

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80115

This is to certify that: FRANK R SEAY OR
KIMBERLY T SEAY
PO BOX 12
TETONIA, ID 83452

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>
22-13798	WR/LICENSE	1/8/1991	0.170 cfs	N/A	N/A	8.7	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>
22-13798	YES	YES	NO	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>
22-13798	22-14156	0.080 cfs	12.6 af	N/A	3.6	22-13798	0.090 cfs	N/A	N/A	4.7
COMBINED TOTALS		0.080 cfs	N/A	N/A	3.6		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 22nd day of July, 2015.


for Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 80115

IN FILE # 22-13798

WATER RIGHT NO. 22-13798
As Modified by Transfer No. 80115

In accordance with the approval of Transfer No. 80115, Water Right No. 22-13798 is now described as follows:

Right Holder: JARED E NUSBAUM AND
LINDA S NUSBAUM
9051 WEST 65TH AVE
ARVADA, CO 80004

Priority Date: 1/8/1991

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/15

Diversion Rate
0.090 cfs
0.090 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec 5 Twp 05N Rge 45E TETON 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	
05N	45E	5			4.7														4.7

POU Total Acres: 4.7

CONDITIONS OF APPROVAL

1. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
2. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 16.5 af for the lands above.
3. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Transfer No. 80115

WATER RIGHT NO. 22-14156
As Modified by Transfer No. 80115

In accordance with the approval of Transfer No. 80115, Water Right No. 22-14156 is now described as follows:

Right Holder: FRANK R SEAY AND
 KIMBERLY T SEAY
 PO BOX 12
 TETONIA, ID 83452

Priority Date: 1/8/1991

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	0.080 cfs	12.6 af
			0.080 cfs	12.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec 5 Twp 05N Rge 45E TETON 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	
05N	45E	5			3.6														3.6

POU Total Acres: 3.6

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
2. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
3. If the surface water right(s) appurtenant to the place of use is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), this right to divert ground water shall not be used for irrigation purposes on the land with an appurtenant surface water right(s) without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. A 0.4-acre portion of this water right has been forfeited and was removed from the water right through the approval of Transfer 80115.

Transfer No. 80115

WATER RIGHT NO. 22-14156
As Modified by Transfer No. 80115

CONDITIONS OF APPROVAL

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

