

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87248**

This is to certify that: J TERRY FIELD
PO BOX 217
GRAND VIEW, ID 83624

LESLIE A FIELD
PO BOX 217
GRAND VIEW, ID 83624-5039

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
2-2176A	WR/DECREED	5/1/1962	2.890 cfs	1080.0 af	N/A	248.0	SNAKE RIVER
2-2405A	WR/DECREED	5/18/1967	1.760 cfs	855.3 af	N/A	248.0	SNAKE RIVER

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>
2-2176A	NO	NO	YES	NO	NO	NO
2-2405A	NO	NO	YES	NO	NO	NO

SUPPORT DATA

Summary Of Water Rights After the Approved Change

IN FILE # 2-2176A

<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>
2-2176A	2-2176A	2.890 cfs	1080.0 af	N/A	248.0	N/A	N/A	N/A	N/A	N/A
2-2405A	2-2405A	1.760 cfs	855.3 af	N/A	248.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		4.650 cfs	1935.3 af	N/A	248.0		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 20th day of June, 2023.


SCOTT STORMS, Water Rights Supervisor

Transfer No. 87248

SCANNED

JUN 22 2023

WATER RIGHT NO. 2-2176A
As Modified by Transfer No. 87248

In accordance with the approval of Transfer No. 87248, Water Right No. 2-2176A is now described as follows:

Right Holder: J TERRY FIELD
 PO BOX 217
 GRAND VIEW, ID 83624

LESLIE A FIELD
 PO BOX 217
 GRAND VIEW, ID 83624-5039

Priority Date: 5/1/1962

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE

IRRIGATION

From 03/15 **To** 10/31

Diversion Rate

2.890 cfs
 2.890 cfs

Diversion Volume

1080.0 af
 1080.0 af

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER

L9 (SESW)

Sec 34 Twp 05S Rge 04E OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	03E	35													17.0				17.0
05S	03E	36									5.0	13.0							18.0
05S	04E	31													3.3	6.1	38.4	34.7	82.5
05S	04E	32										0.8	19.8	5.9					26.5
06S	04E	5				6.0	6.0												12.0
06S	04E	6	21.0	27.0			16.0	28.0											92.0
			L 1	L 2			L 3	L 4											

POU Total Acres: 248.0

CONDITIONS OF APPROVAL

1. Rights 2-2176A and 2-2405A when combined shall not exceed a maximum diversion volume of 1,116 af at the field headgate, and the irrigation of 248 acres.
2. Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 87248

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JUN 22 2023

WATER RIGHT NO. 2-2176A
As Modified by Transfer No. 87248

CONDITIONS OF APPROVAL

4. Use of water under this right may 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. 02.
5. Prior to diversion and use of water on or across federal land under this approval, the right holder shall obtain written authorization from the United States to access the point of diversion, or place of use, or to convey water across federal land.
6. The diversion and use of water described in Transfer 78909 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 2-2405A
As Modified by Transfer No. 87248

In accordance with the approval of Transfer No. 87248, Water Right No. 2-2405A is now described as follows:

Right Holder: J TERRY FIELD
 PO BOX 217
 GRAND VIEW, ID 83624

LESLIE A FIELD
 PO BOX 217
 GRAND VIEW, ID 83624-5039

Priority Date: 5/18/1967

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE

IRRIGATION

From 03/15 **To** 11/15

Diversion Rate

1.760 cfs
 1.760 cfs

Diversion Volume

855.3 af
 855.3 af

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER

L9 (SESW)

Sec 34 Twp 05S Rge 04E OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	03E	35													17.0				17.0
05S	03E	36									5.0	13.0							18.0
05S	04E	31													3.3	6.1	38.4	34.7	82.5
05S	04E	32										0.8	19.8	5.9					26.5
06S	04E	5				6.0	6.0												12.0
06S	04E	6	21.0	27.0			16.0	28.0											92.0
			L 1	L 2			L 3	L 4											

POU Total Acres: 248.0

CONDITIONS OF APPROVAL

1. Rights 2-2176A and 2-2405A when combined shall not exceed a maximum diversion volume of 1,116 af at the field headgate, and the irrigation of 248 acres.
2. Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 87248

SCANNED

JUN 22 2023

WATER RIGHT NO. 2-2405A

As Modified by Transfer No. 87248

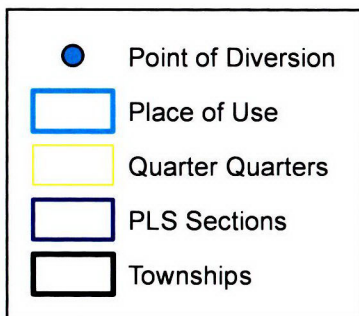
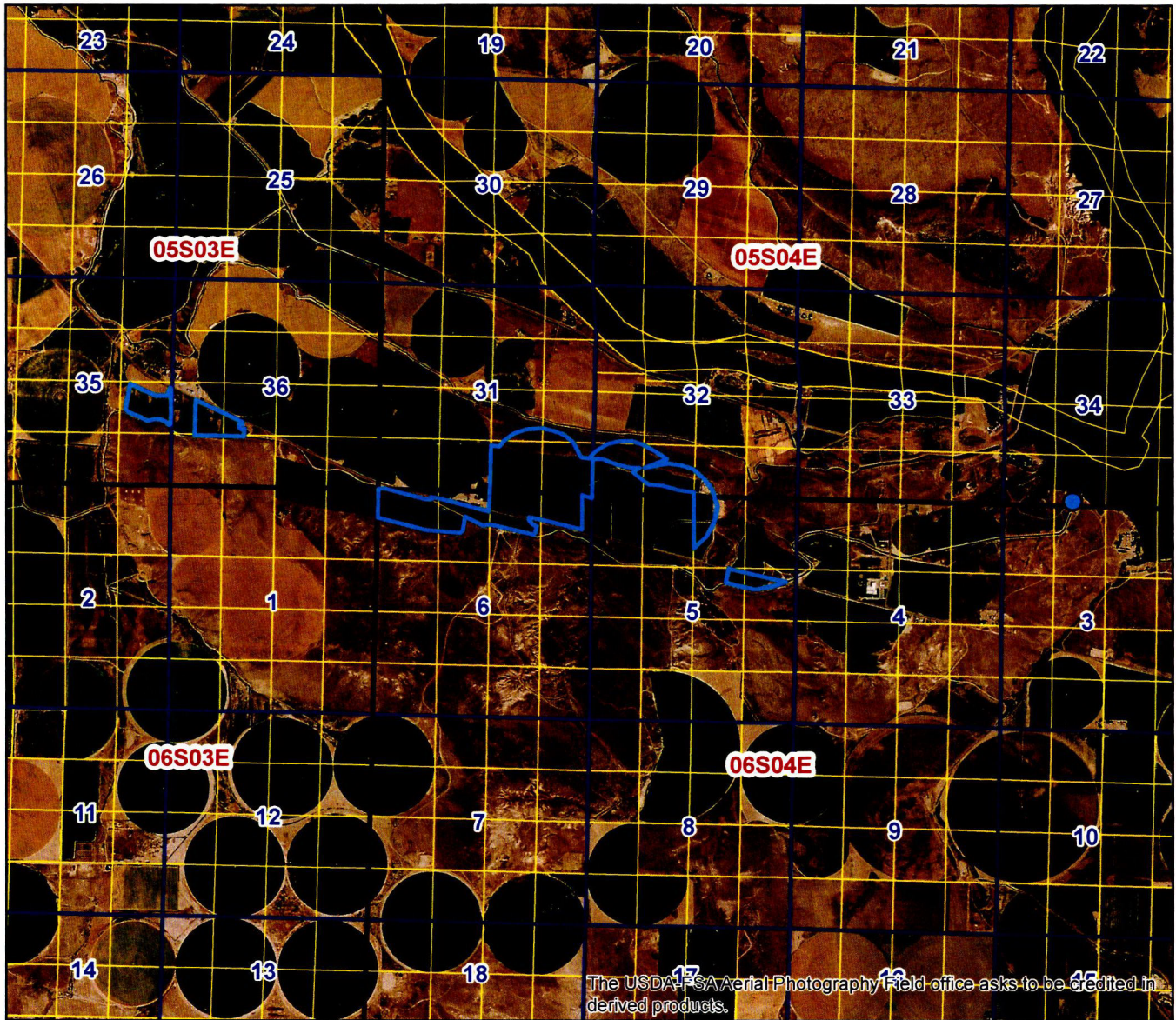
CONDITIONS OF APPROVAL

