STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85964

This is to certify that: BARBARA PYLE WARD AND
THOMAS C WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
43-10815	WR/DECREED	6/15/1886	2.200 cfs	N/A	151.0	233.0	CASSIA CREEK
43-11298	WR/DECREED	4/1/1894	2.800 cfs	N/A	N/A	230.0	CASSIA CREEK
43-214	WR/DECREED	7/1/1886	0.400 cfs	N/A	79.0	230.0	CASSIA CREEK
43-2452	WR/DECREED	9/27/1956	2.000 cfs	N/A	N/A	145.0	GROUND WATER
43-2459	WR/DECREED	7/2/1957	0.370 cfs	N/A	N/A	145.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-10815	NO	NO	YES	NO	NO	NO
43-11298	NO	NO	YES	NO	NO	NO
43-214	NO	NO	YES	NO	NO	NO
43-2452	NO	NO	YES	NO	NO	NO
43-2459	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-10815	43-10815	2.200 cfs	N/A	151.0	230.0	N/A	N/A	N/A	N/A	N/A
43-11298	43-11298	2.800 cfs	N/A	N/A	230.0	N/A	N/A	N/A	N/A	N/A
43-214	43-214	0.400 cfs	N/A	79.0	230.0	N/A	N/A	N/A	N/A	N/A
43-2452	43-2452	2.000 cfs	N/A	145.0	230.0	N/A	N/A	N/A	N/A	N/A
43-2459	43-2459	0.370 cfs	N/A	145.0	230.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**7.770 cfs**	**N/A**	**N/A**	**230.0**		**N/A**	**N/A**	**N/A**	**N/A**

SUPPORT DATA
IN FILE # 43-214

SCANNED
NOV 21 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85964

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 18th day of November, 2022.

Southern Region Manager

SCANNED
NOV 21 2022

WATER RIGHT NO. 43-2452

As Modified by Transfer No. 85964

In accordance with the approval of Transfer No. 85964, Water Right No. 43-2452 is now described as follows:

Right Holder: THOMAS C WARD AND
BARBARA PYLE WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 9/27/1956

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	2.000 cfs
				2.000 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNWSW Sec 23 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		34.0	32.0		39.0			29.0	40.0	32.0		24.0					230.0

Right Acre Limit: 145.0
POU Total Acres: 230.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 145 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2425, and 43-2459 when combined shall not exceed a total annual maximum diversion volume of 580.0 af at the field headgate, and the irrigation of 145 acres.
3. Rights 43-214, 43-2425, 43-2459, 43-10815, and 43-11298 when combined shall not exceed the irrigation of 230 acres.
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. 143.
5. 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).

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WATER RIGHT NO. 43-2452

As Modified by Transfer No. 85964

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

7. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.

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 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.

SCANNED
NOV 21 2022

WATER RIGHT NO. 43-2459

As Modified by Transfer No. 85964

In accordance with the approval of Transfer No. 85964, Water Right No. 43-2459 is now described as follows:

Right Holder: THOMAS C WARD AND
BARBARA PYLE WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 7/2/1957

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	0.370 cfs
				0.370 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNWSW Sec 23 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		34.0	32.0		39.0			29.0	40.0	32.0		24.0					230.0

Right Acre Limit: 145.0
POU Total Acres: 230.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 145 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2452 and 43-2459 when combined shall not exceed a total annual maximum diversion volume of 580.0 af at the field headgate, and the irrigation of 145 acres.
3. Rights 43-214, 43-2452, 43-2459, 43-10815, and 43-11298 when combined shall not exceed the irrigation of 230 acres.
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. 143.
5. 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).

Transfer No. 85964

SCANNED
NOV 21 2022

WATER RIGHT NO. 43-2459

As Modified by Transfer No. 85964

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

7. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.

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 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.

SCANNED
NOV 21 2022

WATER RIGHT NO. 43-10815

As Modified by Transfer No. 85964

In accordance with the approval of Transfer No. 85964, Water Right No. 43-10815 is now described as follows:

Right Holder: THOMAS C WARD AND
BARBARA PYLE WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 6/15/1886

Source: CASSIA CREEK **Tributary:** RAFT RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	2.200 cfs
				2.200 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK SESWNW Sec 23 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		34.0	32.0		39.0			29.0	40.0	32.0		24.0					230.0

Right Acre Limit: 151.0
POU Total Acres: 230.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 151 acres within the authorized place of use in a single irrigation season.
2. Rights 43-214, 43-2452, 43-2459, 43-10815, and 43-11298 when combined shall not exceed the irrigation of 230 acres.
3. 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. 43C.
4. 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).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 85964

SCANNED
NOV 21 2022

WATER RIGHT NO. 43-10815

As Modified by Transfer No. 85964

CONDITIONS OF APPROVAL

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 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.

