

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79197**

This is to certify that: **BYU IDAHO
OFFICE #213B UOB
REXBURG, ID 83460-8205**

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>
22-2303B	WR/DECREED	6/25/1953	2.280 cfs	399.0 af	N/A	114.0	GROUND WATER
22-2303C	WR/DECREED	6/25/1953	0.730 cfs	127.4 af	N/A	36.4	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>
22-2303B	NO	NO	YES	NO	NO	NO
22-2303C	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>
22-2303B	22-2303B	2.280 cfs	399.0 af	114.0	150.4	N/A	N/A	N/A	N/A	N/A
22-2303C	22-2303C	0.730 cfs	127.4 af	36.4	150.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.010 cfs	526.4 af	150.4	150.4		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 17th day of April, 2014.

for 
Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 79197

IN FILE # 22-2303B

WATER RIGHT NO. 22-2303B
As Modified by Transfer No. 79197

In accordance with the approval of Transfer No. 79197, Water Right No. 22-2303B is now described as follows:

Right Holder: BYU IDAHO
525 S CENTER ST 1695
REXBURG, ID 83460

Priority Date: 6/25/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	2.280 cfs	399.0 af
			2.280 cfs	399.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNESE Sec 20 Twp 06N Rge 39E MADISON 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	
06N	39E	17												2.5			24.0	3.9	30.4
														L 6			L 6		
06N	39E	17												1.5					1.5
														L 17					
06N	39E	20	7.9	34.0	8.6	4.6	7.7							4.5	15.0	28.0	8.2		118.5
							L 1												

Right Acre Limit: 114.0
POU Total Acres: 150.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 114 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2303B and 22-2303C when combined shall not exceed the irrigation of 150.4 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. 100.
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.

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WATER RIGHT NO. 22-2303B
As Modified by Transfer No. 79197

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79197, 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 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. Place of use does not include federal public lands
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. 22-2303C**As Modified by Transfer No. 79197**

In accordance with the approval of Transfer No. 79197, Water Right No. 22-2303C is now described as follows:

Right Holder: BYU IDAHO
525 S CENTER ST 1695
REXBURG, ID 83460

Priority Date: 6/25/1953

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
0.730 cfs
0.730 cfs

Diversion Volume
127.4 af
127.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNESE Sec 20 Twp 06N Rge 39E MADISON 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	
06N	39E	17												2.5			24.0	3.9	30.4
														L 6			L 6		
06N	39E	17												1.5					1.5
														L 17					
06N	39E	20	7.9	34.0	8.6	4.6	7.7							4.5	15.0	28.0	8.2		118.5
							L 1												

Right Acre Limit: 36.4
POU Total Acres: 150.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 36.4 acres within the authorized place of use in a single irrigation season.
2. Rights 22-2303B and 22-2303C when combined shall not exceed the irrigation of 150.4 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. 100.
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.

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WATER RIGHT NO. 22-2303C
As Modified by Transfer No. 79197

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79197, 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 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. Place of use does not include federal public lands
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.