Form 1-222
12-90

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APR 21 2005
Department of Water Resources
Southern Region

Page _____ of _____

# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES

Transfer No. _____

# APPLICATION FOR TRANSFER OF WATER RIGHT
## PART 1

Name of applicant Dan Ward Phone (208) 312-2836

Post Office address 227 E. 400 S., Burley, Idaho 83318

### A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point ☒ Change place of use
   ☒ Change nature of use ☒ Change period of use ☒ Other Split Rights
2. Describe the reason for the proposed changes To provide additional water for a dairy.

### B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

| Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|---|---|---|---|---|
| 36-16291[1] | 11/11/1959 | 0.14/18.5 | Stockwater/Comm. | 1/1 to 12/31 |
| 36-16293[1] | 11/15/1970 | 0.21/27.9 | Stockwater/Comm. | 1/1 to 12/31 |
| 36-16295[1] | 5/16/1980 | 0.05/6.8 | Stockwater/Comm. | 1/1 to 12/31 |
| 36-16297[1] | 5/01/1976 | 0.02/3.9 | Stockwater/Comm. | 1/1 to 12/31 |
| | | | | to |
| | | | | to |

2. Total amount of water being transferred 0.27* cubic feet per second and/or 57.1* acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | | NE | NE | 12 | 10S | 22E | Minidoka | Jensen Dairy Well |
| | | NE | NE | 12 | 10S | 22E | Minidoka | New Back-up Well |

5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW ¼ | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 10S | 22E | 12 | S/C | | | | | | | | | | | | | | | | S/C |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |

Printed 4/20/05 16:40

Total acres S/C

## PART 1

6. General Information:

a. Description of diversion system Existing pump and well

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

☐ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer: Land will no longer be irrigated.

d. Remarks:

[1]36-16291, 16293, 16295 & 36-16297 combined limited to 0.27 cfs and/or 57.1 afa. Total annual diversion at new place of use will be reduced to mitigate increased Snake River reach depletions. See attached mitigation plan & schedule.

---

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

_____

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Transfer No._____

# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 2

*(Attach one copy for each right)*

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Department of Water Resources
Southern Region

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

   a. Decree No. 36-16291 Decreed to Marilyn & Vernon Phillips

   in case of SRBA vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. Various which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

   ☐ Tax notice ☐ Warranty Deed ☒ Other Purchase Agreement

3. Source of water Groundwater tributary to _____

4. Date of priority 11/11/1959

5. Water is used for the following purpose:

   Amount (cfs/ac-ft) 0.57/114.0* for Irrigation purposes from 3/15 to 11/15

   Amount (cfs/ac-ft) 0.11/20.8* for Mitigation purposes from 3/15 to 11/15

   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 0.68* cubic feet per second and/or 134.8* acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | NE | SE | SW | 24 | 08S | 21E | Jerome | Phillips Well #1 |
| | NE | NE | SE | 24 | 08S | 21E | Jerome | Phillips Well #2 |
| | | | | | | | | |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 08S | 21E | 24 | | | | | | | | | | | | | 3 | 4.7 | 40 | 40 | 87.7 |
| | | 24 | | | | | | | | | | | | | | Mit | | | Mit |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total acres 87.7

9. Describe any other water rights used for the same purpose as described above *In conjunction with water right No. 35-16293,16295,16297: max flow 1.27 cfs, combined max volume 414.8 afa.

Page _____ of _____

# PART 2

Transfer No._____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

## B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

*(if the entire right is to be changed by the applicant, omit part B and C)*

1. Amount (cfs/ac-ft) 0.14/28.6 for Irrigation purposes from 3/15 to 11/15
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | NE | SE | SW | 24 | 08S | 21e | Jerome | Phillips Well #1 |
| | NE | NE | SE | 24 | 08S | 21E | Jerome | Phillips Well #2 |
| | | | | | | | | |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 08S | 21E | 24 | | | | | | | | | | | | | 3 | 4.7 | 14.3 | | 22 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total acres 22

## C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount (cfs/ac-ft) 0.43/85.4 for Irrigation purposes from 3/15 to 11/15
   Amount (cfs/ac-ft) 0.11/20.8 for Mitigation purposes from 3/15 to 11/15
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | NE | SE | SW | 24 | 08S | 21E | Jerome | Phillips Well #1 |
| | NE | NE | SE | 24 | 08S | 21E | Jerome | Phillips Well #2 |
| | | | | | | | | |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 08S | 21E | 24 | | | | | | | | | | | | | | | 25.7 | 40 | 65.7 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
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Total acres 65.7

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# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 2

*(Attach one copy for each right)*

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APR 21 2005
Department of Water Resources
Southern Region

## A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. 36-16293 Decreed to Marilyn & Vernon Phillips

   in case of SRBA vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. Various which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

   ☐ Tax notice ☐ Warranty Deed ☒ Other Purchase Agreement

3. Source of water Groundwater tributary to _____

4. Date of priority 11/15/1970

5. Water is used for the following purpose:

   Amount (cfs/ac-ft) 0.85/171.2* for Irrigation purposes from 3/15 to 11/15

   Amount (cfs/ac-ft) 0.16/31.2* for Mitigation purposes from 3/15 to 11/15

   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 1.01* cubic feet per second and/or 202.4* acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | NE | SE | SW | 24 | 08S | 21E | Jerome | Phillips Well #1 |
| | NE | NE | SE | 24 | 08S | 21E | Jerome | Phillips Well #2 |
| | | | | | | | | |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 08S | 21E | 24 | | | | | | | | | | | | | 3 | 4.7 | 40 | 40 | 87.7 |
| | | 24 | | | | | | | | | | | | | | Mit | | | Mit |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total acres 87.7

9. Describe any other water rights used for the same purpose as described above *In conjunction with water right No. 35-16291,16295,16297: max flow 1.27 cfs, combined max volume 414.8 afa.

Page _____ of _____

# PART 2

Transfer No._____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

## B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

*(if the entire right is to be changed by the applicant, omit part B and C)*

1. Amount 0.21/42.9 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   Amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   Amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | NE | SE | SW | 24 | 08S | 21e | Jerome | Phillips Well #1 |
| | NE | NE | SE | 24 | 08S | 21E | Jerome | Phillips Well #2 |
| | | | | | | | | |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 08S | 21E | 24 | | | | | | | | | | | | | 3 | 4.7 | 14.3 | | 22 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total acres 22

## C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount 0.64/128.4 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   Amount 0.16/31.2 (cfs/ac-ft) for Mitigation purposes from 3/15 to 11/15
   Amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | NE | SE | SW | 24 | 08S | 21E | Jerome | Phillips Well #1 |
| | NE | NE | SE | 24 | 08S | 21E | Jerome | Phillips Well #2 |
| | | | | | | | | |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 08S | 21E | 24 | | | | | | | | | | | | | | | 25.7 | 40 | 65.7 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
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Total acres 65.7

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# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 2

*(Attach one copy for each right)*

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APR 21 2005
Department of Water Resources
Southern Region

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

   a. Decree No. 36-16295 Decreed to Marilyn & Vernon Phillips

   in case of SRBA vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. Various which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

   ☐ Tax notice ☐ Warranty Deed ☒ Other Purchase Agreement

3. Source of water Groundwater tributary to _____

4. Date of priority 5/16/1980

5. Water is used for the following purpose:

   Amount (cfs/ac-ft) 0.21/42.0* for Irrigation purposes from 3/15 to 11/15

   Amount (cfs/ac-ft) 0.04/7.7* for _____ purposes from _____ to _____

   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 0.25* cubic feet per second and/or 49.7* acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | NE | SE | SW | 24 | 08S | 21E | Jerome | Phillips Well #1 |
| | NE | NE | SE | 24 | 08S | 21E | Jerome | Phillips Well #2 |
| | | | | | | | | |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 08S | 21E | 24 | | | | | | | | | | | | | 3 | 4.7 | 40 | 40 | 87.7 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total acres 87.7

9. Describe any other water rights used for the same purpose as described above *In conjunction with water right No. 35-16291,16293,16297: max flow 1.27 cfs, combined max volume 414.8 afa.

Page _____ of _____

# PART 2

Transfer No._____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

## B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

*(if the entire right is to be changed by the applicant, omit part B and C)*

1. Amount (cfs/ac-ft) 0.05/10.5 for Irrigation purposes from 3/15 to 11/15
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | NE | SE | SW | 24 | 08S | 21e | Jerome | Phillips Well #1 |
| | NE | NE | SE | 24 | 08S | 21E | Jerome | Phillips Well #2 |
| | | | | | | | | |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 08S | 21E | 24 | | | | | | | | | | | | | 3 | 4.7 | 14.3 | | 22 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total acres 22

## C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount (cfs/ac-ft) 0.16/31.5 for Irrigation purposes from 3/15 to 11/15
   Amount (cfs/ac-ft) 0.04/7.7 for Mitigation purposes from 3/15 to 11/15
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | NE | SE | SW | 24 | 08S | 21E | Jerome | Phillips Well #1 |
| | NE | NE | SE | 24 | 08S | 21E | Jerome | Phillips Well #2 |
| | | | | | | | | |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 08S | 21E | 24 | | | | | | | | | | | | | | | 25.7 | 40 | 65.7 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
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Total acres 65.7

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# STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 2

*(Attach one copy for each right)*

RECEIVED
APR 21 2005
Department of Water Resources
Southern Region

## A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. 36-16297 Decreed to Marilyn & Vernon Phillips

   in case of SRBA vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. Various which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

   ☐ Tax notice ☐ Warranty Deed ☒ Other Purchase Agreement

3. Source of water Groundwater tributary to _____

4. Date of priority 5/26/1971

5. Water is used for the following purpose:

   Amount (cfs/ac-ft) 0.07/23.6* for Irrigation purposes from 3/15 to 11/15

   Amount (cfs/ac-ft) 0.01/4.4* for Mitigation purposes from 3/15 to 11/15

   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 0.08* cubic feet per second and/or 28.0* acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | NE | SE | SW | 24 | 08S | 21E | Jerome | Phillips Well #1 |
| | NE | NE | SE | 24 | 08S | 21E | Jerome | Phillips Well #2 |
| | | | | | | | | |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 08S | 21E | 24 | | | | | | | | | | | | | 3 | 4.7 | 40 | 40 | 87.7 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total acres 87.7

9. Describe any other water rights used for the same purpose as described above *In conjunction with water right No. 35-16291,16293,16295: max flow 1.27 cfs, combined max volume 414.8 afa.

