

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70599

This is to certify that: CAROL J WOODBURY And
LYLE D WOODBURY
152 N YALE RD
DECLO ID 83323
(208)349-5591

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>
43-7122A	WR/License	06/20/1978	3.21 cfs	N/A	255.9	360.3	GROUND WATER
43-2335	AJC/License	04/08/1949	4.00 cfs	1132.0 af	283.0	360.3	GROUND WATER
43-2434	AJC/License	12/13/1955	5.36 cfs	1214.8 af	303.7	397.8	GROUND WATER

Associated Water Rights Also Included In Transfer Approval (Update Conditions)

43-7122B	WR/License	06/20/1978	1.66 cfs	N/A	94.1	217.3	GROUND WATER
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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>
43-7122A	NO	NO	YES	YES	NO	NO
43-2335	NO	NO	YES	YES	NO	NO
43-2434	YES	NO	YES	YES	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>
43-7122A	43-7122A	3.21 cfs	309.2 af	255.9	561.0		N/A	N/A	N/A	N/A
43-2335	43-2335	4.00 cfs	1132.0 af	283.0	561.0		N/A	N/A	N/A	N/A
43-2434	43-13350	3.19 cfs	722.0 af	180.5	561.0	43-13349	2.17 cfs	492.8 af	123.2	217.3
COMBINED TOTALS		10.40 cfs	2163.2 af	540.8	561.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of May, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2335
As Modified by Transfer No. 70599

In accordance with the approval of Transfer No. 70599, Water Right No. 43-2335 is now described as follows.

Right Holder: CAROL J WOODBURY And
 LYLE D WOODBURY
 152 N YALE RD
 DECLO ID 83323

Priority Date: April 08, 1949

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	4.00 CFS	1,132.0 AF
			4.00 CFS	1,132.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 7 Twp 10S Rge 28E CASSIA County

GROUND WATER SENESW Sec. 18 Twp 10S Rge 28E CASSIA County

GROUND WATER L1 (SWNWNW) Sec. 19 Twp 10S Rge 28E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	13															11.0	39.0	50.0
10S	27E	24	38.0	24.0			17.0												79.0
10S	28E	7									16.0	46.0	29.0	33.0	2.0	26.0			152.0
10S	28E	18		24.0	9.0		35.0	38.0	11.0	39.0	23.0	44.0	36.0	3.0					262.0
10S	28E	19						18.0	L 2			L 3	L 4						18.0
								L 1											

Total Acres: 561

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 283 acres within the place of use described above in a single irrigation season.
2. Rights 43-2335 & 43-7122A when combined shall not exceed the irrigation of 360.3 acres in a single irrigation season.
3. The total instantaneous diversion of water from all points of diversion under Rights 43-2335, 43-7122A and 43-13350 shall not exceed 10.40 cfs, nor a total combined annual volume of 2163.2 af at the field headgate, for the irrigation of 540.8 acres.
4. Rights 43-2335, 43-13349, 43-13350, 43-7122A, 43-7122B, 43-10421, 43-10422 and 43-10423 when combined shall not exceed a total annual maximum diversion volume of 3032.4 af at the field headgate, and the irrigation of 758.1 acres.

WATER RIGHT NO. 43-2335
As Modified by Transfer No. 70599

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. 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.
7. 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.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within two (2) years of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 May, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-7122A
As Modified by Transfer No. 70599

In accordance with the approval of Transfer No. 70599, Water Right No. 43-7122A is now described as follows.

Right Holder: LYLE D WOODBURY And
 CAROL J WOODBURY
 152 N YALE RD
 DECLO ID 83323

Priority Date: June 20, 1978

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	3.21 CFS	309.2 AF
			3.21 CFS	309.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 7 Twp 10S Rge 28E CASSIA County

GROUND WATER SENESW Sec. 18 Twp 10S Rge 28E CASSIA County

GROUND WATER L1 (SWNWNW) Sec. 19 Twp 10S Rge 28E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	13															11.0	39.0	50.0
10S	27E	24	38.0	24.0			17.0												79.0
10S	28E	7									16.0	46.0	29.0	33.0	2.0	26.0			152.0
											L 3	L 4							
10S	28E	18		24.0	9.0		35.0	38.0	11.0	39.0	23.0	44.0	36.0	3.0					262.0
								L 1	L 2			L 3	L 4						
10S	28E	19						18.0											18.0
								L 1											

Total Acres: 561

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 255.9 acres within the place of use described above in a single irrigation season.
2. Rights 43-2335 and 43-7122A when combined shall not exceed the irrigation of 360.3 acres in a single irrigation season.
3. The total instantaneous diversion of water from all points of diversion under Rights 43-2335, 43-7122A and 43-13350 shall not exceed 10.40 cfs, nor a total combined annual volume of 2163.2 af at the field headgate, for the irrigation of 540.8 acres.
4. Rights 43-2335, 43-13349, 43-13350, 43-7122A, 43-7122B, 43-10421, 43-10422 and 43-10423 when combined shall not exceed a total annual maximum diversion volume of 3032.4 af at the field headgate, and the irrigation of 758.1 acres.

