

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80598**

This is to certify that: **ALLAN WARD**
3626 E 3990 N
KIMBERLY, ID 83341

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>
45-14338	WR/DECREED	9/15/1971	0.210 cfs	93.2 af	26.6	27.9	GROUND WATER
45-14340	WR/DECREED	6/30/1985	0.010 cfs	N/A	1.3	27.9	GROUND WATER
45-14401	WR/DECREED	9/15/1971	8,190 cfs	3472.2 af	985.0	1035.5	GROUND WATER
45-14403	WR/DECREED	6/30/1985	0.300 cfs	N/A	50.5	1035.5	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>
45-14338	NO	YES	YES	NO	YES	YES
45-14340	NO	YES	YES	NO	YES	YES
45-14401	YES	YES	NO	NO	YES	YES
45-14403	YES	YES	NO	NO	YES	YES

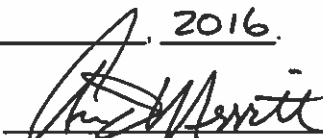
Summary Of Water Rights After the Approved Change

<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>
45-14338	45-14338	0.210 cfs	67.7 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-14340	45-14340	0.010 cfs	N/A	1.3	27.9	N/A	N/A	N/A	N/A	N/A
45-14401	45-14476	0.300 cfs	97.5 af	N/A	1.0	45-14401	7.890 cfs	3345.6 af	947.0	995.5
45-14403	45-14477	0.010 cfs	N/A	2.0	40.0	45-14403	0.290 cfs	N/A	48.5	995.5
COMBINED TOTALS		0.510 cfs	165.2 af	N/A	1.0		N/A	N/A	N/A	N/A

Rights 45-14340 and 45-14477 are relinquished through approval of Transfer # 80598

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 4th day of March, 2016.


Southern Region Manager

SUPPORT DATA

Transfer No. 80598

IN FILE # 45-14338

WATER RIGHT NO. 45-14338**As Modified by Transfer No. 80598**

In accordance with the approval of Transfer No. 80598, Water Right No. 45-14338 is now described as follows:

Right Holder: ALLAN WARD
3626 E 3990 N
KIMBERLY, ID 83341

Priority Date: 9/15/1971

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
STOCKWATER	01/01	to 12/31	0.210 cfs	67.7 af
COMMERCIAL	01/01	to 12/31	0.210 cfs	67.7 af
			0.210 cfs	67.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 32 Twp 11S Rge 22E CASSIA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	22E	32							X										

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	
11S	22E	32							X										

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. 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. 140.
3. 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. 45-14338

As Modified by Transfer No. 80598

CONDITIONS OF APPROVAL

4. Prior to diversion and use of water under Transfer approval 80598, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
5. 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.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. The right holder shall accomplish the change authorized by this transfer within five years 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 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. 45-14340

As Modified by Transfer No. 80598

In accordance with the approval of Transfer No. 80598, Water Right No. 45-14340 is now described as follows:

Right Holder: ALLAN WARD
3626 E 3990 N
KIMBERLY, ID 83341

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
0.010 cfs
0.010 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESENE	Sec 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NENESE	Sec 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NENENE	Sec 30 Twp 11S Rge 22E	CASSIA 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	
11S	22E	32								27.9									27.9

Right Acre Limit: 1.3

POU Total Acres: 27.9

CONDITIONS OF APPROVAL

1. Right 45-14340 is relinquished through approval of Transfer # 80598.

WATER RIGHT NO. 45-14401**As Modified by Transfer No. 80598**

In accordance with the approval of Transfer No. 80598, Water Right No. 45-14401 is now described as follows:

