

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77023

This is to certify that: LANCE & LISA FUNK PARTNERSHIP
2765 FAIRGROUNDS RD
AMERICAN FALLS ID 83211
(208)226-5551

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-14081	WR/Decreed	07/09/1963	0.27 cfs	54.6 af	13.7	45.0	GROUND WATER
35-14084	WR/Decreed	10/17/1966	0.26 cfs	53.1 af	13.2	45.0	GROUND WATER
35-14089	WR/Decreed	12/26/1973	0.04 cfs	8.7 af	2.2	45.0	GROUND WATER
35-14092	WR/License	05/23/1979	0.32 cfs	63.6 af	15.9	45.0	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Update Conditions)

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
35-14080	WR/Decreed	07/09/1963	2.86 cfs	570.8 af	142.7	470.0	GROUND WATER
35-14083	WR/Decreed	10/17/1966	2.77 cfs	553.8 af	138.5	470.0	GROUND WATER
35-14088	WR/Decreed	12/26/1973	0.46 cfs	90.6 af	22.6	470.0	GROUND WATER
35-14091	WR/License	05/23/1979	3.32 cfs	666.8 af	166.2	470.0	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>
35-14081	NO	YES	YES	NO	NO	NO
35-14084	NO	YES	YES	NO	NO	NO
35-14089	NO	YES	YES	NO	NO	NO
35-14092	NO	YES	YES	NO	NO	NO

SUPPORT DATA

IN FILE # 35-14081

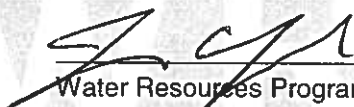
**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77023**

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
35-14081	35-14081	0.27 cfs	54.6 af	13.7	45.0		N/A	N/A	N/A	N/A
35-14084	35-14084	0.26 cfs	53.1 af	13.2	45.0		N/A	N/A	N/A	N/A
35-14089	35-14089	0.04 cfs	8.7 af	2.2	45.0		N/A	N/A	N/A	N/A
35-14092	35-14092	0.32 cfs	63.6 af	15.9	45.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.61 cfs	180.0 af	45.0	45.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of February, 2011



Water Resources Program Manager

WATER RIGHT NO. 35-14081
As Modified by Transfer No. 77023

In accordance with the approval of Transfer No. 77023, Water Right No. 35-14081 is now described as follows.

Right Holder: LANCE & LISA FUNK PARTNERSHIP
 2765 FAIRGROUNDS RD
 AMERICAN FALLS ID 83211

Priority Date: July 09, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.27 CFS	54.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNE Sec. 5 Twp 07S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07S	29E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	45.0
			22.5	22.5															
			L 1	L 2															

Total Acres: 45

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 13.7 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14081, 35-14084 and 35-14089 when combined shall not exceed a total diversion rate of 0.5 cfs, a total annual maximum diversion volume of 116.4 af at the field headgate, and the irrigation of 29.1 acres.
3. Rights 35-14081, 35-14084, 35-14089 and 35-14092 when combined shall not exceed a total diversion rate of 0.61 cfs, a total annual maximum diversion volume of 180.0 af at the field headgate, and the irrigation of 45.0 acres.
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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 77023, 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.

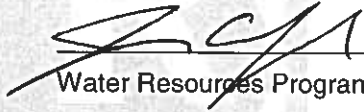
WATER RIGHT NO. 35-14081
As Modified by Transfer No. 77023

CONDITIONS OF APPROVAL

7. 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.
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

This water right 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.

Dated this 25th day of February, 2011


Water Resources Program Manager

WATER RIGHT NO. 35-14084
As Modified by Transfer No. 77023

In accordance with the approval of Transfer No. 77023, Water Right No. 35-14084 is now described as follows.

Right Holder: LANCE & LISA FUNK PARTNERSHIP
 2765 FAIRGROUNDS RD
 AMERICAN FALLS ID 83211

Priority Date: October 17, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/25	to 10/25	0.26 CFS	53.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNE Sec. 5 Twp 07S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07S	29E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	45.0
			22.5	22.5															
			L1	L2															

Total Acres: 45

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 35-14081, 35-14084 and 35-14089 when combined shall not exceed a total diversion rate of 0.5 cfs, a total annual maximum diversion volume of 116.4 af at the field headgate, and the irrigation of 29.1 acres.
3. Rights 35-14081, 35-14084, 35-14089 and 35-14092 when combined shall not exceed a total diversion rate of 0.61 cfs, a total annual maximum diversion volume of 180.0 af at the field headgate, and the irrigation of 45.0 acres.
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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 77023, 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.

