

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77027

This is to certify that: CARL L PHILLIPS Or
NOLA RAE PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210
(208)397-4690

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>
35-2104A	WR/Decreed	08/03/1948	1.4 cfs	280 af	N/A	70.0	GROUND WATER
35-2826	WR/Decreed	05/06/1966	3.1 cfs	756 af	N/A	189.0	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>
35-2104A	YES	YES	YES	NO	NO	NO
35-2826	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-2104A	35-14097	0.09 cfs	17.6 af	4.4	193.4	35-14096	1.31 cfs	262.4 af	N/A	65.6
35-2826	35-2826	3.1 cfs	756 af	189.0	193.4		N/A	N/A	N/A	N/A
COMBINED TOTALS		3.19 cfs	773.6 af	193.4	193.4		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of March, 2011


Water Resources Program Manager

SUPPORT DATA
IN FILE # 35-2104A

WATER RIGHT NO. 35-2826
As Modified by Transfer No. 77027

In accordance with the approval of Transfer No. 77027, Water Right No. 35-2826 is now described as follows.

Right Holder: CARL L PHILLIPS Or
 NOLA RAE PHILLIPS
 2884 W 1400 S
 ABERDEEN ID 83210

Priority Date: May 06, 1966

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	3.10 CFS	756.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 26 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	26											30.2	21.0					51.2
04S	30E	35			40.0		40.0	38.0	5.8	18.4									142.2

Total Acres: 193.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 189.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2826 and 35-14097 when combined shall not exceed the irrigation of 193.4 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. 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 77027, 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.

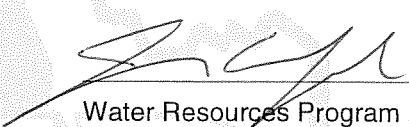
WATER RIGHT NO. 35-2826
As Modified by Transfer No. 77027

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 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.

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 30th day of March, 2011


Water Resources Program Manager

WATER RIGHT NO. 35-14096
As Modified by Transfer No. 77027

In accordance with the approval of Transfer No. 77027, Water Right No. 35-14096 is now described as follows.

Right Holder: CARL L PHILLIPS Or
NOLA RAE PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

Priority Date: August 03, 1948

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	1.31 CFS	262.4 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER NWSW Sec. 8 Twp 05S Rge 31E BINGHAM County

<u>PLACE OF USE:</u>	IRRIGATION																
Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05S 31E 8											33.6	32.0					65.6

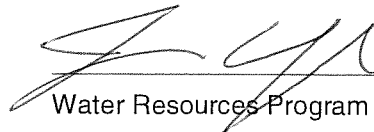
Total Acres: 65.6

CONDITIONS OF APPROVAL

1. 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 30th day of March, 2011


Water Resources Program Manager

WATER RIGHT NO. 35-14097
As Modified by Transfer No. 77027

In accordance with the approval of Transfer No. 77027, Water Right No. 35-14097 is now described as follows.

Right Holder: CARL L PHILLIPS Or
 NOLA RAE PHILLIPS
 2884 W 1400 S
 ABERDEEN ID 83210

Priority Date: August 03, 1948

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	0.09 CFS	17.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 26 Twp 04S Rge 30E BINGHAM County

PLACE OF USE:

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	26											30.2	21.0					51.2
04S	30E	35			40.0		40.0	38.0	5.8	18.4									142.2

Total Acres: 193.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4.4 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2826 and 35-14097 when combined shall not exceed the irrigation of 193.4 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. 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 77027, 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. 35-14097
As Modified by Transfer No. 77027

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 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.

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 30th day of March, 20 11


Water Resources Program Manager