SCANNED
NOV 21 2022

WATER RIGHT NO. 43-11298

As Modified by Transfer No. 85964

In accordance with the approval of Transfer No. 85964, Water Right No. 43-11298 is now described as follows:

Right Holder: THOMAS C WARD AND
BARBARA PYLE WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 4/1/1894

Source: CASSIA CREEK **Tributary:** RAFT RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	2.800 cfs
				2.800 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK SESWNW Sec 23 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		34.0	32.0		39.0			29.0	40.0	32.0		24.0					230.0

POU Total Acres: 230.0

CONDITIONS OF APPROVAL

1. Rights 43-214, 43-2452, 43-2459, 43-10815, and 43-11298 when combined shall not exceed the irrigation of 230 acres.
2. 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. 43C.
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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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WATER RIGHT NO. 43-11298

As Modified by Transfer No. 85964

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

7. 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.

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NOV 21 2022

WATER RIGHT NO. 43-214

As Modified by Transfer No. 85964

In accordance with the approval of Transfer No. 85964, Water Right No. 43-214 is now described as follows:

Right Holder: THOMAS C WARD AND
BARBARA PYLE WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 7/1/1886

Source: CASSIA CREEK **Tributary:** RAFT RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	03/15	to	11/15	0.400 cfs
				0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK SESWNW Sec 23 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		34.0	32.0		39.0			29.0	40.0	32.0		24.0					230.0

Right Acre Limit: 79.0
POU Total Acres: 230.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 79 acres within the authorized place of use in a single irrigation season.
2. Rights 43-214, 43-2452, 43-2459, 43-10815, and 43-11298 when combined shall not exceed the irrigation of 230 acres.
3. 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. 43C.
4. 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).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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NOV 21 2022

WATER RIGHT NO. 43-214

As Modified by Transfer No. 85964

CONDITIONS OF APPROVAL

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 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.

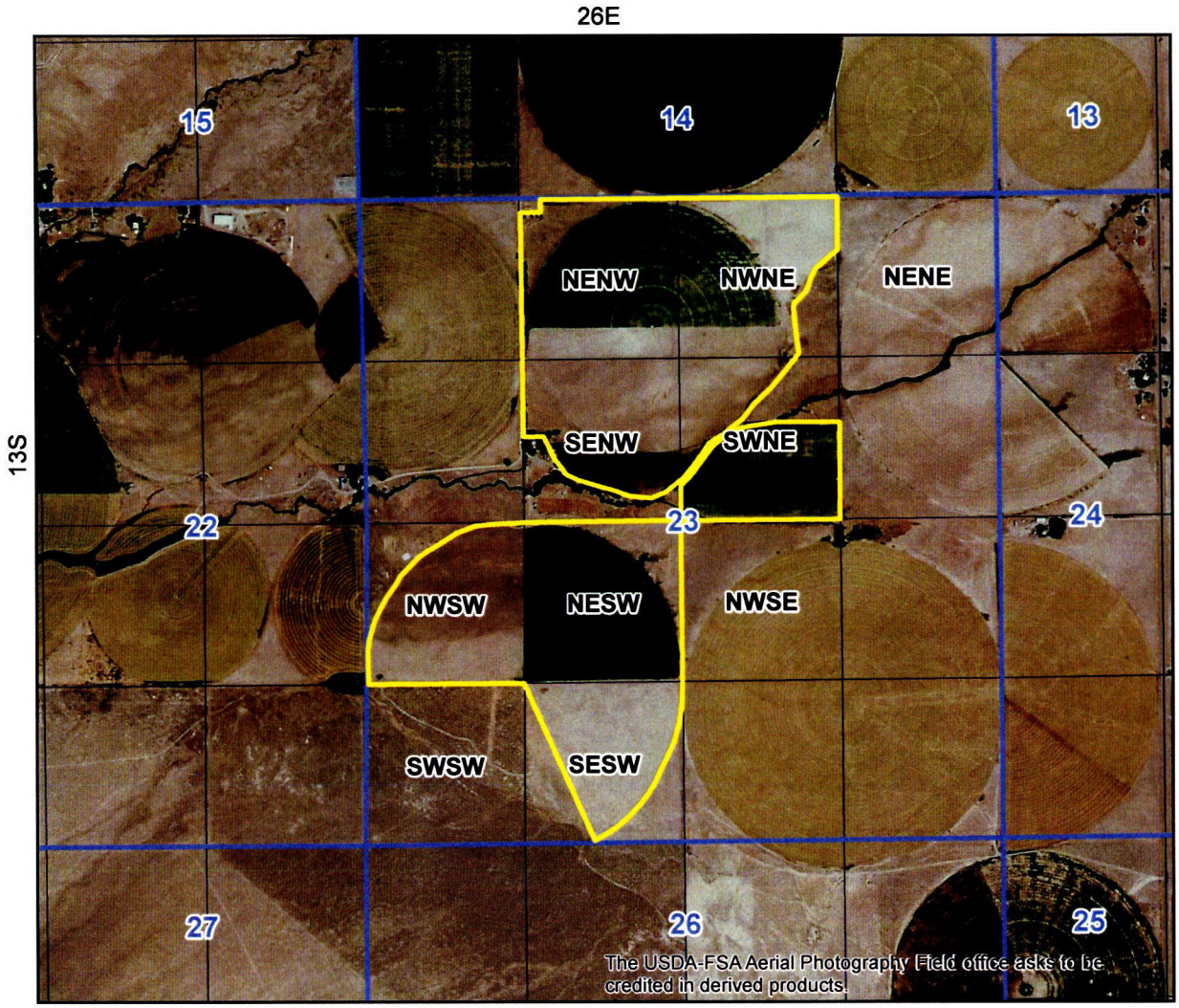
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State of Idaho
Department of Water Resources

