

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73569

This is to certify that: TERRELL N YANCEY
1226 S 2700 W
ABERDEEN ID 83210
(208)397-5374

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>
35-8160	WR/License	06/14/1983	1.56 cfs	662.1 af	N/A	273.0	GROUND WATER
35-7355A	WR/Decreed	11/26/1973	2.17 cfs	552 af	N/A	138.0	GROUND WATER
35-7355B	WR/Decreed	11/26/1973	0.68 cfs	N/A	43.0	238.0	GROUND WATER
35-2333	WR/Decreed	05/28/1953	3.9 cfs	N/A	195.0	238.0	GROUND WATER
35-13553	WR/Decreed	05/15/1948	2.64 cfs	400 af	N/A	100.0	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>
35-8160	YES	NO	YES	YES	NO	NO
35-7355A	NO	NO	YES	YES	NO	NO
35-7355B	NO	NO	YES	YES	NO	NO
35-2333	NO	NO	YES	YES	NO	NO
35-13553	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. (changed portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-8160	35 -13753	1.26 cfs	590.1af	255.0	493.0	35-13754	0.36 cfs	72 af	N/A	18.0
35-7355A	35-7355A	2.17 cfs	552 af	138.0	493.0		N/A	N/A	N/A	N/A
35-7355B	35-7355B	0.68 cfs	172 af	43.0	493.0		N/A	N/A	N/A	N/A
35-2333	35-2333	3.90 cfs	780 af	195.0	493.0		N/A	N/A	N/A	N/A
35-13553	35-13553	2.64 cfs	400 af	100.0	493.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		10.32cfs	2044 af	493.0	493.0		N/A	N/A	N/A	18.0

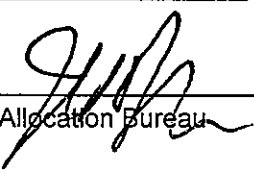
SUPPORT DATA

WI FILE # **35-2333**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73569

Detailed Water Right Description(s) attached

Dated this 11th day of June, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-2333
As Modified by Transfer No. 73569

In accordance with the approval of Transfer No. 73569, Water Right No. 35-2333 is now described as follows.

Right Holder: TERRELL N YANCEY And/Or
 SANDRA YANCEY
 1226 S 2700 W
 ABERDEEN ID 83210

Priority Date: May 28, 1953

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	3.90 CFS	780.0 AF
			3.90 CFS	780.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNE Sec. 4 Twp 05S Rge 31E BINGHAM County

GROUND WATER NWNESE Sec. 4 Twp 05S Rge 31E 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	
05S 31E 4	14.0	33.0	40.0	37.0	39.0	38.0	39.0	40.0	40.0	34.0	34.0	34.0	31.0	40.0			493.0

Total Acres: 493

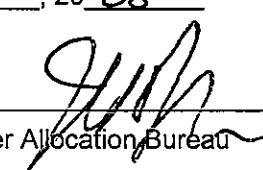
WATER RIGHT NO. 35-2333
As Modified by Transfer No. 73569

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. This right is limited to the irrigation of 195 acres within the place of use described above in a single irrigation season.
3. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
4. 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.
5. 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.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 73569, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. The well previously used under Right 35-13553 shall be abandoned in a manner which complies with Department well abandonment rules.
10. Rights 35-2333, 35-7355B and 35-13753 when combined shall not exceed a total diversion rate of 5.15 cfs, a total annual maximum diversion volume of 1020 af at the field headgate, and the irrigation of 255 acres.
11. The following rights are diverted through point(s) of diversion described above: 35-2333, 35-7355A, 35-7355B, 35-13553, 35-13753, 35-13754.
12. Rights 35-2333, 35-7355A, 35-7355B, 35-13753 and 35-13553 when combined shall not exceed a total diversion rate of 9.96 cfs, a total annual maximum diversion volume of 1972 af at the field headgate, and the irrigation of 493 acres.

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 11th day of June, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-7355A**As Modified by Transfer No. 73569**

In accordance with the approval of Transfer No. 73569, Water Right No. 35-7355A is now described as follows.