4. Use of water under this right may 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. 02.
5. Prior to diversion and use of water on or across federal land under this approval, the right holder shall obtain written authorization from the United States to access the point of diversion, or place of use, or to convey water across federal land.
6. The diversion and use of water described in Transfer 78909 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 87248
Water Rights: 2-2176A & 2-2405A

This map depicts the IRRIGATION place of use boundary for the water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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NOV 03 2022

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87248

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DEPARTMENT OF
WATER RESOURCESMINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) J. Terry Field (John T. Field)Check whether each item below is **attached (Yes)** or **not applicable (N/A)** for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☒ ☐ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☐ #10 Other. Please describe: _____

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JUN 22 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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WATER RESOURCES
REGION
DEPARTMENT OF
WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) J. Terry Field (John T. Field) Phone 208-834-7263
Mailing address P.O. Box 217 Grand View Id 83624 Email field35@MSN.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

J. Terry Field
Signature of Applicant or Authorized Representative

J. Terry Field owner 10-25-22
Print Name and Title if applicable Date

Leslie A. Field
Signature of Applicant or Authorized Representative

Leslie A. Field owner 10-25-22
Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☒ Change period of use ☐ Other _____
2. Is this a transfer for changes pursuant to [Idaho Code § 42-221.O.8?](#)
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

Application to transfer a portion of water rights 2-2176A & 2-2405A
from present POU to our other ground for new POU in
2 new pivots

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JUN 22 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

[illegible]

Total authorized under rights 14.55 cfs and/or 1116 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.9 cubic feet per second and/or 220.5 acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

[illegible]

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

[illegible]

Total Acres (for irrigation use)	49
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JUN 22 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

POD out of CS Stubble Dam into Bybee Lateral Water Users Canal -
pumped out of canal into pivots. Canal has measuring
devices

- b. Who owns the property at the point(s) of diversion? Right of way - Bybee Canal
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

The Bybee canal access. The pumps etc at the POD

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☒ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

49 acres of 2-2176 A / 2-2405A (combined right) are leased
to the water bank have applied for release out of bank
Been in the bank for at least 10 years

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

2-2083 irrigation of adjoining ground same POD + delivery
system

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☒ ☐ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

Applied to release rights out of bank 10-27-22
The right is not rented

Ident. No. _____

JUN 22 2023

JUN 22 2023

JUN 22 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- Attach a map of the diversion, measurement, control, and distribution system. Label it Attachment #7a.**
If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it Attachment #7b.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments.

Received by KM Date 11/2/2022 Preliminary check by _____ Date _____

Received by _____
 Fee paid \$660.00 Date 11/2/2022 Received by KM Receipt # C114537

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

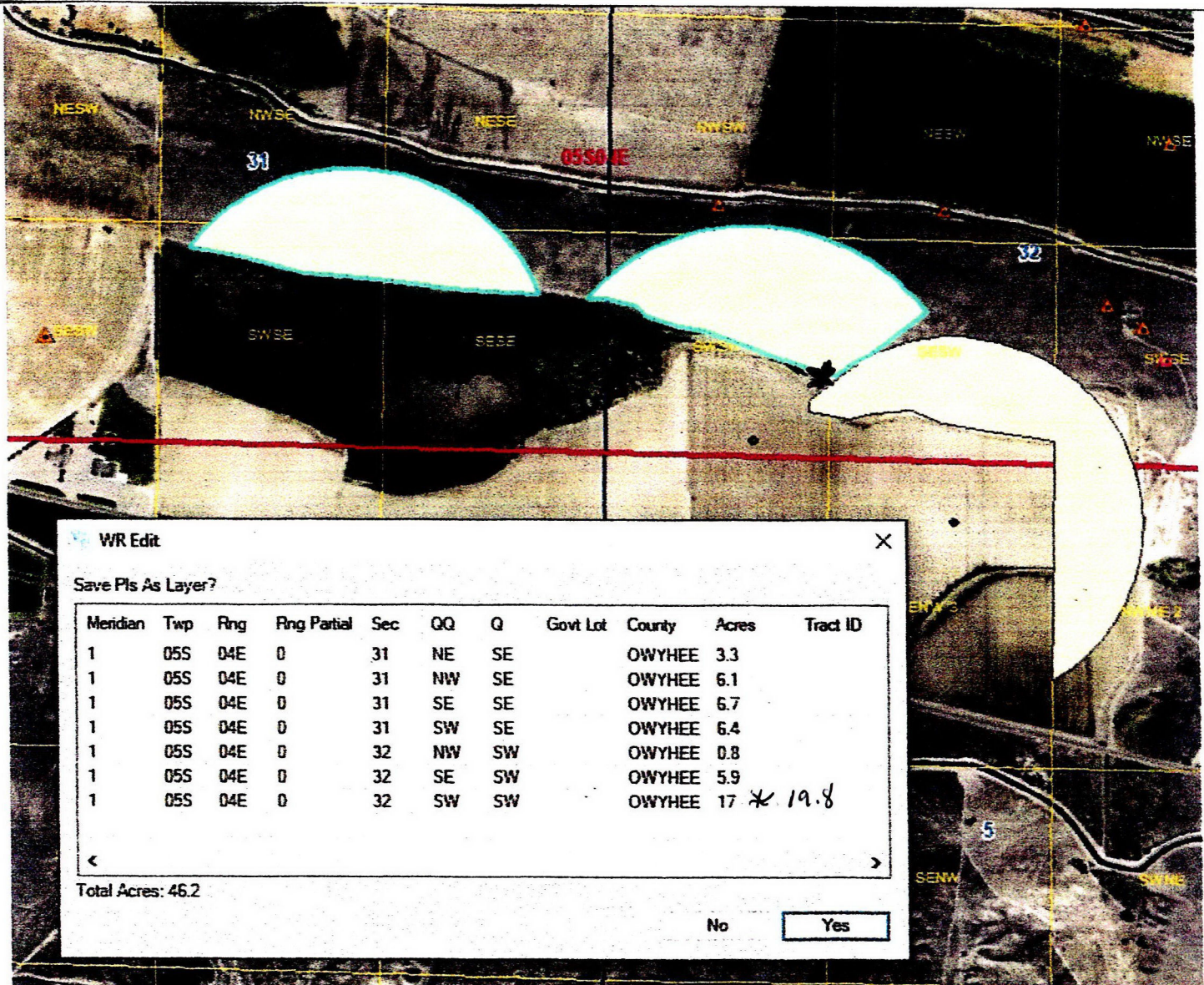
Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

SCANNED

JUN 22 2023

Attachment
7A

Added *
62 4E 32 SWSW
to round up to total
49 Acres taken out of
bank.
Small piece of ground
May Not be covered by
2-2082 see attached
map