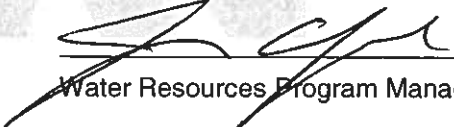
WATER RIGHT NO. 35-14084
As Modified by Transfer No. 77023

CONDITIONS OF APPROVAL

7. 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.
8. 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.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 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 4/25 and after 10/25 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/19/2002.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

This water right 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.

Dated this 25th day of February, 20 11


Water Resources Program Manager

WATER RIGHT NO. 35-14089
As Modified by Transfer No. 77023

In accordance with the approval of Transfer No. 77023, Water Right No. 35-14089 is now described as follows.

Right Holder: LANCE & LISA FUNK PARTNERSHIP
 2765 FAIRGROUNDS RD
 AMERICAN FALLS ID 83211

Priority Date: December 26, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/25	to 10/25	0.04 CFS	8.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNE Sec. 5 Twp 07S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07S	29E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	45.0
			22.5	22.5															
			L 1	L 2															

Total Acres: 45

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14081, 35-14084 and 35-14089 when combined shall not exceed a total diversion rate of 0.5 cfs, a total annual maximum diversion volume of 116.4 af at the field headgate, and the irrigation of 29.1 acres.
3. Rights 35-14081, 35-14084, 35-14089 and 35-14092 when combined shall not exceed a total diversion rate of 0.61 cfs, a total annual maximum diversion volume of 180.0 af at the field headgate, and the irrigation of 45.0 acres.
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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 77023, 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.

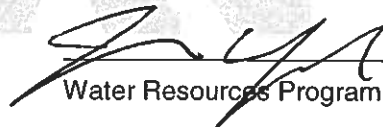
WATER RIGHT NO. 35-14089
As Modified by Transfer No. 77023

CONDITIONS OF APPROVAL

7. 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.
8. 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.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 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 4/25 and after 10/25 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/19/2002.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

This water right 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.

Dated this 25th day of February, 20 11


Water Resources Program Manager

WATER RIGHT NO. 35-14092
As Modified by Transfer No. 77023

In accordance with the approval of Transfer No. 77023, Water Right No. 35-14092 is now described as follows.

Right Holder: LANCE & LISA FUNK PARTNERSHIP
 2765 FAIRGROUNDS RD
 AMERICAN FALLS ID 83211

Priority Date: May 23, 1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.32 CFS	63.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNE Sec. 5 Twp 07S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
07S	29E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	45.0
			22.5	22.5															
			L 1	L 2															

Total Acres: 45

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 15.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14081, 35-14084, 35-14089 and 35-14092 when combined shall not exceed a total diversion rate of 0.61 cfs, a total annual maximum diversion volume of 180.0 af at the field headgate, and the irrigation of 45.0 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.
5. Prior to the diversion and use of water under Transfer approval 77023, 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.

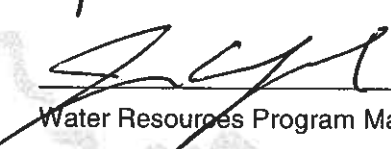
WATER RIGHT NO. 35-14092
As Modified by Transfer No. 77023

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

This water right 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.

Dated this 25th day of February, 20 11


Water Resources Program Manager

WATER RIGHT NO. 35-14080
As Modified by Transfer No. 77023

In accordance with the approval of Transfer No. 77023, Water Right No. 35-14080 is now described as follows.

Right Holder: RUTH O STEWART And
 REID S STEWART
 3014 N 1600 E
 NORTH LOGAN UT 84341

Priority Date: July 09, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.86 CFS	570.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 23 Twp 04S Rge 30E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
04S	30E	23			40.0				40.0	38.0		36.0	7.3	26.0	40.0	16.6	15.1		259.0
04S	30E	26	38.0	40.0	40.0	39.0	8.0	36.0	10.0										211.0

Total Acres: 470

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 142.7 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14080, 35-14083 and 35-14088 when combined shall not exceed a total diversion rate of 5.22 cfs, a total annual maximum diversion volume of 1215.2 af at the field headgate, and the irrigation of 303.8 acres.
3. Rights 35-14080, 35-14083, 35-14088 and 35-14091 when combined shall not exceed a total diversion rate of 6.36 cfs and the irrigation of 470.0 acres.
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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 75507, 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.

WATER RIGHT NO. 35-14080
As Modified by Transfer No. 77023

CONDITIONS OF APPROVAL

7. 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.
8. 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.
9. The following rights are diverted through point(s) of diversion described above: 35-14080, 35-14083, 35-14088, 35-14091.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) 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.

This water right 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.