Page _____ of _____

# PART 2

Transfer No._____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

## B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

*(if the entire right is to be changed by the applicant, omit part B and C)*

1. Amount (cfs/ac-ft) 0.02/6.0 for Irrigation purposes from 3/15 to 11/15
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | NE | SE | SW | 24 | 08S | 21e | Jerome | Phillips Well #1 |
| | NE | NE | SE | 24 | 08S | 21E | Jerome | Phillips Well #2 |
| | | | | | | | | |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 08S | 21E | 24 | | | | | | | | | | | | | 3 | 4.7 | 14.3 | | 22 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total acres 22

## C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount (cfs/ac-ft) 0.05/17.4 for Irrigation purposes from 3/15 to 11/15
   Amount (cfs/ac-ft) 0.01/4.4 for Mitigation purposes from 3/15 to 11/15
   Amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge | County | Local name for diversion |
|---|---|---|---|---|---|---|---|---|
| | NE | SE | SW | 24 | 08S | 21E | Jerome | Phillips Well #1 |
| | NE | NE | SE | 24 | 08S | 21E | Jerome | Phillips Well #2 |
| | | | | | | | | |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 08S | 21E | 24 | | | | | | | | | | | | | | | 25.7 | 40 | 65.7 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total acres 65.7

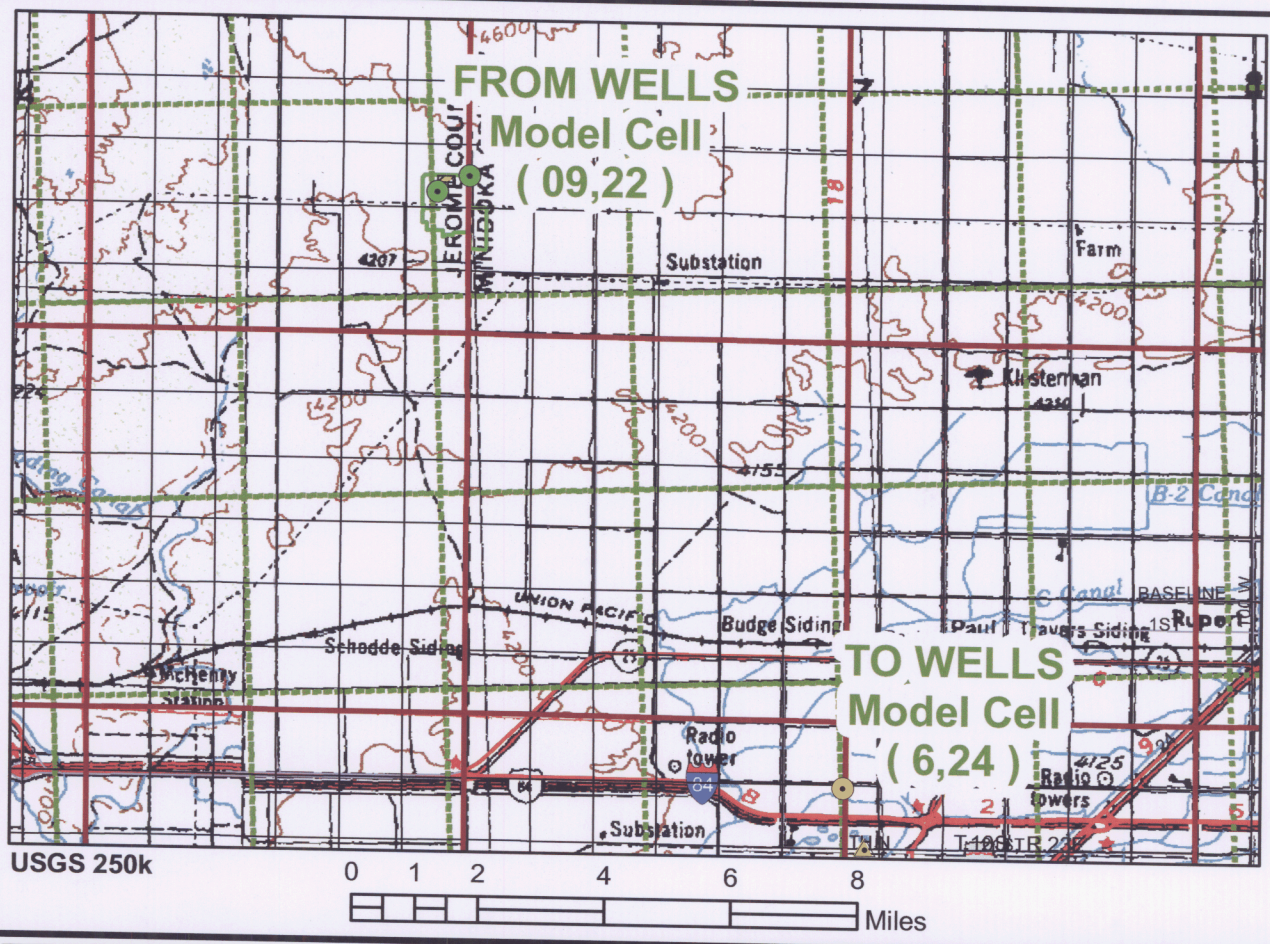
Transfer No. _____

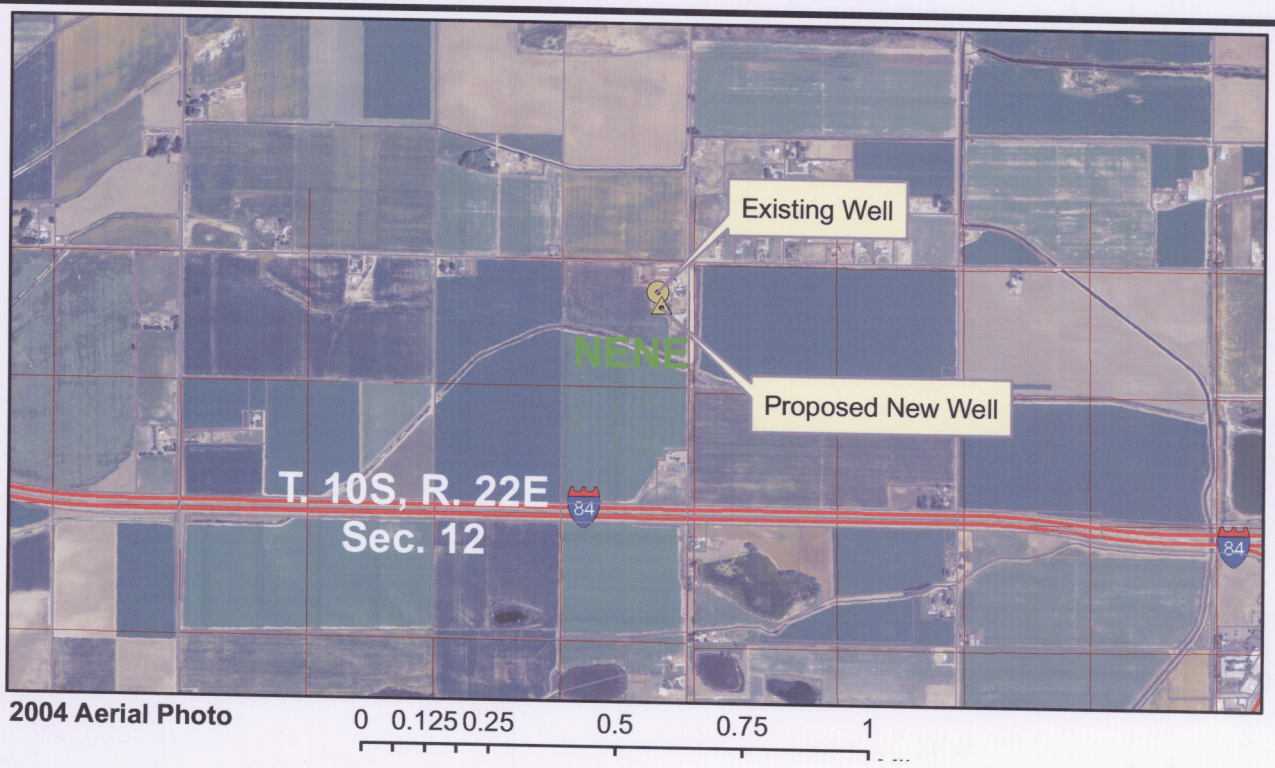
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 3

**A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**




Brockway Engineering, PLLC
JCH - 4/20/05

1351
85 R21+22E
c 24-25+30
A8+A9

2003

13|18
24|19

T235

12.5
Phillips
3
5.9
Brkg
36.1 ac
Jimmie
7A
6.2
4
7B
27.3
Fallow
2
37.0
53.6 ac
7C
Jimmie
Beets
7
117.0
2 ac out
Beets
6
Jimmie
13.8
5
39.6
8
8.4
24|19
25|30
T235
T235
10
33.8
31.2
33.6
11
12
24.3
16
9.0
T1844
1651
129
14.4
15
17.7
17
19.1
18
20A
#19
Jimmie 48.9
Mact
Baily
1 ac
20 Cal
Mact
Baily Jr
#19
26.33
20B
Beets
#21
85
18 B
42.3
19
71.1
20
41.5
Lost
133.9 ac
per cal
Phillips
Trail
49.9
1
53.6
2
37.0
140
85

Page _____ of _____

RECEIVED Transfer No. _____

APR 21 2005

Department of Water Resources
Southern Region

## PART 3

**B. CHANGES IN NATURE OF USE**

| 1. New Nature of Use | Amount (cfs/ac-ft) | Hours/days/year | Period of Use |
|---|---|---|---|
| Stock/Comm. | 0.27/57.1 | year | 1/1 to 12/31 |
| | | | to |

2. Quantity and quality of return flows and location of discharge:

None

3. Describe the effects on other water uses resulting from the proposed change:

Land at previous place of use will no longer be irrigated.
Volume transferred based on Allen-Brockway Hazelton C.U. sugar beets (2.60 af/ac).
- See attached FSA report.
Groundwater transfer spreadsheet tool identifies potential increased depletion in Neeley-Minidoka reach of the Snake River. To mitigate these effects, total annual consumption at new place of use will be reduced - See attached mitigation plan

---

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

STATE OF IDAHO NOTARY PUBLIC

Dan Wand
(Signature of Applicant)

Subscribed and sworn to before me this 21st day of April, 2005.