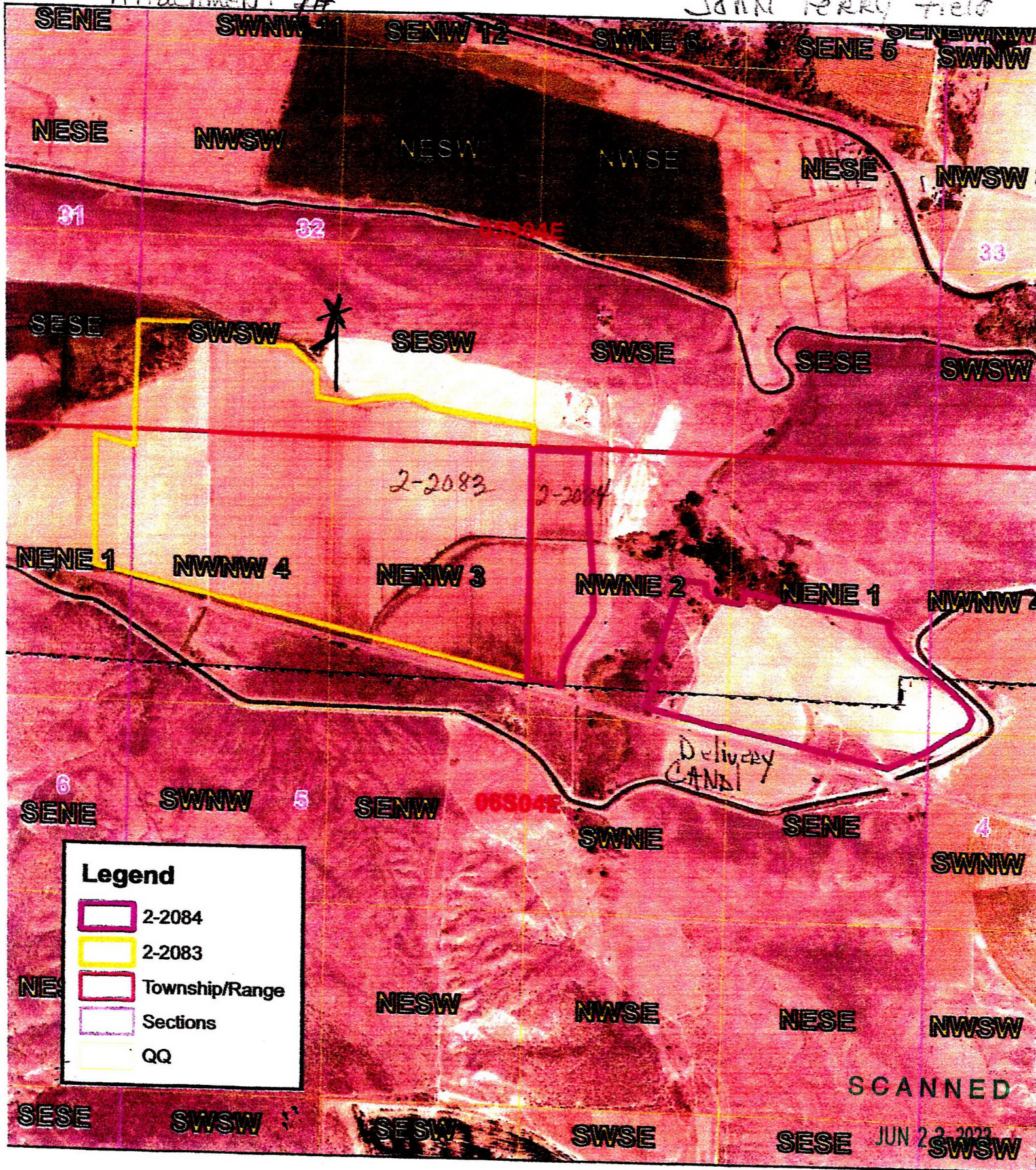
From: Leslie Field <field35@msn.com>
Sent: Saturday, October 29, 2022 12:44 PM

SCANNED

JUN 22 2023

Attachment 7A

John Terry Field



SCANNED

JUN 22 2022

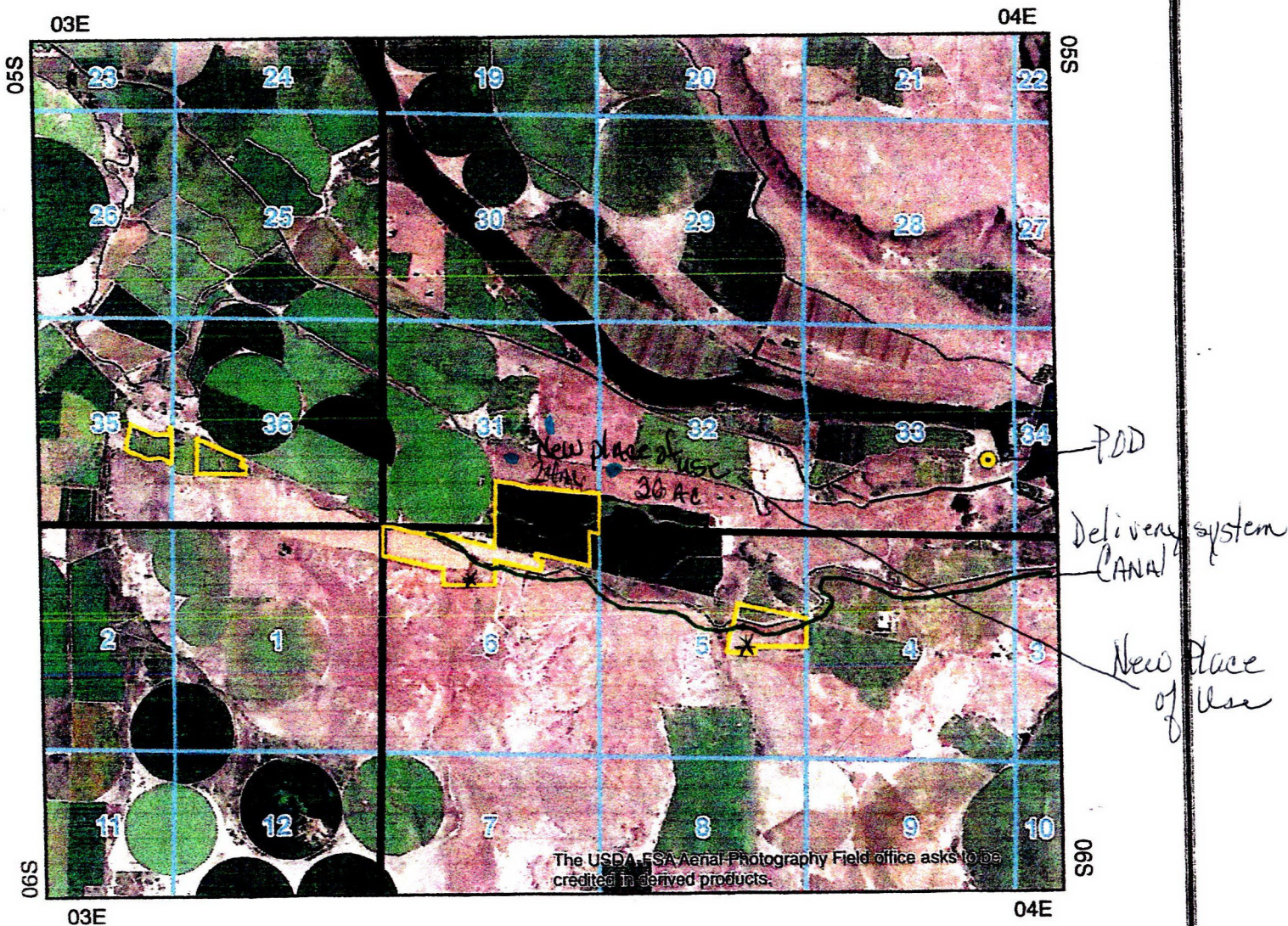
Attachment
#7A
#7B

State of Idaho
Department of Water Resources

Attachment to Transfer of Water Rights

2-2176 A and 2-2405A

This map depicts the IRRIGATION place of use boundary for this water right of this approval and is attached to the approval document solely for illustrative



0 0.5 1 2 Miles

- Point of Diversion
- Place of Use - Existing - to be transferred 49 Acres
- Townships
- PLS Sections

SCANNED
JUN 22 2013

J. Terry Field Transfer POU (2-2176A / 2-2405A)

The transfer of ~~our~~ water rights - a portion of 2-2176A / 2-2405A 49 acres that have been in the water bank, have applied to have released.

