

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72419

This is to certify that: DOUGLAS G WARD And/Or
MARGARET E WARD
17 MALFUNCTION JUNCTION
GARDEN VALLEY ID 83622
(208)462-3759

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>
65-3236X	WR/Decreed	06/01/1873	0.10 cfs	N/A	N/A	5.0	WARM SPRINGS CREEK

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>
65-3236X	YES	NO	NO	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>
65-3236X	65-22992	0.05 cfs	N/A	N/A	2.0	65-22991	0.05 cfs	N/A	N/A	2.5
COMBINED										
TOTALS		0.05 cfs	N/A	N/A	2.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of April, 20 07


Acting Administrator, Water Management Division

SUPPORT DATA

IN FILE # 65-3236X

WATER RIGHT NO. 65-22991
As Modified by Transfer No. 72419

In accordance with the approval of Transfer No. 72419, Water Right No. 65-22991 is now described as follows.

Right Holder: DEAN BUZZLE TRUST
C/O DARIUS T BAILEY
PO BOX 876
NAMPA ID 83653

Priority Date: June 01, 1873

Source: WARM SPRINGS CREEK **Tributary:** MIDDLE FORK PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	0.05 CFS
			0.05 CFS

LOCATION OF POINT(S) OF DIVERSION:

WARM SPRINGS CREEK SESW Sec. 34 Twp 10N Rge 04E BOISE 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	
10N	04E	34																	2.5

Total Acres: 2.5

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. Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
3. Rights 65-03231X and 65-03231B are also diverted through the point of diversion described above.

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 17th day of April, 2007


Acting Administrator, Water Management Division

WATER RIGHT NO. 65-22992
As Modified by Transfer No. 72419

In accordance with the approval of Transfer No. 72419, Water Right No. 65-22992 is now described as follows.

Right Holder: DOUGLAS G WARD And
MARGARET E WARD
17 MALFUNCTION JUNCTION
GARDEN VALLEY ID 83622

Priority Date: June 01, 1873

Source: WARM SPRINGS CREEK **Tributary:** MIDDLE FORK PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	11/01	0.05 CFS
			0.05 CFS

LOCATION OF POINT(S) OF DIVERSION:
WARM SPRINGS CREEK SESESW Sec. 34 Twp 10N Rge 04E BOISE 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	
10N	04E	34												2.0					2.0

Total Acres: 2.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. This right does not grant any right-of-way or easement across the land of another.
5. Use of water under this right may 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. 65L.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 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 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/13/2003.

WATER RIGHT NO. 65-22992
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CONDITIONS OF APPROVAL

7. The right holder has ceased irrigation of 0.5 acres previously authorized under this right, and consolidated use of water on the remaining 2.0 acres.
8. Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
9. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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 17th day of April, 20 07


Acting Administrator, Water Management Division