

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79651**

This is to certify that: DE LOY Z WARD OR
NEAL D WARD OR
SHELLY M WARD OR
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>
35-13230	WR/DECREED	4/1/1980	0.410 cfs	N/A	N/A	365.0	GROUND WATER
35-2397	WR/DECREED	1/18/1955	4.220 cfs	N/A	330.0	365.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

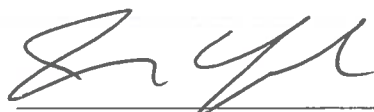
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-13230	NO	NO	YES	NO	NO	NO
35-2397	NO	NO	YES	NO	NO	NO

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>
35-13230	35-13230	0.410 cfs	140.0 af	35.0	365.0	N/A	N/A	N/A	N/A	N/A
35-2397	35-2397	4.220 cfs	1320.0 af	330.0	365.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		4.220 cfs	1460.0 af	365.0	365.0		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 7th day of November, 2014.


for Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 79651

IN FILE # 35-2397

WATER RIGHT NO. 35-2397**As Modified by Transfer No. 79651**

In accordance with the approval of Transfer No. 79651, Water Right No. 35-2397 is now described as follows:

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

Priority Date: 1/18/1955

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 10/31

Diversion Rate

4.220 cfs

4.220 cfs

Diversion Volume

1320.0 af

1320.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNE

Sec 14 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	11																	
01S	34E	14	34.0	40.0	30.0	32.8	39.8	36.7	4.0	8.0			40.0	40.0			40.0	19.7	139.7
																			225.3

Right Acre Limit: 330.0

POU Total Acres: 365.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 330.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2397 and 35-13230 when combined shall not exceed a total diversion rate of 4.22 cfs, a total annual maximum diversion volume of 1460.0 af at the field headgate, and the irrigation of 365.0 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. 79651

WATER RIGHT NO. 35-2397
As Modified by Transfer No. 79651

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79651, 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. Right 35-13230 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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. 35-13230
As Modified by Transfer No. 79651

In accordance with the approval of Transfer No. 79651, Water Right No. 35-13230 is now described as follows:

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

Priority Date: 4/1/1980

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From
4/01

To
to 10/31

Diversion Rate

0.410 cfs
0.410 cfs

Diversion Volume

140.0 af
140.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 14 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	11											40.0	40.0			40.0	19.7	139.7
01S	34E	14	34.0	40.0	30.0	32.8	39.8	36.7	4.0	8.0									225.3

Right Acre Limit: 35.0

POU Total Acres: 365.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 35.0 acres within the place of use described for this right.
2. Rights 35-2397 and 35-13230 when combined shall not exceed a total diversion rate of 4.22 cfs, a total annual maximum diversion volume of 1460.0 af at the field headgate, and the irrigation of 365.0 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. 79651

WATER RIGHT NO. 35-13230
As Modified by Transfer No. 79651

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79651, 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 is based upon an enlargement of Right 35-2397 pursuant to Section 42-1426, Idaho Code.
9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.