Jill Laurie
(Notary Public)

My commission expires November 18, 2010

---

**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date

Watermaster recommendation requested on _____ Recommended for [ ] Approval [ ] Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

THESE RIGHTS WERE MODIFIED TO INCLUDE MITIGATION FOR PROCESSING
PERMIT 35-13521
****KEPT IN THE NAME OF PHILLIPS

| MITIGATION | cfs | acre limit | IRRIGATION | cfs | acre limit |
|---|---|---|---|---|---|
| 36-16291 | 0.11 | 5.2 | | 0.57 | 28.5 |
| 36-16293 | 0.16 | 7.8 | | 0.85 | 42.8 |
| 36-16295 | 0.04 | 1.9 | | 0.21 | 10.5 |
| 35-16297 | 0.01 | 1.1 | | 0.07 | 5.9 |
| | 0.20 | 16.0 | | 1.07 | 87.7 |

T8S, R21E, S24

| | | |
|---|---|---|
| | SWNE | 0 |
| | NESW | 0 |
| | SESW | 0 |
| | NESE | 3 |
| 16 | NWSE | 4.7 |
| | SWSE | 40 |
| | SESE | 40 |

T8S, R21E, S25

| | |
|---|---|
| NENE | 0 |
| NWNE | 0 |
| SWNE | 0 |
| SENE | 0 |
| NENW | 0 |
| SENW | 0 |

T8S, R22E, S30

| | |
|---|---|
| NWNW | 0 |
| SWNW | 0 |
| NWSW | 0 |

| | |
|---|---|
| 16 | 87.7 |

22.6 acres

80 x 2.60
40 x 36
3 x 0
87.7 = 2.78 cfs

| Phillips | | | | | | Dan Ward | | | | | Phillips | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Existing Water Rights (4/18/2005) | | | | | | Transfer | | | | stock volume | Remaining Irrigation Rights | | | | | |
| | irrigation | | mitigation | | | | | | transfer | based on | | irrigation | | mitigation | | |
| | cfs | volume | cfs | volume | acre limit | | cfs | acre limit | volume | 2.60 af/ac | | cfs | volume | cfs | volume | acre limit |
| 36-16291 | 0.57 | 114.0 | 0.11 | 20.8 | 28.5 | 36-16291A | 0.14 | 7.1 | 28.6 | 18.5 | 36-16291B | 0.43 | 81.3 | 0.11 | 20.78 | 21.4 |
| 36-16293 | 0.85 | 171.2 | 0.16 | 31.2 | 42.8 | 36-16293A | 0.21 | 10.7 | 42.9 | 27.9 | 36-16293B | 0.64 | 122.1 | 0.16 | 31.17 | 32.1 |
| 36-16295 | 0.21 | 42.0 | 0.04 | 7.7 | 10.5 | 36-16295A | 0.05 | 2.6 | 10.5 | 6.8 | 36-16295B | 0.16 | 30.0 | 0.04 | 7.67 | 7.9 |
| 36-16297 | 0.07 | 23.6 | 0.01 | 4.4 | 5.9 | 36-16297A | 0.02 | 1.5 | 5.9 | 3.9 | 36-16297B | 0.05 | 16.8 | 0.01 | 4.37 | 4.4 |
| | 1.07 | 350.8 | 0.21 | 64.0 | 87.7 | | 0.27 | 22.0 | 88.0 | 57.1 | | 0.80 | 250.2 | 0.21 | 64.00 | 65.7 |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| T8S, R21E, S24 | | | | | | | | | | | | | | | | |
| SWNE | 0 | | | | | | 0 | | | | | 0 | | | | |
| NESW | 0 | | | | | | 0 | | | | | 0 | | | | |
| SESW | 0 | | | | | | 0 | | | | | 0 | | | | |
| NESE | 3 | | | | | | 3 | | | | | 0 | | | | |
| NWSE | 4.7 | | | | | | 4.7 | | | | | 0 | | | | |
| SWSE | 40 | | | | | | 14.3 | | | | | 25.7 | | | | |
| SESE | 40 | | | | | | 0 | | | | | 40 | | | | |
| | | | | | | | | | | | | | | | | |
| T8S, R21E, S25 | | | | | | | | | | | | | | | | |
| NENE | 0 | | | | | | 0 | | | | | 0 | | | | |
| NWNE | 0 | | | | | | 0 | | | | | 0 | | | | |
| SWNE | 0 | | | | | | 0 | | | | | 0 | | | | |
| SENE | 0 | | | | | | 0 | | | | | 0 | | | | |
| NENW | 0 | | | | | | 0 | | | | | 0 | | | | |
| SENW | 0 | | | | | | 0 | | | | | 0 | | | | |
| | | | | | | | | | | | | | | | | |
| T8S, R22E, S30 | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| NWNW | 0 | | | | | | 0 | | | | | 0 | | | | |
| SWNW | 0 | | | | | | 0 | | | | | 0 | | | | |
| NWSW | 0 | | | | | | 0 | | | | | 0 | | | | |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| | 87.7 | | | | | | 22 | | | | | 65.7 | | | | |

# Stipulations Regarding Mitigation
# Transfer Number (_____)
# Dan Ward

April 21, 2004

## 1. Mitigation

The Applicant has agreed to reduce pumping in a quantity sufficient to assure that no additional impact to the Neeley-Minidoka reach or any other reach is experienced. The quantity of reduced pumping has been calculated and agreed to by the Parties. The schedule mitigates for the impact of the full annual volume applied for in the transfer application. The quantity of reduced pumping is set out in the table(s) appended hereto. These mitigation requirements will be incorporated by the Department into the transfer approval and set out as permanent conditions on the affected water rights.

## 2. Monitoring of mitigation requirements

Discharge from the new well(s) will be monitored by the Applicant, in accordance with the Director's new water right transfer guidance or other applicable requirements as determined by the Director. The quantity of pumped volumes will be reported annually to IDWR .

## 3. Positive impacts on other reaches

The Department does not currently have a mechanism in place to recognize the positive impacts that a transfer may have on other river reaches within the Eastern Snake Plain Aquifer.

The Applicant and the Protestant have agreed that no "reach credits" will be recognized in conjunction with the approval of this transfer at this time. The Parties have agreed, however, that if such "reach credits" are recognized in the future by the Department or other appropriate entity, the Applicant retains the right to apply for such credits based on this transfer. Likewise, the Protestant retains the right to oppose their recognition. If and when such credits are subsequently recognized, they will accumulate only from that point in time forward.

## 4. No reopening of mitigation calculation

The Applicant and the Protestant have agreed that the quantification of the mitigation obligation (as set out in the attached table(s)) will be permanent. The quantity of mitigation will not be subject to re-opening, re-examination, or re-calculation, except by mutual agreement and approval by the Department. This restriction applies even in the event that new data, new modeling or other information becomes available.

## 5. Substitute mitigation

As specified above, the mitigation will be provided in the form of additional dry-up. No other method of achieving the mitigation may be substituted by the Applicant, except upon approval of the Department of an application for modification of the mitigation requirement as provided for by law. Moreover, the Protestant shall be given notice of such application.

In any event, the Protestant will not be required to accept any substitute form of mitigation that is less effective than the original mitigation. Specifically, any substitute mitigation must be "in kind" (meaning that it must provide a substitute supply of water—rather than some other kind of compensation—to make up for the depletions caused by the transfer), "in time" (meaning that the make-up water must be provided so as to reach the impacted area at the appropriate time to respond to the depletion caused by the transfer), and "in place" (meaning that the replacement must provide water to same area as the depletions are experienced). Finally, the substitute mitigation must provide water to the depleted impacted areas with the same degree of certainty and reliability as the original mitigation.

## 6. Consumptive use

The parties recognize that this transfer is premised upon the assumption of 100 percent consumptive use of water by the dairy. Consequently, the Applicant will be free to improve the efficiency of water use in the future or make other changes under those rights that reduce or eliminate any return flows, without providing further mitigation.