Dated this 25th day of February, 2011



Water Resources Program Manager

WATER RIGHT NO. 35-14083
As Modified by Transfer No. 77023

In accordance with the approval of Transfer No. 77023, Water Right No. 35-14083 is now described as follows.

Right Holder: REID S STEWART
 3014 N 1600 E
 NORTH LOGAN UT 84341

Priority Date: October 17, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/25	to 10/25	2.77 CFS	553.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 23 Twp 04S Rge 30E BINGHAM 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	
04S	30E	23			40.0					40.0	38.0		36.0	7.3	26.0	40.0	16.6	15.1	259.0
04S	30E	26	38.0	40.0	40.0	39.0	8.0	36.0	10.0										211.0

Total Acres: 470

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 138.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14080, 35-14083 and 35-14088 when combined shall not exceed a total diversion rate of 5.22 cfs, a total annual maximum diversion volume of 1215.2 af at the field headgate, and the irrigation of 303.8 acres.
3. Rights 35-14080, 35-14083, 35-14088 and 35-14091 when combined shall not exceed a total diversion rate of 6.36 cfs and the irrigation of 470.0 acres.
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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 75507, 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.

WATER RIGHT NO. 35-14083
As Modified by Transfer No. 77023

CONDITIONS OF APPROVAL

7. 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.
8. 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.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 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 4/25 and after 10/25 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/19/2002.
10. The following rights are diverted through point(s) of diversion described above: 35-14080, 35-14083, 35-14088, 35-14091.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) 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.

This water right 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.

Dated this 25th day of February, 20 11



Water Resources Program Manager

WATER RIGHT NO. 35-14088
As Modified by Transfer No. 77023

In accordance with the approval of Transfer No. 77023, Water Right No. 35-14088 is now described as follows.

Right Holder: REID S STEWART
 3014 N 1600 E
 NORTH LOGAN UT 84341

Priority Date: December 26, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/25	to 10/25	0.46 CFS	90.6 AF

LOCATION OF POINT(S) OF DIVERSION:
 GROUND WATER NWSE Sec. 23 Twp 04S Rge 30E BINGHAM County

<u>PLACE OF USE:</u>		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	
04S	30E	23			40.0				40.0	38.0			36.0	7.3	26.0	40.0	16.6	15.1	259.0
04S	30E	26	38.0	40.0	40.0	39.0	8.0	36.0	10.0										211.0

Total Acres: 470

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 22.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14080, 35-14083 and 35-14088 when combined shall not exceed a total diversion rate of 5.22 cfs, a total annual maximum diversion volume of 1215.2 af at the field headgate, and the irrigation of 303.8 acres.
3. Rights 35-14080, 35-14083, 35-14088 and 35-14091 when combined shall not exceed a total diversion rate of 6.36 cfs and the irrigation of 470.0 acres.
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.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 75507, 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.

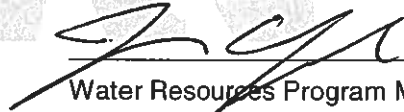
WATER RIGHT NO. 35-14088
As Modified by Transfer No. 77023

CONDITIONS OF APPROVAL

7. 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.
8. 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.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 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 4/25 and after 10/25 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/19/2002.
10. The following rights are diverted through point(s) of diversion described above: 35-14080, 35-14083, 35-14088, 35-14091.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) 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.

This water right 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.

Dated this 25th day of February, 20 11


Water Resources Program Manager

WATER RIGHT NO. 35-14091
As Modified by Transfer No. 77023

In accordance with the approval of Transfer No. 77023, Water Right No. 35-14091 is now described as follows.

Right Holder: REID S STEWART
 3014 N 1600 E
 NORTH LOGAN UT 84341

Priority Date: May 23, 1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.22 CFS	666.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 23 Twp 04S Rge 30E BINGHAM 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	
04S	30E	23			40.0				40.0	38.0			36.0	7.3	26.0	40.0	16.6	15.1	259.0
04S	30E	26	38.0	40.0	40.0	39.0	8.0	36.0	10.0										211.0

Total Acres: 470

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 166.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14080, 35-14083, 35-14088 and 35-14091 when combined shall not exceed a total diversion rate of 6.36 cfs and the irrigation of 470.0 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.
5. Prior to the diversion and use of water under Transfer approval 75507, 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.

WATER RIGHT NO. 35-14091
As Modified by Transfer No. 77023

CONDITIONS OF APPROVAL

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. The following rights are diverted through point(s) of diversion described above: 35-14080, 35-14083, 35-14088, 35-14091.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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.

This water right 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.

Dated this 25th day of February, 20 11


Water Resources Program Manager