

Transfer No. 76461  
 Receipt No.E035829

**STATE OF IDAHO  
 DEPARTMENT OF WATER RESOURCES  
 APPLICATION FOR TRANSFER OF WATER RIGHT  
 PART 1**

**1. Applicant Information** WYDELL JOHNSON  
 181 N 4600 E  
 RIGBY ID 83442  
 (208)538-7333

Will this transfer result in an ownership change? \_\_\_\_\_ Yes X No

**2. Current Water Right**

**Part 2 Attached for Each Right**

|       | Origin/Basis | Rate | Volume | Acre Limit | Total Acres | Source      |
|-------|--------------|------|--------|------------|-------------|-------------|
| 1-71F | WR/Decreed   | 0.50 |        |            | 14.7        | SNAKE RIVER |

**3. Purpose of Transfer (Change Proposed)**

**Part 3A Attached for Each Proposed Right**

**Part 3B Attached for Each Split Right**

| Right | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|-------|-------|-----|-----|---------|---------------|---------------|
| 1-71F | NO    | YES | NO  | NO      | NO            | NO            |

**Describe the reason for the proposed changes**

Change the point of diversion to the Rudy Canal diversion. The proof report for water right 1-71F indicates that the point of diversion is the Cheney ditch, which is a discrepancy. This right has been delivered through the Rudy Canal for years.

**4. FOR CHANGES IN NATURE OF USE ONLY**

**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

**B. Describe the effects on other water uses resulting from the proposed change**

**5. Total Amounts Transferred**

|       | Rate     | Acre Limit | Total Acres | Volume |
|-------|----------|------------|-------------|--------|
| 1-71F | 0.50 cfs |            | 14.7        |        |
| TOTAL | 0.50 cfs |            | 14.7        |        |

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**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1**

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Title or Office)

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**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 1-71F

Priority Date: June 01, 1890

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** SNAKE RIVER**Tributary:** COLUMBIA RIVER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01 10/31           | 0.50 CFS              |               |                    |
|                       | Total Diversion       | 0.50 CFS              |               |                    |

Source and Point(s) of Diversion:

SNAKE RIVER                      SWSWNW                      Sec. 27 Twp 04N   Rge 40E   JEFFERSON  
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 |        |
| 04N | 40E | 30  | 14.5 | .2 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 14.7   |

Total Acres: 14.7

Conditions/Remarks:

1. 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.
2. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. Water is delivered through Cheney Ditch.
4. Water is delivered from the Dry Bed.
5. This right is a split from former right 1-71C.

Documentation of Ownership of the Current Place of Use

Owner per IDWR record.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?  
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

No change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?  
NO

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**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3A**

**Proposed Water Right No.** 1-71F

Priority Date: June 01, 1890

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** SNAKE RIVER

**Tributary:** COLUMBIA RIVER

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01 10/31     | 0.50 CFS              |               |                    |
|                       | Total Diversion | 0.50 CFS              |               |                    |

Source and Point(s) of Diversion:

SNAKE RIVER                      NENENW                      Sec. 29 Twp 04N   Rge 40E   JEFFERSON  
County

Describe the proposed diversion system

Point of Diversion # 1 Rudy Canal Diversion

**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 |        |
| 04N | 40E | 30  | 14.5 | .2 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 14.7   |

Total Acres: 14.7

*Cost 250.00  
I.D.W.R.*

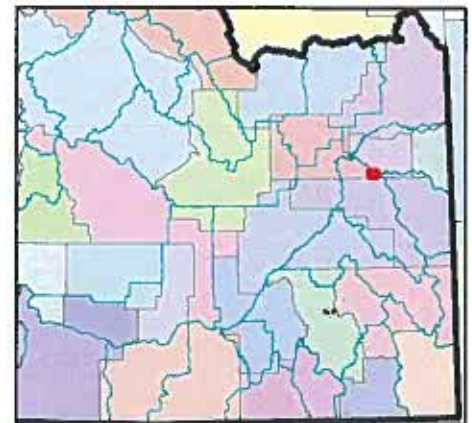


# Idaho Department of Water Resources

Water Right  
1-71F  
(IRRIGATION)

## Legend

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



Jefferson County  
IDWR Basin 1



# Rudy Irrigation Canal Company Ltd.

Rigby, Idaho, 83442

May 14, 2010

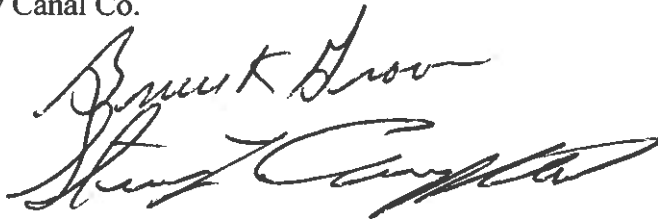
Water District 1

To Whom It May Concern:

The board of directors of the Rudy Canal Company, have agreed to divert Wydell Johnson's decreed and storage water through our canal.

We agree to do this until further notice.

Board of Directors,  
Rudy Canal Co.

Two handwritten signatures in cursive script. The first signature appears to be "Brent Brown" and the second signature appears to be "Steve Campbell".