

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72018

This is to certify that: DAN WARD
 227 E 400 S
 BURLEY ID 83318
 (208)677-3935

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>
36-7717	WR/Decreed	05/26/1977	0.07 cfs	11.1 af	N/A	N/A	GROUND WATER
36-16329	WR/Decreed	11/11/1959	0.14 cfs	N/A	7.1	22.0	GROUND WATER
36-16331	WR/Decreed	11/15/1970	0.21 cfs	N/A	10.8	22.0	GROUND WATER
36-16333	WR/Decreed	05/16/1980	0.05 cfs	N/A	2.6	22.0	GROUND WATER
36-16335	WR/Decreed	05/26/1971	0.02 cfs	6.0 af	1.5	22.0	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>
36-7717	NO	NO	NO	YES	NO	NO
36-16329	NO	YES	YES	NO	YES	YES
36-16331	NO	YES	YES	NO	YES	YES
36-16333	NO	NO	YES	NO	YES	YES
36-16335	NO	YES	YES	NO	YES	YES

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>
36-7717	36-7717	0.07 cfs	11.1 af	N/A	N/A		N/A	N/A	N/A	N/A
36-16329	36-16329	0.14 cfs	18.5 af	N/A	N/A		N/A	N/A	N/A	N/A
36-16331	36-16331	0.21 cfs	28.1 af	N/A	N/A		N/A	N/A	N/A	N/A
36-16333	36-16333	0.05 cfs	6.8 af	N/A	N/A		N/A	N/A	N/A	N/A
36-16335	36-16335	0.02 cfs	3.9 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.34 cfs	68.3 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of February, 2006

SUPPORT DATA

IN FILE # 36-7717


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16329
As Modified by Transfer No. 72018

In accordance with the approval of Transfer No. 72018, Water Right No. 36-16329 is now described as follows.

Right Holder: KARLA WARD &
 DAN WARD
 227 E 400 S
 BURLEY ID 83318

Priority Date: November 11, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	0.14 CFS	18.5 AF
STOCKWATER	01/01	12/31	0.14 CFS	18.5 AF
			0.14 CFS	18.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENE Sec. 12 Twp 10S Rge 22E MINIDOKA County

GROUND WATER NENENE Sec. 12 Twp 10S Rge 22E MINIDOKA County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	22E	12	X																

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	22E	12	X																

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- Beginning on the date of approval of Transfer 72018, Rights 36-16329, 36-16331, 36-16333, and 36-16335 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to changing the annual diversion volume each time a change according to the schedule is sought.

Years 2006 through 2019 the rights are limited to 57.2 afa.

Years 2020 and beyond the rights are limited to 51.4 afa.

WATER RIGHT NO. 36-16329
As Modified by Transfer No. 72018

CONDITIONS OF APPROVAL

3. Rights 36-7717, 36-16329, 36-16331, 36-16333 and 36-16335 when combined shall not exceed a total diversion rate of 0.34 cfs, and a total annual maximum diversion volume of 68.3 af.
4. Rights 36-7717, 36-16331, 36-16333, and 36-16335 are also diverted through the point(s) of diversion described 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. 130.
6. Prior to the diversion and use of water under Transfer approval 72018, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. The model used to calculate depletion effects and mitigation for the Neeley to Minidoka reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72018. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
10. Commercial use is for a dairy operation.
11. Right 36-16335 is based upon an enlargement of Rights 36-16329, 36-16331 and 36-16333 pursuant to Section 42-1426, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 11th day of February, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16331
As Modified by Transfer No. 72018

In accordance with the approval of Transfer No. 72018, Water Right No. 36-16331 is now described as follows.

Right Holder: KARLA WARD &
 DAN WARD
 227 E 400 S
 BURLEY ID 83318

Priority Date: November 15, 1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.21 CFS	28.1 AF
COMMERCIAL	01/01 to	12/31	0.21 CFS	28.1 AF
			0.21 CFS	28.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENENE	Sec. 12 Twp 10S	Rge 22E	MINIDOKA County
GROUND WATER	NENENE	Sec. 12 Twp 10S	Rge 22E	MINIDOKA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
10S 22E 12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	X																

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
10S 22E 12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	X																

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- Beginning on the date of approval of Transfer 72018, Rights 36-16329, 36-16331, 36-16333, and 36-16335 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to changing the annual diversion volume each time a change according to the schedule is sought.

Years 2006 through 2019 the rights are limited to 57.2 afa.
 Years 2020 and beyond the rights are limited to 51.4 afa.

WATER RIGHT NO. 36-16331
As Modified by Transfer No. 72018

CONDITIONS OF APPROVAL

3. Rights 36-7717, 36-16329, 36-16331, 36-16333 and 36-16335 when combined shall not exceed a total diversion rate of 0.34 cfs, and a total annual maximum diversion volume of 68.3 af.
4. Rights 36-7717, 36-16329, 36-16333, and 36-16335 are also diverted through the point(s) of diversion described 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. 130.
6. Prior to the diversion and use of water under Transfer approval 72018, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. The model used to calculate depletion effects and mitigation for the Neeley to Minidoka reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72018. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
10. Commercial use is for a dairy operation.
11. Right 36-16335 is based upon an enlargement of Rights 36-16329, 36-16331 and 36-16333 pursuant to Section 42-1426, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 11th day of February, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16333
As Modified by Transfer No. 72018

In accordance with the approval of Transfer No. 72018, Water Right No. 36-16333 is now described as follows.