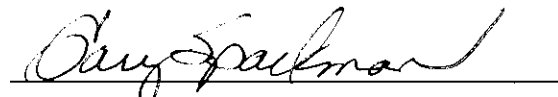
WATER RIGHT NO. 43-7122A
As Modified by Transfer No. 70599

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. 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.
7. 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.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within two (2) years of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 May, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13349
As Modified by Transfer No. 70599

In accordance with the approval of Transfer No. 70599, Water Right No. 43-13349 is now described as follows.

Right Holder: CAROL J WOODBURY And
 LYLE D WOODBURY
 152 N YALE RD
 DECLO ID 83323

Priority Date: December 13, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.17 CFS	492.8 AF
			2.17 CFS	492.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNE Sec. 7 Twp 10S Rge 28E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	28E	7	12.5	23.4	40.0	37.7	4.1				22.7	12.2			26.3	38.4			217.3

Total Acres: 217.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 123.2 acres within the place of use described above in a single irrigation season.
2. Right 43-7122B is also diverted through the point of diversion described above.
3. Use of this right with Right 43-7122B is limited to a total combined annual diversion volume of 869.2 af.
4. Use of this right with Right 43-7122B is limited to the irrigation of a combined total of 217.3 acres in a single irrigation season.
5. Use of the right listed below is limited to the irrigation of a combined total of 758.1 acres in a single irrigation season. Combine Right Nos.: 43-2335, 43-13349, 43-13350, 43-7122A, 43-7122B, 43-10421, 43-10422 & 43-10423.

WATER RIGHT NO. 43-13349
As Modified by Transfer No. 70599

CONDITIONS OF APPROVAL

6. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of this right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
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.

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 May, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13350
As Modified by Transfer No. 70599

In accordance with the approval of Transfer No. 70599, Water Right No. 43-13350 is now described as follows.

Right Holder: LYLE D WOODBURY And
 CAROL J WOODBURY
 152 N YALE RD
 DECLO ID 83323

Priority Date: December 13, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.19 CFS	722.0 AF
			3.19 CFS	722.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 7 Twp 10S Rge 28E CASSIA County

GROUND WATER SENESW Sec. 18 Twp 10S Rge 28E CASSIA County

GROUND WATER L1 (SWNWNW) Sec. 19 Twp 10S Rge 28E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	13															11.0	39.0	50.0
10S	27E	24	38.0	24.0			17.0												79.0
10S	28E	7									16.0	46.0	29.0	33.0	2.0	26.0			152.0
10S	28E	18		24.0	9.0		35.0	38.0	11.0	39.0	23.0	L 3	L 4	3.0					262.0
10S	28E	19						18.0	L 2			L 3	L 4						18.0
								L 1											

Total Acres: 561

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 125.5 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 43-2335, 43-7122A and 43-13350 shall not exceed 10.40 cfs, nor a total combined annual volume of 2163.2 af at the field headgate, for the irrigation of 540.8 acres.
3. Rights 43-2335, 43-13349, 43-13350, 43-7122A, 43-7122B, 43-10421, 43-10422 and 43-10423 when combined shall not exceed a total annual maximum diversion volume of 3032.4 af at the field headgate, and the irrigation of 758.1 acres.
4. 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.

WATER RIGHT NO. 43-13350

As Modified by Transfer No. 70599

CONDITIONS OF APPROVAL

5. 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.
6. 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.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within two (2) years of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 May, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-7122B
As Modified by Transfer No. 70599

In accordance with the approval of Transfer No. 70599, Water Right No. 43-7122B is now described as follows.

Right Holder: CAROL J WOODBURY And
 LYLE D WOODBURY
 152 N YALE RD
 DECLO ID 83323

Priority Date: June 20, 1978

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	1.66 CFS	376.4 AF
			1.66 CFS	376.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNE Sec. 7 Twp 10S Rge 28E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	28E	7	12.5	23.4	40.0	37.7	4.1				22.7	12.2				26.3	38.4		217.3

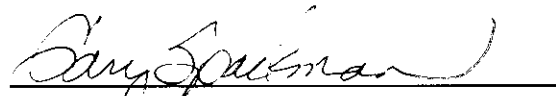
Total Acres: 217.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 94.1 acres within the place of use described above in a single irrigation season.
2. Use of this right with Right 43-13349 is limited to a total combined annual diversion volume of 869.2 af and to the irrigation of a combined total of 217.3 acres in a single irrigation season.
3. This right when combined with Right 43-13349 and all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
4. Right 43-13349 is also diverted through the point of diversion described above.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
6. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.

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 May, 2004


 Chief, Water Allocation Bureau