



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

October 3, 2012

WARD & SONS CO INC
5336 ARBON HWY
ARBON ID 83212

RE: Proposed Reprocessing of Application for Transfer 69458 - Water Right 29-7291

Dear Right Holder:

The Department has determined that an error occurred during the original processing of Application for Transfer 69458. There was some confusion when the application was processed in 2001-2002 regarding the legal description of the proposed "new" well added to the system of Right 29-7291. Although the legal description information on the application was confused, it's clear the intent was to add the well associated with Right 29-7931A.

The application will be readvertised to describe the change of legal description of the second well to Section 36. No other changes are proposed and no readvertisement fee is required.

I have enclosed a proof report of Right 29-7291 showing the currently authorized points of diversion. The well described as NWNWSW will be changed to show Section 36. This is the description of the "new" well added per the transfer application and matches the location of the POD for Right 29-7931A in Section 36. Enclosed map representations of Rights 29-7291 and 29-7931A show the location of these two existing wells.

If you agree with the proposed change to Right 29-7291 as described above, please sign the Request to Reprocess statement enclosed and return it to me. I will then take the necessary steps to readvertise the proposed change and complete reprocessing.

If you require additional information regarding this matter, please call me directly at (208) 287-4951, e-mail me at pam.skaggs@idwr.idaho.gov or contact me by mail, and I will be happy to assist you.

Sincerely,

Pamela S. Skaggs
Water Rights Supervisor

c: James Cefalo, IDWR Eastern Region Office

Request to Reprocess Application for Transfer 69458

I agree with the proposed change to the legal description of one well under Right 29-7291 from NWNWSW, Section **35**, Township 11S, Range 33E, B.M. to NWNWSW, Section **36**, Township 11S, Range 33E, B.M. as proposed under original Application for Transfer 69458. The original well will continue to be authorized as a second point of diversion. Please proceed with readvertising the change.

Signature of authorized representative of Ward & Sons Co Inc

Date Signed

Printed Name & Title

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-7291

WATER RIGHT NUMBER: 29-7291

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WARD & SONS CO INC 5336 ARBON HWY ARBON, ID 83212 (208)335-2263
Lienholder	THE MUTUAL LIFE INSURANCE CO OF NEW YORK ATTN BONNIE TERRELL ASST VP 4412 74TH ST #F100 LUBBOCK, TX 79424 (806)792-1073

Priority Date: 10/22/1975

Basis: Decreed

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	4.530 CFS	1,305.20 AF
	<u>Total Diversion:</u>	4.530 CFS	1,305.20 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4SW1/4	Sec. 35, Twp 11S, Rge 33E, B.M.
POWER County		
GROUND WATER	NW1/4SW1/4	Sec. 35, Twp 11S, Rge 33E, B.M.
POWER County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	33E	34													37.0	2.4	34.0	35.0	108.4
11S	33E	35									38.0	33.0	33.0	37.0		4.1	3.8		148.9
12S	33E	3	34.0	35.0															69.0
			L 1	L 2															

Total Acres: 326.3

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 29-7291

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

Dates and Other Information:

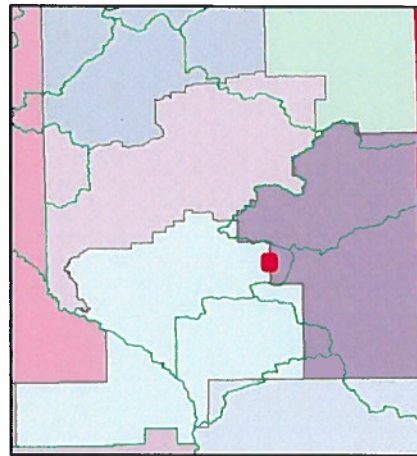
Decreed Date: 3/22/2004
State or Federal: S
Civil Case Number: 39576
Judicial District: FIFTH
Mitigation Plan: False



