

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 78328**

This is to certify that: HOLLY WARD AND  
PERRY WARD  
3689 E 100 N  
RIGBY, ID 83442

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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 35-2253A           | WR/DECREED          | 9/15/1952            | 3.900 cfs             | 1328.0 af               | N/A               | 332.0              | GROUND WATER  |
| 35-2848            | WR/DECREED          | 11/17/1966           | 4.030 cfs             | 1108.0 af               | N/A               | 277.0              | GROUND WATER  |
| 35-2856            | WR/DECREED          | 1/16/1967            | 3.870 cfs             | 1224.0 af               | N/A               | 306.0              | GROUND WATER  |
| 35-7421            | WR/DECREED          | 5/21/1974            | 4.460 cfs             | 1280.0 af               | 320.0             | 351.0              | GROUND WATER  |
| 35-7476B           | WR/DECREED          | 2/10/1975            | 6.540 cfs             | 2232.0 af               | N/A               | 550.0              | GROUND WATER  |
| 35-8977            | WR/LICENSE          | 1/15/1992            | 2.000 cfs             | 144.0 af                | N/A               | 368.0              | GROUND WATER  |

**Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)**

| <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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 35-14133           | WR/DECREED          | 1/3/1950             | 0.260 cfs             | 52.8 af                 | 13.2              | 337.0              | GROUND WATER  |
| 35-14135           | WR/DECREED          | 1/3/1950             | 0.360 cfs             | 71.2 af                 | 17.8              | 337.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 35-2253A              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 35-2848               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 35-2856               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 35-7421               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 35-7476B              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 35-8977               | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 35-2253A              | 35-14311                         | 0.220 cfs            | 74.4 af                | 18.6              | 90.0               | 35-2253A                           | 3.680 cfs             | 1253.6 af               | N/A                         | 313.4                        |
| 35-2848               | 35-14309                         | 0.520 cfs            | 143.6 af               | 35.9              | 90.0               | 35-2848                            | 3.510 cfs             | 964.4 af                | N/A                         | 241.1                        |
| 35-2856               | 35-14310                         | 0.150 cfs            | 46.8 af                | 11.7              | 90.0               | 35-2856                            | 3.720 cfs             | 1177.2 af               | N/A                         | 294.3                        |

Transfer No. 78328

SUPPORT DATA

IN FILE # 35-2253A

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

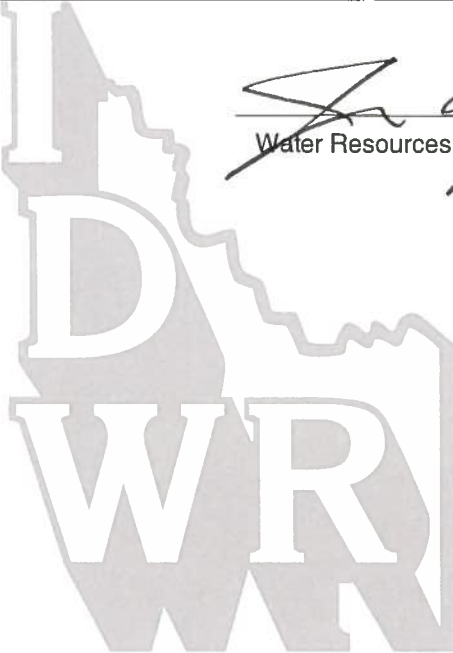
**TRANSFER OF WATER RIGHT  
TRANSFER NO. 78328**

|                        |          |                  |                 |             |             |          |            |            |            |            |
|------------------------|----------|------------------|-----------------|-------------|-------------|----------|------------|------------|------------|------------|
| 35-7421                | 35-14314 | 0.200 cfs        | 56.0 af         | 14.0        | 90.0        | 35-7421  | 4.260 cfs  | 1224.0 af  | 306.0      | 337.0      |
| 35-7476B               | 35-14312 | 0.090 cfs        | 31.2 af         | 7.8         | 90.0        | 35-7476B | 6.450 cfs  | 2200.8 af  | N/A        | 539.1      |
| 35-8977                | 35-14313 | 0.110 cfs        | 8.0 af          | 20.6        | 90.0        | 35-8977  | 1.890 cfs  | 136.0 af   | N/A        | 347.4      |
| <b>COMBINED TOTALS</b> |          | <b>1.290 cfs</b> | <b>360.0 af</b> | <b>90.0</b> | <b>90.0</b> |          | <b>N/A</b> | <b>N/A</b> | <b>N/A</b> | <b>N/A</b> |

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 18<sup>th</sup> day of March, 2013.

