

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70624

This is to certify that: VIOLA J WARD And/Or
 DE LOY Z WARD And/Or
 NEAL D WARD And/Or
 SHELLY WARD
 1305 S 2 E
 REXBURG ID 83440
 (208)356-5190

have 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>
35-8578	WR/License	05/29/1985	2.2 cfs	440 af	N/A	110.0	GROUND WATER
35-7024	WR/Decreed	05/10/1968	5.73 cfs	1280 af	N/A	320.0	GROUND WATER
35-7074	WR/Decreed	04/01/1969	4.27 cfs	1160 af	N/A	290.0	GROUND WATER
35-7279	WR/Decreed	02/20/1973	3.46 cfs	952 af	N/A	238.0	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>
35-8578	YES	YES	YES	NO	NO	NO
35-7024	YES	YES	YES	NO	NO	NO
35-7074	YES	YES	YES	NO	NO	NO
35-7279	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>
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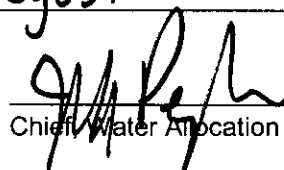
35-8578	35-13468	0.64 cfs	128 af	32.0	345.0	35-13467	1.56 cfs	312 af	N/A	78.0
35-7024	35-13466	1.09 cfs	244 af	61.0	345.0	35-13465	4.64 cfs	1036 af	N/A	259.0
35-7074	35-13470	0.21 cfs	56 af	14.0	345.0	35-13469	4.06 cfs	1104 af	N/A	276.0
35-7279	35-7279	3.46 cfs	952 af	238.0	345.0		N/A	N/A	N/A	N/A

COMBINED

TOTALS	5.4 cfs	1380 af	N/A	345.0	N/A	N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 25 day of August, 2003

For 
 Chief Water Allocation Bureau

WATER RIGHT NO. 35-7279
As Modified by Transfer No. 70624

In accordance with the approval of Transfer No. 70624, Water Right No. 35-7279 is now described as follows.

Right Holder: SHELLY WARD And
 NEAL D WARD And
 VIOLA J WARD And
 DE LOY Z WARD
 1305 S 2 E
 REXBURG ID 83440

Priority Date: February 20, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/31	3.46 CFS	952.0 AF
			3.46 CFS	952.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENE Sec. 29 Twp 01S Rge 34E 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	
01S 34E 29	33.0	40.0	40.0	38.0	33.0			33.0					32.0	32.0	32.0	32.0	345.0

Total Acres: 345

CONDITIONS OF APPROVAL

1. Rights 35-7279, 35-13466, 35-13468 and 35-13470 when combined shall not exceed a total irrigation of 345 acres.
2. This right is limited to the irrigation of 238 acres within the place of use described above in a single irrigation season.
3. Prior to the diversion and use of water under Transfer approval 70624, the right holder shall install and maintain acceptable measuring device, including data logger, at the authorized point of diversion and 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.
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. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. 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.
7. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

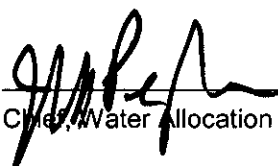
WATER RIGHT NO. 35-7279
As Modified by Transfer No. 70624

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/4/2002.

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 25 day of August, 2003

For  _____
Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13465
As Modified by Transfer No. 70624

In accordance with the approval of Transfer No. 70624, Water Right No. 35-13465 is now described as follows.

Right Holder: VIOLA J WARD And
 DE LOY Z WARD And
 NEAL D WARD And
 SHELLY WARD
 1305 S 2 E
 REXBURG ID 83440

Priority Date: May 10, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/30	4.64 CFS	1,036.0 AF
			4.64 CFS	1,036.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSE Sec. 10 Twp 01S Rge 34E 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	
01S	34E	10																	259.0

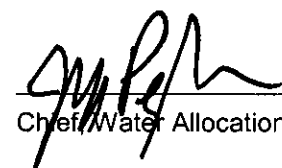
Total Acres: 259

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.
2. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 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 5/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than SRBA partial decree date.

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 25 day of August, 2003


 for _____
 Chief Water Allocation Bureau

WATER RIGHT NO. 35-13466
As Modified by Transfer No. 70624

In accordance with the approval of Transfer No. 70624, Water Right No. 35-13466 is now described as follows.

Right Holder: DE LOY Z WARD And
 NEAL D WARD And
 VIOLA J WARD And
 SHELLY WARD
 1305 S 2 E
 REXBURG ID 83440

Priority Date: May 10, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/30	1.09 CFS	244.0 AF
			1.09 CFS	244.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENE Sec. 29 Twp 01S Rge 34E BINGHAM County

PLACE OF USE: 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	
01S	34E	29	33.0	40.0	40.0	38.0	33.0				33.0					32.0	32.0	32.0	32.0	345.0

Total Acres: 345

CONDITIONS OF APPROVAL

1. Rights 35-7279, 35-13466, 35-13468 and 35-13470 when combined shall not exceed a total irrigation of 345 acres
2. This right is limited to the irrigation of 61 acres within the place of use described above in a single irrigation season.
3. Prior to the diversion and use of water under Transfer approval 70624, the right holder shall install and maintain acceptable measuring device, including data logger, at the authorized point of diversion and 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.
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. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. 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.
7. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

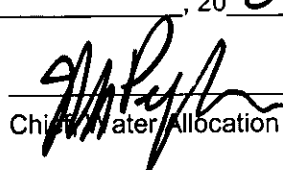
WATER RIGHT NO. 35-13466
As Modified by Transfer No. 70624

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 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 5/1 and after 10/30 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/4/2002

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 25 day of August, 20 03

For  Chief Water Allocation Bureau

WATER RIGHT NO. 35-13467
As Modified by Transfer No. 70624

In accordance with the approval of Transfer No. 70624, Water Right No. 35-13467 is now described as follows.