The new POU will be to our other ground to be used to irrigate in 2 new pivots

Water Bank Rental agreement # 1517

This transfer is the same as transfer # 81737 dated Aug 15, 2017. Taking remaining 49 acres out of water bank and transferring to new POU just north of POU on 81737 to irrigate with 2 new pivots

SCANNED

JUN 22 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1517

This Lease Contract ("Lease") is between the Idaho Water Resource Board ("Board"), and

LESSOR: J TERRY FIELD
PO BOX 217
GRAND VIEW, ID 83624

#2A
Attachment WSB
Renewed
to 12-2022
RECEIVED
JUN 06 2022
DEPARTMENT OF
WATER RESOURCES

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on October 18, 2021.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
2-2176A	5/1/1962	SNAKE RIVER, tributary to COLUMBIA RIVER	0.57	213	49.0
2-2405A	5/18/1967	SNAKE RIVER, tributary to COLUMBIA RIVER	0.34	169	49.0
Combined Limit Totals			0.91	220	49.0

Summary of Water Rights Elements Rentable From the Bank

Water Right	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (Limited) (AC)	Rate Per Acre (CFS/AC)	Volume Per Acre (AF/AC)
2-2176A	0.00	213	49.0	0.00	4.3
2-2405A	0.00	169	49.0	0.00	3.4
Combined Limit Totals	0.00	220	49.0	0.00	4.5

* The water right elements rentable have been reduced from the water right elements leased to account for combined limits.

SCANNED

JUN 22 2023
Page 1 of 5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1517

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2022 to December 31, 2026. This Lease shall bind the parties and take effect when both parties have signed it.

4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.

5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.

6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.

7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1517

IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

LESSOR: J TERRY FIELD

PO BOX 217

GRAND VIEW, ID 83624

By J. Terry Field

Title Owner

Date 6-7-22

IDAHO WATER RESOURCE BOARD

322 East Front Street

P.O. Box 83720

Boise, ID 83720-0088

By Brian Patton
Brian Patton, Acting Administrator
Idaho Water Resource Board

Date 6/7/22

Lessee approved by IDWR Patton

Date 6/7/22

WATER SUPPLY BANK LEASE CONTRACT No. 1517

ATTACHMENT A WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 2-2405A, 2-2176A
SNAKE RIVER L 10NWSW Sec. 34 Twp 06S Rge 04E Owyhee County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From	to	To		
2-2405A	IRRIGATION	03/15	to	11/15	0.34 cfs	169 AF
2-2176A	IRRIGATION	03/15	to	10/31	0.57 cfs	213 AF
Totals:					0.91 cfs	220 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: 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	
06S	04E	5			12	20													
06S	04E	6					17												32
							L3												17

Total Acres: 49

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

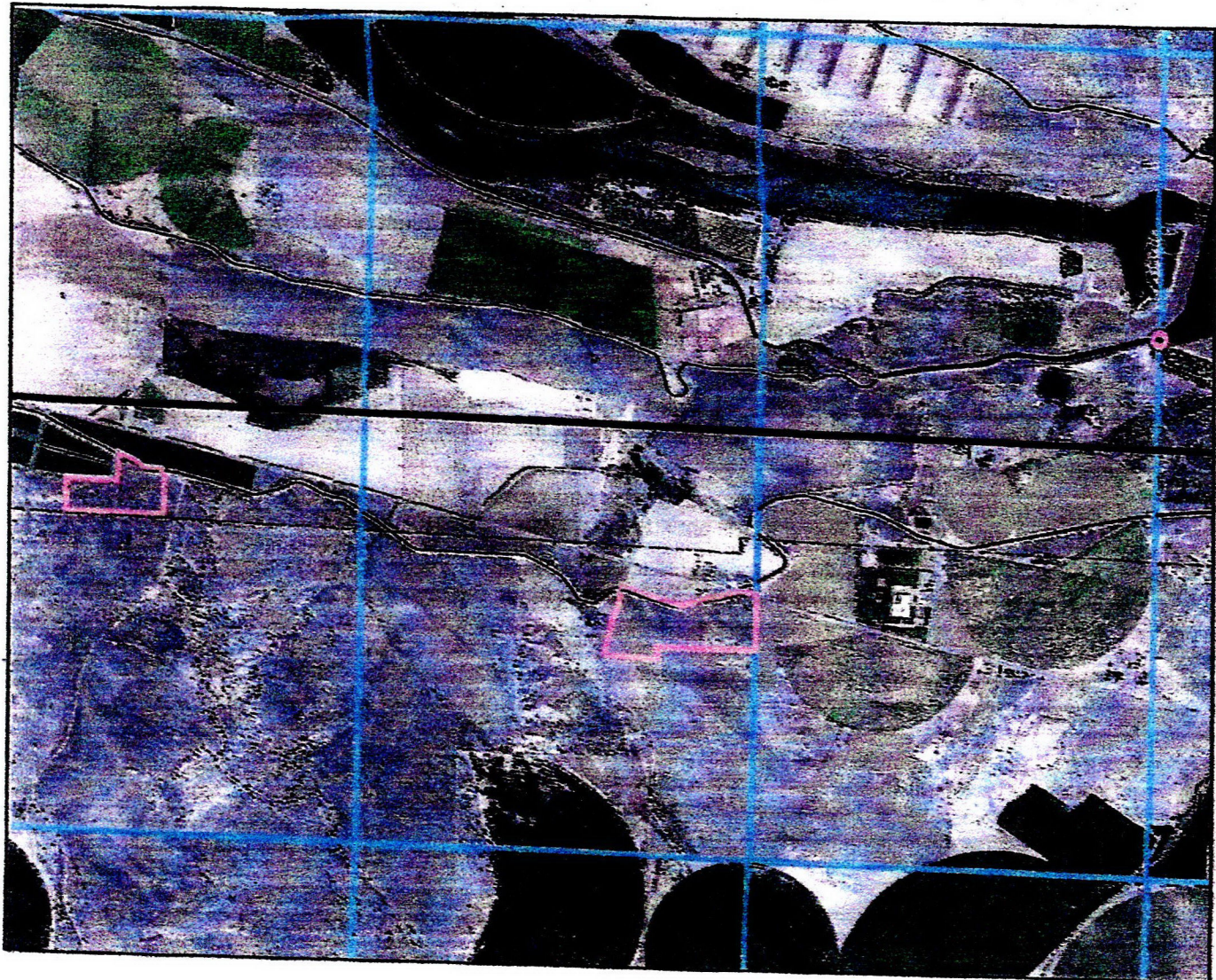
WATER SUPPLY BANK LEASE CONTRACT No. 1517

8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was ~~rented~~, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. The unleased portions of rights 2-2176A and 2-2405A when combined shall not exceed a maximum diversion volume of 895.5 af at the field headgate, and the irrigation of 199 acres.
13. Use of water under this right may 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. 02.
14. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
15. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Idaho Water Resource Board
Water Supply Bank Lease Contract No. 1517