Right Holder: LEROY JAROLIMEK And
PEGGY JAROLIMEK
605 S 600 W
BURLEY, ID 83318

Priority Date: 9/15/1971

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION
MITIGATION

From

03/15
03/15

To
to 11/15
to 11/15

Diversion Rate

7.440 cfs
0.450 cfs
7.890 cfs

Diversion Volume

3155.4 af
190.2 af
3345.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESENE Sec 24 Twp 11S Rge 21E CASSIA County
GROUND WATER NENESE Sec 24 Twp 11S Rge 21E CASSIA County
GROUND WATER NENENE Sec 30 Twp 11S Rge 22E CASSIA 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	
11S	21E	24				39.0									34.0			13.0	86.0
11S	22E	29					30.2	36.5	30.6	35.6	37.5	39.0	30.2	31.6					271.2
11S	22E	30	38.0	39.0	37.4	31.1	39.0	35.7	35.5	34.1	35.8	36.0	34.5	29.9	39.0	32.1	31.2	31.0	559.3
								L 1	L 2			L 3	L 4						
11S	22E	32					39.0	40.0											79.0

Right Acre Limit: 947.0

POU Total Acres: 995.5

PLACE OF USE: MITIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	22E	29					X		X	X									
11S	22E	30			X	X				X	X			X		X	X		

CONDITIONS OF APPROVAL

- Right no. 45-14403 is an expansion of this right pursuant to section 42-1416B, Idaho Code.

Transfer No. 80598

WATER RIGHT NO. 45-14401
As Modified by Transfer No. 80598

CONDITIONS OF APPROVAL

2. Rights 45-14401 and 45-14403 are used for mitigation purposes for rights 45-14402 and 45-14404 under Transfer approval 77696 (approved 3/28/2012). Pursuant to Transfer approval 80598, the irrigation uses described under rights 45-14401 and 45-14403 when combined is limited to the following schedule of allowed use beginning on the date of approval of Transfer 80598. The right holder shall file a notice of intent with the Department prior to the increased use of water under rights 45-14401 and 45-14403 when the increase according to the schedule is sought.

Years 2016 through 2021 the diversion and use of water under rights 45-14401 and 45-14403 are limited to 7.44 cfs, 3155.4 afa, and 995.5 acres with right 45-14401 being limited to 7.44 cfs, 3155.4 afa, and 947 acres and right 45-14403 being limited to 0.00 cfs, 0.0 afa, and 48.5 acres. The undiverted combined mitigation use under rights 45-14401 and 45-14403 is 0.45 cfs, 190.2 afa, and 60.0 unirrigated acres.

Years 2022 and beyond the diversion and use of water under rights 45-14401 and 45-14403 are limited to 7.89 cfs, 3345.6 afa, and 1055.5 acres with right 45-14401 being limited to 7.89 cfs, 3345.6 afa, and 1004.1 acres and right 45-14403 being limited to 0.00 cfs, 0.0 afa, and 51.4 acres.

3. Right no. 45-14403 is also diverted through point of diversion described above.
4. 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. 45-14476**As Modified by Transfer No. 80598**

In accordance with the approval of Transfer No. 80598, Water Right No. 45-14476 is now described as follows:

Right Holder: ALLAN WARD
3626 E 3990 N
KIMBERLY, ID 83341

Priority Date: 9/15/1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1/1	to 12/31	0.290 cfs	94.2 af
IRRIGATION	03/15	to 11/15	0.010 cfs	3.3 af
STOCKWATER	1/1	to 12/31	0.290 cfs	94.2 af
			0.300 cfs	97.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 32 Twp 11S Rge 22E CASSIA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	22E	32							X										0.0

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	
11S	22E	32							1.0										1.0

POU Total Acres: 1.0

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	
11S	22E	32							X										0.0

CONDITIONS OF APPROVAL

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

Transfer No. 80598

WATER RIGHT NO. 45-14476

As Modified by Transfer No. 80598

CONDITIONS OF APPROVAL

2. 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. 140.
3. 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.
4. Prior to diversion and use of water under Transfer approval 80598, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
5. 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.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. The right holder shall accomplish the change authorized by this transfer within five years 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 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. 45-14403**As Modified by Transfer No. 80598**

In accordance with the approval of Transfer No. 80598, Water Right No. 45-14403 is now described as follows:

