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In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69397

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>
43-13148	WR/Decreed	05/29/1950	2.37 cfs	556.0 af	139.0	208.0	GROUND WATER
43-13150	WR/Decreed	11/27/1957	2.56 cfs	1249.1 af	428.0	569.0	GROUND WATER
43-13152	WR/Decreed	11/30/1957	4.41 cfs	1712.0 af	428.0	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>
43-13148	YES	YES	YES	NO	NO	NO
43-13150	YES	YES	YES	NO	NO	NO
43-13152	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>
43-13148	43-13157	0.90 cfs	212.0 af	53.0	734.3	43-13156	1.47 cfs	344.0 af	86.0	208.0
43-13150	43-13159	0.68 cfs	331.8 af	114.0	734.3	43-13158	1.88 cfs	917.3 af	314.0	569.0
43-13152	43-13161	1.18 cfs	456.0 af	114.0	734.3	43-13160	3.23 cfs	1256.0 af	314.0	569.0
TOTALS		2.76 cfs	668.0 af	167.0	734.3		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 5th day of August, 2002

[Signature]
Chief, Water Allocation Bureau

MICROFILMED

AUG 15 2002

WATER RIGHT NO. 43-13156
As Modified by Transfer No. 69397

In accordance with the approval of Transfer No. 69397, Water Right No. 43-13156 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	1.47 CFS	344.0 AF
			1.47 CFS	344.0 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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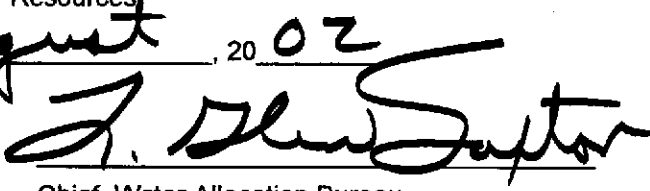
WATER RIGHT NO. 43-13156
As Modified by Transfer No. 69397

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 86.0 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 5th day of August, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-13157
As Modified by Transfer No. 69397

In accordance with the approval of Transfer No. 69397, Water Right No. 43-13157 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	11/15	0.90 CFS	212.0 AF
			0.90 CFS	212.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 24 Twp 10S Rge 27E CASSIA County

GROUND WATER Lot 3 SWNWSW Sec. 19 Twp 10S Rge 28E 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 23													23.0			38.0	61.0
10S 27E 24			30.0	40.0			29.0	23.0	40.0	40.0	40.0	40.0	36.0	40.0	30.0	23.0	411.0
10S 27E 25	31.0	34.0	33.0	32.0	4.3	39.0											173.3
10S 27E 26	35.0																35.0
10S 28E 19							10.0				33.0	11.0					54.0
							L2				L3	L4					

Total Acres: 734.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 53.0 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 43-13157, 43-13159 and 43-13161 shall not exceed 2.76 cfs, nor total combined annual volume of 668.0 af, for the irrigation of 167.0 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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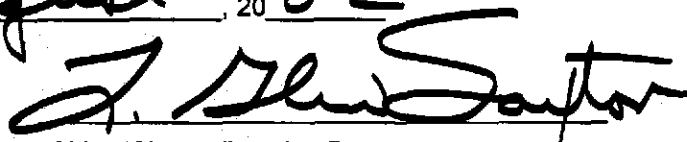
WATER RIGHT NO. 43-13157
As Modified by Transfer No. 69397

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. 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 5th day of August, 2002


Chief, Water Allocation Bureau

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AUG 15 2002

WATER RIGHT NO. 43-13158
As Modified by Transfer No. 69397

In accordance with the approval of Transfer No. 69397, Water Right No. 43-13158 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	1.88 CFS	917.3 AF
			1.88 CFS	917.3 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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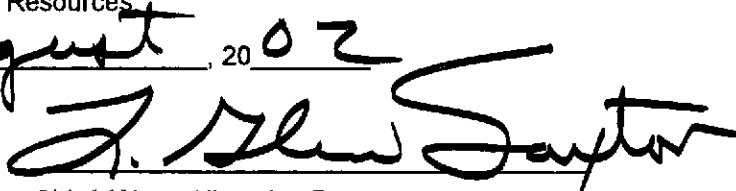
WATER RIGHT NO. 43-13158
As Modified by Transfer No. 69397

