

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79659

This is to certify that: DELOY Z WARD AND
NEAL D WARD AND
SHELLY M WARD AND
VIOLA J WARD
1305 S 200 E
REXBURG, ID 83440

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>
35-13465	WR/DECREED	5/10/1968	4.640 cfs	1036.0 af	N/A	259.0	GROUND WATER
35-7075	WR/DECREED	4/1/1969	5.570 cfs	1252.0 af	N/A	313.0	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>
35-13465	NO	NO	YES	NO	NO	NO
35-7075	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>
35-13465	35-13465	4.640 cfs	1036.0 af	259.0	289.0	N/A	N/A	N/A	N/A	N/A
35-7075	35-14406	0.530 cfs	120.0 af	30.0	289.0	35-7075	5.040 cfs	1132.0 af	N/A	283.0
COMBINED TOTALS		5.170 cfs	1156.0 af	289.0	289.0		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 26th day of January, 2015.


for Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 35-7075

Transfer No. 79659

WATER RIGHT NO. 35-7075**As Modified by Transfer No. 79659**

In accordance with the approval of Transfer No. 79659, Water Right No. 35-7075 is now described as follows:

Right Holder: DE LOY Z WARD OR
VIOLA J WARD OR
SHELLY M WARD OR
NEAL D WARD
1305 S 200 E
REXBURG, ID 83440

Priority Date: 4/1/1969

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/15

To

to 10/15

Diversion Rate

5.040 cfs

5.040 cfs

Diversion Volume

1132.0 af

1132.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SENE

Sec 13 Twp 01S Rge 34E 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	34E	12									33.3	32.7	34.6	37.1					137.7
01S	34E	13					37.1	34.0	34.2	40.0									145.3

POU Total Acres: 283.0

CONDITIONS OF APPROVAL

1. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/4/2002.
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 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. 35-14406

As Modified by Transfer No. 79659

In accordance with the approval of Transfer No. 79659, Water Right No. 35-14406 is now described as follows:

Right Holder: VIOLA J WARD OR
DE LOY Z WARD OR
NEAL D WARD OR
SHELLY M WARD
1305 S 200 E
REXBURG, ID 83440

Priority Date: 4/1/1969

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/15

To

to 10/15

Diversion Rate

0.530 cfs

0.530 cfs

Diversion Volume

120.0 af

120.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSE

Sec 10 Twp 01S Rge 34E 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	34E	10									32.8	35.0	37.2	39.5	34.4	33.0	39.9	37.2	289.0

Right Acre Limit: 30.0

POU Total Acres: 289.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 30.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13465 and 35-14406 when combined shall not exceed the irrigation of 289.0 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. 35-14406

As Modified by Transfer No. 79659

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79659, 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/4/2002.
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. 35-13465

As Modified by Transfer No. 79659

In accordance with the approval of Transfer No. 79659, Water Right No. 35-13465 is now described as follows:

Right Holder: VIOLA J WARD AND
DE LOY Z WARD AND
NEAL D WARD AND
SHELLY M WARD
1305 S 200 E
REXBURG, ID 83440

Priority Date: 5/10/1968

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/30

Diversion Rate

4.640 cfs

4.640 cfs

Diversion Volume

1036.0 af

1036.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWSE

Sec 10 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	10									32.8	35.0	37.2	39.5	34.4	33.0	39.9	37.2	289.0

Right Acre Limit: 259.0

POU Total Acres: 289.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 259.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13465 and 35-14406 when combined shall not exceed the irrigation of 289.0 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.

Transfer No. 79659

WATER RIGHT NO. 35-13465

As Modified by Transfer No. 79659

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79659, 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/30 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/4/2002.
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.