE	38		SENE	38			
				NENW	36		NWNW	38		SWNW	38			
				NWSW	38		SWSW	35						

Total Acres: 285

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 02/25/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

80788

Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/21/2016

WATER RIGHT NO. 35-2896

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	YAMADA RANCHES 530 N 850 W BLACKFOOT, ID 83221 (208)684-4390

Priority Date: 05/24/1945

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	3.08 CFS	616 AFA
Total Diversion			3.08 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESWNE|Sec. 03|Township 02S|Range 34E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02S	34E	3		SWNE 39										

NW 40
NESW 38
NWSE 37

Total Acres: 154

Conditions of Approval:

1. C18

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 03/08/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

80788

1

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

[illegible]

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

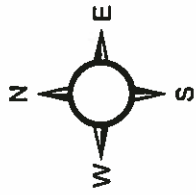
Fee paid 1700.⁰⁰ Date 3-23-16 Received by [Signature] Receipt # E041948

Add'l fee paid _____ Date _____ Received by Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

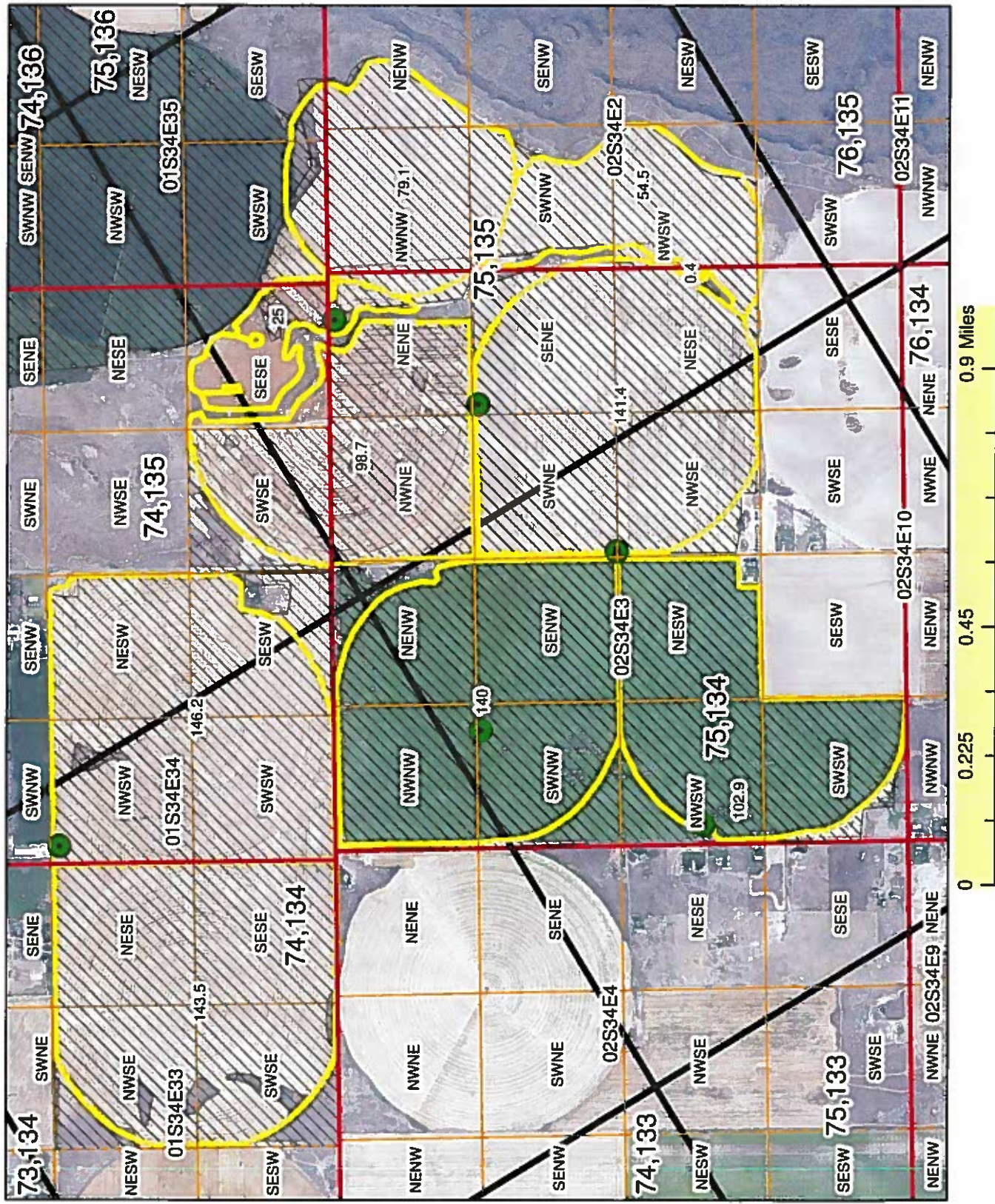
Attachment No. 7b
Map (GIS shapefile)

WARD TRANSFER



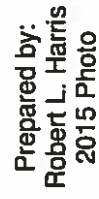
Legend

- Section_Lines
- Quarter-quarters
- 4W_PODs
- New 2016 POU
- Old POU
- modelgrid



Prepared by:
Robert L. Harris
2015 Photo

 4W_PODs
 Acres by QQ
 Section_Lines
 Quarter-quarters
 New 2016 POU
 Old POU
 modelgrid



Attachment No. 2a Water Right Ownership Documentation



Attachment No. 3
Documentation of Authority -
Applicant NOT Water Right
Owner

An NCO for Water Right No. 35-2896 (Yamada Ranches) has already been submitted and is being processed by the Department.

