

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75466

This is to certify that: BRIGHAM YOUNG UNIVERSITY
 PO BOX 21333
 PROVO UT 84602-1333
 (208)378-3080

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>
43-13270	WR/Decreed	06/08/1961	0.7 cfs	337.2 af	134.5	906.0	GROUND WATER
43-13272	WR/Decreed	05/03/1963	4.04 cfs	1703 af	816.6	906.0	GROUND WATER
43-13274	WR/Decreed	08/08/1960	7.66 cfs	2622.6 af	655.7	906.0	GROUND WATER
43-13276	WR/Decreed	07/15/1948	4.63 cfs	1107 af	276.7	906.0	GROUND WATER
43-13278	WR/Decreed	06/19/1948	1.58 cfs	534.7 af	133.7	906.0	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>
43-13270	NO	YES	YES	YES	NO	NO
43-13272	NO	YES	YES	YES	NO	NO
43-13274	NO	YES	YES	YES	NO	NO
43-13276	NO	YES	YES	YES	NO	NO
43-13278	NO	YES	YES	YES	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>
43-13270	43-13270	0.7 cfs	337.2 af	134.5	1,024	N/A	N/A	N/A	N/A	N/A
43-13272	43-13272	4.04 cfs	1703 af	816.6	1,024	N/A	N/A	N/A	N/A	N/A
43-13274	43-13274	7.66 cfs	2622.6 af	655.7	1,024	N/A	N/A	N/A	N/A	N/A
43-13276	43-13276	4.63 cfs	1107 af	276.7	1,024	N/A	N/A	N/A	N/A	N/A
43-13278	43-13278	1.58 cfs	534.7 af	133.7	1,024	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		16.56 cfs	3624 af	906	1024	N/A	N/A	N/A	N/A	N/A

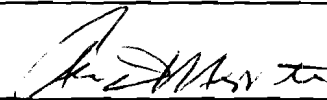
Detailed Water Right Description(s) attached

SUPPORT DATA

IN FILE # 43-13270

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75466

Dated this 2nd day of June, 20 09


For Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13270
As Modified by Transfer No. 75466

In accordance with the approval of Transfer No. 75466, Water Right No. 43-13270 is now described as follows.

Right Holder: BRIGHAM YOUNG UNIVERSITY
 C/O OFFICE OF GENERAL COUNSEL
 A-357 ASB
 PO BOX 21333
 PROVO UT 84602-1333

Priority Date: June 08, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.70 CFS	337.2 AF
			0.70 CFS	337.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 20 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWNWNE	Sec. 21 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNE	Sec. 28 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWSWNW	Sec. 28 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENE	Sec. 29 Twp 11S	Rge 26E	CASSIA 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	26E	21	32.0	32.0	32.0	32.0					32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	384.0
11S	26E	27					32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0					256.0
11S	26E	28	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0					32.0	32.0	32.0	32.0	384.0

Total Acres: 1024

WATER RIGHT NO. 43-13270
As Modified by Transfer No. 75466

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 134.5 acres within the place of use described above in a single irrigation season.
2. Rights 43-13270, 43-13272, 43-13274, 43-13276, and 43-13278 when combined shall not exceed a total diversion rate of 16.56 cfs, a total annual maximum diversion volume of 3,624 af at the field headgate, and the irrigation of 906 acres.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 2nd day of June, 2009



Fair Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13272

As Modified by Transfer No. 75466

In accordance with the approval of Transfer No. 75466, Water Right No. 43-13272 is now described as follows.

Right Holder: BRIGHAM YOUNG UNIVERSITY
C/O OFFICE OF GENERAL COUNSEL
A-357 ASB
PO BOX 21333
PROVO UT 84602-1333

Priority Date: May 03, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	4.04 CFS	1,703.0 AF
			4.04 CFS	1,703.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 20 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWNWNE	Sec. 21 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNE	Sec. 28 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWSWNW	Sec. 28 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENE	Sec. 29 Twp 11S	Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
11S	26E	21	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	384.0
11S	26E	27					32.0	32.0	32.0	32.0	32.0	32.0	32.0						256.0
11S	26E	28	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0					32.0	32.0	32.0	32.0	384.0

Total Acres: 1024

WATER RIGHT NO. 43-13272
As Modified by Transfer No. 75466

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 816.6 acres within the place of use described above in a single irrigation season.
2. Rights 43-13270, 43-13272, 43-13274, 43-13276, and 43-13278 when combined shall not exceed a total diversion rate of 16.56 cfs, a total annual maximum diversion volume of 3,624 af at the field headgate, and the irrigation of 906 acres.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 28, 2002.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 2nd day of June, 2009


Fv12 Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13274
As Modified by Transfer No. 75466

In accordance with the approval of Transfer No. 75466, Water Right No. 43-13274 is now described as follows.

