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In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69388

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>
43-2348	WR/Decreed	05/29/1950	3.55 cfs	832.0 af		208.0	GROUND WATER
43-2360	WR/Decreed	11/27/1950	3.42 cfs	1256.0 af	314.0	314.0	GROUND WATER
43-2465A	WR/Decreed	11/27/1957	3.40 cfs	2276.0 af		569.0	GROUND WATER
43-2465B	WR/Decreed	11/30/1957	5.86 cfs	2276.0 af		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>
43-2348	YES	YES	YES	NO	NO	NO
43-2360	NO	YES	YES	NO	NO	NO
43-2465A	YES	YES	YES	NO	NO	NO
43-2465B	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>
43-2348	43-13133	0.84 cfs	196.0 af	49.0	672.0	43-13132	2.71 cfs	636.0 af	159.0	208.0
43-2360	43-2360	3.42 cfs	1256.0 af	314.0	314.0		N/A	N/A	N/A	N/A
43-2465A	43-13131	0.63 cfs	307.4 af	106.0	672.0	43-13130	2.77 cfs	1351.6 af	463.0	569.0
43-2465B	43-13129	1.09 cfs	424.0 af	106.0	672.0	43-13128	4.77 cfs	1852.0 af	463.0	569.0
TOTALS		2.56 cfs	620.0 af	155.0	672.0		N/A	2488.0 af	622.0	777.0

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AUG 15 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69388

Detailed Water Right Description(s) attached

Dated this 24th day of July, 2002
J. Glenn Sartor
Chief, Water Allocation Bureau

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AUG 15 2002

WATER RIGHT NO. 43-2360
As Modified by Transfer No. 69388

In accordance with the approval of Transfer No. 69388, Water Right No. 43-2360 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: 11/27/1950

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	3.42 CFS	1,256.0 AF
			3.42 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	
10S 26E 33													15.0	37.0	39.0	39.0	130.0
10S 26E 34									1.0	25.0							26.0
11S 26E 4													40.0			38.0	78.0
11S 26E 9	5.0																5.0
11S 26E 10					35.0	40.0											75.0

Total Acres: 314

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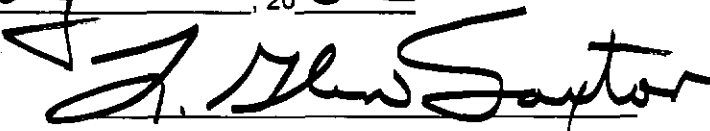
WATER RIGHT NO. 43-2360
As Modified by Transfer No. 69388

CONDITIONS OF APPROVAL

1. Right 43-2360 has been forfeited through a period of five (5) or more years of non-use.

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 24th day of July, 2002


Chief, Water Allocation Bureau

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AUG 15 2002

WATER RIGHT NO. 43-13128

As Modified by Transfer No. 69388

In accordance with the approval of Transfer No. 69388, Water Right No. 43-13128 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	4.77 CFS	1,852.0 AF
		4.77 CFS	1,852.0 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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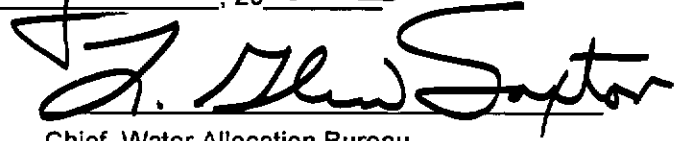
WATER RIGHT NO. 43-13128
As Modified by Transfer No. 69388

CONDITIONS OF APPROVAL

1. Rights 43-13128 and 43-13130 when combined shall not exceed a total annual maximum diversion volume of 1852.0 af at the field headgate, and the irrigation of 463.0 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 24th day of July, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-13129
As Modified by Transfer No. 69388

In accordance with the approval of Transfer No. 69388, Water Right No. 43-13129 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	1.09 CFS	424.0 AF
			1.09 CFS	424.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNE Sec. 18 Twp 11S Rge 28E CASSIA County

GROUND WATER SESESE Sec. 18 Twp 11S 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	
11S 28E 18	40.0	40.0	40.0	40.0	40.0	48.0	48.0	40.0	40.0	48.0	48.0	40.0	40.0	40.0	40.0	40.0	672.0
						L1	L2				L3	L4					

Total Acres: 672

CONDITIONS OF APPROVAL

1. Rights 43-13129 and 43-13131 when combined shall not exceed a total annual maximum diversion volume of 424.0 af at the field headgate, and the irrigation of 106.0 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-13129, 43-13131 and 43-13133 shall not exceed 2.56 cfs, nor total combined annual volume of 620.0 af, for the irrigation of 155.0 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.
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.