Attachment No. 4

Power of Attorney



Holden Kidwell
Hahn & Crapo PLLC
LAW OFFICES

Robert L. Harris
Attorney at Law

1000 Riverwalk Dr., Ste. 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
rharris@holdenlegal.com

Attachment No. 5

ESPA Analysis and Mitigation Plan

ESPA ANALYSIS

No ESPA analysis is required. Ground water modeling is not required if the current point(s) of diversion and the new point(s) of diversion are located within the same or adjacent model cells. See *Administrator's Memorandum*, Transfer Processing No. 24, December 21, 2009, at 13.

Attachment No. 7a Map



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 30, 2016

VIOLA J & DELOY Z WARD
1305 S 2ND E
REXBURG, ID 83440

RE: Transfer No. 80788
Water Right No(s). 35-13257, 35-2099D, 35-2130C, 35-2132, 35-2896,
35-7538, 35-7847

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the MORNING NEWS, IDAHO STATESMAN, LEWISTON TRIBUNE, POST REGISTER, TIMES NEWS on 4/7/2016 and 4/14/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Judea Jones
Administrative Assistant

CC: ROBERT L HARRIS
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS, ID 83405-0130

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, March 30, 2016 4:18 PM
To: 'Lewiston Morning Tribune'
Subject: Legal Notice for Your Newspaper
Attachments: Lewiston Morning Tribune E-Mail.doc

Contacts: Lewiston Morning Tribune

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, March 30, 2016 4:15 PM
To: 'Post Register (legalnotices@postregister.com)'
Subject: Legal Notice for Your Newspaper
Attachments: Post Register E-Mail.doc

Contacts: Post Register

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, March 30, 2016 4:16 PM
To: 'Times News (legals@magicvalley.com)'
Subject: Legal Notice for Your Newspaper
Attachments: Times News E-Mail.doc

Contacts: Times News

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, March 30, 2016 4:17 PM
To: 'ID Statesman (legals@idahostatesman.com)'
Subject: Legal Notice for Your Newspaper
Attachments: Idaho Statesman 1.RTF

Contacts: Idaho Statesman

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, March 30, 2016 4:21 PM
To: 'Morning News (legals@am-news.com)'
Subject: Legal Notice for Your Newspaper
Attachments: Morning News E-Mail.doc

Contacts: Morning News

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80788

VIOLA J WARD and DELOY Z WARD, 1305 S 2ND E, REXBURG, ID 83440; has filed Application No. 80788 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-13257, 35-2099D, 35-2130C, 35-2132, 35-2896, 35-7538, 35-7847; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

Change the points of diversion, add points of diversion and change the place of use. The points of diversion are in NWSW Sec 34 T1S R34E, and in NENE, SENE, SWNW, NWSW and SWNE Sec 3 T2S R34E for 15.47 cfs from ground water. The place of use is in Sec 33, 34, and 35 T1S R34E, and in Sec 2 and 3 T2S R34E for 931 acres.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before 4/25/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/7/2016 and 4/14/2016



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

RECEIVED

MAR 22 2016

Department of Water Resources
Eastern Region

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

FOR Email: rharris@holdenlegal.com

March 22, 2016

VIA HAND DELIVERY

Blake Jordan
Eastern Regional Office
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: Application for Transfer for Water Right Nos. 35-2130C et al.

Dear Blake:

Enclosed for processing is the second of two contemporaneously submitted water right transfers to address potential notice of violation issues with the applicant. As described in the transfer, and as we discussed a couple of weeks ago, this transfer proposes to combine six water rights into a combined place of use, which is consistent with the irrigation system of the applicant's property. Based on the Department's fee schedule, we have included a check in the amount of \$1,700.00 for this transfer.

Finally, you should note that Water Right No. 35-2896 is still in the name of Yamada Ranches on the records of the Department. A few weeks ago, we submitted a Notice of Change of Water Right Ownership for this water right, and therefore, we have not included an additional filing fee for notice of change of ownership with this transfer.

If you have any questions or concerns, please let me know. I appreciate your attention to this matter.

Best Regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

G:\WPDATA\RLH\14161 4W Farms\04\Transfer #2\2016-03-22, Jordan.docx

Established in 1896