Idaho Department of Water Resources

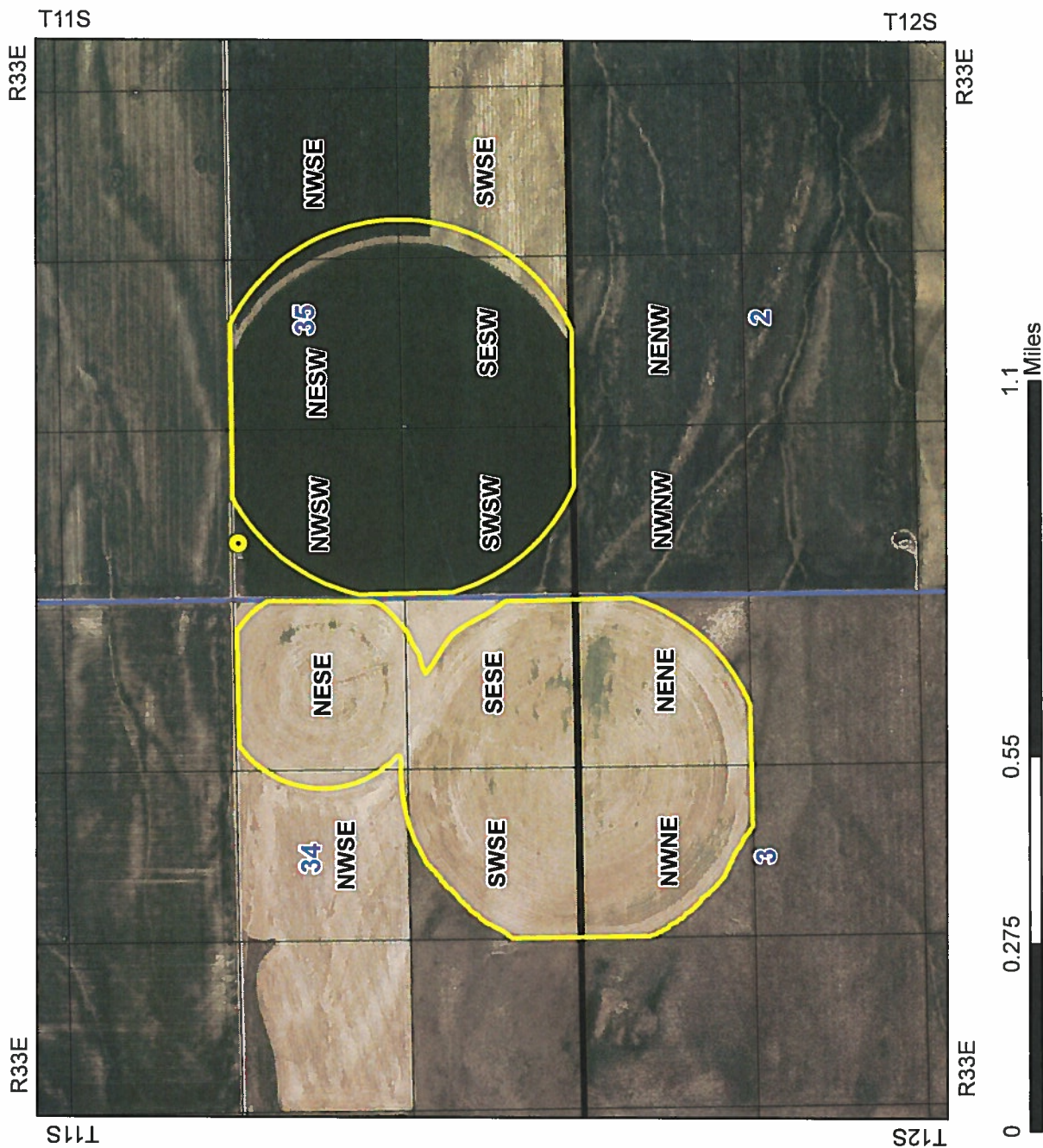
Water Right
29-7291
(IRRIGATION)

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Oneida, Power Counties
IDWR Basin 29

Prepared by Skaggs, Pam
On October 02, 2012
2009 Aerial Photography



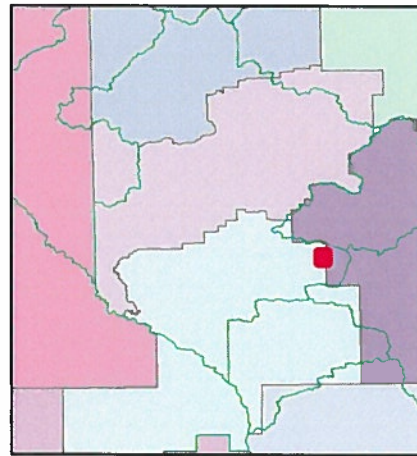
Owner: Ward & Sons Co Inc
NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