CONDITIONS OF APPROVAL

1. Rights 43-13158 and 43-13160 when combined shall not exceed a total annual maximum diversion volume of 1256.0 af at the field headgate, and the irrigation of 314.0 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 5th day of August, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-13159
As Modified by Transfer No. 69397

In accordance with the approval of Transfer No. 69397, Water Right No. 43-13159 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	0.68 CFS	331.8 AF
			0.68 CFS	331.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 24 Twp 10S Rge 27E CASSIA County

GROUND WATER Lot 3 SWNWSW Sec. 19 Twp 10S Rge 28E 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 23													23.0			38.0	61.0
10S 27E 24			30.0	40.0			29.0	23.0	40.0	40.0	40.0	40.0	36.0	40.0	30.0	23.0	411.0
10S 27E 25	31.0	34.0	33.0	32.0	4.3	39.0											173.3
10S 27E 26	35.0																35.0
10S 28E 19							10.0				33.0	11.0					54.0
							L 2				L 3	L 4					

Total Acres: 734.3

CONDITIONS OF APPROVAL

1. Rights 43-13159 and 43-13161 when combined shall not exceed a total annual maximum diversion volume of 456.0 af at the field headgate, and the irrigation of 114.0 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-13157, 43-13159 and 43-13161 shall not exceed 2.76 cfs, nor total combined annual volume of 668.0 af, for the irrigation of 167.0 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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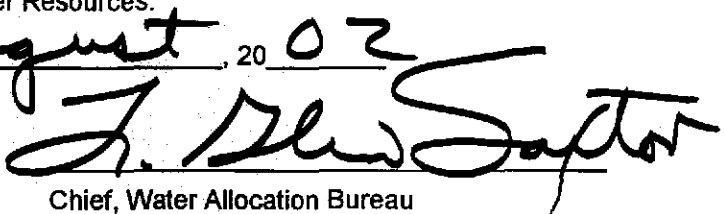
WATER RIGHT NO. 43-13159
As Modified by Transfer No. 69397

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. 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 5th day of August, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-13160
As Modified by Transfer No. 69397

In accordance with the approval of Transfer No. 69397, Water Right No. 43-13160 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	3.23 CFS	1,256.0 AF
		3.23 CFS	1,256.0 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				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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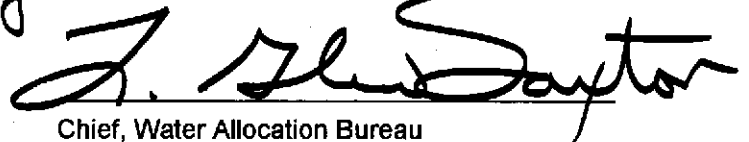
WATER RIGHT NO. 43-13160
As Modified by Transfer No. 69397

CONDITIONS OF APPROVAL

1. Rights 43-13158 and 43-13160 when combined shall not exceed a total annual maximum diversion volume of 1256.0 af at the field headgate, and the irrigation of 314.0 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 5th day of August, 2002


Chief, Water Allocation Bureau

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AUG 15 2002

WATER RIGHT NO. 43-13161
As Modified by Transfer No. 69397

In accordance with the approval of Transfer No. 69397, Water Right No. 43-13161 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	1.18 CFS	456.0 AF
			1.18 CFS	456.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 24 Twp 10S Rge 27E CASSIA County

GROUND WATER Lot 3 SWNWSW Sec. 19 Twp 10S Rge 28E 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 23													23.0			38.0	61.0
10S 27E 24			30.0	40.0			29.0	23.0	40.0	40.0	40.0	40.0	36.0	40.0	30.0	23.0	411.0
10S 27E 25	31.0	34.0	33.0	32.0	4.3	39.0											173.3
10S 27E 26	35.0																35.0
10S 28E 19							10.0				33.0	11.0					54.0
							L 2				L 3	L 4					

Total Acres: 734.3

CONDITIONS OF APPROVAL

1. Rights 43-13159 and 43-13161 when combined shall not exceed a total annual maximum diversion volume of 456.0 af at the field headgate, and the irrigation of 114.0 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-13157, 43-13159 and 43-13161 shall not exceed 2.76 cfs, nor total combined annual volume of 668.0 af, for the irrigation of 167.0 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. 43-13161

As Modified by Transfer No. 69397

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. 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

5th

day of

August

, 20

02



Chief, Water Allocation Bureau

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MEMORANDUM

TO: FILE 43-13159

FROM: VAULT

RE: TRANSFER # 69397

DATE: 8.5.02

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

FILE # 43-13148

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