Right Holder: TERRELL N YANCEY And/Or
SANDRA YANCEY
1226 S 2700 W
ABERDEEN ID 83210

Priority Date: November 26, 1973

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	2.17 CFS	552.0 AF
			2.17 CFS	552.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNE Sec. 4 Twp 05S Rge 31E BINGHAM County

GROUND WATER NWNESE Sec. 4 Twp 05S Rge 31E 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	
05S	31E	4	14.0	33.0	40.0	37.0	39.0	38.0	39.0	40.0	40.0	34.0	34.0	34.0	31.0	40.0			493.0

Total Acres: 493

WATER RIGHT NO. 35-7355A
As Modified by Transfer No. 73569

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. This right is limited to the irrigation of 138 acres within the place of use described above in a single irrigation season.
3. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
4. 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.
5. 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.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 73569, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. The well previously used under Right 35-13553 shall be abandoned in a manner which complies with Department well abandonment rules.
10. The following rights are diverted through point(s) of diversion described above: 35-2333, 35-7355A, 35-7355B, 35-13553, 35-13753, 35-13754.
11. Rights 35-2333, 35-7355A, 35-7355B, 35-13753 and 35-13553 when combined shall not exceed a total diversion rate of 9.96 cfs, a total annual maximum diversion volume of 1972 af at the field headgate, and the irrigation of 493 acres.

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 11th day of June, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-7355B
As Modified by Transfer No. 73569

In accordance with the approval of Transfer No. 73569, Water Right No. 35-7355B is now described as follows.

Right Holder: TERRELL N YANCEY And/Or
 SANDRA YANCEY
 1226 S 2700 W
 ABERDEEN ID 83210

Priority Date: November 26, 1973

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	0.68 CFS	172.0 AF
			0.68 CFS	172.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNE Sec. 4 Twp 05S Rge 31E BINGHAM County

GROUND WATER NWNESE Sec. 4 Twp 05S Rge 31E 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	
05S	31E	4	14.0	33.0	40.0	37.0	39.0	38.0	39.0	40.0	40.0	34.0	34.0	34.0	31.0	40.0			493.0

Total Acres: 493

WATER RIGHT NO. 35-7355B
As Modified by Transfer No. 73569

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. This right is limited to the irrigation of 43 acres within the place of use described above in a single irrigation season.
3. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
4. 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.
5. 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.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 73569, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. The well previously used under Right 35-13553 shall be abandoned in a manner which complies with Department well abandonment rules.
10. Rights 35-2333, 35-7355B and 35-13753 when combined shall not exceed a total diversion rate of 5.15 cfs, a total annual maximum diversion volume of 1020 af at the field headgate, and the irrigation of 255 acres.
11. The following rights are diverted through point(s) of diversion described above: 35-2333, 35-7355A, 35-7355B, 35-13553, 35-13753, 35-13754.
12. Rights 35-2333, 35-7355A, 35-7355B, 35-13753 and 35-13553 when combined shall not exceed a total diversion rate of 9.96 cfs, a total annual maximum diversion volume of 1972 af at the field headgate, and the irrigation of 493 acres.

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 11th day of June, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13553
As Modified by Transfer No. 73569

In accordance with the approval of Transfer No. 73569, Water Right No. 35-13553 is now described as follows.

Right Holder: TERRELL YANCEY And/Or
 SANDRA YANCEY
 1226 S 2700 W
 ABERDEEN ID 83210

Priority Date: May 15, 1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	04/01 to	10/31	0.01 CFS	
IRRIGATION	04/01 to	10/31	2.64 CFS	400.0 AF
			2.64 CFS	400.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNE Sec. 4 Twp 05S Rge 31E BINGHAM County

GROUND WATER NWNESE Sec. 4 Twp 05S Rge 31E BINGHAM County

PLACE OF USE: IRRIGATION / STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
05S 31E 4	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	493.0
	14.0	33.0	40.0	37.0	39.0	38.0	39.0	40.0	40.0	34.0	34.0	34.0	31.0	40.0			