  
Water Resources Program Manager



# **WATER RIGHT NO. 35-2848** **As Modified by Transfer No. 78328**

In accordance with the approval of Transfer No. 78328, Water Right No. 35-2848 is now described as follows:

**Right Holder:** VIOLA J WARD AND  
DE LOY Z WARD  
1305 S 200 E  
REXBURG, ID 83440

**Priority Date:** 11/17/1966

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From**  
4/01 to **To**  
11/01

**Diversion Rate**  
3.51 cfs  
3.510 cfs

**Diversion Volume**  
964.4 af  
964.4 af

## **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER NWSWNW Sec 15 Twp 01S Rge 33E 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 | 33E | 15  |    |    |    |    |    |    |    |    | 40.0 | 27.7 | 5.0 | 25.6 | 33.9 | 40.0 | 34 | 34.9 | 241.1  |

POU Total Acres: 241.1

## **CONDITIONS OF APPROVAL**

- 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. 35-14309** **As Modified by Transfer No. 78328**

In accordance with the approval of Transfer No. 78328, Water Right No. 35-14309 is now described as follows:

**Right Holder:** PERRY WARD AND  
 HOLLY WARD  
 3689 E 100 N  
 RIGBY, ID 83442

**Priority Date:** 11/17/1966

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 4/01        | to 11/01  | 0.520 cfs             | 143.6 af                |
|                       |             |           | 0.520 cfs             | 143.6 af                |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      NWSWNW                      Sec 15 Twp 01S Rge 33E 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 | 33E | 16  | 31.5 | 23.2 | 14.7 | 20.6 |    |    |    |    |    |    |    |    |    |    |    |    | 90.0   |

Right Acre Limit: 35.9

POU Total Acres: 90.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 35.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14309, 35-14310, 35-14311, 35-14312, 35-14313 and 35-14314 when combined shall not exceed the irrigation of 90.0 acres.
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. 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.

Transfer No. 78328

**WATER RIGHT NO. 35-14309**

**As Modified by Transfer No. 78328**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 78328, 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 does not grant any right-of-way or easement across the land of another.
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. 35-2856****As Modified by Transfer No. 78328**

In accordance with the approval of Transfer No. 78328, Water Right No. 35-2856 is now described as follows:

**Right Holder:** DELOY Z WARD AND  
VIOLA J WARD  
1305 S 200 E  
REXBURG, ID 83440

**Priority Date:** 1/16/1967

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 4/01 **To** 11/01

**Diversion Rate**  
3.72 cfs  
3.720 cfs

**Diversion Volume**  
1177.2 af  
1177.2 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER NWSWNW Sec 15 Twp 01S Rge 33E 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 | 33E | 15  | 33.0 | 33.6 | 40.0 | 39.0 | 32.7 | 38.0 | 38.0 | 40.0 |    |    |    |    |    |    |    |    | 294.3  |

POU Total Acres: 294.3

**CONDITIONS OF APPROVAL**

- 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. 35-14310**  
**As Modified by Transfer No. 78328**

In accordance with the approval of Transfer No. 78328, Water Right No. 35-14310 is now described as follows:

**Right Holder:** PERRY WARD AND  
 HOLLY WARD  
 3689 E 100 N  
 RIGBY, ID 83442

**Priority Date:** 1/16/1967

**Source:** GROUND WATER

**BENEFICIAL USE**  
 IRRIGATION

|                    |                  |                              |                                |
|--------------------|------------------|------------------------------|--------------------------------|
| <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
| 4/01               | to 11/01         | 0.150 cfs                    | 46.8 af                        |
|                    |                  | 0.150 cfs                    | 46.8 af                        |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      NWSWNW                      Sec 15 Twp 01S Rge 33E 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 | 33E | 15  | 31.5 | 23.2 | 14.7 | 20.6 |    |    |    |    |    |    |    |    |    |    |    |    | 90.0   |

Right Acre Limit: 11.7

POU Total Acres: 90.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 11.7 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14309, 35-14310, 35-14311, 35-14312, 35-14313 and 35-14314 when combined shall not exceed the irrigation of 90.0 acres.
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. 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.

