

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER OF WATER RIGHT  
TRANSFER NO. 70470**

This is to certify that: JOHN R SEYMOUR

2185 CANDLEWOOD AVE

TWIN FALLS ID 83301

(208)732-0542

And/Or

EVELYN LOIS SEYMOUR

2185 CANDLEWOOD AVE

TWIN FALLS ID 83301

(208)732-0542

And/Or

MAGIC VALLEY BANK

PO BOX 489

TWIN FALLS ID 83303-0489

(208)736-2400

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 45-2419B     | AJC/License         | 05/23/1952      | 2.8 cfs     | 926 af        | 401.0             | 479.0              | GROUND WATER  |
| 45-2745      | AJC/License         | 01/30/1957      | 0.32 cfs    | 156.2 af      | 397.0             | 479.0              | GROUND WATER  |
| 45-7005      | AJC/License         | 09/06/1967      | 5 cfs       | 1604 af       | 401.0             | 479.0              | GROUND WATER  |
| 45-13542     | AJC/Beneficial Use  | 03/15/1976      | 1.28 cfs    | 312 af        | 78.0              | 479.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 45-2419B              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-2745               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-7005               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 45-13542              | NO           | NO         | YES        | NO             | NO                   | NO                   |

**Summary of Water Rights After the Approved Change**

| Existing Right  | New No. (changed portion) | Transfer Rate   | Transfer Volume | Acre Limit | Total Acres | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|-----------------|---------------------------|-----------------|-----------------|------------|-------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 45-2419B        | <b>45-2419B</b>           | 2.8 cfs         | 926 af          | 401.0      | 479.0       |                             | N/A            | N/A              |                      | N/A                   |
| 45-2745         | <b>45-2745</b>            | 0.32 cfs        | 156.2 af        | 397.0      | 479.0       |                             | N/A            | N/A              |                      | N/A                   |
| 45-7005         | <b>45-7005</b>            | 5 cfs           | 1604 af         | 401.0      | 479.0       |                             | N/A            | N/A              |                      | N/A                   |
| 45-13542        | <b>45-13542</b>           | 1.28 cfs        | 312 af          | 78.0       | 479.0       |                             | N/A            | N/A              |                      | N/A                   |
| <b>COMBINED</b> |                           |                 |                 |            |             |                             |                |                  |                      |                       |
| <b>TOTALS</b>   |                           | <b>7.87 cfs</b> | <b>1604 af</b>  | <b>479</b> | <b>479</b>  |                             | <b>N/A</b>     | <b>N/A</b>       | <b>N/A</b>           | <b>N/A</b>            |

Detailed Water Right Description(s) attached

Dated this 26<sup>th</sup> day of February, 2004



Chief, Water Allocation Bureau

**WATER RIGHT NO. 45-2419B**  
**As Modified by Transfer No. 70470**

In accordance with the approval of Transfer No. 70470, Water Right No. 45-2419B is now described as follows.

**Right Holder:** EVELYN LOIS SEYMOUR  
 2185 CANDLEWOOD AVE  
 TWIN FALLS ID 83301

And/Or

JOHN R SEYMOUR  
 2185 CANDLEWOOD AVE  
 TWIN FALLS ID 83301

**Priority Date:** May 23, 1952

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 2.80 CFS              | 926.0 AF      |
|                       |             |           | 2.80 CFS              | 926.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER      SESENE      Sec. 3 Twp 11S Rge 21E CASSIA County

GROUND WATER      SENESE      Sec. 3 Twp 11S Rge 21E CASSIA County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |    |    |    | SE |      |      |    | Totals |       |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|----|----|----|----|------|------|----|--------|-------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW | SW | SE | NE | NW   | SW   | SE |        |       |
| 11S | 21E | 3   | 34.0 | 42.0 | 40.0 | 39.0 | 40.0 | 42.0 | 18.0 | 40.0 | 29.0 |    |    |    |    | 39.0 | 39.0 |    | 38.0   | 440.0 |
| 11S | 21E | 4   | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |    |    |    |    |      |      |    |        | 39.0  |
|     |     |     | L 1  | L 2  |      |      |      |      |      |      |      |    |    |    |    |      |      |    |        |       |