Right Holder: PEGGY JAROLIMEK
LEROY JAROLIMEK
605 S 600 W
BURLEY, ID 83318

Priority Date: 6/30/1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.270 cfs
MITIGATION	03/15	to 11/15	0.020 cfs
			0.290 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESENE	Sec 24 Twp 11S Rge 21E CASSIA County
GROUND WATER	NENESE	Sec 24 Twp 11S Rge 21E CASSIA County
GROUND WATER	NENENE	Sec 30 Twp 11S Rge 22E CASSIA 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	
11S	21E	24				39.0									34.0			13.0	86.0
11S	22E	29					30.2	36.5	30.6	35.6	37.5	39.0	30.2	31.6					271.2
11S	22E	30	38.0	39.0	37.4	31.1	39.0	35.7	35.5	34.1	35.8	36.0	34.5	29.9	39.0	32.1	31.2	31.0	559.3
								L 1	L 2			L 3	L 4						
11S	22E	32					39.0	40.0											79.0

Right Acre Limit: 48.5

POU Total Acres: 995.5

PLACE OF USE: MITIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	22E	29					X		X	X									
11S	22E	30			X	X				X	X			X		X	X		

CONDITIONS OF APPROVAL

1. This right is an expansion of Right No. 45-14401 pursuant to Section 42-1416B, Idaho Code.

Transfer No. 80598

WATER RIGHT NO. 45-14403

As Modified by Transfer No. 80598

CONDITIONS OF APPROVAL

2. Rights 45-14401 and 45-14403 are used for mitigation purposes for rights 45-14402 and 45-14404 under Transfer approval 77696 (approved 3/28/2012). Pursuant to Transfer approval 80598, the irrigation uses described under rights 45-14401 and 45-14403 when combined is limited to the following schedule of allowed use beginning on the date of approval of Transfer 80598. The right holder shall file a notice of intent with the Department prior to the increased use of water under rights 45-14401 and 45-14403 when the increase according to the schedule is sought.

Years 2016 through 2021 the diversion and use of water under rights 45-14401 and 45-14403 are limited to 7.44 cfs, 3155.4 afa, and 995.5 acres with right 45-14401 being limited to 7.44 cfs, 3155.4 afa, and 947 acres and right 45-14403 being limited to 0.00 cfs, 0.0 afa, and 48.5 acres. The undiverted combined mitigation use under rights 45-14401 and 45-14403 is 0.45 cfs, 190.2 afa, and 60.0 unirrigated acres.

Years 2022 and beyond the diversion and use of water under rights 45-14401 and 45-14403 are limited to 7.89 cfs, 3345.6 afa, and 1055.5 acres with right 45-14401 being limited to 7.89 cfs, 3345.6 afa, and 1004.1 acres and right 45-14403 being limited to 0.00 cfs, 0.0 afa, and 51.4 acres.

3. 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. 45-14477

As Modified by Transfer No. 80598

In accordance with the approval of Transfer No. 80598, Water Right No. 45-14477 is now described as follows:

Right Holder: ALLAN WARD
3626 E 3990 N
KIMBERLY, ID 83341

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
0.010 cfs
0.010 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENESE	Sec 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NESENE	Sec 24 Twp 11S Rge 21E	CASSIA County
GROUND WATER	NENENE	Sec 30 Twp 11S Rge 22E	CASSIA 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	
11S	22E	32							40.0										40.0