Transfer No. 78328

**WATER RIGHT NO. 35-14310**  
**As Modified by Transfer No. 78328**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 78328, 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 does not grant any right-of-way or easement across the land of another.
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. 35-2253A**  
**As Modified by Transfer No. 78328**

In accordance with the approval of Transfer No. 78328, Water Right No. 35-2253A is now described as follows:

**Right Holder:** PERRY WARD AND  
 HOLLY WARD  
 3689 E 100 N  
 RIGBY, ID 83442

**Priority Date:** 9/15/1952

**Source:** GROUND WATER

**BENEFICIAL USE**  
 IRRIGATION

**From** 4/01 **To** 10/31

**Diversion Rate**  
 3.68 cfs  
 3.680 cfs

**Diversion Volume**  
 1253.6 af  
 1253.6 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWNWSE Sec 31 Twp 01S Rge 33E 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 | 33E | 31  |    |    |    |    |    |    |    |    | 38 | 24.1 | 24.7 | 38.8 | 38.0 | 37.1 | 36.1 | 39.7 | 276.5  |
|     |     |     |    |    |    |    |    |    |    |    |    | L 3  | L 4  |      |      |      |      |      |        |
| 01S | 33E | 32  |    |    |    |    |    |    |    |    |    | 10.0 | 26.9 |      |      |      |      |      | 36.9   |

POU Total Acres: 313.4

**CONDITIONS OF APPROVAL**

- 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. 35-14311** **As Modified by Transfer No. 78328**

In accordance with the approval of Transfer No. 78328, Water Right No. 35-14311 is now described as follows:

**Right Holder:** PERRY WARD AND  
 HOLLY WARD  
 3689 E 100 N  
 RIGBY, ID 83442

**Priority Date:** 9/15/1952

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 4/01        | to 10/31  | 0.220 cfs             | 74.4 af                 |
|                       |             |           | 0.220 cfs             | 82.4 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER NWSWNW Sec 15 Twp 01S Rge 33E 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 | 33E | 16  | 31.5 | 23.2 | 14.7 | 20.6 |    |    |    |    |    |    |    |    |    |    |    |    | 90.0   |

Right Acre Limit: 18.6

POU Total Acres: 90.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 18.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14309, 35-14310, 35-14311, 35-14312, 35-14313 and 35-14314 when combined shall not exceed the irrigation of 90 acres.
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. 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.

Transfer No. 78328

**WATER RIGHT NO. 35-14311**

**As Modified by Transfer No. 78328**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 78328, 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 does not grant any right-of-way or easement across the land of another.
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.****As Modified by Transfer No. 78328**

In accordance with the approval of Transfer No. 78328, Water Right No. 35-7476B is now described as follows:

**Right Holder:** PERRY WARD  
568 E 100 N  
RIGBY, ID 83442  
AND  
HOLLY WARD  
3689 E 100 N  
RIGBY, ID 83442

**Priority Date:** 2/10/1975

**Source:** GROUND WATER

**BENEFICIAL USE**

IRRIGATION

**From**

4/01

**To**

to 10/31

**Diversion Rate**

6.45 cfs

6.450 cfs

**Diversion Volume**

2200.8 af

2200.8 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER

NWSE

Sec 22 Twp 01N Rge 32E 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   |        |
| 01N | 32E | 22  | 40.0 |    |    | 40.0 |    |      |      |    | 39.3 | 30.0 | 34.2 | 40.0 | 40.0 | 40.0 | 40 | 40.0 | 383.5  |
| 01N | 32E | 23  |      |    |    |      |    | 35.6 | 40.0 |    |      | 40.0 | 40.0 |      |      |      |    |      | 155.6  |

POU Total Acres: 539.1

**CONDITIONS OF APPROVAL**

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
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. 35-14312**  
**As Modified by Transfer No. 78328**

In accordance with the approval of Transfer No. 78328, Water Right No. 35-14312 is now described as follows:

**Right Holder:** PERRY WARD AND  
 HOLLY WARD  
 3689 E 100 N  
 RIGBY, ID 83442

**Priority Date:** 2/10/1975

**Source:** GROUND WATER

| <u><b>BENEFICIAL USE</b></u> | <u><b>From</b></u> | <u><b>To</b></u> | <u><b>Diversion Rate</b></u> | <u><b>Diversion Volume</b></u> |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| IRRIGATION                   | 4/01               | to 10/31         | 0.090 cfs                    | 31.2 af                        |
|                              |                    |                  | 0.090 cfs                    | 31.2 af                        |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      NWSWNW                      Sec 15 Twp 01N Rge 33E 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 | 33E | 16  | 31.5 | 23.2 | 14.7 | 20.6 |    |    |    |    |    |    |    |    |    |    |    |    | 90.0   |

Right Acre Limit: 7.8  
 POU Total Acres: 90.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 7.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14309, 35-14310, 35-14311, 35-14312, 35-14313 and 35-14314 when combined shall not exceed the irrigation of 90 acres.
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. 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.

