

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 86945**

This is to certify that: **WADE R FLEMING**
4319 N 55TH E
IDAHO FALLS, ID 83401

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>
23-12	WR/DECREED	5/20/1889	3.200 cfs	N/A	160.0	227.0	PALISADES CREEK

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
23-13A	WR/DECREED	6/30/1890	2.800 cfs	N/A	140.0	227.0	PALISADES CREEK
1-10600	WR/DECREED	6/1/1886	0.990 cfs	N/A		246.9	SNAKE RIVER
1-10602	WR/DECREED	6/1/1885	0.990 cfs	N/A		246.9	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>
23-12	YES	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
23-12	23-11520	2.580 cfs	N/A	160.0	227.0	23-12	0.620 cfs	N/A	N/A	N/A
COMBINED TOTALS		2.580 cfs	N/A	160.0	227.0		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 27th day of January, 2023.


Regional Manager

SUPPORT DATA

Transfer No. 86945

IN FILE # 23-12

SCANNED

JAN 27 2023

WATER RIGHT NO. 23-12
As Modified by Transfer No. 86945

In accordance with the approval of Transfer No. 86945, Water Right No. 23-12 is now described as follows:

Right Holder: WADE R FLEMING
4319 N 55TH E
IDAHO FALLS, ID 83401

Priority Date: 5/20/1889

Source: PALISADES CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
0.620 cfs
0.620 cfs

LOCATION OF POINT(S) OF DIVERSION

PALISADES CREEK SWSWSE Sec 26 Twp 01N Rge 44E BONNEVILLE County

CONDITIONS OF APPROVAL

1. This right is used to offset conveyance losses and shall not be used for any other purpose.
2. 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. 1.
3. 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).
4. Water is delivered through Palisades Canal (13033010).
5. This right does not grant any right-of-way or easement across the land of another.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 86945

SCANNED

JAN 27 2023

WATER RIGHT NO. 23-11520**As Modified by Transfer No. 86945**

In accordance with the approval of Transfer No. 86945, Water Right No. 23-11520 is now described as follows:

Right Holder: WADE R FLEMING
4319 N 55TH E
IDAHO FALLS, ID 83401

Priority Date: 5/20/1889

Source: PALISADES CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

2.580 cfs

2.580 cfs

LOCATION OF POINT(S) OF DIVERSION

PALISADES CREEK

L1 (NWNE)

Sec 28 Twp 01N Rge 44E BONNEVILLE 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	
01N	44E	21																40.0	40.0
01N	44E	22											40.0	33.0					73.0
01N	44E	27		0.1			33.0	37.0											70.1
01N	44E	28	37.0			6.9													43.9
			L 1				L 4												

Right Acre Limit: 160.0

POU Total Acres: 227.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 160 acres within the authorized place of use in a single irrigation season.
2. Rights 23-13A and 23-11520 when combined shall not exceed the irrigation of 227 acres.
3. Rights 1-10600, 1-10602, 23-13A, and 23-11520 when combined shall not exceed the irrigation of 246.9 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. 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. 1.

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SCANNED

JAN 27 2023

WATER RIGHT NO. 23-11520
As Modified by Transfer No. 86945

CONDITIONS OF APPROVAL

6. 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).
7. Diversion of water under this right is limited to those times when water is available for diversion under the priority of this right at the original point of diversion from Palisades Creek in the SWSE, Section 26, T01N, R44E.
8. Diversion of water under this right is limited to the quantity of water available under this right at the original point of diversion on Palisades Creek or the quantity of water at the confluence of Palisades Creek and the Snake River, whichever is less.
9. Upon specific notice from the watermaster or the Department, the right holder shall install a measuring device on Palisades Creek near the confluence with the Snake River to measure the amount of water entering the Snake River from Palisades Creek.
10. Water is delivered through Fleming Pump (13033643).
11. Use of this right is combined with water from The Palisade Irrigation Co.
12. This right does not grant any right-of-way or easement across the land of another.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Idaho Code § 42-1412(6), 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. 23-13A
As Modified by Transfer No. 86945