Right Acre Limit: 2.0

POU Total Acres: 40.0

CONDITIONS OF APPROVAL

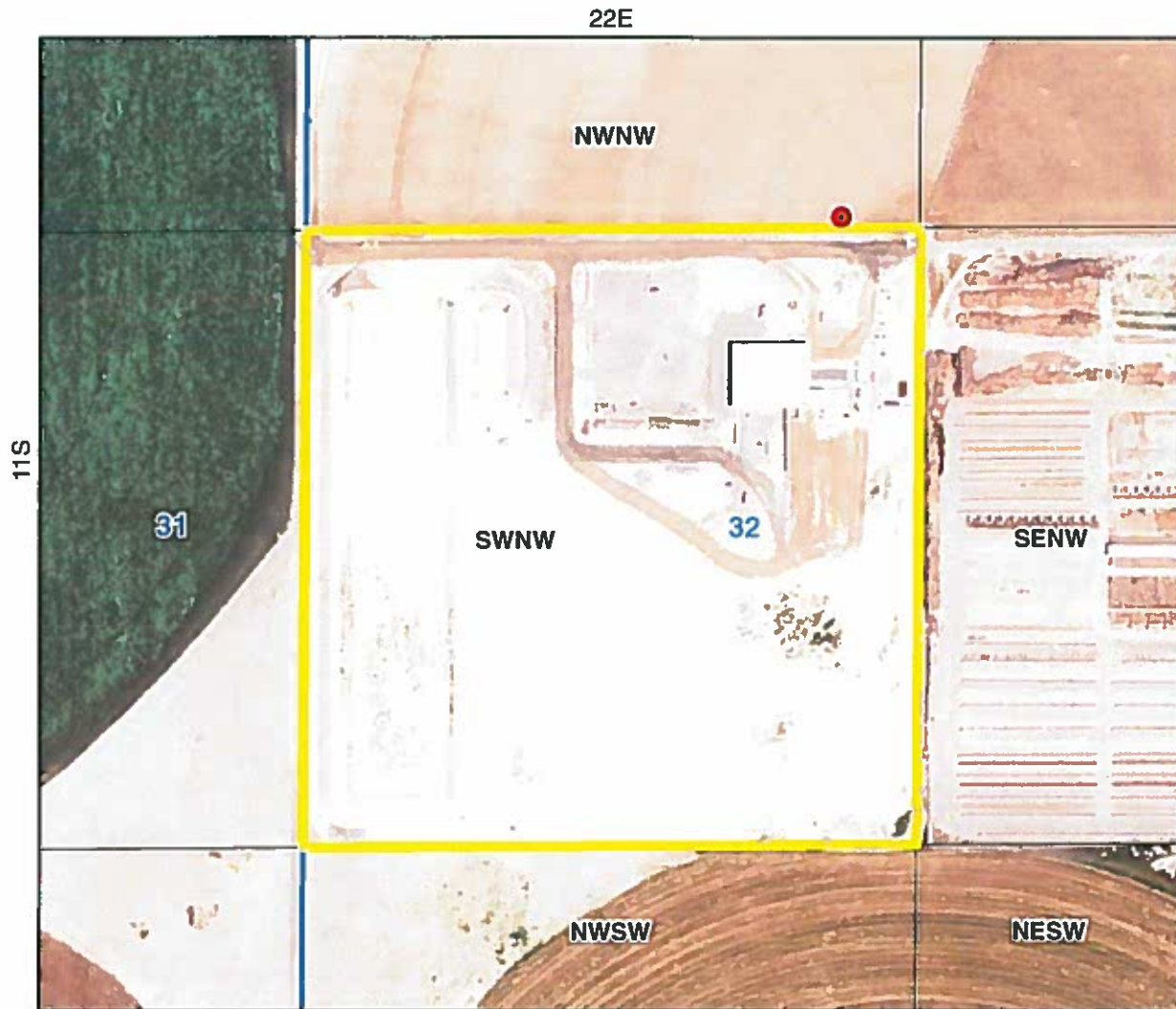
1. Right 45-14477 is relinquished through approval of Transfer # 80598.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 80598

Rights: 45-14338 and 45-14476

This map depicts the STOCKWATER and COMMERCIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