Dan Ward

## Transfer Mitigation Through Reduced Pumping

### Proposed Pumping Schedule and Mitigation with Reduced Volume

Applicant: Dan Ward Ground Water Pumping Node (6, 24) Run date 4/15/05

**Transfer from Phillips 57.1 acre-feet.- Model Node( 9,22) - 22 Acres @ 2.60 acre-ft/acre**

| Years | | | Consumptive Volume | | | Calculated Impact (+) is depletion | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | [Af/Year] | [Net %] | [Af/Year] | [Net %] | [Af/Year] | [Net %] | [Af/Year] | [Net %] |
| Begin | End | Number | Transferred | Pumped | Percent of | Heise/Ashton to Lewisville | | Shelley to Neeley | | Neeley to Minidoka | | Milner to King Hill | |
| | | | Af/Year | Af/yr | transfered volume | | | | | | | | |
| 2005 | 2006 | 1 | 0.0 | 0.0 | - | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 2006 | 2007 | 1 | 57.1 | 57.1 | 100% | 0.0 | 0.0 | 0.0 | 0.0 | -0.2 | -1.5 | -1.2 | -4.0 |
| 2007 | 2008 | 1 | 57.1 | 57.1 | 100% | 0.0 | 0.0 | 0.0 | -0.2 | -0.4 | -4.0 | -3.9 | -13.0 |
| 2008 | 2009 | 1 | 57.1 | 57.1 | 100% | 0.0 | 0.0 | -0.1 | -0.7 | -0.6 | -5.1 | -6.1 | -19.9 |
| 2009 | 2010 | 1 | 57.1 | 57.1 | 100% | 0.0 | -0.2 | -0.1 | -1.7 | -0.6 | -5.1 | -7.3 | -23.8 |
| 2010 | 2011 | 1 | 57.1 | 57.1 | 100% | 0.0 | -0.4 | -0.2 | -2.9 | -0.5 | -4.5 | -7.9 | -25.5 |
| 2011 | 2012 | 1 | 57.1 | 57.1 | 100% | 0.0 | -0.8 | -0.3 | -4.2 | -0.4 | -3.8 | -8.0 | -25.9 |
| 2012 | 2013 | 1 | 57.1 | 57.1 | 100% | 0.0 | -1.4 | -0.5 | -5.4 | -0.3 | -2.9 | -7.9 | -25.3 |
| 2013 | 2014 | 1 | 57.1 | 57.1 | 100% | 0.0 | -2.1 | -0.6 | -6.6 | -0.2 | -2.0 | -7.6 | -24.4 |
| 2014 | 2015 | 1 | 57.1 | 57.1 | 100% | 0.0 | -2.9 | -0.7 | -7.6 | -0.1 | -1.0 | -7.3 | -23.3 |
| 2015 | 2016 | 1 | 57.1 | 57.1 | 100% | 0.0 | -3.7 | -0.7 | -8.5 | 0.0 | 0.0 | -6.9 | -22.1 |
| 2016 | 2017 | 1 | 57.1 | 57.1 | 100% | 0.0 | -4.6 | -0.8 | -9.2 | 0.1 | 0.9 | -6.6 | -21.0 |
| 2017 | 2018 | 1 | 57.1 | 57.1 | 100% | 0.0 | -5.4 | -0.9 | -9.7 | 0.2 | 1.9 | -6.3 | -19.9 |
| 2018 | 2019 | 1 | 57.1 | 57.1 | 100% | 0.0 | -6.1 | -0.9 | -10.1 | 0.3 | 2.8 | -6.0 | -18.9 |
| 2019 | 2020 | 1 | 57.1 | 57.1 | 100% | 0.0 | -6.7 | -0.9 | -10.4 | 0.4 | 3.7 | -5.7 | -18.0 |
| 2020 | 2021 | 1 | 57.1 | 50.8 | 89% | 0.0 | -7.3 | -0.9 | -10.5 | 0.5 | 4.4 | -5.5 | -17.2 |
| 2021 | 2022 | 1 | 57.1 | 50.8 | 89% | 0.0 | -7.8 | -1.0 | -10.6 | 0.5 | 4.8 | -5.3 | -16.6 |
| 2022 | 2023 | 1 | 57.1 | 50.8 | 89% | 0.0 | -8.2 | -1.0 | -10.5 | 0.6 | 4.9 | -5.2 | -16.2 |
| 2023 | 2024 | 1 | 57.1 | 50.8 | 89% | 0.0 | -8.5 | -1.0 | -10.5 | 0.6 | 4.9 | -5.1 | -16.1 |
| 2024 | 2025 | 1 | 57.1 | 50.8 | 89% | -0.1 | -8.7 | -1.0 | -10.4 | 0.6 | 5.0 | -5.1 | -16.0 |
| 2025 | 2026 | 1 | 57.1 | 50.8 | 89% | -0.1 | -8.9 | -1.0 | -10.3 | 0.6 | 5.0 | -5.2 | -16.1 |
| 2026 | 2027 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.0 | -1.0 | -10.2 | 0.6 | 5.0 | -5.2 | -16.2 |
| 2027 | 2028 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.1 | -1.0 | -10.2 | 0.6 | 5.0 | -5.3 | -16.3 |
| 2028 | 2029 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.1 | -1.0 | -10.1 | 0.6 | 5.0 | -5.3 | -16.4 |
| 2029 | 2030 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.2 | -1.0 | -10.1 | 0.6 | 5.0 | -5.3 | -16.5 |
| 2030 | 2031 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.2 | -1.0 | -10.0 | 0.6 | 5.0 | -5.4 | -16.6 |
| 2031 | 2032 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.2 | -1.0 | -10.0 | 0.6 | 5.0 | -5.4 | -16.7 |
| 2032 | 2033 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.3 | -1.0 | -10.0 | 0.6 | 5.0 | -5.5 | -16.8 |
| 2033 | 2034 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.3 | -1.0 | -10.0 | 0.6 | 5.0 | -5.5 | -16.9 |
| 2034 | 2035 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.3 | -1.0 | -10.0 | 0.6 | 5.0 | -5.5 | -16.9 |
| 2035 | 2036 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.4 | -1.0 | -10.0 | 0.6 | 5.0 | -5.5 | -17.0 |
| 2036 | 2037 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.4 | -1.0 | -10.1 | 0.6 | 5.0 | -5.5 | -17.0 |
| 2037 | 2038 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.4 | -1.0 | -10.1 | 0.6 | 5.0 | -5.6 | -17.1 |
| 2038 | 2039 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.5 | -1.0 | -10.1 | 0.6 | 5.0 | -5.6 | -17.1 |
| 2039 | 2040 | 1 | 57.1 | 50.8 | 89% | -0.1 | -9.5 | -1.0 | -10.1 | 0.6 | 5.0 | -5.6 | -17.1 |
| 2040 | >>>>> | 1 | 57.1 | 50.8 | 89% | -0.1 | -11 | -1 | -11 | 1 | 5 | -5.8 | -17.1 |
| LONG TERM | | | 57.1 | 50.8 | 89% | -0.1 | -11 | -1 | -11 | 1 | 5 | -5.8 | -17.2 |

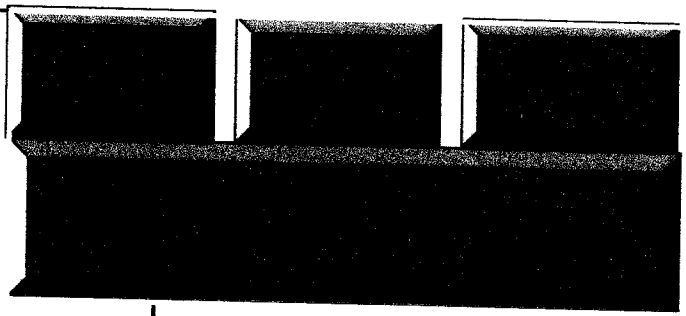
**Applicant must reduce annual pumping to mitigate increased depletion in Neeley - Minidoka Reach**

# GROUND-WATER RIGHTS TRANSFER SPREADSHEET

## UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPA

**Cells this color are set up for user entries**



| | | |
|---|---|---|
| ENTER STARTING DATE FO SIMULATION. THEN PUSH "UPDATE DATES" BUTTON | | Transfer:Phillips Scenario 1 Applicant: |
| YEAR | 1957 | Dan Ward |
| SEASON | SUMMER | |

| ENTER CELL LOCATIONS: | 'TO' CELL | 'FROM1' CELL | 'FROM2' CELL | 'FROM3' CELL |
|---|---|---|---|---|
| | | Phillips | | |
| ROW | 6 | 9 | | |
| COLUMN | 24 | 22 | | |

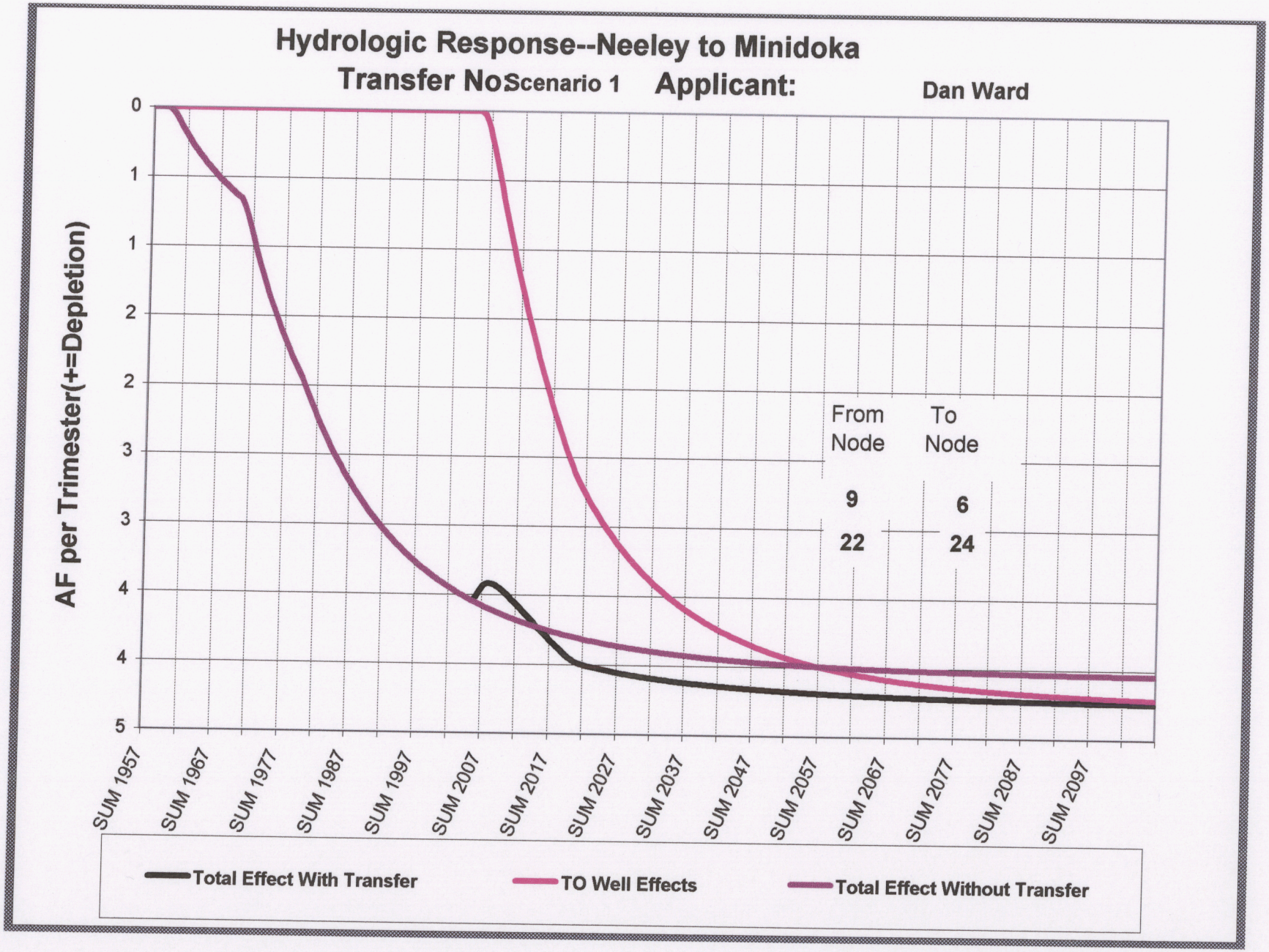
| | |
|---|---|
| other Fraction: | 0.00 |
| Fraction: | 0.00 |
| Phillips Fraction: | 19.03 |
| Pumped Fraction: | varies |
| scale factor: | 0.33 |