Attachment to Transfer # 85964

43-214, 43-2452, 43-2459, 43-10815, and 43-11298

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



0 0.175 0.35 0.7 Miles

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

N

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DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 85964

MINIMUM 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 http://www.idwr.idaho.gov/ .

Name of Applicant(s) BARBARA PYLE WARD; THOMAS C WARD

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.

- [x] * Completed Application for Transfer of Water Right form, Part 1.
- [x] * 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.
- [x] * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- [ ] [x] 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
- [x] * 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).
- [x] * 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 #1-9.

- [ ] [x] #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.)
- [ ] [x] #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- [ ] [x] #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).
- [ ] [x] #3 Documentation of authority to make the change if the applicant is not the water right owner.
- [ ] [x] #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- [ ] [x] #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 http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm .
- [ ] [x] #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.)
- [x] * #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.)
- [x] [ ] #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.
- [ ] [x] #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.)
- [ ] [x] #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 Other. Please describe: _____

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SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant BARBARA PYLE WARD Phone (208) 678-4490
Mailing Address 450 W HIGHWAY 30, BURLEY ID 83318-5004 Email

Name of Applicant THOMAS C WARD Phone (208) 678-4490
Mailing Address 450 W HIGHWAY 30, BURLEY ID 83318-5004 Email

☐ 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.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
Thomas C Ward	Thomas C Ward	4/9/2022
Barbara Pyle Ward	BARBARA PYLE WARD	4-9-22

A. PURPOSE OF TRANSFER

1.

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-214	No	No	Yes	No	No	No
43-2452	No	No	Yes	No	No	No
43-2459	No	No	Yes	No	No	No
43-10815	No	No	Yes	No	No	No
43-11298	No	No	Yes	No	No	No

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NOV 21 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

2. 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.2**

Application proposes to change the place of use for two ground water rights and three surface water rights from Cassia Creek by shifting acres at the existing place of use to a contiguous parcel owned by the applicant.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-2452	2.000 cfs	N/A	N/A	230.0		N/A	N/A	N/A	N/A
43-2459	0.370 cfs	N/A	N/A	230.0		N/A	N/A	N/A	N/A
43-10815	2.200 cfs	N/A	151.0	230.0		N/A	N/A	N/A	N/A
43-11298	2.800 cfs	N/A	N/A	230.0		N/A	N/A	N/A	N/A
43-214	0.400 cfs	N/A	79.0	230.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	7.770 cfs	N/A	N/A	230.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 7.77 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:
   - ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
   - ☑ As shown in Part 1.
   - ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:
   - ☐ No changes to place of use are proposed. (Proceed to #5.)
   - ☑ As shown in Part 1.
   - ☐ See Attachment.