02-2176A & 2-2405A
Effective until December 31, 2026

This map depicts the place of use to be idled pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



- ⊙ Approved Lease Point of Diversion
- Approved Lease Place of Use

-  Township/Range
-  Sections



0 0.5 1 Miles

SCANNED

JUN 22 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1517

Attachment
Part 2A & 2B

**ATTACHMENT A
WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE**

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 2-2405A, 2-2176A
SNAKE RIVER L 10NWSW Sec. 34 Twp 05S Rge 04E OWYHEE County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
2-2405A	IRRIGATION	03/15	to	11/15	0.34 cfs	169 AF
2-2176A	IRRIGATION	03/15	to	10/31	0.57 cfs	213 AF
Totals:					0.91 cfs	220 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	04E	5			12	20													32
06S	04E	6					17												17

Total Acres: 49

ADDITIONAL CONDITIONS OF ACCEPTANCE

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

SCANNED
Page 4 of 5

JUN 22 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/4/2022

Water Right 2-2176A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J TERRY FIELD PO BOX 217 GRAND VIEW, ID 83624 (208) 834-2263
Current Owner	LESLIE A FIELD PO BOX 217 GRAND VIEW, ID 83624-5039 (208) 834-2263

Priority Date: 5/1/1962

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	2.890 CFS	1,080.0 AF
	<u>Total Diversion</u>		2.890 CFS	1,080.0 AF

Source and Point(s) of Diversion:
SNAKE RIVER L10(NWSW) Sec. 34, Twp 05S, Rge 04E, OWYHEE County

Place Of Use:
IRRIGATION within OWYHEE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	03E	35													17.0				17.0
05S	03E	36									5.0	13.0							18.0
05S	04E	31															32.0	28.0	60.0
06S	04E	5			18.0	26.0													44.0
06S	04E	6	21.0 L1	27.0 L2			33.0 L3	28.0 L4											109.0

POU Total Acres: 248.0

Conditions of Approval:

1. X35 Rights 2-2176A and 2-2405A when combined shall not exceed a maximum diversion volume of 1,116 af at the field headgate, and the irrigation of 248 acres.
2. X35 Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A,

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/4/2022

- 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. R05 Use of water under this right may 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. 02.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. 004 This right does not grant any right-of-way or easement across the land of another.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. T08 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. T19 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Comments:

1 rneely 8/15/2017 Transferred Right
This is now an approved transfer. Transfer Number = 81737

2 jerling 2/15/2018 POD
Updated Shape

Dates and Other Information:

Decreed Date: 6/15/2009
State or Federal: S
Owner Name Connector: Or
Water District Number: 02
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
4.650	1,116.0	248.0
14.550		

Water Rights

2-2405A ,2-2176A
2-63 ,2-2271 ,2-4027
,2-2405A ,2-2176A ,2-
2176B ,2-2405B ,2-2083
,2-2084 ,2-2272 ,2-7032
,2-10313 ,2-10571

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/4/2022

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/4/2022

Water Right 2-2405A

Owner Type **Name and Address**
Current Owner J TERRY FIELD
 PO BOX 217
 GRAND VIEW, ID 83624
 (208) 834-2263

Current Owner LESLIE A FIELD
 PO BOX 217
 GRAND VIEW, ID 83624-5039
 (208) 834-2263

Priority Date: 5/18/1967

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	1.760 CFS	855.3 AF
	Total Diversion		1.760 CFS	855.3 AF

Source and Point(s) of Diversion:

SNAKE RIVER L10(NWSW) Sec. 34, Twp 05S, Rge 04E, OWYHEE County

Place Of Use:

IRRIGATION within OWYHEE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	03E	35													17.0				17.0
05S	03E	36									5.0	13.0							18.0
05S	04E	31															32.0	28.0	60.0
06S	04E	5			18.0	26.0													44.0
06S	04E	6	21.0 L1	27.0 L2			33.0 L3	28.0 L4											109.0

POU Total Acres: 248.0

Conditions of Approval:

1. X35 Rights 2-2176A and 2-2405A when combined shall not exceed a maximum diversion volume of 1,116 af at the field headgate, and the irrigation of 248 acres.
2. X35 Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A,

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/4/2022

- 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. R05 Use of water under this right may 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. 02.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. 004 This right does not grant any right-of-way or easement across the land of another.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. T08 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. T19 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Comments:

- 1 mmount 2/9/2006 Period of Use
Recd as per license 3/15 - 11/15 with condition s39
- 2 scurtis 8/24/2011 Water Right
This water right record was updated by decree record from old RightID 7172 to new RightID 589654
- 3 pkelly 6/15/2017 Updated Shape
Updated POU Shape
- 4 pkelly 6/15/2017 Updated PLS
Updated POU Shape
- 5 rneely 8/15/2017 Transferred Right
This is now an approved transfer. Transfer Number = 81737
- 6 jerling 2/15/2018 POD
Updated Shape

Dates and Other Information:

Decreed Date: 6/15/2009
State or Federal: S
Owner Name Connector: Or
Water District Number: 02
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/4/2022

Mitigation Plan: False

Combined Use Limits:

Rate

4.650

14.550

Volume

1,116.0

Acres

248.0

Water Rights

2-2405A ,2-2176A

2-63 ,2-2271 ,2-4027

,2-2405A ,2-2176A ,2-

2176B ,2-2405B ,2-2083

,2-2084 ,2-2272 ,2-7032

,2-10313 ,2-10571

SubCase:

N/A

Water Supply Bank:

N/A

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78909**

This is to certify that: **JOHN TERRY FIELD**
PO BOX 217
GRAND VIEW, ID 83624-0217

LESLIE A FIELD
PO BOX 217
GRAND VIEW, ID 83624-5039

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
2-2083	WR/DECREED	6/8/1958	2.400 cfs	N/A	N/A	118.0	SNAKE RIVER
2-2084	WR/DECREED	6/8/1958	1.000 cfs	N/A	N/A	50.0	SNAKE RIVER
2-2176A	WR/DECREED	5/1/1962	2.890 cfs	1080.0 af	N/A	248.0	SNAKE RIVER
2-2176C	WR/DECREED	5/1/1962	0.070 cfs	26.0 af	6.0	11.0	SNAKE RIVER
2-2272	WR/DECREED	2/26/1964	1.290 cfs	395.0 af	N/A	79.0	SNAKE RIVER
2-2405A	WR/DECREED	5/18/1967	1.760 cfs	855.3 af	N/A	248.0	SNAKE RIVER

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>
2-2083	NO	YES	NO	YES	NO	NO
2-2084	NO	YES	NO	YES	NO	NO
2-2176A	NO	YES	NO	YES	NO	NO
2-2176C	NO	YES	NO	YES	NO	NO
2-2272	NO	YES	NO	YES	NO	NO
2-2405A	NO	YES	NO	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>
2-2083	2-2083	2.400 cfs	N/A	N/A	118.0	N/A	N/A	N/A	N/A	N/A
2-2084	2-2084	1.000 cfs	N/A	N/A	50.0	N/A	N/A	N/A	N/A	N/A
2-2176A	2-2176A	2.890 cfs	1080.0 af	N/A	248.0	N/A	N/A	N/A	N/A	N/A
2-2176C	2-2176C	0.070 cfs	26.0 af	6.0	11.0	N/A	N/A	N/A	N/A	N/A
2-2272	2-2272	1.290 cfs	395.0 af	N/A	79.0	N/A	N/A	N/A	N/A	N/A
2-2405A	2-2405A	1.760 cfs	855.3 af	N/A	248.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		9.410 cfs	N/A	N/A	501.0		N/A	N/A	N/A	N/A

Transfer No. 78909

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78909

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 9th day of June, 2023


SCOTT STORMS, Water Rights Supervisor

WATER RIGHT NO. 2-2176C
As Modified by Transfer No. 78909

In accordance with the approval of Transfer No. 78909, Water Right No. 2-2176C is now described as follows:

Right Holder: JOHN TERRY FIELD
 PO BOX 217
 GRAND VIEW, ID 83624-0217

Priority Date: 5/1/1962

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 10/31	0.070 cfs	26.0 af
			0.070 cfs	26.0 af

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER L9 (SESW) Sec 34 Twp 05S Rge 04E OWYHEE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	03E	36																	11.0
Right Acre Limit:			6.0																11.0
POU Total Acres:			11.0																

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right is limited to the irrigation of 6 acres within the authorized place of use in a single irrigation season.
4. Rights 2-2176C and 2-2380 when combined are limited to the irrigation of a total of 11 acres in a single irrigation season.
5. Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.