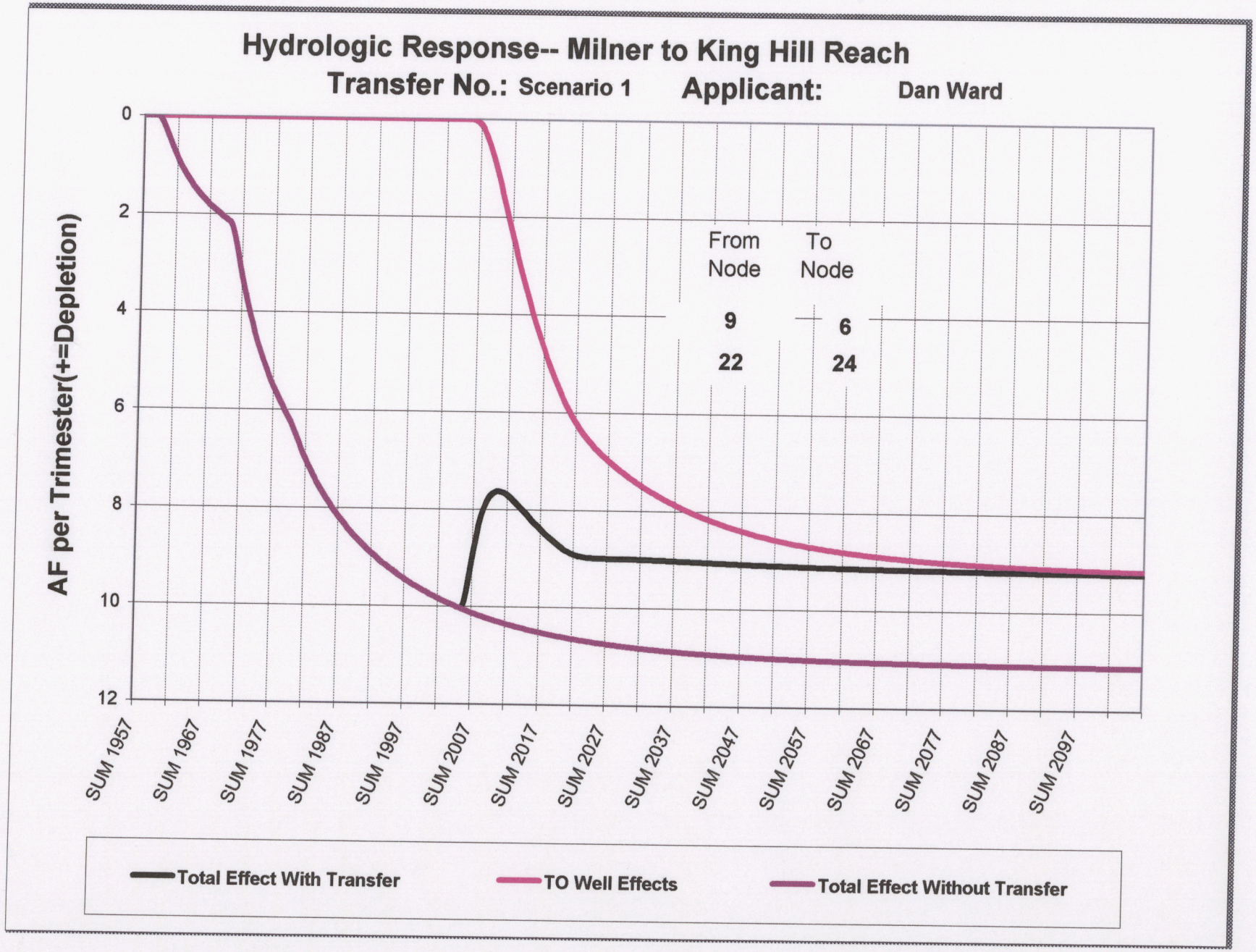
| TRIMESTER OF ACTIVITY | TO WELL Projected Use AF/TRIMESTER | FROM1 WELL With Transfer AF/TRIMESTER | FROM1 WELL Without Transfer AF/TRIMESTER | FROM2 WELL With Transfer AF/TRIMESTER | FROM2 WELL Without Transfer AF/TRIMESTER | FROM3 WELL With Transfer AF/TRIMESTER | FROM3 WELL Without Transfer AF/TRIMESTER |
|---|---|---|---|---|---|---|---|
| SUM 1957 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1957 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1958 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1958 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1958 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1959 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1959 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1959 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1960 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1960 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1960 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1961 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1961 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1961 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1962 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1962 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1962 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1963 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1963 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1963 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1964 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1964 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1964 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1965 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1965 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1965 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1966 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1966 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1966 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1967 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1967 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1967 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1968 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1968 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1968 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1969 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1969 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1969 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |

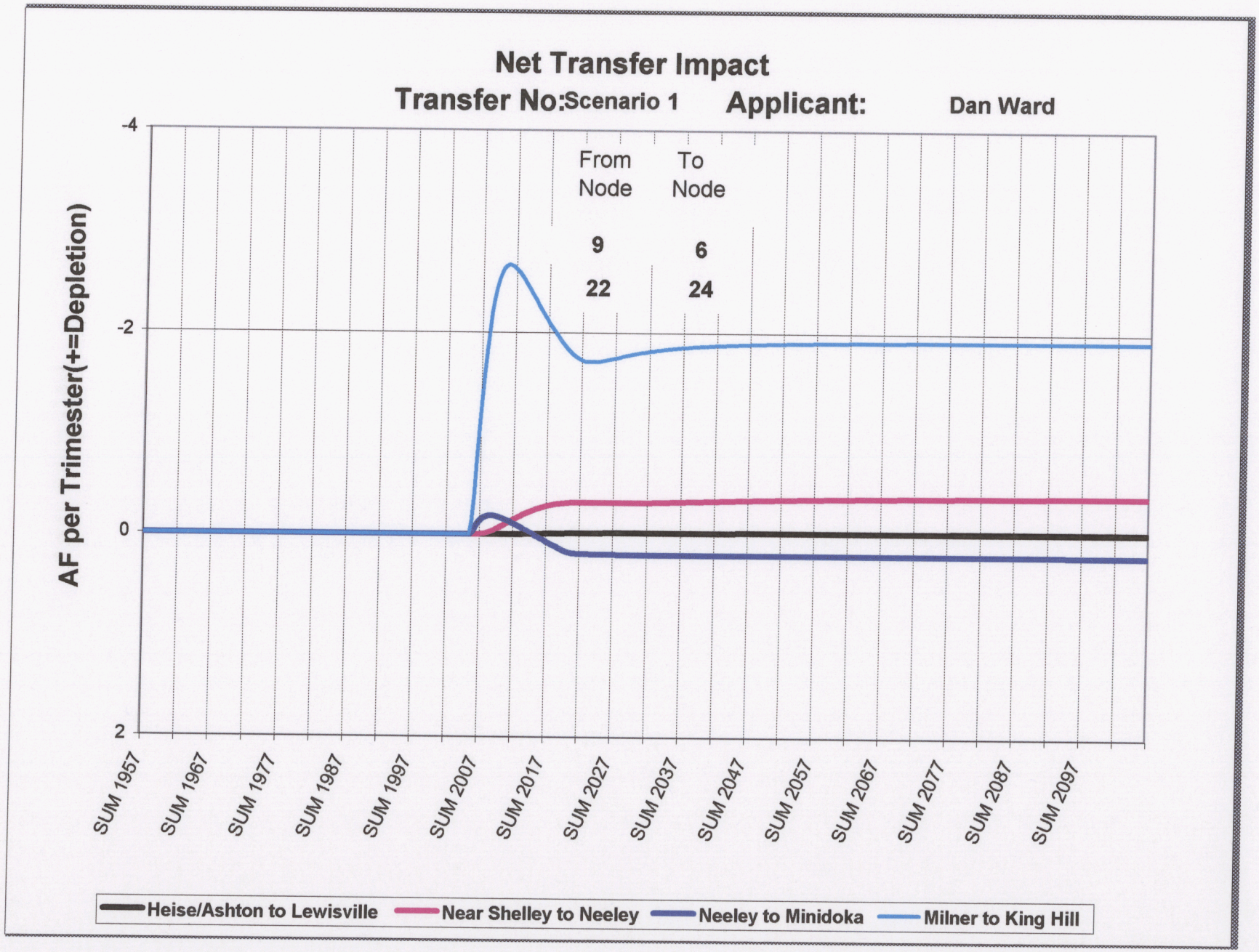
| TRIMESTER OF ACTIVITY | TO WELL Projected Use AF/TRIMESTER | FROM1 WELL With Transfer AF/TRIMESTER | FROM1 WELL Without Transfer AF/TRIMESTER | FROM2 WELL With Transfer AF/TRIMESTER | FROM2 WELL Without Transfer AF/TRIMESTER | FROM3 WELL With Transfer AF/TRIMESTER | FROM3 WELL Without Transfer AF/TRIMESTER |
|---|---|---|---|---|---|---|---|
| SPR 1970 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1970 | 0.00 | 6.19 | 6.19 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1970 | 0.00 | 15.46 | 15.46 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1971 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1971 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1971 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1972 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1972 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1972 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1973 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1973 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1973 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1974 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1974 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1974 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1975 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1975 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1975 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1976 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1976 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1976 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1977 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1977 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1977 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1978 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1978 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1978 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1979 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1979 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1979 | 0.00 | 16.75 | 16.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1980 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1980 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1980 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1981 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1981 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1981 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1982 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1982 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1982 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1983 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1983 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1983 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1984 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1984 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1984 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1985 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1985 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1985 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1986 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1986 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1986 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1987 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1987 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1987 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1988 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1988 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1988 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1989 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1989 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1989 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1990 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1990 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1990 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1991 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1991 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1991 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1992 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |

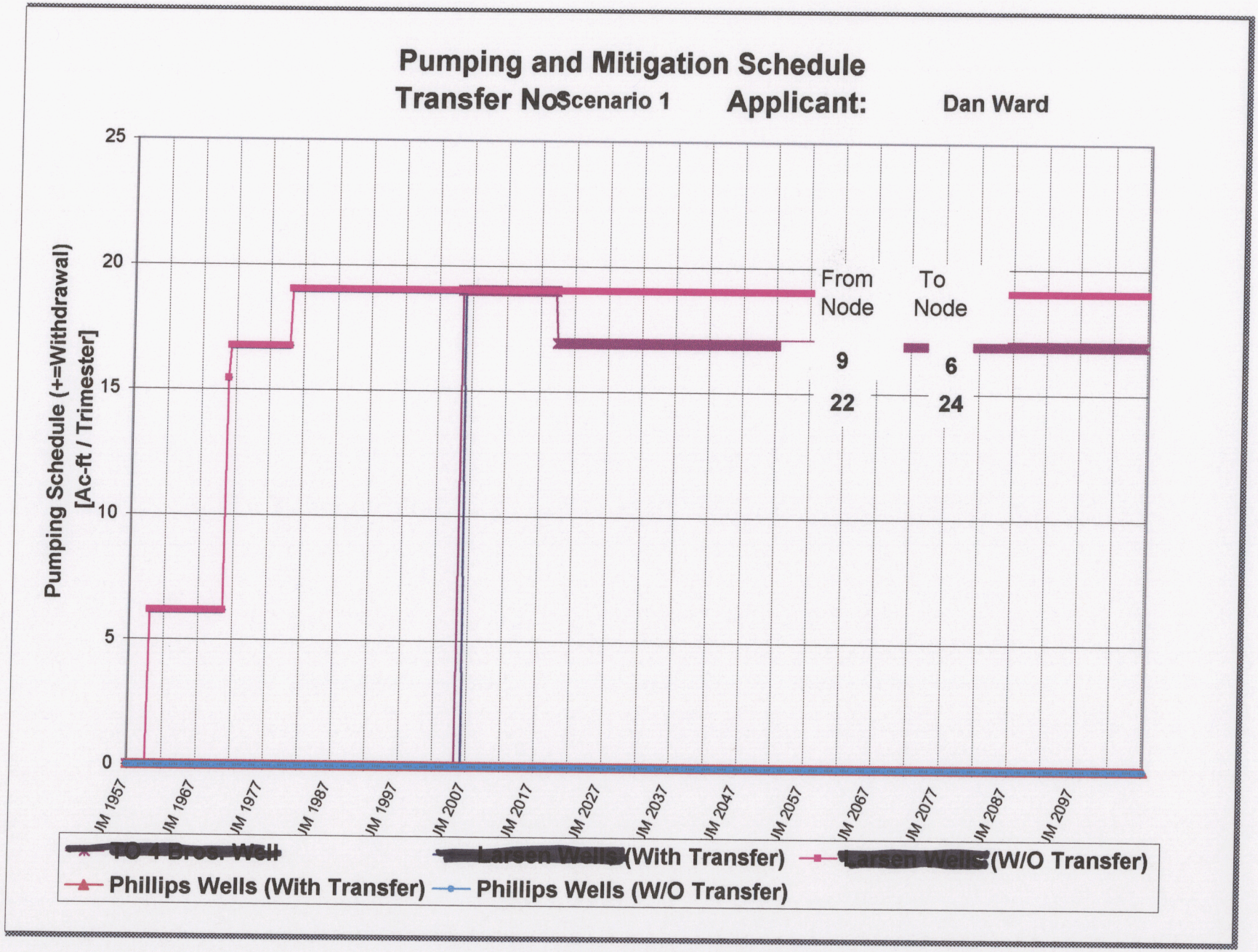
| TRIMESTER OF ACTIVITY | TO WELL Projected Use AF/TRIMESTER | FROM1 WELL With Transfer AF/TRIMESTER | FROM1 WELL Without Transfer AF/TRIMESTER | FROM2 WELL With Transfer AF/TRIMESTER | FROM2 WELL Without Transfer AF/TRIMESTER | FROM3 WELL With Transfer AF/TRIMESTER | FROM3 WELL Without Transfer AF/TRIMESTER |
|---|---|---|---|---|---|---|---|
| SUM 1992 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1992 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1993 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1993 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1993 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1994 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1994 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1994 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1995 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1995 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1995 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1996 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1996 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1996 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1997 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1997 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1997 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1998 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1998 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1998 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 1999 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 1999 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 1999 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2000 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2000 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2000 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2001 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2001 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2001 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2002 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2002 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2002 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2003 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2003 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2003 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2004 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2004 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2004 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2005 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2005 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2005 | 0.00 | 19.03 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2006 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2006 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2006 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2007 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2007 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2007 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2008 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2008 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2008 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2009 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2009 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2009 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2010 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2010 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2010 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2011 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2011 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2011 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2012 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2012 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2012 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2013 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2013 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2013 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2014 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2014 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2014 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2015 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |

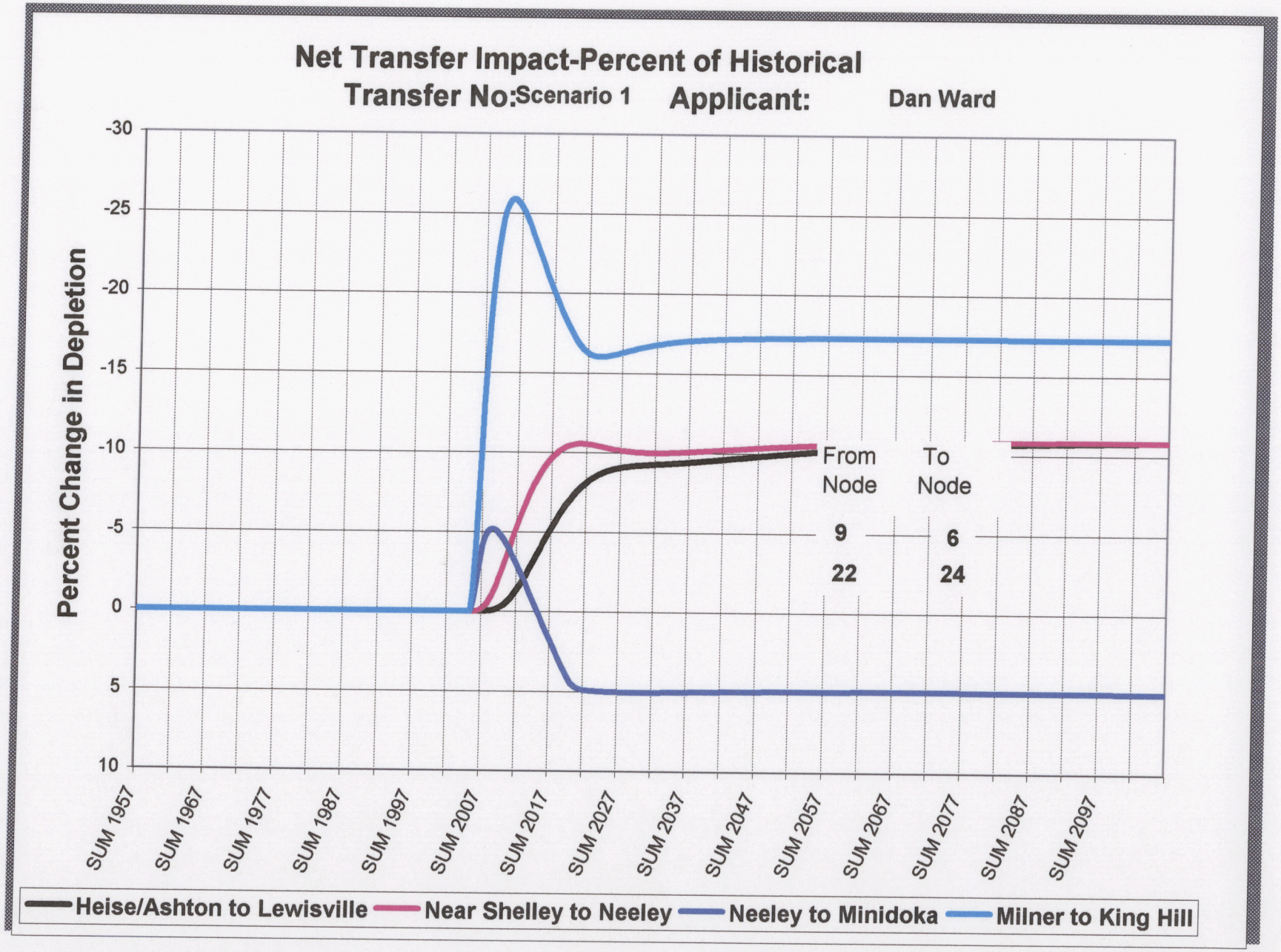
| TRIMESTER OF ACTIVITY | TO WELL Projected Use AF/TRIMESTER | FROM1 WELL With Transfer AF/TRIMESTER | FROM1 WELL Without Transfer AF/TRIMESTER | FROM2 WELL With Transfer AF/TRIMESTER | FROM2 WELL Without Transfer AF/TRIMESTER | FROM3 WELL With Transfer AF/TRIMESTER | FROM3 WELL Without Transfer AF/TRIMESTER |
|---|---|---|---|---|---|---|---|
| SUM 2015 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2015 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2016 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2016 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2016 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2017 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2017 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2017 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2018 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2018 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2018 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2019 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2019 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2019 | 19.03 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2020 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2020 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2020 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2021 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2021 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2021 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2022 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2022 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2022 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2023 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2023 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2023 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2024 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2024 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2024 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2025 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2025 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2025 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2026 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2026 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2026 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2027 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2027 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2027 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2028 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2028 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2028 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2029 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2029 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2029 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2030 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2030 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2030 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2031 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2031 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2031 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2032 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2032 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2032 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2033 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2033 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2033 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2034 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2034 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2034 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2035 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2035 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2035 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2036 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2036 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2036 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2037 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SUM 2037 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| WIN 2037 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |
| SPR 2038 | 16.94 | 0.00 | 19.03 | 0.00 | 0.00 | 0.00 | 0.00 |

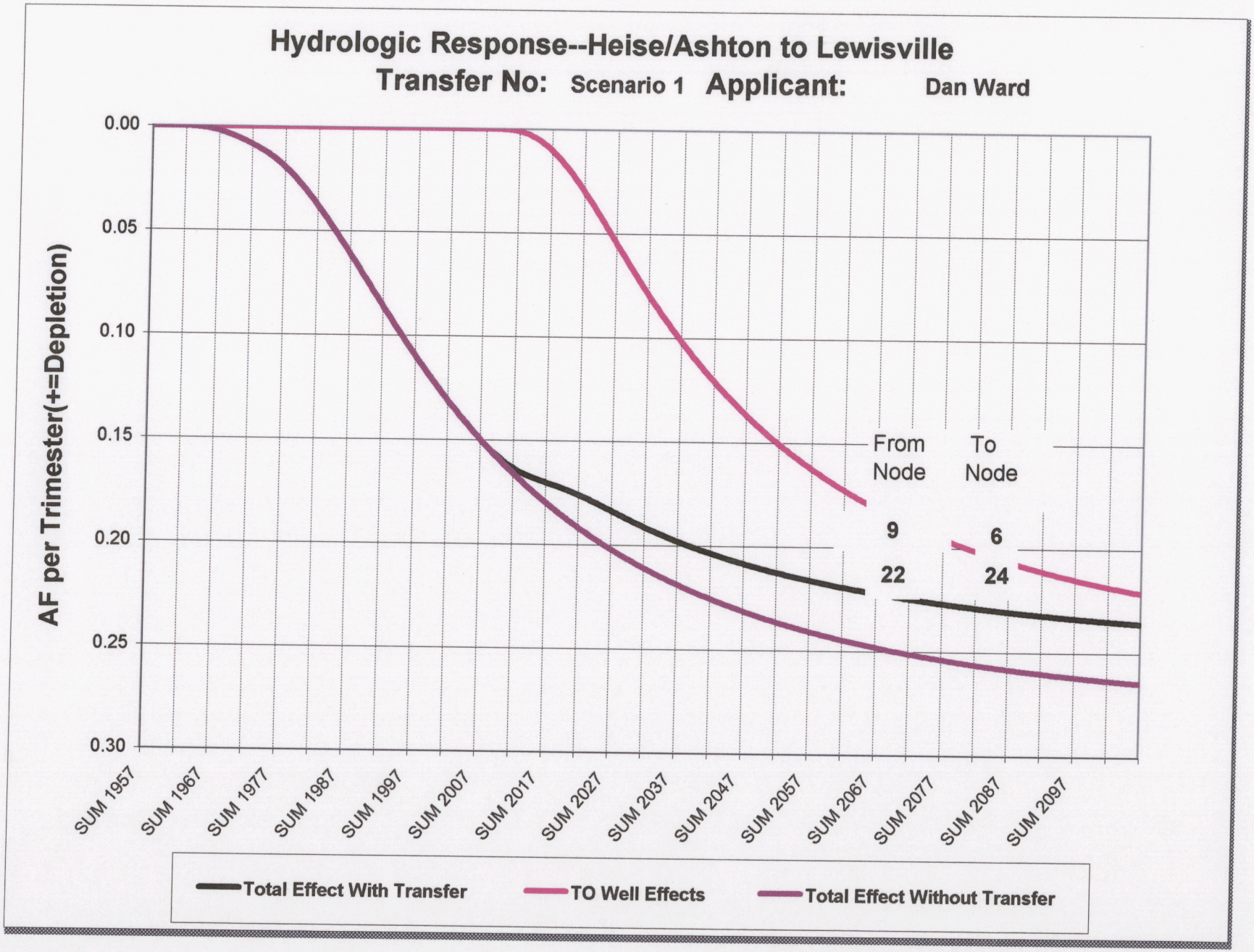

Hydrologic Response--Neeley to Minidoka
Transfer No Scenario 1 Applicant: Dan Ward
AF per Trimester(+=Depletion)
0
1
1
2
2
3
3
4
4
5
From Node
To Node
9
6
22
24
SUM 1957
SUM 1967
SUM 1977
SUM 1987
SUM 1997
SUM 2007
SUM 2017
SUM 2027
SUM 2037
SUM 2047
SUM 2057
SUM 2067
SUM 2077
SUM 2087
SUM 2097
Total Effect With Transfer
TO Well Effects
Total Effect Without Transfer