Right Holder: KARLA WARD &
 DAN WARD
 227 E 400 S
 BURLEY ID 83318

Priority Date: May 16, 1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.05 CFS	6.8 AF
COMMERCIAL	01/01	to 12/31	0.05 CFS	6.8 AF
			0.05 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENE Sec. 12 Twp 10S Rge 22E MINIDOKA County

GROUND WATER NENENE Sec. 12 Twp 10S Rge 22E MINIDOKA County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	22E	12	X																

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	22E	12	X																

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Beginning on the date of approval of Transfer 72018, Rights 36-16329, 36-16331, 36-16333, and 36-16335 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to changing the annual diversion volume each time a change according to the schedule is sought.

Years 2006 through 2019 the rights are limited to 57.2 afa.
 Years 2020 and beyond the rights are limited to 51.4 afa.

WATER RIGHT NO. 36-16333
As Modified by Transfer No. 72018

CONDITIONS OF APPROVAL

3. Rights 36-7717, 36-16329, 36-16331, 36-16333 and 36-16335 when combined shall not exceed a total diversion rate of 0.34 cfs, and a total annual maximum diversion volume of 68.3 af.
4. Rights 36-7717, 36-16329, 36-16331, and 36-16335 are also diverted through the point(s) of diversion described 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. 130.
6. Prior to the diversion and use of water under Transfer approval 72018, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. The model used to calculate depletion effects and mitigation for the Neeley to Minidoka reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72018. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
10. Commercial use is for a dairy operation.
11. Right 36-16335 is based upon an enlargement of Rights 36-16329, 36-16331 and 36-16333 pursuant to Section 42-1426, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 11th day of February, 2006


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-7717
As Modified by Transfer No. 72018

In accordance with the approval of Transfer No. 72018, Water Right No. 36-7717 is now described as follows.

Right Holder: KARLA WARD &
 DAN WARD
 227 E 400 S
 BURLEY ID 83318

Priority Date: May 26, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.07 CFS	11.1 AF
COMMERCIAL	01/01	to 12/31	0.07 CFS	11.1 AF
			0.07 CFS	11.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENE Sec. 12 Twp 10S Rge 22E MINIDOKA County

GROUND WATER NENENE Sec. 12 Twp 10S Rge 22E MINIDOKA County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
10S	22E	12	X				

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE	NW	SW	SE	Totals
10S	22E	12	X				

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- Rights 36-7717, 36-16329, 36-16331, 36-16333 and 36-16335 when combined shall not exceed a total diversion rate of 0.34 cfs, and a total annual maximum diversion volume of 68.3 af.
- Rights 36-16329, 36-16331, 36-16333, and 36-16335 are also diverted through the point(s) of diversion described above.
- 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. 130.

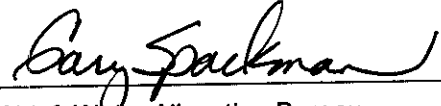
WATER RIGHT NO. 36-7717
As Modified by Transfer No. 72018

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 72018, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. Commercial use is for a dairy operation.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 11th day of February, 2006



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16335
As Modified by Transfer No. 72018

In accordance with the approval of Transfer No. 72018, Water Right No. 36-16335 is now described as follows.

Right Holder: KARLA WARD &
 DAN WARD
 227 E 400 S
 BURLEY ID 83318

Priority Date: May 26, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.02 CFS	3.9 AF
STOCKWATER	01/01	to 12/31	0.02 CFS	3.9 AF
			0.02 CFS	3.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENE Sec. 12 Twp 10S Rge 22E MINIDOKA County

GROUND WATER NENENE Sec. 12 Twp 10S Rge 22E MINIDOKA County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10S	22E	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X																

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10S	22E	12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X																

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- Beginning on the date of approval of Transfer 72018, Rights 36-16329, 36-16331, 36-16333, and 36-16335 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to changing the annual diversion volume each time a change according to the schedule is sought.

Years 2006 through 2019 the rights are limited to 57.2 afa.
 Years 2020 and beyond the rights are limited to 51.4 afa.

- Rights 36-7717, 36-16329, 36-16331, 36-16333 and 36-16335 when combined shall not exceed a total diversion rate of 0.34 cfs, and a total annual maximum diversion volume of 68.3 af.

WATER RIGHT NO. 36-16335
As Modified by Transfer No. 72018

CONDITIONS OF APPROVAL

4. Rights 36-7717, 36-16329, 36-16331, and 36-16333 are also diverted through the point(s) of diversion described 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. 130.
6. Prior to the diversion and use of water under Transfer approval 72018, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. The model used to calculate depletion effects and mitigation for the Neeley to Minidoka reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 72018. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
10. Commercial use is for a dairy operation.
11. This right is based upon an enlargement of Rights 36-16329, 36-16331 and 36-16333 pursuant to Section 42-1426, Idaho Code.
12. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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 11th day of February, 2006



Chief, Water Allocation Bureau