Transfer No. 78909

WATER RIGHT NO. 2-2176C
As Modified by Transfer No. 78909

CONDITIONS OF APPROVAL

6. 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. 02, Snake River.
7. Prior to diversion and use of water on or across federal land under this approval, the right holder shall obtain written authorization from the United States to access the point of diversion, or place of use, or to convey water across federal land.
8. The diversion and use of water described in Transfer 78909 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.

WATER RIGHT NO. 2-2083
As Modified by Transfer No. 78909

In accordance with the approval of Transfer No. 78909, Water Right No. 2-2083 is now described as follows:

Right Holder: LESLIE A FIELD
 PO BOX 217
 GRAND VIEW, ID 83624-5039

J TERRY FIELD
 PO BOX 217
 GRAND VIEW, ID 83624

Priority Date: 6/8/1958

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE

DOMESTIC
 IRRIGATION

From

01/01
 03/15

To

to 12/31
 to 10/31

Diversion Rate

0.040 cfs
 2.400 cfs
 2.400 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER L9 (SESW) Sec 34 Twp 05S Rge 04E OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	04E	32											23.0	10.0					33.0
06S	04E	5					45.0	35.0											80.0
							L 3	L 4											
06S	04E	6	5.0																5.0
			L 1																

POU Total Acres: 118.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.

Transfer No. 78909

WATER RIGHT NO. 2-2083
As Modified by Transfer No. 78909

CONDITIONS OF APPROVAL

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. 02, Snake River.
5. Prior to diversion and use of water on or across federal land under this approval, the right holder shall obtain written authorization from the United States to access the point of diversion, or place of use, or to convey water across federal land.
6. The diversion and use of water described in Transfer 78909 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one 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. 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.

WATER RIGHT NO. 2-2084
As Modified by Transfer No. 78909

In accordance with the approval of Transfer No. 78909, Water Right No. 2-2084 is now described as follows:

Right Holder: LESLIE A FIELD
 PO BOX 217
 GRAND VIEW, ID 83624-5039

J TERRY FIELD
 PO BOX 217
 GRAND VIEW, ID 83624

Priority Date: 6/8/1958

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
 IRRIGATION

From 03/15 **To** 10/31

Diversion Rate
 1.000 cfs
 1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER L9 (SESW) Sec 34 Twp 05S Rge 04E OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	04E	4						2.0	1.0										3.0
								L 4											
06S	04E	5	19.0	22.0		6.0													47.0
			L 1	L 2															

POU Total Acres: 50.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.
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. 02, Snake River.

Transfer No. 78909

WATER RIGHT NO. 2-2084

As Modified by Transfer No. 78909

CONDITIONS OF APPROVAL

5. Prior to diversion and use of water on or across federal land under this approval, the right holder shall obtain written authorization from the United States to access the point of diversion, or place of use, or to convey water across federal land.
6. The diversion and use of water described in Transfer 78909 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one 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. 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.

WATER RIGHT NO. 2-2272**As Modified by Transfer No. 78909**

In accordance with the approval of Transfer No. 78909, Water Right No. 2-2272 is now described as follows:

Right Holder: J TERRY FIELD
PO BOX 217
GRAND VIEW, ID 83624

Priority Date: 2/26/1964

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 10/31

Diversion Rate

1.290 cfs

1.290 cfs

Diversion Volume

395.0 af

395.0 af

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER

L9 (SESW)

Sec 34 Twp 05S Rge 04E OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	03E	36															27.0	10.0	37.0
06S	03E	1	23.0	19.0															42.0
			L 1	L 2															

POU Total Acres: 79.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.
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. 02, Snake River.
5. Prior to diversion and use of water on or across federal land under this approval, the right holder shall obtain written authorization from the United States to access the point of diversion, or place of use, or to convey water across federal land.

Transfer No. 78909

WATER RIGHT NO. 2-2272

As Modified by Transfer No. 78909

CONDITIONS OF APPROVAL

6. The diversion and use of water described in Transfer 78909 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one 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. 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.

WATER RIGHT NO. 2-2405A**As Modified by Transfer No. 78909**

In accordance with the approval of Transfer No. 78909, Water Right No. 2-2405A is now described as follows:

Right Holder: J TERRY FIELD
PO BOX 217
GRAND VIEW, ID 83624
Or
LESLIE A FIELD
PO BOX 217
GRAND VIEW, ID 83624-5039

Priority Date: 5/18/1967

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
1.760 cfs
1.760 cfs

Diversion Volume
855.3 af
855.3 af

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER L9 (SESW) Sec 34 Twp 05S Rge 04E OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	03E	35													17.0				17.0
05S	03E	36									5.0	13.0							18.0
05S	04E	31															32.0	28.0	60.0
06S	04E	5			18.0	26.0													44.0
06S	04E	6	21.0	27.0			33.0	28.0											109.0
			L 1	L 2			L 3	L 4											

POU Total Acres: 248.0

CONDITIONS OF APPROVAL

1. Rights 2-2176A and 2-2405A when combined shall not exceed a maximum diversion volume of 1,116 af at the field headgate, and the irrigation of 248 acres.
2. Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 78909

WATER RIGHT NO. 2-2405A
As Modified by Transfer No. 78909

CONDITIONS OF APPROVAL

4. Use of water under this right may 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. 02.
5. Prior to diversion and use of water on or across federal land under this approval, the right holder shall obtain written authorization from the United States to access the point of diversion, or place of use, or to convey water across federal land.
6. The diversion and use of water described in Transfer 78909 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 2-2176A**As Modified by Transfer No. 78909**

In accordance with the approval of Transfer No. 78909, Water Right No. 2-2176A is now described as follows:

Right Holder: J TERRY FIELD
PO BOX 217
GRAND VIEW, ID 83624

LESLIE A FIELD
PO BOX 217
GRAND VIEW, ID 83624-5039

Priority Date: 5/1/1962

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 10/31

Diversion Rate
2.890 cfs
2.890 cfs

Diversion Volume
1080.0 af
1080.0 af

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER

L9 (SESW)

Sec 34 Twp 05S Rge 04E OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	03E	35													17.0				17.0
05S	03E	36									5.0	13.0							18.0
05S	04E	31															32.0	28.0	60.0
06S	04E	5			18.0	26.0													44.0
06S	04E	6	21.0	27.0			33.0	28.0											109.0
			L 1	L 2			L 3	L 4											

POU Total Acres: 248.0

CONDITIONS OF APPROVAL

1. Rights 2-2176A and 2-2405A when combined shall not exceed a maximum diversion volume of 1,116 af at the field headgate, and the irrigation of 248 acres.
2. Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 78909

WATER RIGHT NO. 2-2176A
As Modified by Transfer No. 78909

CONDITIONS OF APPROVAL

4. Use of water under this right may 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. 02.
5. Prior to diversion and use of water on or across federal land under this approval, the right holder shall obtain written authorization from the United States to access the point of diversion, or place of use, or to convey water across federal land.
6. The diversion and use of water described in Transfer 78909 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 78909