Total Acres: 479

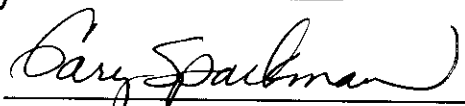
**WATER RIGHT NO. 45-2419B**  
**As Modified by Transfer No. 70470**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 401 acres within the place of use described above in a single irrigation season.
2. Rights 45-2419 B, 45-2745 and 45-7005 when combined shall not exceed a total diversion rate of 7.87 cfs, a total annual maximum diversion volume of 1604 af at the field headgate, and the irrigation of 401 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-2419B, 45-2745, 45-13542, and 45-7005 shall not exceed 7.87 cfs, nor total combined annual volume of 1916 af for the irrigation of 479 acres in the place of use described above in a single irrigation season.
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.
5. Prior to the diversion and use of water under Transfer approval 70470, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. Right 45-13542 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 26<sup>th</sup> day of February, 2004

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 45-2745**  
**As Modified by Transfer No. 70470**

In accordance with the approval of Transfer No. 70470, Water Right No. 45-2745 is now described as follows.

**Right Holder:** EVELYN LOIS SEYMOUR  
 2185 CANDLEWOOD AVE  
 TWIN FALLS ID 83301

And/Or

JOHN R SEYMOUR  
 2185 CANDLEWOOD AVE  
 TWIN FALLS ID 83301

**Priority Date:** January 30, 1957

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 0.32 CFS              | 156.2 AF      |
|                       |             |           | 0.32 CFS              | 156.2 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER      SESENE      Sec. 3   Twp 11S   Rge 21E   CASSIA County

GROUND WATER      SENESE      Sec. 3   Twp 11S   Rge 21E   CASSIA County

**PLACE OF USE:**    IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |    |    |    | SE |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|----|----|----|----|------|------|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW | SW | SE | NE | NW   | SW   | SE   |        |
| 11S | 21E | 3   | 34.0 | 42.0 | 40.0 | 39.0 | 40.0 | 42.0 | 18.0 | 40.0 | 29.0 |    |    |    |    | 39.0 | 39.0 | 38.0 | 440.0  |
| 11S | 21E | 4   | L1   | L2   |      |      | L3   | L4   |      |      |      |    |    |    |    |      |      |      | 39.0   |
|     |     |     | L1   | L2   |      |      |      |      |      |      |      |    |    |    |    |      |      |      |        |

Total Acres: 479

**WATER RIGHT NO. 45-2745**  
**As Modified by Transfer No. 70470**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 397 acres within the place of use described above in a single irrigation season.
2. Rights 45-2419 B, 45-2745 and 45-7005 when combined shall not exceed a total diversion rate of 7.87 cfs, a total annual maximum diversion volume of 1604 af at the field headgate, and the irrigation of 401 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-2419B, 45-2745, 45-13542, and 45-7005 shall not exceed 7.87 cfs, nor total combined annual volume of 1916 af for the irrigation of 479 acres in the place of use described above in a single irrigation season.
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.
5. Prior to the diversion and use of water under Transfer approval 70470, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. Right 45-13542 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 26<sup>th</sup> day of February, 2004

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 45-13542**  
**As Modified by Transfer No. 70470**

In accordance with the approval of Transfer No. 70470, Water Right No. 45-13542 is now described as follows.