In accordance with the approval of Transfer No. 86945, Water Right No. 23-13A is now described as follows:

Right Holder: WADE R FLEMING
4319 N 55TH E
IDAHO FALLS, ID 83401

Priority Date: 6/30/1890

Source: PALISADES CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/15

To
to 10/31

Diversion Rate
2.800 cfs
2.800 cfs

LOCATION OF POINT(S) OF DIVERSION

PALISADES CREEK SWSWSE Sec 26 Twp 01N Rge 44E BONNEVILLE 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	
01N	44E	21																40.0	40.0
01N	44E	22											40.0	33.0					73.0
01N	44E	27		0.1			33.0	37.0											70.1
01N	44E	28	37.0			6.9													43.9
			L 1			L 4													

Right Acre Limit: 140.0

POU Total Acres: 227.0

CONDITIONS OF APPROVAL

1. Rights 23-13A and 23-11520 when combined shall not exceed the irrigation of 227 acres.
2. WATER IS DELIVERED THROUGH THE PALISADES IRRIGATION COMPANY CANAL.
3. RIGHT NO. 23-00012 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. USE OF THIS RIGHT IS COMBINED WITH WATER FROM THE PALISADES IRRIGATION COMPANY.

Transfer No. 86945

SCANNED

JAN 27 2023

WATER RIGHT NO. 23-13A
As Modified by Transfer No. 86945

CONDITIONS OF APPROVAL

6. Pursuant to Idaho Code § 42-1412(6), 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.

Transfer No. 86945

SCANNED

JAN 27 2023

WATER RIGHT NO. 1-10600**As Modified by Transfer No. 86945**

In accordance with the approval of Transfer No. 86945, Water Right No. 1-10600 is now described as follows:

Right Holder: WADE R FLEMING
4319 N 55TH E
IDAHO FALLS, ID 83401

Priority Date: 6/1/1886

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
0.990 cfs
0.990 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER L1 (NWNE) Sec 28 Twp 01N Rge 44E BONNEVILLE 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	
01N	44E	21																39.0	39.0
01N	44E	22											40.0	39.0					79.0
01N	44E	27					40.0	39.0											79.0
01N	44E	28	42.9			7.0													49.9
			L 1			L 4													

POU Total Acres: 246.9

CONDITIONS OF APPROVAL

1. Use of this right is combined with water from Palisades Irrigation Co.
2. Rights 1-10600, 1-10602, 23-13A, and 23-11520 when combined shall not exceed the irrigation of 246.9 acres.
3. Pursuant to Idaho Code § 42-1412(6), 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.

Transfer No. 86945

SCANNED

JAN 27 2023

WATER RIGHT NO. 1-10602
As Modified by Transfer No. 86945

In accordance with the approval of Transfer No. 86945, Water Right No. 1-10602 is now described as follows:

Right Holder: WADE R FLEMING
 4319 N 55TH E
 IDAHO FALLS, ID 83401

Priority Date: 6/1/1885

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE
 IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
 0.990 cfs
 0.990 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER L1 (NWNE) Sec 28 Twp 01N Rge 44E BONNEVILLE 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	
01N	44E	21																39.0	39.0
01N	44E	22											40.0	39.0					79.0
01N	44E	27					40.0	39.0											79.0
01N	44E	28	42.9			7.0													49.9
			L 1			L 4													

POU Total Acres: 246.9

CONDITIONS OF APPROVAL

1. Use of this right is combined with water from Palisades Irrigation Co.
2. Rights 1-10600, 1-10602, 23-13A, and 23-11520 when combined shall not exceed the irrigation of 246.9 acres.
3. Pursuant to Idaho Code § 42-1412(6), 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.