Water Rights: 2-2176C, 2-2083, 2-2084, 2-2272, 2-2405A, 2-2176A

This map depicts the IRRIGATION place of use boundary for the water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



The USDA-FSA Aerial Photography Field office asks to be credited in derived products

- | | |
|----------------------|--------------|
| ● Point of Diversion | PLS Sections |
| 2-2083 Place of Use | Townships |
| 2-2084 Place of Use | |
| 2-2272 Place of Use | |
| 2-2176C Place of Use | |
| 2-2176A Place of Use | |
| 2-2405A Place of Use | |

0 0.5 1 2 Miles



STATE OF IDAHO
WATER RESOURCE BOARD

RECEIVED

OCT 27 2022

WATER SUPPLY BANK
REQUEST TO RELEASE A WATER RIGHT FROM THE BANK

Department of Water Resources

ONE FORM PER WATER RIGHT

All water rights leased into the Water Supply Bank shall remain unused by the water right holder for the duration of the Lease Contract. The water right will not be released from the Water Supply Bank until the conclusion of the Lease Contract unless otherwise authorized by the Idaho Water Resource Board. Water right holders may use this form to petition for early termination of their Water Supply Bank Lease Contract.

Water right holders seeking an early termination of a Lease Contract must demonstrate justifiable need for the release. Water rights under Lease Contract that are eligible for early termination can be released from the Water Supply Bank if the release will not impair administration of the Water Supply Bank. **If a water right is currently rented, it cannot be considered for release until the Rental Agreement concludes.** A water right is not released from the Water Supply Bank until written release confirmation is issued by the Water Supply Bank.

Water Right No: 2-2176A / 2-2405A (Combined lease)

Name(s) of Lessor(s): J Terry Field

Mailing Address: P.O. Box 217

City: Grand View

State: Idaho

Zip: 83624

Telephone No: 208-834-2263

Email Address: field35@msn.com

Lease Contract Expiration Date: 2026

Requested Release Date: Nov 2022

Reason for Early Release:

Pivot is going to be installed sooner than anticipated -
Water will have point of use transferred

J Terry Field
Signature of Lessor

J Terry Field Owner
Printed Name and Title*

10-25-22
Date

Signature of Lessor

Printed Name and Title*

Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney.

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

SCANNED
AUG 16 2023



BREAK

(Right)



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 21, 2023

J TERRY FIELD & LESLIE A FIELD
PO BOX 217
GRAND VIEW ID 83624-5039

Re: Transfer No: 87248
Water Right No(s): 2-2176A, 2-2405A

Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change.

SCANNED

JUN 22 2023

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynne Evans".

Lynne Evans
Administrative Assistant I

Enclosure(s)

SCANNED

JUN 22 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 87248
Water Right No(s): 2-2176A, 2-2405A

J TERRY FIELD
PO BOX 217
GRAND VIEW ID 83624-5039

LESLIE A FIELD
PO BOX 217
GRAND VIEW ID 83624-5039



Lynne Evans
Administrative Assistant I

SCANNED

JUN 22 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: Transfer No. 87248
FROM: Laura McSherry
DATE: June 20, 2023
RE: Evaluation of Application

The transfer proposes to move a portion of the place of use for water rights 2-2176A and 2-2405A. The proposed place of use is located in the NWSW, SWSW, SESW of Sec 32, T05S, R04E and NESE, NWSE, SWSE, SESE of Sec 31, T05S, R04E. The place of use is approximately 6.5 miles southeast of Grandview, ID.

Summary of Information Submitted

Authority to File:

J Terry and Leslie A Field are the current owners of water rights 2-2176A and 2-2405A and are authorized to submit a transfer request. The property the POU is appurtenant to is owned by both applicants. The property the POD is appurtenant to and conveyance system traverses is owned by the United States Department of Interior, Bureau of Land Management (BLM). The applicants have submitted a pending right-of-way application (IDI-038887) to BLM on March 20, 2023. No water under shall be conveyed across federal lands until authorized in writing by the BLM Authorized Officer.

Water Right Validity:

The partial decrees for the two water rights were issued on June 15, 2009. The rights are presumed to be valid since both rights have been protected through lease to the Water Supply Bank.

Injury to Other Water Rights:

No additional rate or volume is proposed to be diverted from the source and no additional acres are proposed to be irrigated beyond the historical use. Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water rights changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. Watermaster recommendation does not oppose approval of this application.

Enlargement of Use:

The transfer proposes no changes in the nature. No additional rate or volume is proposed to be diverted from this source and no additional acres are proposed to be irrigated beyond the historical use. No enlargements of the water rights are anticipated.

SCANNED

JUN 22 2023

Local Public Interest:

No evidence has been submitted suggesting the transfer proposes changes at odds with the local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Discussion

Water Supply Bank (WSB) personnel has confirmed that water rights 2-2176A and 2-2405A were released from the WSB in 2022.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

MEMORANDUM

Date: June 20, 2023
To: Transfer 87248
From: Laura McSherry
Re: Legal Notice Not Required

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

SCANNED

JUN 22 2023

State of Idaho

Department Of Water Resources

WATERMASTER RECOMMENDATION FORM

Water District # 2
Application # 87248
Applicant Name Terry Field

Watermaster Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional comments:

Dated this 12 day of June 2023, 2022

R Whitney

Watermaster Signature

Printed Name

SCANNED

JUN 22 2023

McSherry, Laura

From: McSherry, Laura
Sent: Monday, June 12, 2023 3:29 PM
To: Whitney, Rob
Subject: RE: Watermaster Recommendation Needed: Transfer 87248

Rob,

Thanks for the quick reply.
I will add the document to the transfer file.

Regards,
Laura

From: Whitney, Rob <Rob.Whitney@idwr.idaho.gov>
Sent: Monday, June 12, 2023 3:17 PM
To: McSherry, Laura <Laura.McSherry@idwr.idaho.gov>
Subject: RE: Watermaster Recommendation Needed: Transfer 87248

Thanks

From: McSherry, Laura <Laura.McSherry@idwr.idaho.gov>
Sent: Friday, June 9, 2023 4:37 PM
To: Whitney, Rob <Rob.Whitney@idwr.idaho.gov>
Subject: Watermaster Recommendation Needed: Transfer 87248

Hello Rob,

Please review the attached transfer application and return a completed watermaster recommendation form.
If you have any questions, please reach out.

Thank you,



Laura McSherry
Water Resource Agent, Sr.
P: (208) 605-4633
Idaho Dept. of Water Resources

SCANNED

JUN 22 2023

McSherry, Laura

From: McSherry, Laura
Sent: Monday, June 12, 2023 8:09 AM
To: Condon, Mary
Subject: RE: Confirmation Needed: Water Supply Bank Removal

Mary,

Thanks for your quick reply and confirmation!

Regards,
Laura

From: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Sent: Monday, June 12, 2023 7:27 AM
To: McSherry, Laura <Laura.McSherry@idwr.idaho.gov>
Subject: RE: Confirmation Needed: Water Supply Bank Removal

Hi Laura,

Yes, they are no longer leased. I processed their release from the bank last year.

Mary Condon
Water Supply Bank Coordinator



From: McSherry, Laura <Laura.McSherry@idwr.idaho.gov>
Sent: Friday, June 9, 2023 4:46 PM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: Confirmation Needed: Water Supply Bank Removal

Hello Mary,

Please confirm that water rights 2-2176A and 2-2405A have been formally requested to be removed from the water supply bank.

I am processing a transfer application proposing to move both water right POUs.

Thanks for your help with the matter.