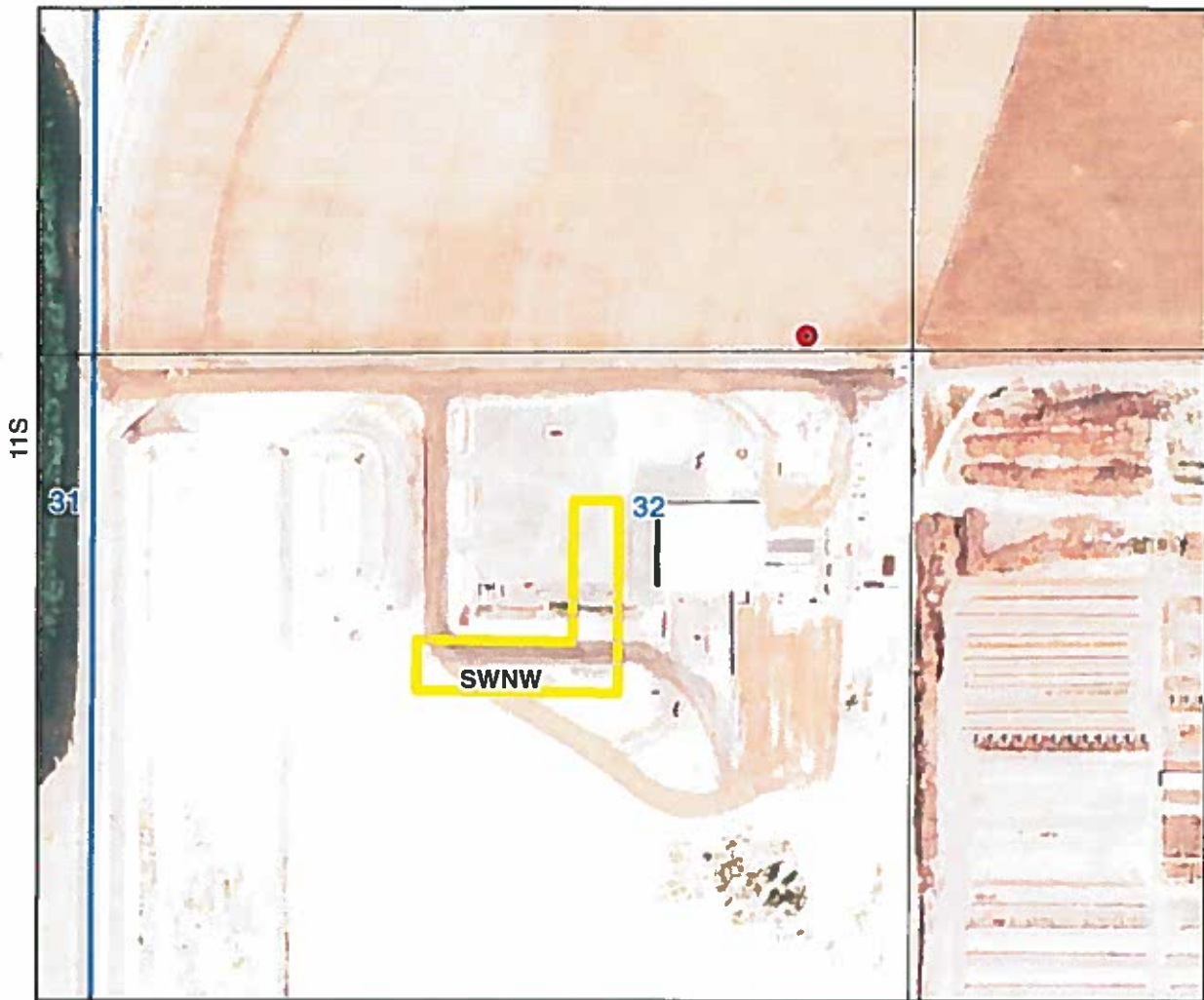
0 0.0475 0.095 0.19 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer No. 80598
45-14476

