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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69408

This is to certify that: BRIGHAM YOUNG UNIVERSITY
C/O OFFICE OF GENERAL COUNSEL
A-357 ASB
PO BOX 21333
PROVO UT 84602-1333
(801)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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
43-13166	WR/Decreed	05/29/1950	1.01 cfs	236.0 af	59.0	208.0	GROUND WATER
43-13168	WR/Decreed	11/27/1957	1.53 cfs	746.5 af	255.0	569.0	GROUND WATER
43-13170	WR/Decreed	11/30/1957	2.62 cfs	1020.0 af	255.0	569.0	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>
43-13166	YES	YES	YES	NO	NO	NO
43-13168	YES	YES	YES	NO	NO	NO
43-13170	YES	YES	YES	NO	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>
43-13166	43-13175	0.46 cfs	108.0 af	27.0	669.7	43-13174	0.55 cfs	128.0 af	32.0	208.0
43-13168	43-13177	0.35 cfs	170.8 af	59.0	669.7	43-13176	1.18 cfs	575.7 af	196.0	569.0
43-13170	43-13179	0.61 cfs	236.0 af	59.0	669.7	43-13178	2.01 cfs	784.0 af	196.0	569.0
TOTALS		1.42 cfs	344.0 af	86.0	669.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 8th day of August, 2002

J. Glen Saxton
Chief, Water Allocation Bureau

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AUG 15 2002

WATER RIGHT NO. 43-13174
As Modified by Transfer No. 69408

In accordance with the approval of Transfer No. 69408, Water Right No. 43-13174 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: 05/29/1950

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	0.55 CFS	128.0 AF
		0.55 CFS	128.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESE Sec. 33 Twp 10S Rge 26E CASSIA County
GROUND WATER	NWSWNW Sec. 3 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWSWSW Sec. 3 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNWNW Sec. 10 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNESW Sec. 10 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 9													33.0			34.0	67.0
11S 26E 10					31.0						32.0						63.0
11S 26E 15						39.0	39.0										78.0

Total Acres: 208

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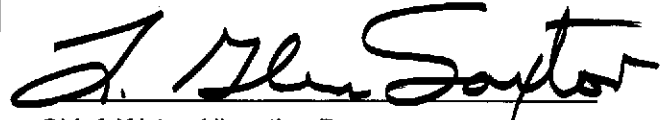
WATER RIGHT NO. 43-13174
As Modified by Transfer No. 69408

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 32.0 acres within the place of use described above in a single irrigation season.
2. 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 8th day of August, 2002


Chief, Water Allocation Bureau

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SEP 1 2002

WATER RIGHT NO. 43-13175
As Modified by Transfer No. 69408

In accordance with the approval of Transfer No. 69408, Water Right No. 43-13175 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: 05/29/1950

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	0.46 CFS	108.0 AF
			0.46 CFS	108.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER SWNWSW Sec. 3 Twp 11S Rge 27E 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	
10S 27E 34			16.0	16.0					32.5	32.5	32.5	32.5	38.0	39.0	22.0	25.0	286.0
11S 27E 2						1.0											1.0
						L 4											
11S 27E 3	39.7	36.0	12.0	14.0	37.0	36.0	33.0	34.0	37.0	36.0	33.0	35.0					382.7
	L 1	L 2			L 3	L 4											

Total Acres: 669.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 27.0 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-13175, 43-13177 and 43-13179 shall not exceed 1.42 cfs, nor total combined annual volume of 344.0 af, for the irrigation of 86.0 total acres.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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WATER RIGHT NO. 43-13175
As Modified by Transfer No. 69408

CONDITIONS OF APPROVAL

4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) 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 8th day of August, 2002



Chief, Water Allocation Bureau

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SEP 13 2002

WATER RIGHT NO. 43-13176

As Modified by Transfer No. 69408

In accordance with the approval of Transfer No. 69408, Water Right No. 43-13176 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: 11/27/1957

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	1.18 CFS	575.7 AF
		1.18 CFS	575.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESE Sec. 33 Twp 10S Rge 26E CASSIA County
GROUND WATER	NWSWNW Sec. 3 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWSWSW Sec. 3 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNWNW Sec. 10 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNESW Sec. 10 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 3					20.0	40.0	40.0	34.0	38.0	35.0	22.0	40.0					269.0
11S 26E 4	40.0			40.0	L3	L4											80.0
11S 26E 9				6.0													6.0
11S 26E 10							35.0	25.0	37.0		39.0						136.0
11S 26E 15					39.0		39.0										78.0

Total Acres: 569

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APR 13 2002

WATER RIGHT NO. 43-13176
As Modified by Transfer No. 69408

CONDITIONS OF APPROVAL

1. Rights 43-13176 and 43-13178 when combined shall not exceed a total annual maximum diversion volume of 784.0 af at the field headgate, and the irrigation of 196.0 acres.
2. 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 8th day of August, 2002