Transfer No. 78328

**WATER RIGHT NO. 35-14312**  
**As Modified by Transfer No. 78328**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 78328, 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 does not grant any right-of-way or easement across the land of another.
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. 35-8977

### As Modified by Transfer No. 78328

In accordance with the approval of Transfer No. 78328, Water Right No. 35-8977 is now described as follows:

**Right Holder:** PERRY WARD AND  
HOLLY WARD  
3689 E 100 N  
RIGBY, ID 83442

**Priority Date:** 1/15/1992

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

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

**Diversion Rate**  
1.89 cfs  
1.890 cfs

**Diversion Volume**  
136 af  
136.0 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWNWSE Sec 31 Twp 01S Rge 33E 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 | 33E | 31  |    |    |    |    |    |    |    |    | 38 | 24.1 | 24.7 | 38.8 | 38.0 | 37.1 | 36.1 | 39.7 | 276.5  |
|     |     |     |    |    |    |    |    |    |    |    |    | L 3  | L 4  |      |      |      |      |      |        |
| 01S | 33E | 32  |    |    |    |    |    |    |    |    |    | 16.0 | 33.9 | 21.0 |      |      |      |      | 70.9   |

POU Total Acres: 347.4

**CONDITIONS OF APPROVAL**

1. Rights 35-02253A and 35-08977 when combined shall not exceed the irrigation of 347.4 acres.
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. 120.
3. 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 lands above.
4. Right 35-02253A is also diverted through the point of diversion described above.
5. 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.

Transfer No. 78328

**WATER RIGHT NO. 35-14313****As Modified by Transfer No. 78328**

In accordance with the approval of Transfer No. 78328, Water Right No. 35-14313 is now described as follows:

**Right Holder:** PERRY WARD AND  
HOLLY WARD  
3689 E 100 N  
RIGBY, ID 83442

**Priority Date:** 1/15/1992

**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  | 0.110 cfs             | 8.0 af                  |
|                       |             |           | 0.110 cfs             | 8.0 af                  |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWNWSE Sec 31 Twp 01S Rge 33E 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 | 33E | 16  |  | 31.5 | 23.2 | 14.7 | 20.6 |    |    |    |    |    |    |    |    |    |    |    |    | 90.0   |

Right Acre Limit: 20.6

POU Total Acres: 90.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 20.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14309, 35-14310, 35-14311, 35-14312, 35-14313 and 35-14314 when combined shall not exceed the irrigation of 90 acres.
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. 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.

Transfer No. 78328

**WATER RIGHT NO. 35-14313**  
**As Modified by Transfer No. 78328**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 78328, 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 lands above.
8. This right does not grant any right-of-way or easement across the land of another.
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. 35-7421**  
**As Modified by Transfer No. 78328**

In accordance with the approval of Transfer No. 78328, Water Right No. 35-7421 is now described as follows:

**Right Holder:** PERRY WARD And  
 HOLLY WARD  
 3689 E 100 N  
 RIGBY, ID 83442

**Priority Date:** 5/21/1974

**Source:** GROUND WATER

**BENEFICIAL USE**  
 IRRIGATION

**From** 04/01 **To** 11/01

**Diversion Rate**  
 4.260 cfs  
 4.260 cfs

**Diversion Volume**  
 1224 af  
 1224.0 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SENENW Sec 9 Twp 01S Rge 33E 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 | 33E | 9   |    | 34.1 | 32.7 |    | 36.7 | 35.8 | 35.2 | 36.4 | 32.7 |    |    | 29.6 |    | 32.9 | 30.9 |    | 337.0  |

Right Acre Limit: 306.0

POU Total Acres: 337.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 306 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7421, 35-14133 and 35-14135 when combined shall not exceed a total diversion rate of 4.88 cfs, a total annual maximum diversion volume of 1348 af at the field headgate, and the irrigation of 337 acres.
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. 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.

**WATER RIGHT NO. 35-7421**  
**As Modified by Transfer No. 78328**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 78328, 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 does not grant any right-of-way or easement across the land of another.
9. The following rights are diverted through point(s) of diversion described above: 34-7421, 35-14133 and 35-14135.
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.