Idaho Department of Water Resources

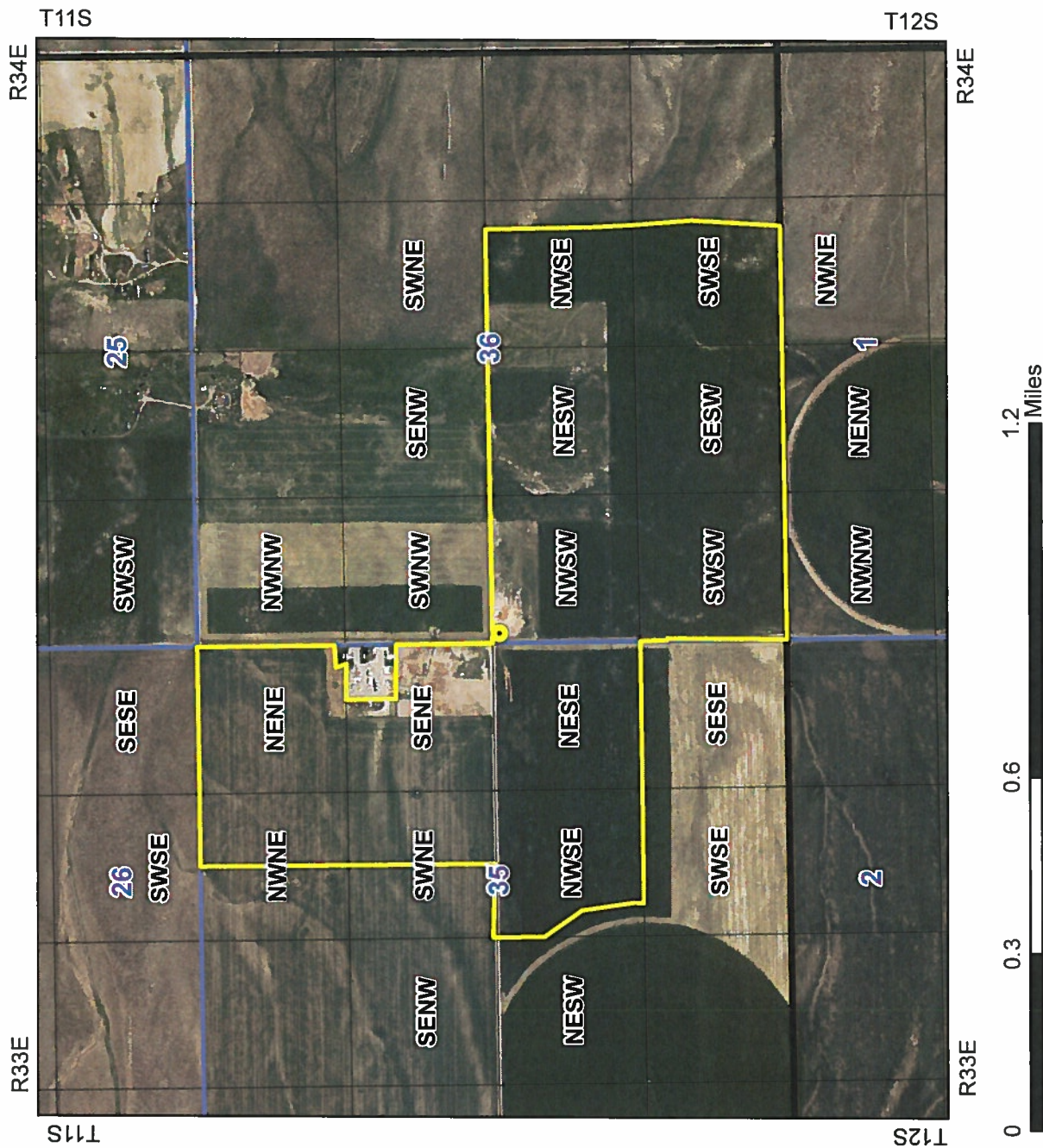
**Water Right
29-7931A
(IRRIGATION)**

-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



**Power County
IDWR Basin 29**

Prepared by Skaggs, Pam
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