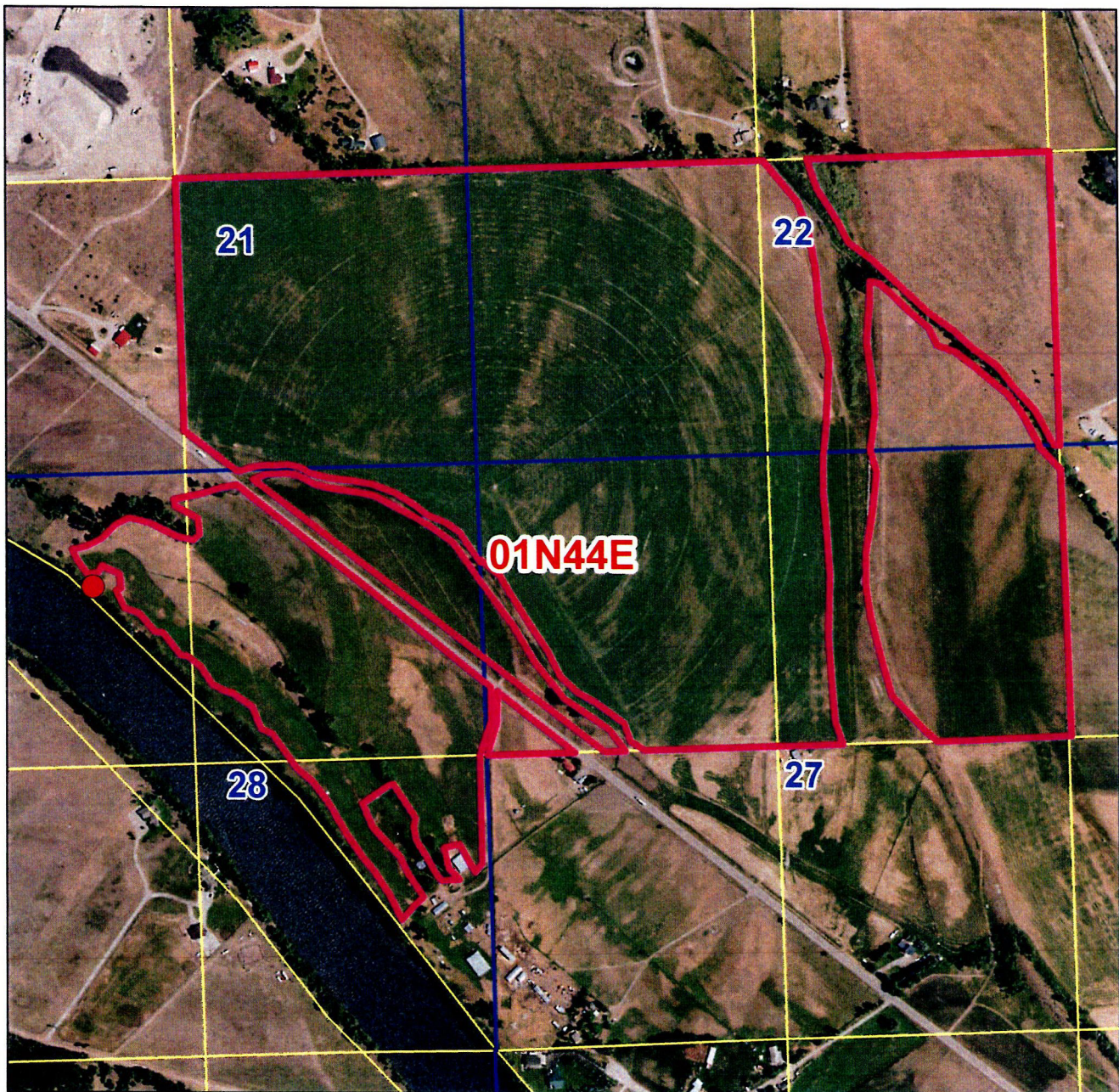
Transfer No. 86945

SCANNED

JAN 27 2023

Attachment to Transfer Approval 86945

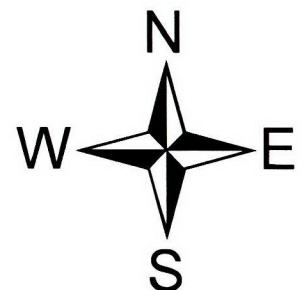
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 500 1,000 2,000 Feet



SCANNED Date 1/27/2023
JAN 27 2023