Right Holder: BRIGHAM YOUNG UNIVERSITY
 C/O OFFICE OF GENERAL COUNSEL
 A-357 ASB
 PO BOX 21333
 PROVO UT 84602-1333

Priority Date: August 08, 1960

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	7.66 CFS	2,622.6 AF
			7.66 CFS	2,622.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 20 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWNWNE	Sec. 21 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNE	Sec. 28 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWSWNW	Sec. 28 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENE	Sec. 29 Twp 11S	Rge 26E	CASSIA 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	26E	21	32.0	32.0	32.0	32.0					32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	384.0
11S	26E	27					32.0	32.0	32.0	32.0	32.0	32.0	32.0						256.0
11S	26E	28	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0					32.0	32.0	32.0	32.0	384.0

Total Acres: 1024

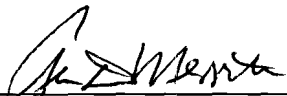
WATER RIGHT NO. 43-13274
As Modified by Transfer No. 75466

CONDITIONS OF APPROVAL

1. Rights 43-13270, 43-13272, 43-13274, 43-13276, and 43-13278 when combined shall not exceed a total diversion rate of 16.56 cfs, a total annual maximum diversion volume of 3,624 af at the field headgate, and the irrigation of 906 acres.
2. This right is limited to the irrigation of 655.7 acres within the place of use described above in a single irrigation season.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 28, 2002.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 2nd day of June, 20 09



FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13276
As Modified by Transfer No. 75466

In accordance with the approval of Transfer No. 75466, Water Right No. 43-13276 is now described as follows.

Right Holder: BRIGHAM YOUNG UNIVERSITY
 C/O OFFICE OF GENERAL COUNSEL
 A-357 ASB
 PO BOX 21333
 PROVO UT 84602-1333

Priority Date: July 15, 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	4.63 CFS	1,107.0 AF
			4.63 CFS	1,107.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 20 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWNWNE	Sec. 21 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNE	Sec. 28 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWSWNW	Sec. 28 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENE	Sec. 29 Twp 11S	Rge 26E	CASSIA 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	26E	21	32.0	32.0	32.0	32.0					32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	384.0
11S	26E	27					32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0					256.0
11S	26E	28	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0					32.0	32.0	32.0	32.0	384.0

Total Acres: 1024

WATER RIGHT NO. 43-13276
As Modified by Transfer No. 75466

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 276.7 acres within the place of use described above in a single irrigation season.
2. Rights 43-13270, 43-13272, 43-13274, 43-13276, and 43-13278 when combined shall not exceed a total diversion rate of 16.56 cfs, a total annual maximum diversion volume of 3,624 af at the field headgate, and the irrigation of 906 acres.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 28, 2002.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 2nd day of June, 20 09



F. R. Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13278
As Modified by Transfer No. 75466

In accordance with the approval of Transfer No. 75466, Water Right No. 43-13278 is now described as follows.

Right Holder: BRIGHAM YOUNG UNIVERSITY
 C/O OFFICE OF GENERAL COUNSEL
 A-357 ASB
 PO BOX 21333
 PROVO UT 84602-1333

Priority Date: June 19, 1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	1.58 CFS	534.7 AF
		1.58 CFS	534.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 20 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWNWNE	Sec. 21 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNE	Sec. 28 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	NWSWNW	Sec. 28 Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENE	Sec. 29 Twp 11S	Rge 26E	CASSIA 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	26E	21	32.0	32.0	32.0	32.0					32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0	384.0
11S	26E	27					32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0					256.0
11S	26E	28	32.0	32.0	32.0	32.0	32.0	32.0	32.0	32.0					32.0	32.0	32.0	32.0	384.0

Total Acres: 1024

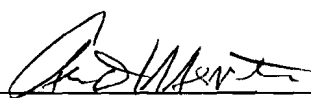
WATER RIGHT NO. 43-13278
As Modified by Transfer No. 75466

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 133.7 acres within the place of use described above in a single irrigation season.
2. Rights 43-13270, 43-13272, 43-13274, 43-13276, and 43-13278 when combined shall not exceed a total diversion rate of 16.56 cfs, a total annual maximum diversion volume of 3,624 af at the field headgate, and the irrigation of 906 acres.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The right holder shall accomplish the change authorized by this transfer within one years) of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 2nd day of June, 20 09



For Chief, Water Allocation Bureau