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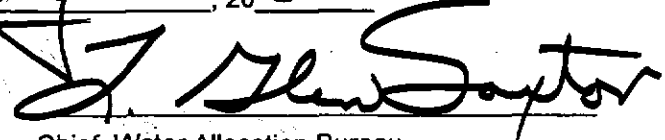
WATER RIGHT NO. 43-13129
As Modified by Transfer No. 69388

CONDITIONS OF APPROVAL

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 24th day of July, 2002


Chief, Water Allocation Bureau

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AUG 15 2002

WATER RIGHT NO. 43-13130
As Modified by Transfer No. 69388

In accordance with the approval of Transfer No. 69388, Water Right No. 43-13130 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	2.77 CFS	1,351.6 AF
			2.77 CFS	1,351.6 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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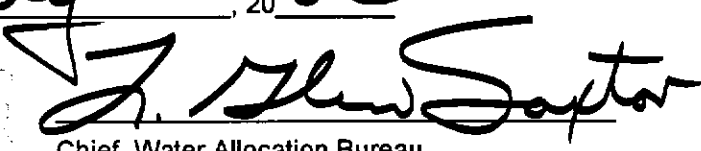
WATER RIGHT NO. 43-13130
As Modified by Transfer No. 69388

CONDITIONS OF APPROVAL

1. Rights 43-13128 and 43-13130 when combined shall not exceed a total annual maximum diversion volume of 1852.0 af at the field headgate, and the irrigation of 463.0 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 27th day of July, 2002


Chief, Water Allocation Bureau

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AUG 15 2002

WATER RIGHT NO. 43-13131
As Modified by Transfer No. 69388

In accordance with the approval of Transfer No. 69388, Water Right No. 43-13131 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	0.63 CFS	307.4 AF
			0.63 CFS	307.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNE Sec. 18 Twp 11S Rge 28E CASSIA County

GROUND WATER SESESE Sec. 18 Twp 11S 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		
11S	28E	18	40.0	40.0	40.0	40.0	40.0	48.0	48.0	40.0	40.0	48.0	48.0	40.0	40.0	40.0	40.0	40.0	40.0	672.0
								L1	L2				L3	L4						

Total Acres: 672

CONDITIONS OF APPROVAL

1. Rights 43-13129 and 43-13131 when combined shall not exceed a total annual maximum diversion volume of 424.0 af at the field headgate, and the irrigation of 106.0 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-13129, 43-13131 and 43-13133 shall not exceed 2.56 cfs, nor total combined annual volume of 620.0 af, for the irrigation of 155.0 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.
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.

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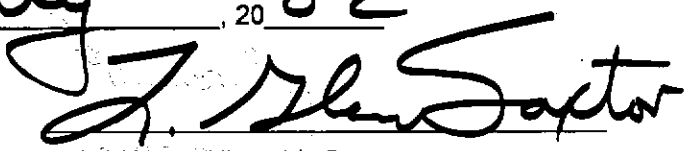
WATER RIGHT NO. 43-13131
As Modified by Transfer No. 69388

CONDITIONS OF APPROVAL

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 24th day of July, 2002


Chief, Water Allocation Bureau

MICROFILMED

AUG 15 2002

WATER RIGHT NO. 43-13132
As Modified by Transfer No. 69388

In accordance with the approval of Transfer No. 69388, Water Right No. 43-13132 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	2.71 CFS	636.0 AF
			2.71 CFS	636.0 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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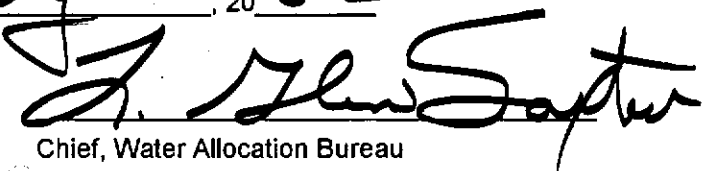
WATER RIGHT NO. 43-13132
As Modified by Transfer No. 69388

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 159.0 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 24th day of July, 2002


Chief, Water Allocation Bureau

MICROFILMED
AUG 15 2002

WATER RIGHT NO. 43-13133
As Modified by Transfer No. 69388

In accordance with the approval of Transfer No. 69388, Water Right No. 43-13133 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	0.84 CFS	196.0 AF
			0.84 CFS	196.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNE Sec. 18 Twp 11S Rge 28E CASSIA County

GROUND WATER SESESE Sec. 18 Twp 11S 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	
11S 28E 18	40.0	40.0	40.0	40.0	40.0	48.0	48.0	40.0	40.0	48.0	48.0	40.0	40.0	40.0	40.0	40.0	672.0
						L1	L2				L3	L4					

Total Acres: 672

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 49.0 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 43-13129, 43-13131 and 43-13133 shall not exceed 2.56 cfs, nor total combined annual volume of 620.0 af, for the irrigation of 155.0 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.
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.

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AUG 15 2002

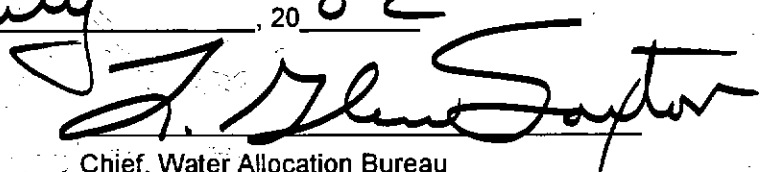
WATER RIGHT NO. 43-13133
As Modified by Transfer No. 69388

CONDITIONS OF APPROVAL

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 24th day of July, 2002


Chief, Water Allocation Bureau

MICROFILMED

AUG 15 2002

MEMORANDUM

TO: FILE 43-13129
FROM: VAULT
RE: TRANSFER # 69388
DATE: 7.24.02

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

FILE # 43-02348

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AUG 15 2002