

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71542

This is to certify that: W DOUGLAS PHILLIPS
 ESTATE OF SYBIL O & WILLIAM P PHILLIPS
 904 N 1200 W
 BLACKFOOT ID 83221
 (208)684-3236

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-4214	WR/Decreed	06/01/1960	0.59 cfs	N/A	N/A	398.0	GROUND WATER
35-2265	WR/Decreed	10/09/1952	6.00 cfs	N/A	354.0	398.0	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>
35-4214	NO	NO	YES	NO	NO	NO
35-2265	NO	NO	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>
35-4214	35-4214	0.59 cfs	250 af	N/A	398.0		N/A	N/A	N/A	N/A
35-2265	35-2265	6.00 cfs	1416 af	354.0	398.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		6.00 cfs	1592 af	398.0	398.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of December, 2004


 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 35-2265

WATER RIGHT NO. 35-2265
As Modified by Transfer No. 71542

In accordance with the approval of Transfer No. 71542, Water Right No. 35-2265 is now described as follows.

Right Holder: W DOUGLAS PHILLIPS
 ESTATE OF SYBIL O & WILLIAM P PHILLIPS
 904 N 1200 W
 BLACKFOOT ID 83221

Priority Date: October 09, 1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	6.00 CFS	1,416.0 AF
		6.00 CFS	1,416.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNE Sec. 13 Twp 01S Rge 33E BINGHAM 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	
01S 33E 13	24.0	10.0			39.0	32.0	39.0	40.0	40.0	14.0	14.0	38.0	17.0	40.0	38.0	13.0	398.0

Total Acres: 398

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 354 acres within the place of use described above in a single irrigation season.
2. Rights 35-2265 and 35-4214 when combined shall not exceed a total diversion rate of 6.0 cfs, a total annual maximum diversion volume of 1592 af at the field headgate, and the irrigation of 398 acres.
3. Prior to the diversion and use of water under Transfer approval 71542, the right holder shall install and maintain acceptable measuring device, including data logger, at the authorized point of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.

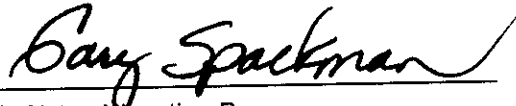
WATER RIGHT NO. 35-2265
As Modified by Transfer No. 71542

CONDITIONS OF APPROVAL

6. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
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.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Right 35-04214 is also diverted through the point of diversion described above.

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 1st day of December, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-4214
As Modified by Transfer No. 71542

In accordance with the approval of Transfer No. 71542, Water Right No. 35-4214 is now described as follows.

Right Holder: W DOUGLAS PHILLIPS
 ESTATE OF SYBIL O & WILLIAM P PHILLIPS
 904 N 1200 W
 BLACKFOOT ID 83221

Priority Date: June 01, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.59 CFS	250.0 AF
		0.59 CFS	250.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNE Sec. 13 Twp 01S Rge 33E BINGHAM 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	
01S 33E 13	24.0	10.0			39.0	32.0	39.0	40.0	40.0	14.0	14.0	38.0	17.0	40.0	38.0	13.0	398.0

Total Acres: 398

CONDITIONS OF APPROVAL

1. Rights 35-2265 and 35-4214 when combined shall not exceed a total diversion rate of 6.0 cfs, a total annual maximum diversion volume of 1592 af at the field headgate, and the irrigation of 398 acres.
2. Prior to the diversion and use of water under Transfer approval 71542, the right holder shall install and maintain acceptable measuring device, including data logger, at the authorized point of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
5. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

WATER RIGHT NO. 35-4214
As Modified by Transfer No. 71542

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. 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.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Right 35-02265 is also diverted through the point(s) of diversion described above.

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 1st day of December, 20 04


Chief, Water Allocation Bureau