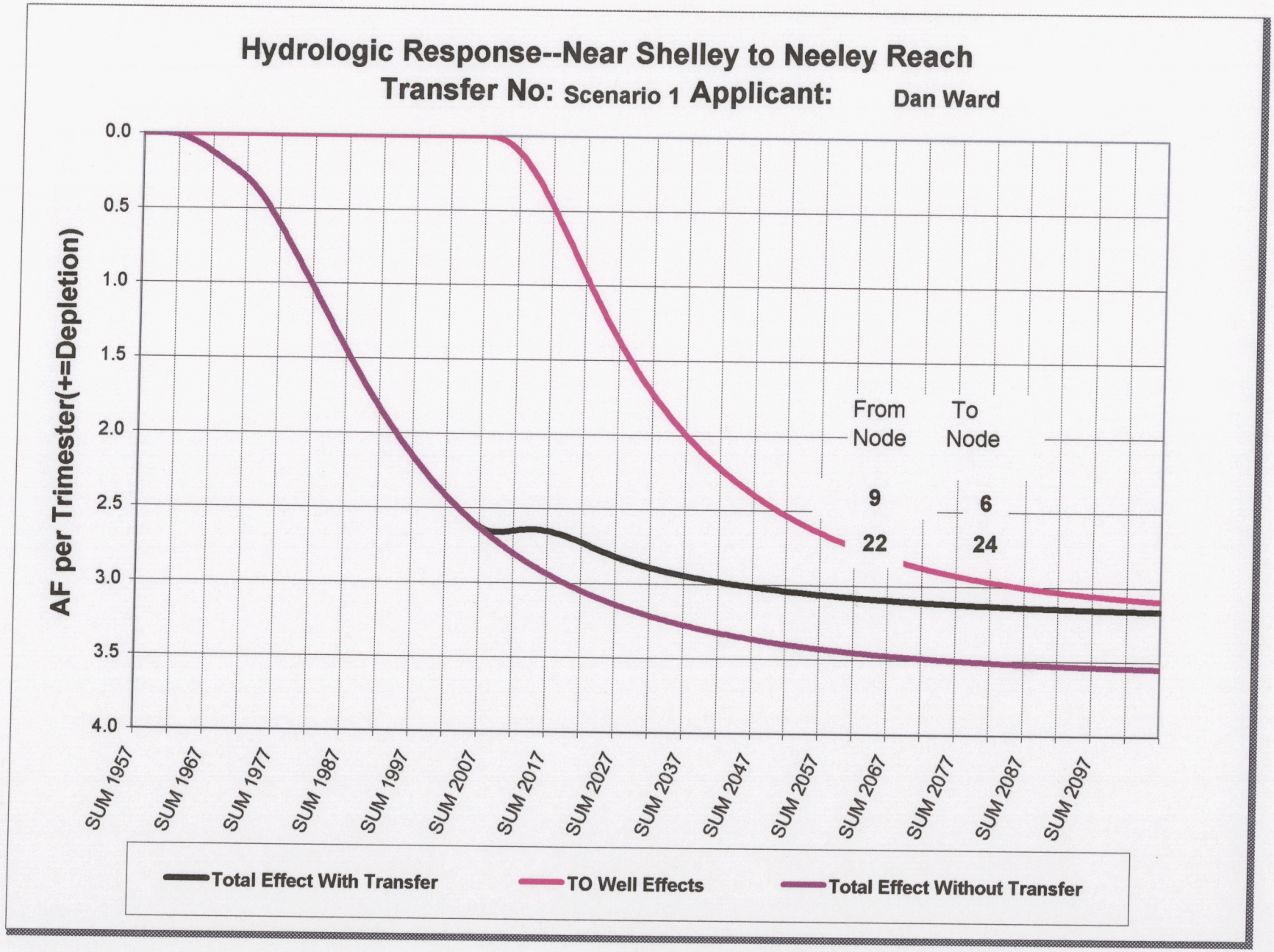

Hydrologic Response-- Milner to King Hill Reach
Transfer No.: Scenario 1
Applicant: Dan Ward
AF per Trimester(+=Depletion)
0
2
4
6
8
10
12
From Node
To Node
9
6
22
24
SUM 1957
SUM 1967
SUM 1977
SUM 1987
SUM 1997
SUM 2007
SUM 2017
SUM 2027
SUM 2037
SUM 2047
SUM 2057
SUM 2067
SUM 2077
SUM 2087
SUM 2097
Total Effect With Transfer
TO Well Effects
Total Effect Without Transfer


Net Transfer Impact
Transfer No:Scenario 1
Applicant:
Dan Ward
From Node
To Node
9
6
22
24
AF per Trimester(+=Depletion)
-4
-2
0
2
SUM 1957
SUM 1967
SUM 1977
SUM 1987
SUM 1997
SUM 2007
SUM 2017
SUM 2027
SUM 2037
SUM 2047
SUM 2057
SUM 2067
SUM 2077
SUM 2087
SUM 2097
Heise/Ashton to Lewisville
Near Shelley to Neeley
Neeley to Minidoka
Milner to King Hill


Pumping and Mitigation Schedule
Transfer No: Scenario 1 Applicant: Dan Ward
Pumping Schedule (+=Withdrawal)
[Ac-ft / Trimester]
25
20
15
10
5
0
From Node
To Node
9
6
22
24
JM 1957
JM 1967
JM 1977
JM 1987
JM 1997
JM 2007
JM 2017
JM 2027
JM 2037
JM 2047
JM 2057
JM 2067
JM 2077
JM 2087
JM 2097
[redacted] (With Transfer)
[redacted] (W/O Transfer)
Phillips Wells (With Transfer)
Phillips Wells (W/O Transfer)


Net Transfer Impact-Percent of Historical
Transfer No:Scenario 1
Applicant:
Dan Ward
Percent Change in Depletion
-30
-25
-20
-15
-10
-5
0
5
10
SUM 1957
SUM 1967
SUM 1977
SUM 1987
SUM 1997
SUM 2007
SUM 2017
SUM 2027
SUM 2037
SUM 2047
SUM 2057
SUM 2067
SUM 2077
SUM 2087
SUM 2097
From Node
To Node
9
6
22
24
Heise/Ashton to Lewisville
Near Shelley to Neeley
Neeley to Minidoka
Milner to King Hill


Hydrologic Response--Heise/Ashton to Lewisville
Transfer No: Scenario 1 Applicant: Dan Ward
AF per Trimester(+=Depletion)
0.00
0.05
0.10
0.15
0.20
0.25
0.30
From Node
To Node
9
6
22
24
SUM 1957
SUM 1967
SUM 1977
SUM 1987
SUM 1997
SUM 2007
SUM 2017
SUM 2027
SUM 2037
SUM 2047
SUM 2057
SUM 2067
SUM 2077
SUM 2087
SUM 2097
Total Effect With Transfer
TO Well Effects
Total Effect Without Transfer


Hydrologic Response--Near Shelley to Neeley Reach
Transfer No: Scenario 1 Applicant: Dan Ward
AF per Trimester(+=Depletion)
0.0
0.5
1.0
1.5
2.0
2.5
3.0
3.5
4.0
From Node
To Node
9
6
22
24
SUM 1957
SUM 1967
SUM 1977
SUM 1987
SUM 1997
SUM 2007
SUM 2017
SUM 2027
SUM 2037
SUM 2047
SUM 2057
SUM 2067
SUM 2077
SUM 2087
SUM 2097
Total Effect With Transfer
TO Well Effects
Total Effect Without Transfer

FSA-578 (02-01-91)

# REPORT OF ACREAGE

## FARM SUMMARY

PROGRAM YEAR 2003

DATE: 04-19-2005

FARM NUMBER: 2719

Operator Name and Address ID

JIMMIE D TUCKNESS 9680
1251 W 300 N
PAUL, ID 83347-8649

Original: _____

Revision: _____

Cropland: 591.3

Farmland: 730.0

NOTE: The authority for collecting the following information is Pub.L 107-76. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

| Producer Name | ID | Crop | Share | Crop | Share |
|---|---|---|---|---|---|
| JIMMIE D TUCKNESS | 9680 | SBEET | 1.0000 | BARLY | 1.0000 |
| VERNON C PHILLIPS | 0868 | FALOW | 1.0000 | | |

| Crop | Type | Prac | IU | Reported | Determined | Crop | Type | Prac | IU | Reported | Determined | Crop | Type | Prac | IU | Reported | Determined |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| BARLY | SPR | I | GR | 85.0 | | FALOW | | I | | 314.3 | | OFAV | | N | | .0 | |
| SBEET | | I | PR | 190.0 | | | | | | | | | | | | | |

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature | Date

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

Tract Number

2351

| Crop Type | Prac | IU | Non-Irrig | Irrigated | Crop Type | Prac | IU | Non-Irrig | Irrigated | Crop Type | Prac | IU | Non-Irrig | Irrigated |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| BARLY SPR | I | GR | | 85.0 | FALOW | I | | | 314.3 | SBEET | I | PR | | 190.0 |

Photo Number/Legal Description: A8&A9/24&25-8-21;30-8-22

Cropland: 591.3 Reported: 589.3 Difference: -2.0 Reported D,S,R: .0

MINIDOKA, IDAHO

FSA-578 (02-01-91)

# REPORT OF ACREAGE

## FARM AND TRACT DETAIL LISTING

PROGRAM YEAR 2003

DATE: 04-19-2005

FARM NUMBER: 2719

Operator Name and Address ID

JIMMIE D TUCKNESS 9680
1251 W 300 N
PAUL, ID 83347-8649

Original: _____

Revision: _____

Cropland: 591.3

Farmland: 730.0

| Tract Number | Field Num ID | Irr Prc | Crop | Var/ Type | Int Use | Lnd Use | Reported Acreage | Determined Acreage | O/ M | Crop Stat | Prod Share | Prod ID | RMA Unit | Opt Unit |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 0 | | Ni | OFAV | | | F FAV | .00 | | | | 1.0000 | 9680 | | |