Total Acres: 493

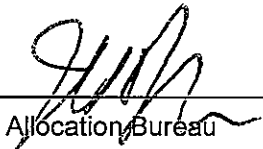
WATER RIGHT NO. 35-13553
As Modified by Transfer No. 73569

CONDITIONS OF APPROVAL

1. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
2. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. Stockwater use is for 50 head.
4. 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.
5. This right is limited to the irrigation of 100 acres within the place of use described above in a single irrigation season.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this 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. 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.
9. 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.
10. Prior to the diversion and use of water under Transfer approval 73569, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
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. The well previously used under Right 35-13553 shall be abandoned in a manner which complies with Department well abandonment rules.
13. The following rights are diverted through point(s) of diversion described above: 35-2333, 35-7355A, 35-7355B, 35-13553, 35-13753, 35-13754.
14. Rights 35-2333, 35-7355A, 35-7355B, 35-13753 and 35-13553 when combined shall not exceed a total diversion rate of 9.96 cfs, a total annual maximum diversion volume of 1972 af at the field headgate, and the irrigation of 493 acres.

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 11th day of June, 2008



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13753
As Modified by Transfer No. 73569

In accordance with the approval of Transfer No. 73569, Water Right No. 35-13753 is now described as follows.

Right Holder: TERRELL N YANCEY And/Or
 SANDRA YANCEY
 1226 S 2700 W
 ABERDEEN ID 83210

Priority Date: June 14, 1983

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	1.26 CFS	590.1 AF
			1.26 CFS	590.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNE Sec. 4 Twp 05S Rge 31E BINGHAM County

GROUND WATER NWNESE Sec. 4 Twp 05S Rge 31E 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	
05S 31E 4	14.0	33.0	40.0	37.0	39.0	38.0	39.0	40.0	40.0	34.0	34.0	34.0	31.0	40.0			493.0

Total Acres: 493

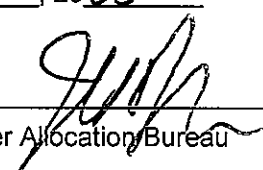
WATER RIGHT NO. 35-13753
As Modified by Transfer No. 73569

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
2. 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.
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 73569, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
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. The well previously used under Right 35-13553 shall be abandoned in a manner which complies with Department well abandonment rules.
8. The following rights are diverted through point(s) of diversion described above: 35-2333, 35-7355A, 35-7355B, 35-13553, 35-13753, 35-13754.
9. This right is limited to the irrigation of 255 acres within the place of use described above in a single irrigation season.
10. Rights 35-2333, 35-7355B and 35-13753 when combined shall not exceed a total diversion rate of 5.15 cfs, a total annual maximum diversion volume of 1020 af at the field headgate, and the irrigation of 255 acres.
11. Rights 35-2333, 35-7355A, 35-7355B, 35-13753 and 35-13553 when combined shall not exceed a total diversion rate of 9.96 cfs, a total annual maximum diversion volume of 1972 af at the field headgate, and the irrigation of 493 acres.

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 11th day of June, 2008



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13754
As Modified by Transfer No. 73569

In accordance with the approval of Transfer No. 73569, Water Right No. 35-13754 is now described as follows.

Right Holder: TERRELL N YANCEY And/Or
 SANDRA YANCEY
 1226 S 2700 W
 ABERDEEN ID 83210

Priority Date: June 14, 1983

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	0.36 CFS	72.0 AF
			0.36 CFS	72.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNE Sec. 4 Twp 05S Rge 31E BINGHAM County

GROUND WATER NWNESE Sec. 4 Twp 05S Rge 31E 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		
05S	31E	4	8.0	3.0		2.0									5.0					18.0

Total Acres: 18

WATER RIGHT NO. 35-13754
As Modified by Transfer No. 73569

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
2. 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.
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 73569, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
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. The well previously used under Right 35-13553 shall be abandoned in a manner which complies with Department well abandonment rules.
8. The following rights are diverted through point(s) of diversion described above: 35-2333, 35-7355A, 35-7355B, 35-13553, 35-13753, 35-13754.

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 11th day of June, 20 08



Chief, Water Allocation Bureau