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

22E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.035 0.07 0.14 Miles

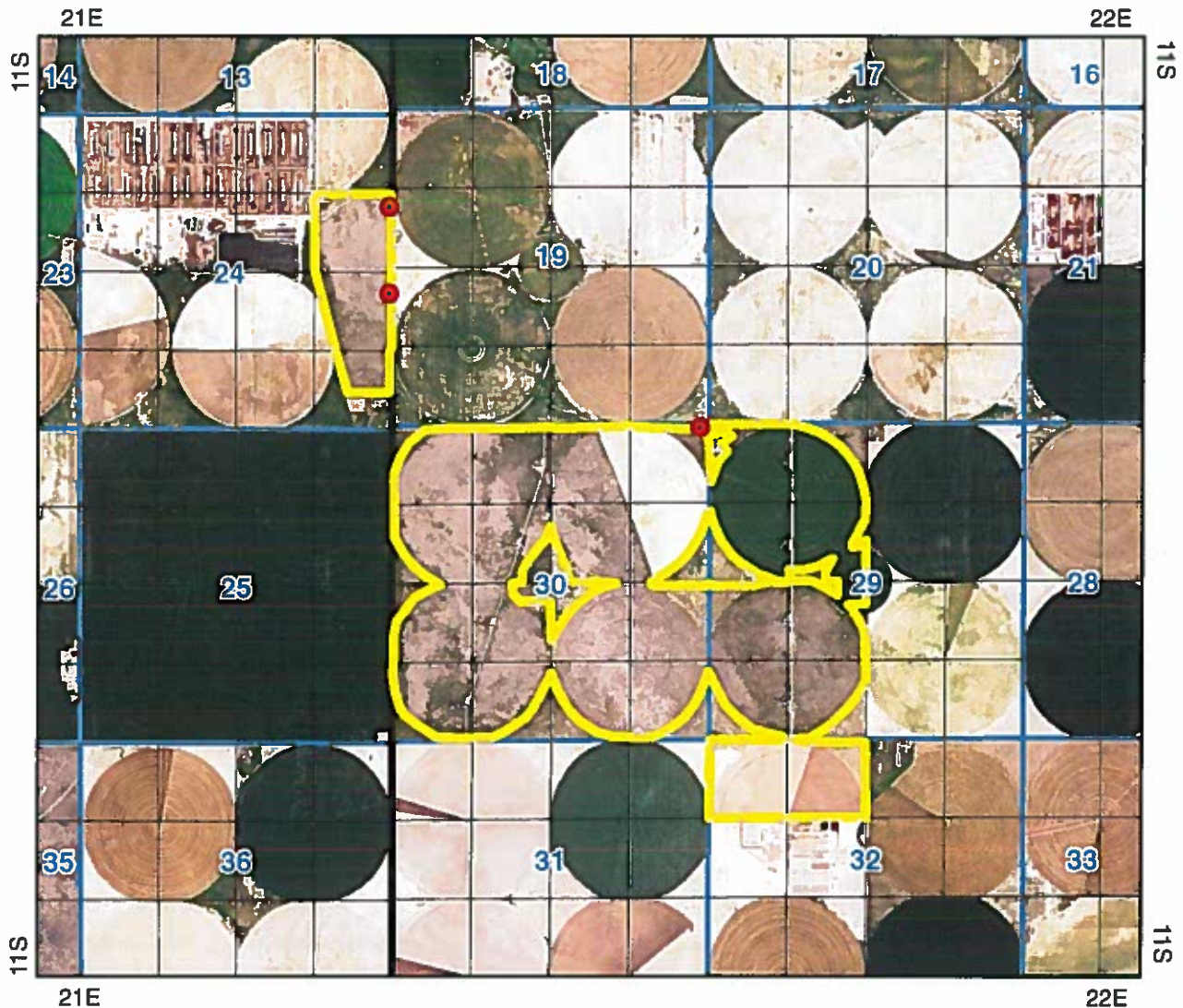


State of Idaho
Department of Water Resources

Attachment to Transfer No. 80598

Rights: 45-14401 and 45-14403

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.35 0.7 1.4 Miles

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

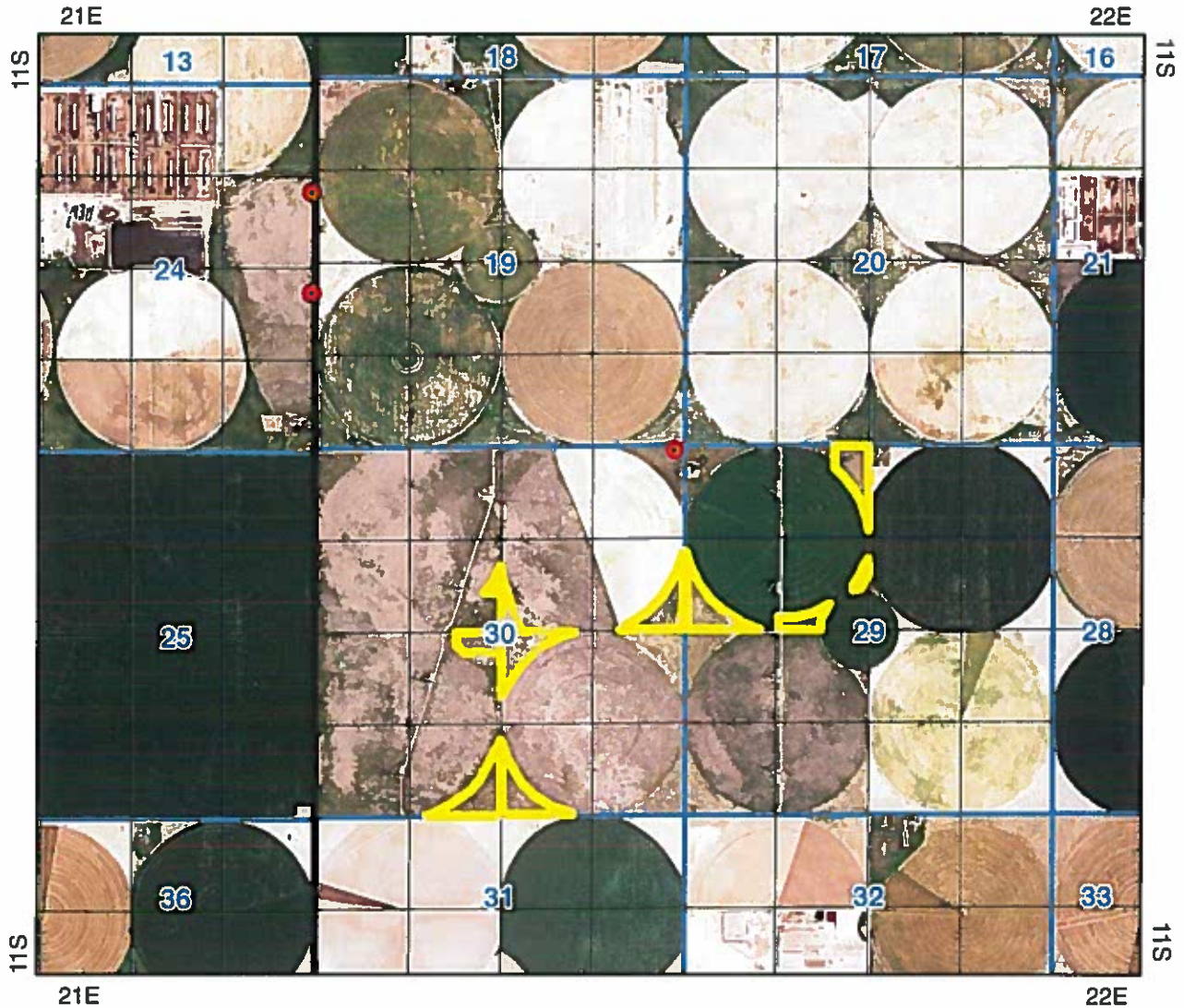


State of Idaho
Department of Water Resources

Attachment to Transfer No. 80598

Rights: 45-14401 and 45-14403

This map depicts the MITIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.3 0.6 1.2 Miles



3/4/2016

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 45-14477

3/4/2016

Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

3/4/2016

Priority Date: 6/30/1985
Basis: Deceased
Status: Abandoned

Page 1 of 2

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 45-14340

3/4/2016

Dates and Other Information

Decreed Date: 5/13/2005

State or Federal: S

Water District Number: 140

Mitigation Plan: False

Combined Use Limits

Rate

0.210

45-14338 ,45-14340

Volume

93.2

Acres

27.9

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A