Crop Type Prac IU Non-Irrig Irrigated
OFAV N .0

Photo Number/Legal Description: None

Cropland: .0 Reported: .0 Difference: .0 Reported D,S,R: .0

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2351 | 1 | Ir | FALOW | | | | 12.50 | | | I | 1.0000 | 0868 |
| | 2 | Ir | FALOW | | | | 37.00 | | | I | 1.0000 | 0868 |
| | 3 | Ir | FALOW | | | | 5.90 | | | I | 1.0000 | 0868 |
| | 4 | Ir | FALOW | | | | 6.20 | | | I | 1.0000 | 0868 |
| | 5 | Ir | SBEET | | Proces | | 37.60 | | | I | 1.0000 | 9680 |
| | 6 | Ir | SBEET | | Proces | | 13.80 | | | I | 1.0000 | 9680 |
| | 7A | Ir | BARLY | SPR | Grain | | 36.10 | | | I | 1.0000 | 9680 |
| | 7B | Ir | FALOW | | | | 27.30 | | | I | 1.0000 | 0868 |
| | 7C | Ir | SBEET | | Proces | | 53.60 | | | I | 1.0000 | 9680 |
| | 8 | Ir | FALOW | | | | 8.40 | | | I | 1.0000 | 0868 |
| | 9 | Ir | FALOW | | | | 31.20 | | | I | 1.0000 | 0868 |
| | 10 | Ir | FALOW | | | | 33.80 | | | I | 1.0000 | 0868 |
| | 11 | Ir | FALOW | | | | 33.60 | | | I | 1.0000 | 0868 |
| | 12 | Ir | FALOW | | | | 24.30 | | | I | 1.0000 | 0868 |
| | 13 | Ir | FALOW | | | | 12.90 | | | I | 1.0000 | 0868 |
| | 14 | Ir | FALOW | | | | 14.40 | | | I | 1.0000 | 0868 |
| | 15 | Ir | FALOW | | | | 17.70 | | | I | 1.0000 | 0868 |
| | 16 | Ir | FALOW | | | | 9.00 | | | I | 1.0000 | 0868 |
| | 17 | Ir | FALOW | | | | 19.10 | | | I | 1.0000 | 0868 |
| | 18 | Ir | FALOW | | | | 20.00 | | | I | 1.0000 | 0868 |
| | 19 | Ir | BARLY | SPR | Grain | | 48.90 | | | I | 1.0000 | 9680 |
| | 20 | Ir | FALOW | | | | 1.00 | | | I | 1.0000 | 0868 |
| | 21 | Ir | SBEET | | Proces | | 85.00 | | | I | 1.0000 | 9680 |

# WARRANTY DEED

#39944 MC

476329

For Value Received

**CAROL A. JENSEN FAMILY TRUST, dated November 10,1993**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

RECEIVED

**DAN WARD and KARLA WARD, husband and wife**
**Address:** 227 East 400 South Burley, ID 83318

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

**SEE ATTACHED EXHIBIT "A"**

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.**

**SUBJECT TO:**

**All reservations in patents or deeds in the chain of title.**

**Taxes subsequent to the year 2004, a lien, but not yet due or payable.**

**Assessments of the Minidoka Irrigation District and the rights and powers of said District as by law provided.**

**Restrictions in Warranty Deed, dated November 3, 1964, executed by Roy D. LaRue and Daisy M. Larue, husband and wife, and Murphy Nealis and Jodie Nealis, husband and wife, to the State of Idaho, recorded December 23, 1964 a Instrument No. 175041, Minidoka County records, which recites inter alia: No buildings or structures, except irrigation or drainage structures will be permitted to be constructed within 20 feet of the property deeded to the State; no billboards or other advertising signs will be permitted closer than 100 feet from the property deeded to the State, excepting signs pertaining to business established on lands adjacent to the described real property; AND RELINQUISHING all existing, future or potential common law or statutory easements of access between the right of way of the public way identified as I-80N-3 (7) 199, and all the contiguous remaining real property of the Grantors whether acquired by separate conveyances or otherwise, of which the real property covered by this instrument is a part, where said remaining real property abuts on the Northerly side of said public way.**

**Minidoka County Planning & Zoning Department Commercial Livestock Confinement Operation Permit, dated October 18, 1993 and recorded November 5, 1993 as Instrument No. 409459, records of Minidoka County, Idaho.**

**Request To Remove Waterway executed by Blincoe Farms, Inc., dated November 13, 2000 and recorded December 13, 2000 as Instrument No. 450718, records of Minidoka County, Idaho.**

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumberances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 18, 2005

CAROL A. JENSEN FAMILY TRUST,
dated November 10,1993

BY: Carol A. Palmer
CAROL A. PALMER, Trustee

STATE OF IDAHO )
) ss.
COUNTY OF CASSIA )

On this 18th day of January, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared CAROL A. PALMER, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the CAROL A. JENSEN FAMILY TRUST, and acknowledged to me that she executed the same as such Trustee.

Terri McBride
Notary Public
State of Idaho

Notary Public
Residing at: Rupert
My Commission expires: 2-5-08

# EXHIBIT "A"

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 12: E½NE¼, SAVE AND EXCEPT the following described tracts:

Tract No. 1:

A parcel of land being on both sides of the centerline of Interstate 80N, Project No. I-80N-3 (7) 199 Highway Survey as shown on the plans thereof now on file in the office of the Department of Highways of the State of Idaho, and being a portion of the SE¼NE¼ of said Section 12, and being described more particularly as follows:

Beginning at the E¼ corner of said Section 12, that bears South 0°13'06" West 11.44 feet from Station 636+35.43 of said Interstate 80N, Project I-80N-3 (7) 199 Highway Survey;
Thence North 0°05'54" West along the East line of said Section 12 for 111.44 feet to a point in a line parallel with and 100.0 feet Northerly from the centerline and opposite Station 636+34.81 of said Highway Survey;
Thence North 89°46'54" West along said parallel line 1315.92 feet to a point in the West line of the SE¼NE¼ of said Section 12 opposite Station 623+18.89 of said Highway Survey;
Thence South 0°06'54" East along said West line 105.60 feet to the Southwest corner of said SE¼NE¼ that bears South 0°13'06" West 5.60 feet from Station 623+19.50 of said Highway Survey;
Thence South 89°31'39" East along the South line of said SE¼NE¼ for 1315.93 feet to the Point of Beginning.

Tract No. 2:

Beginning at the Northeast corner of said Section 12; thence South along the East section line of said Section 12 for 1952.66 feet to a point, which point shall be known as the True Point of Beginning;
Thence South along said East section line for 576.76 feet to a point on the North right of way line of Interstate 80N;
Thence South 89°26'30" West along said North right of way line for 321.43 feet;
Thence North 0°36'56" East for 463.68 feet;
Thence South 88°28'56" East for 83.14 feet;
Thence North 1°35'09" East for 112.14 feet;
Thence East for 230.46 feet to the True Point of Beginning.

**Instrument # 476329**
MINIDOKA COUNTY, RUPERT, IDAHO
2005-01-18 02:42:12 No. of Pages: 3
Recorded for : RUPERT LAND TITLE
DUANE SMITH Fee: 9.00
Ex-Officio Recorder Deputy

# IDAHO WATER COMPANY LLC
## AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT

**THIS AGREEMENT** is made and entered into this 1/27/05 by and between Del Kohtz Idaho Water Company (hereinafter 'Seller") and Dan Ward hereinafter ("Buyer"). The seller, Del Kohtz discloses that he is a licensed real estate agent acting herein as principal for his own account and not representing or acting as an agent for the buyer.

**TERMS AND CONDITIONS**

1. The Sellers, in consideration of the terms contained herein, do hereby contract and agree to sell and convey to the Buyers and the Buyer does hereby agree to buy from the Sellers _____ acre feet/anum consumptive of Idaho Water Right 36-16111, 36-16112 # 36-16115 # 36-16123 and the water appurtenant thereto, for $_____ per acre foot consumptive or 0 per acre. 22 acres of water are included in this agreement. No land is included in this agreement

2. The total purchase price shall be $ _____ The entire purchase price shall be paid on the closing date described in paragraph 5 below, ~~less 15%~~ finders fee and down payment paid at signing. Payment of $ NA paid at signing. NA DK

3. This Agreement for Purchase and Sale of said license is contingent upon and subject to approval of the application for transfer by the Department of Water Resources. If the application is not approved, this Agreement shall become null and void.

4. The closing of this transaction and delivery of the executed Assignment to Buyer and the entire purchase price for each contract to Seller shall take place at the law offices of Ling, and Robinson, 615 H Street, Rupert, Idaho, within thirty days of Buyers receipt of approval from the Department of the application for transfer. The Buyers shall be given possession and use of the water right and the water appurtenant thereto, upon closing.

6. This transfer will remain in the name of Idaho Water Co. until the contract is closed and payed for by the buyer. The buyers place of use and point of diversion will be used for the transfer. When the contract is closed the change of ownership form signed by Idaho Water Co.at the signing of this contract will be turned over to the buyer. The change of ownership will be held in escrow until the closing.

7. In the event of any suit proceeding by either party against the other party, in any way arising out of this agreement, the prevailing party shall be awarded their reasonable attorney fees and costs.

8. Each party agrees to pay one-half of any costs incurred in executing this document. These costs shall not be more than $150.00 each.

9. This agreement shall be binding upon and shall inure to the benefit of the heirs, personal representatives, administrators, successors and assigns to the parties hereto.

10. Buyer understands that if Kohtz is not at fault for the failure of his transfer due to protests or other factors beyond Kohtz' control, Kohtz shall charge an hourly fee of $50.00 for the preparation and presentation of the application for transfer. This includes travel time and attendance of hearings on buyer's behalf. These monies will come out of the finder's fee charged at signing. If transfer is accomplished no hourly fee will be charged. If Kohtz fails to accomplish the desired transfer with this or other water rights the upfront money will be refunded. Buyer understands consultant fees for calculation of mitigation, and attorney fees in the case of protests and hearings on their water transfer are to be paid by the Buyer.

11. Del Kohtz has my permission to make needed changes to the Water transfer application that is the result of this contract to facilitate the process of transferring the water. The changes made will not materially change the amount of money buyer has to pay, or the amount of water buyer receives.

12. Kohtz (Idaho Water Company) has no control over the amount of mitigation or writedown IDWR will require of Buyers particular transfer therefore the amount Buyer pays is based on the amount of water transferred out of the original Water Right.

**OTHER PROVISIONS**

_____

_____

_____

**IN WITNESS WHEREOF** the parties have caused their names to be suscribed on the dates set forth above.

**SELLERS**

Idaho Water Co.

**BUYERS**

Dan Ward