**Right Holder:** EVELYN LOIS SEYMOUR  
 2185 CANDLEWOOD AVE  
 TWIN FALLS ID 83301

And/Or

JOHN R SEYMOUR  
 2185 CANDLEWOOD AVE  
 TWIN FALLS ID 83301

**Priority Date:** March 15, 1976

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | to 11/15  | 1.28 CFS              | 312.0 AF      |
|                       |             |           | 1.28 CFS              | 312.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER      SESENE      Sec. 3 Twp 11S Rge 21E CASSIA County

GROUND WATER      SENESE      Sec. 3 Twp 11S Rge 21E CASSIA County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |    |    |    | SE |      |      |    | Totals |       |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|----|----|----|----|------|------|----|--------|-------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW | SW | SE | NE | NW   | SW   | SE |        |       |
| 11S | 21E | 3   | 34.0 | 42.0 | 40.0 | 39.0 | 40.0 | 42.0 | 18.0 | 40.0 | 29.0 |    |    |    |    | 39.0 | 39.0 |    | 38.0   | 440.0 |
| 11S | 21E | 4   | L1   | L2   |      |      | L3   | L4   |      |      |      |    |    |    |    |      |      |    |        | 39.0  |
|     |     |     | L1   | L2   |      |      |      |      |      |      |      |    |    |    |    |      |      |    |        |       |

Total Acres: 479

**WATER RIGHT NO. 45-13542**  
**As Modified by Transfer No. 70470**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 78 acres within the place of use described above in a single irrigation season.
2. Rights 45-2419 B, 45-2745 and 45-7005 when combined shall not exceed a total diversion rate of 7.87 cfs, a total annual maximum diversion volume of 1604 af at the field headgate, and the irrigation of 401 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-2419B, 45-2745, 45-13542, and 45-7005 shall not exceed 7.87 cfs, nor total combined annual volume of 1916 af for the irrigation of 479 acres in the place of use described above in a single irrigation season.
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.
5. Prior to the diversion and use of water under Transfer approval 70470, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. This right is an expansion of Rights 45-2419B, 45-2745 and 45-7005 pursuant to Section 42-1416b, Idaho Code.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 26<sup>th</sup> day of February, 2004

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 45-7005**  
**As Modified by Transfer No. 70470**

In accordance with the approval of Transfer No. 70470, Water Right No. 45-7005 is now described as follows.

**Right Holder:** EVELYN LOIS SEYMOUR  
 2185 CANDLEWOOD AVE  
 TWIN FALLS ID 83301

And/Or

JOHN R SEYMOUR  
 2185 CANDLEWOOD AVE  
 TWIN FALLS ID 83301

**Priority Date:** September 06, 1967

**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  | 5.00 CFS              | 1,604.0 AF    |
|                       |             |           | 5.00 CFS              | 1,604.0 AF    |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER      SESENE      Sec. 3   Twp 11S   Rge 21E   CASSIA County

GROUND WATER      SENESE      Sec. 3   Twp 11S   Rge 21E   CASSIA County

**PLACE OF USE:**    IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |    |    |    | SE   |      |    |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|----|----|----|------|------|----|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW | SW | SE | NE   | NW   | SW | SE   |        |
| 11S | 21E | 3   | 34.0 | 42.0 | 40.0 | 39.0 | 40.0 | 42.0 | 18.0 | 40.0 | 29.0 |    |    |    | 39.0 | 39.0 |    | 38.0 | 440.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |    |    |    |      |      |    |      |        |
| 11S | 21E | 4   | 26.0 | 13.0 |      |      |      |      |      |      |      |    |    |    |      |      |    |      | 39.0   |
|     |     |     | L 1  | L 2  |      |      |      |      |      |      |      |    |    |    |      |      |    |      |        |

Total Acres: 479

**WATER RIGHT NO. 45-7005**  
**As Modified by Transfer No. 70470**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 401 acres within the place of use described above in a single irrigation season.
2. Rights 45-2419 B, 45-2745 and 45-7005 when combined shall not exceed a total diversion rate of 7.87 cfs, a total annual maximum diversion volume of 1604 af at the field headgate, and the irrigation of 401 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-2419B, 45-2745, 45-13542, and 45-7005 shall not exceed 7.87 cfs, nor total combined annual volume of 1916 af for the irrigation of 479 acres in the place of use described above in a single irrigation season.
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.
5. Prior to the diversion and use of water under Transfer approval 70470, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) 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.
6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. Right 45-13542 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 26<sup>th</sup> day of February, 2004

  
\_\_\_\_\_  
Chief, Water Allocation Bureau