**WATER RIGHT NO. 35-14314**  
**As Modified by Transfer No. 78328**

In accordance with the approval of Transfer No. 78328, Water Right No. 35-14314 is now described as follows:

**Right Holder:** PERRY WARD And  
 HOLLY WARD  
 3689 E 100 N  
 RIGBY, ID 83442

**Priority Date:** 5/21/1974

**Source:** GROUND WATER

|                              |                    |                  |                              |                                |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
| IRRIGATION                   | 04/01              | to 11/01         | 0.200 cfs                    | 56.0 af                        |
|                              |                    |                  | 0.200 cfs                    | 56.0 af                        |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER      SENENW      Sec 9    Twp 01S Rge 33E 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 | 33E | 16  |  | 31.5 | 23.2 | 14.7 | 20.6 |    |    |    |    |    |    |    |    |    |    |    |    | 90.0   |

Right Acre Limit: 14.0  
 POU Total Acres: 90.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 14 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14309, 35-14310, 35-14311, 35-14312, 35-14313 and 35-14314 when combined shall not exceed the irrigation of 90 acres.
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. 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.

Transfer No. 78328

**WATER RIGHT NO. 35-14314**

**As Modified by Transfer No. 78328**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 78328, 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 does not grant any right-of-way or easement across the land of another.
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. 35-14133

### As Modified by Transfer No. 78328

In accordance with the approval of Transfer No. 78328, Water Right No. 35-14133 is now described as follows:

**Right Holder:** PERRY WARD And  
HOLLY WARD  
3689 E 100 N  
RIGBY, ID 83442

**Priority Date:** 1/3/1950

**Source:** GROUND WATER

| <u><b>BENEFICIAL USE</b></u> | <u><b>From</b></u> | <u><b>To</b></u> | <u><b>Diversion Rate</b></u> | <u><b>Diversion Volume</b></u> |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| IRRIGATION                   | 04/01              | to 10/31         | 0.260 cfs                    | 52.8 af                        |
|                              |                    |                  | 0.260 cfs                    | 52.8 af                        |

#### **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER      SENENW      Sec 9    Twp 01S    Rge 33E    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 | 33E | 9   |    | 34.1 | 32.7 |    | 36.7 | 35.8 | 35.2 | 36.4 | 32.7 |    |    | 29.6 |    | 32.9 | 30.9 |    | 337.0  |

POU Total Acres:      337.0

#### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 13.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7421, 35-14133, and 35-14135 when combined shall not exceed a total diversion rate of 4.88 cfs, a total annual maximum diversion volume of 1348 af at the field headgate, and the irrigation of 337 acres.
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. 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.

**WATER RIGHT NO. 35-14133**  
**As Modified by Transfer No. 78328**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 77131, 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 does not grant any right-of-way or easement across the land of another.
9. The following rights are diverted through point(s) of diversion described above: 35-7421, 35-14133 and 35-14135.
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.

**WATER RIGHT NO. 35-14135**  
**As Modified by Transfer No. 78328**

In accordance with the approval of Transfer No. 78328, Water Right No. 35-14135 is now described as follows:

**Right Holder:** PERRY WARD And  
 HOLLY WARD  
 3689 E 100 N  
 RIGBY, ID 83442

**Priority Date:** 1/3/1950

**Source:** GROUND WATER

| <u><b>BENEFICIAL USE</b></u> | <u><b>From</b></u> | <u><b>To</b></u> | <u><b>Diversion Rate</b></u> | <u><b>Diversion Volume</b></u> |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| IRRIGATION                   | 04/01              | to 10/31         | 0.360 cfs                    | 71.2 af                        |
|                              |                    |                  | 0.360 cfs                    | 71.2 af                        |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      SENENW                      Sec 9    Twp 01S    Rge 33E    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 | 33E | 9   |    | 34.1 | 32.7 |    | 36.7 | 35.8 | 35.2 | 36.4 | 32.7 |    |    | 29.6 |    | 32.9 | 30.9 |    | 337.0  |

POU Total Acres:                      337.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 17.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7421, 35-14133 and 35-14135 when combined shall not exceed a total diversion rate of 4.88 cfs, a total annual maximum diversion volume of 1348 af at the field headgate, and the irrigation of 337 acres.
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. 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.

**WATER RIGHT NO. 35-14135**

**As Modified by Transfer No. 78328**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 77131, 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 does not grant any right-of-way or easement across the land of another.
9. The following rights are diverted through point(s) of diversion described above: 35-7421, 35-14133 and 35-14135.
10. Right No. 35-13930 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.