Regards,



Laura McSherry
Water Resource Agent, Sr.
P: (208) 605-4633
Idaho Dept. of Water Resources

SCANNED

JUN 22 2023



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W Airport Way • Boise ID 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348

Website: idwr.idaho.gov • Email: westerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 22, 2022

J. Terry and Leslie Field
P.O. Box 217
Grandview Idaho 83624

Re: Application for Transfer of Water Right Incomplete - Returned

Dear Applicant:

This office received your draft application on November 03, 2022. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- 4. Place of use section is missing the Township, Range, and Section not listed on application.

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit together updated map within the next thirty (30) days. This letter is an attempt to ensure that your application is complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your application. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please consult the IDWR website or contact this office at 208-605-4620 and ask for the "office day person" if you have any questions about the necessary information or fee.

Sincerely,

Western Region Water Rights Staff
Enclosure: Original Application



Clint Lindow

Water Resource Agent

P: (208) 605-4620

Idaho Dept. of Water Resources

idwr.idaho.gov

SCANNED

JUN 22 2023

REVIEW CHECKLIST TRANSFER -- OR -- EXCHANGE (Workflow) (maybe Workflow)

Application # 87248 Reviewer LAURA Date 6.9.23

Acceptable Filing (TP Memo #24 Sect. 3) ☒ Y ☐ N If "N" 30-day Deficiency Ltr Sent _____ (date & initial)

Initial Review & Abbreviated Data Entry _____ (date & initial) Supervisor Notes ☐ Y ☐ N

Right(s) in Water Bank ☒ Y ☐ N, Notify S.O. _____ (date) - WSB App Attachment _____

COMMENT LETTERS ☐ Y ☒ N

Water District # _____ (Required even if No Legal Notice Required)

Other(s): list here or see attached _____

ADVERTISING ☐ Y ☒ N If "N" Save Legal Notice Not Required DB Comment in Workflow & Memo _____

Legal Notice Required - Saved as Legal Notice Remarks in Workflow ☐ Y *uncheck "Currently in Data Entry" flag

Statewide ads ☐ Y ☐ N ("Y" only if any single right > 10 cfs, 1000 af storage)

COMPLETE TO HERE BEFORE FORWARD FOR ADVERTISING

~~**ADVERTISER COMPLETES**~~

LEGAL NOTICE & PROTEST

Protest Deadline _____

☐ Y ☐ N

Protested

If Y: _____

Scan protest

Affidavit received/published correctly

If N: _____

Re-advertised & published correctly

REVIEW MEMO -- DRAFT APPROVAL -- APPROVAL COVER LETTER

Drilling fee upgrade ☒ Paid ☐ WC & WR File Documented (Request, CAN NOT hold xFer if unpaid).

Review Memo Completed ☒ (See Review Memo Template N:/WRProcessing/Transfers/Review Memo Template).

Data Entry, Conditions, & ArcMap Data Entry Completed ☒

E'folder w/ Draft Approval 87248 FIELD
(applicant last name + application #)

NOTE FOR CLERICAL STAFF APPROVAL COVER LETTER

Add WSB paragraph to approval cover letter (see N:WRFormLetters/Water Bank Paragraph) ☐ Y ☐ N

OPTIONAL PAGE -- CONDITIONS & NOTES

GROUNDWATER:

WD 161 (Non-de minimis uses) - R05
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 214

~~WD~~
 < 0.24 cfs/5 acres - No MD
 ≥ 0.24 cfs/5 acres - 01M or 01Q (ref. MD flowchart)

No water measurement districts in Western Region at this time.

DRILLING PERMIT - 046 (new well)

SURFACE WATER:

WD - R05
 ≤ 0.20 cfs - R02, 01P or No MD (ref. MD flowchart)
 > 0.20 cfs - R43

~~WD~~, SPRINGS/SINK, INACTIVE WD & REST OF STATE

< 0.24 cfs/5 acres - No MD
 ≥ 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON _____ to _____ (use X61 if extended season)

STANDARD VOLUME _____ af/ac

CONSUMPTIVE USE VOLUME _____ af/ac

USES:

STORAGE - 18C-18B/R40-123-220-219-221-222-259-937-938	POWER - 17H-17K (+uses)-025-106
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)	MUNICIPAL
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)	Restricted area - 022-075 RAFN - 007-109-X64
Volume only - R58/R59/R60/R61	Irr., GW supp to SW - 102
Supplemental - 943 & WB7	
Storage - R70	
STOCKWATER - R37 (all BLM/USFS)	DOMESTIC
MINING - 054-106	Surface water - WB5 (Boise above Star Bridge)
FISH PROP - 029 (70's basins only)-007-122-106	>1 in restricted area - 070-071-075(no parks/common areas, etc)
HEAT/COOL - R07 (injection well)	Irr use listed separate - WB5
FIRE PROT. - 077-218	
DAIRY - 082 (zoning if a concern)-106-WD8	

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. condition outside a WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined limits of multiple rts

X49 - measure p/d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
205 - use when quantity reduced by xFer approval
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X63 - replaced C12 through C17 - ultimately C18 placed on rts to cover issue. If C18 on rts replace with T19 and remove X63.

Apply one to chg'd & unchg'd rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt yet)
T19 - replaces C18 (if at Directors Report or Partial Decree stage)
T20 - use only on unchg'd rts not subject to SRBA

NOTES:



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 31, 2022

J TERRY FIELD
PO BOX 217
GRAND VIEW ID 83624

**RE: LEASED WATER RIGHT NO(S). 2-2176A & 2-2405A EARLY RELEASE FROM THE
WATER SUPPLY BANK**

Dear Lessor:

On October 27, 2022, the Department of Water Resources (Department) received your request to cancel existing Water Supply Bank (Bank) Lease Contract executed on June 6, 2022, and release water right(s) 2-2176A and 2-2405A from the Bank immediately. **At this time the Department acknowledges that the Bank Lease Contract for 49.0 acres of water right(s) 2-2176A and 2-2405A are released from the Bank as of October 31, 2022.**

The five (5) year period of nonuse related to forfeiture of a water right shall begin to accrue upon release of the right from the bank or shall continue to accrue if a period of nonuse occurred prior to the lease date of the right to the bank.

You can reapply to lease the water right(s) in the future by submitting new application form(s) from the Department's website at www.idwr.idaho.gov along with applicable fees. If you have any questions regarding this matter, please contact me at (208) 287-4936.

Sincerely,

Mary Condon
Water Supply Bank Coordinator

c: Watermaster, WD 2
Nick Miller - Western Region Manager

SCANNED

AUG 16 2023

WSB Mailing Checklist for Leases

Instructions: Staple to outside of lowest numbered water right file during processing.

Key: Who Completes What?

CLERICAL STAFF:

REVIEWER:

Received Date

Desired Lease Duration

Lease / Rental Package

If yes, Renter Name:

Application #

Contract #

WR#s

#

#

#

#

#

#

Stacked Water Rights Need to be Leased?

If checked, list water rights:

If the WR owner provided a different address on the application than what's in our database, update address in workflow.

Applicant Authorized?

Multiple owners, Attach 1A included?

If portion is offered, Attach 2 included?

Map of POU and POD?

POD Consent (if required)?

Application Complete?

Minimum checklist in data base?

Request for additional information letter sent:

WSB Action Request for deficiencies

Y / N

Y / N NA

N NA

Y N NA

Y / N NA

Y / N

☐

Y NA

☐

Mailings (per lease application)

CC

Original

Designated

Applicant:

Attorney:

Consultants

Name:

Watermaster:

Delivery Entity:

Water District:

Ground Water District:

Region:

Other:

Address:

EMAIL:

EMAIL:

Comments:

HG 4.5

Call up Date:

DO NOT SCAN