Chief, Water Allocation Bureau

MICROFILMED

NOV 13 2002

WATER RIGHT NO. 43-13177
As Modified by Transfer No. 69408

In accordance with the approval of Transfer No. 69408, Water Right No. 43-13177 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: 11/27/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.35 CFS	170.8 AF
			0.35 CFS	170.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER SWNWSW Sec. 3 Twp 11S Rge 27E 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	
10S 27E 34			16.0	16.0					32.5	32.5	32.5	32.5	38.0	39.0	22.0	25.0	286.0
11S 27E 2						1.0											1.0
						L4											
11S 27E 3	39.7	36.0	12.0	14.0	37.0	36.0	33.0	34.0	37.0	36.0	33.0	35.0					382.7
	L1	L2			L3	L4											

Total Acres: 669.7

CONDITIONS OF APPROVAL

1. Rights 43-13177 and 43-13179 when combined shall not exceed a total annual maximum diversion volume of 236.0 af at the field headgate, and the irrigation of 59.0 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-13175, 43-13177 and 43-13179 shall not exceed 1.42 cfs, nor total combined annual volume of 344.0 af, for the irrigation of 86.0 total acres.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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WATER RIGHT NO. 43-13177
As Modified by Transfer No. 69408

CONDITIONS OF APPROVAL

4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) 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 _____ day of _____, 20____

8th

August

02



Chief, Water Allocation Bureau

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APR 15 2002

WATER RIGHT NO. 43-13178
As Modified by Transfer No. 69408

In accordance with the approval of Transfer No. 69408, Water Right No. 43-13178 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: 11/30/1957

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	2.01 CFS	784.0 AF
			2.01 CFS	784.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESESE Sec. 33 Twp 10S Rge 26E CASSIA County
GROUND WATER	NWSWNW Sec. 3 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWSWSW Sec. 3 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNWNW Sec. 10 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNESW Sec. 10 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 3					20.0	40.0	40.0	34.0	38.0	35.0	22.0	40.0					269.0
11S 26E 4	40.0			40.0	L 3	L 4											80.0
11S 26E 9	L 1			6.0													6.0
11S 26E 10								35.0	25.0	37.0		39.0					136.0
11S 26E 15					39.0			39.0									78.0

Total Acres: 569

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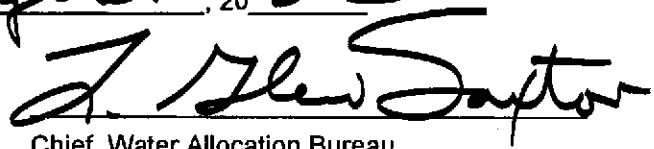
WATER RIGHT NO. 43-13178
As Modified by Transfer No. 69408

CONDITIONS OF APPROVAL

1. Rights 43-13176 and 43-13178 when combined shall not exceed a total annual maximum diversion volume of 784.0 af at the field headgate, and the irrigation of 196.0 acres.
2. 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 8th day of August, 2002


Chief, Water Allocation Bureau

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APR 9 4 2002

WATER RIGHT NO. 43-13179
As Modified by Transfer No. 69408

In accordance with the approval of Transfer No. 69408, Water Right No. 43-13179 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: 11/30/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.61 CFS	236.0 AF
			0.61 CFS	236.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER SWNWSW Sec. 3 Twp 11S Rge 27E 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	
10S 27E 34			16.0	16.0					32.5	32.5	32.5	32.5	38.0	39.0	22.0	25.0	286.0
11S 27E 2						1.0											1.0
11S 27E 3	39.7	36.0	12.0	14.0	37.0	36.0	33.0	34.0	37.0	36.0	33.0	35.0					382.7
	L1	L2			L3	L4											

Total Acres: 669.7

CONDITIONS OF APPROVAL

1. Rights 43-13177 and 43-13179 when combined shall not exceed a total annual maximum diversion volume of 236.0 af at the field headgate, and the irrigation of 59.0 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-13175, 43-13177 and 43-13179 shall not exceed 1.42 cfs, nor total combined annual volume of 344.0 af, for the irrigation of 86.0 total acres.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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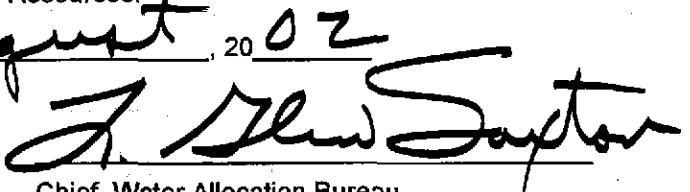
WATER RIGHT NO. 43-13179
As Modified by Transfer No. 69408

CONDITIONS OF APPROVAL

4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) 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 8th day of August, 2002


Chief, Water Allocation Bureau

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MEMORANDUM

TO: FILE 43-13175

FROM: VAULT

RE: TRANSFER # 69408

DATE: 8.7.02

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 43-13166

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AUG 15 2002