Right Holder: MICHAEL G LARSEN
 862 W 650 N
 BLACKFOOT ID 83221

Priority Date: May 29, 1985

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	1.56 CFS	312.0 AF
			1.56 CFS	312.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 21 Twp 01S	Rge 34E	BINGHAM County
GROUND WATER	SWNE	Sec. 28 Twp 01S	Rge 34E	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	
01S	34E	21									30.0						4.0		34.0
01S	34E	28					22.0	22.0											44.0

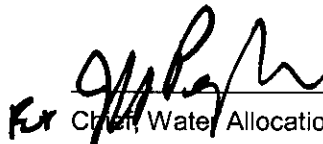
Total Acres: 78

CONDITIONS OF APPROVAL

1. 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.
2. Right 35-02094G is also diverted through the point of diversion described above.
3. Approval of this transfer does not confirm the validity of this water right.

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 25 day of August, 2003


 For _____
 Chief Water Allocation Bureau

WATER RIGHT NO. 35-13468
As Modified by Transfer No. 70624

In accordance with the approval of Transfer No. 70624, Water Right No. 35-13468 is now described as follows.

Right Holder: SHELLY WARD And
 NEAL D WARD And
 VIOLA J WARD And
 DE LOY Z WARD
 1305 S 2 E
 REXBURG ID 83440

Priority Date: May 29, 1985

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	0.64 CFS	128.0 AF
			0.64 CFS	128.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENE Sec. 29 Twp 01S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01S	34E	29	33.0	40.0	40.0	38.0	33.0			33.0					32.0	32.0	32.0	32.0	345.0

Total Acres: 345

CONDITIONS OF APPROVAL

1. Rights 35-7279, 35-13466, 35-13468 and 35-13470 when combined shall not exceed a total irrigation of 345 acres.
2. This right is limited to the irrigation of 32 acres within the place of use described above in a single irrigation season.
3. Prior to the diversion and use of water under Transfer approval 70624, the right holder shall install and maintain acceptable measuring device, including data logger, at the authorized point of diversion and 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.
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. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. 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.
7. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

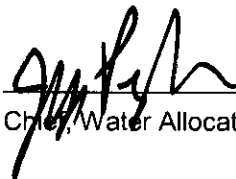
WATER RIGHT NO. 35-13468
As Modified by Transfer No. 70624

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. 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 25 day of August, 2003

For  _____
Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13469
As Modified by Transfer No. 70624

In accordance with the approval of Transfer No. 70624, Water Right No. 35-13469 is now described as follows.

Right Holder: VIOLA J WARD And
 NEAL D WARD And
 DE LOY Z WARD And
 SHELLY WARD
 1305 S 2 E
 REXBURG ID 83440

Priority Date: April 01, 1969

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/01	4.06 CFS	1,104.0 AF
			4.06 CFS	1,104.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSW Sec. 2 Twp 01S Rge 34E 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	
01N 34E 34									1.0			30.0		3.0	39.0	4.0	77.0
01S 34E 2							28.0	34.0	40.0	33.0	32.0	32.0					199.0
							L 4	L 3									

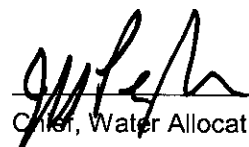
Total Acres: 276

CONDITIONS OF APPROVAL

1. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 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 5/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than SRBA partial decree date.
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.

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 25 day of August, 20 03


 Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13470
As Modified by Transfer No. 70624

In accordance with the approval of Transfer No. 70624, Water Right No. 35-13470 is now described as follows.

Right Holder: SHELLY WARD And
 NEAL D WARD And
 VIOLA J WARD And
 DE LOY Z WARD
 1305 S 2 E
 REXBURG ID 83440

Priority Date: April 1, 1969

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/01	0.21 CFS	56.0 AF
			0.21 CFS	56.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENE Sec. 29 Twp 01S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</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>	<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>Totals</u>
01S	34E	29	33.0	40.0	40.0	38.0	33.0			33.0					32.0	32.0	32.0	32.0	345.0

Total Acres: 345

CONDITIONS OF APPROVAL

1. Rights 35-7279, 35-13466, 35-13468 and 35-13470 when combined shall not exceed a total irrigation of 345 acres.
2. This right is limited to the irrigation of 14 acres within the place of use described above in a single irrigation season.
3. Prior to the diversion and use of water under Transfer approval 70624, the right holder shall install and maintain acceptable measuring device, including data logger, at the authorized point of diversion and 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.
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. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. 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.
7. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

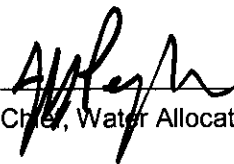
WATER RIGHT NO. 35-13470
As Modified by Transfer No. 70624

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 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 5/1 and after 10/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/25/2002.

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 25 day of August, 2003



For Chief, Water Allocation Bureau