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NOV 21 2022

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-2452

Current Water Right Owner

THOMAS C WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

AND

BARBARA PYLE WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 9/27/1956
Origin: Water Right
Basis: Decreed
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	2.000 CFS	
Total Diversion			2.000 CFS	

Source and Point(s) of Diversion:
GROUND WATER SWNWSW Sec. 23 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		34.0	32.0		39.0			29.0	40.0	32.0		24.0					230.0

POU Total Acres: 230.0

Transfer No. 85964

SCANNED
NOV 21 2022

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-2459

Current Water Right Owner

THOMAS C WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

AND

BARBARA PYLE WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 7/2/1957
Origin: Water Right
Basis: Decreed
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	0.370 CFS	
Total Diversion			0.370 CFS	

Source and Point(s) of Diversion:
GROUND WATER SWNWSW Sec. 23 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		34.0	32.0		39.0			29.0	40.0	32.0		24.0					230.0

POU Total Acres: 230.0

Transfer No. 85964

SCANNED
NOV 21 2022

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-10815

Current Water Right Owner

THOMAS C WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

AND

BARBARA PYLE WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 6/15/1886
Origin: Water Right
Basis: Decreed
Status Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	2.200 CFS	
Total Diversion			2.200 CFS	

Source and Point(s) of Diversion:
CASSIA CREEK SESWNW Sec. 23 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		34.0	32.0		39.0			29.0	40.0	32.0		24.0					230.0

Right Acre Limit: 151.0
POU Total Acres: 230.0

Transfer No. 85964

SCANNED
NOV 21 2022

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-11298

Current Water Right Owner

THOMAS C WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

OR

BARBARA PYLE WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 4/1/1894
Origin: Water Right
Basis: Decreed
Status Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	2.800 CFS	
Total Diversion			2.800 CFS	

Source and Point(s) of Diversion:
CASSIA CREEK SESWNW Sec. 23 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		34.0	32.0		39.0			29.0	40.0	32.0		24.0					230.0

POU Total Acres: 230.0

Transfer No. 85964

SCANNED
NOV 21 2022

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-214

Current Water Right Owner

THOMAS C WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

OR

BARBARA PYLE WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 7/1/1886
Origin: Water Right
Basis: Decreed
Status Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	0.400 CFS	
Total Diversion			0.400 CFS	

Source and Point(s) of Diversion:
CASSIA CREEK SESWNW Sec. 23 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		34.0	32.0		39.0			29.0	40.0	32.0		24.0					230.0

Right Acre Limit: 79.0
POU Total Acres: 230.0

Transfer No. 85964

SCANNED
NOV 21 2022

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
Measuring devices and lockable controlling works are either installed or will be installed as required

b. Who owns the property at the point(s) of diversion
Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☑ **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: None
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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Appropriate number of acres are being dried up at the current place of use to contiguous lands owned by the applicant.

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

f. 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:

SCANNED
NOV 21 2022

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 43-2452

Current Water Right Owner

THOMAS C WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 9/27/1956
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	2.000 CFS	
Total Diversion			2.000 CFS	

Source and Point(s) of Diversion:
GROUND WATER SWNWSW Sec. 23 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		40.0	40.0		39.0			38.0	34.0	39.0							230.0

POU Total Acres: 230.0

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-2425, AND 43-2459.

2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 230 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-214, 43-2425, 43-2459, 43-10815, AND 43-11298

3. USE OF THIS RIGHT WITH RIGHT NO. 43-2459 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 580 AF.

4. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

5. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-214, 43-2425, 43-2459, 43-10815, AND 43-11298

SCANNED
NOV 21 2022

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 43-2459

Current Water Right Owner

THOMAS C WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 7/2/1957
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	0.370 CFS	
Total Diversion			0.370 CFS	

Source and Point(s) of Diversion:
GROUND WATER SWNWSW Sec. 23 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		40.0	40.0		39.0			38.0	34.0	39.0							230.0

POU Total Acres: 230.0

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 230 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-214, 43-2425, 43-2459, 43-10815, AND 43-11298

3. USE OF THIS RIGHT WITH RIGHT NO. 43-2452 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 580 AF.

4. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-214, 43-2425, 43-2459, 43-10815, AND 43-11298

5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-2425, AND 43-2459.

SCANNED
NOV 21 2022

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 43-10815

Current Water Right Owner

THOMAS C WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 6/15/1886
Origin: Water Right
Basis: Decreed
Status: Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	2.200 CFS	
Total Diversion			2.200 CFS	

Source and Point(s) of Diversion:
CASSIA CREEK SESWNW Sec. 23 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		40.0	40.0		39.0			38.0	34.0	39.0							230.0

Right Acre Limit: 151.0
POU Total Acres: 230.0

Conditions/Remarks:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 151 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

2. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-0108 & 43-0109 .

3. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 230 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-214, 43-2425, 43-2459, 43-10815, AND 43-11298

5. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-214, 43-2425, 43-2459, 43-10815, AND 43-11298

SCANNED
NOV 21 2022

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 43-11298

Current Water Right Owner

THOMAS C WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 4/1/1894
Origin: Water Right
Basis: Decreed
Status: Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	2.800 CFS	
Total Diversion			2.800 CFS	

Source and Point(s) of Diversion:
CASSIA CREEK SESWNW Sec. 23 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		40.0	40.0		39.0			38.0	34.0	39.0							230.0

POU Total Acres: 230.0

Conditions/Remarks:

1. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-214, 43-2425, 43-2459, 43-10815, AND 43-11298

2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 230 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-214, 43-2425, 43-2459, 43-10815, AND 43-11298

3. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

SCANNED
NOV 21 2022

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 43-214

Current Water Right Owner

THOMAS C WARD
450 W HIGHWAY 30
BURLEY, ID 83318-5004

Priority Date: 7/1/1886
Origin: Water Right
Basis: Decreed
Status: Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	0.400 CFS	
Total Diversion			0.400 CFS	

Source and Point(s) of Diversion:
CASSIA CREEK SESWNW Sec. 23 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	23		40.0	40.0		39.0			38.0	34.0	39.0							230.0

Right Acre Limit: 79.0
POU Total Acres: 230.0

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 79 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 230 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-214, 43-2425, 43-2459, 43-10815, AND 43-11298

4. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-214, 43-2425, 43-2459, 43-10815, AND 43-11298

SCANNED
NOV 21 2022

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.

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 rights(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**

1. 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.:

Yes the supplemental rights have been used when available

FOR DEPARTMENT USE ONLY

Transfer Contains 15 pages and _____ attachments.

Received By DM Date 4-13-2022 Prelim. Check By _____ Date _____

Fee Paid $705- Date 4-13-2022 Receipted By DM Receipt # S039175

Add'l Fee Paid _____ Date _____ Receipted By _____ Receipt # _____

SCANNED
NOV 21 2022

CASSIA COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE - BURLEY
08:36:45 AM 07-13-2022
2022-003103
NO. PAGES: 3 FEE: $15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: EV
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED
DO NOT REMOVE
THE COUNTY STAMPED
FIRST PAGE AS IT IS NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

AFTER RECORDING MAIL TO:

This instrument is recorded by First American Title Co. as an accommodation only and has not been examined as to its execution & effect upon the title.

ənt is recorded by First
Co. as an accommodation
has not been examined as
ution & effect upon the title.

RECEIVED
AUG 11 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

QUITCLAIM DEED

Date: **July 11, 2022**

For Value Received, **Thomas C Ward, a married man dealing in his sole and separate property** , do(es) hereby convey, release, remise, and forever quit claim unto **Thomas C Ward and Barbara Ward, husband and wife** , whose address is **450 West Highway 30, Burley, ID 83318**, herein after called the Grantee, the following described premises situated in **Cassia** County, **Idaho**, to-wit:

See attached Exhibit 'A'

together with its appurtenances.

SCANNED
NOV 21 2022

RECORDED ELECTRONICALLY
ID 2022-003103 County Cassia
Date 7/13/22 Time 8:30:45
simplifile www.simplifile.com 800.460.5657

AFTER RECORDING MAIL TO:

This instrument is recorded by First American Title Co. as an accommodation only and has not been examined as to its execution & effect upon the title.

ent is recorded by First Co. as an accommodation has not been examined as ution & effect upon the title.

QUITCLAIM DEED

Date: **July 11, 2022**

For Value Received, **Thomas C Ward, a married man dealing in his sole and separate property** , do(es) hereby convey, release, remise, and forever quit claim unto **Thomas C Ward and Barbara Ward, husband and wife** , whose address is **450 West Highway 30, Burley, ID 83318**, herein after called the Grantee, the following described premises situated in **Cassia** County, **Idaho**, to-wit:

See attached Exhibit 'A'

together with its appurtenances.

SCANNED
NOV 21 2022

Dated: 7/12/2022

Thomas C Ward

Thomas C Ward

STATE OF Idaho)
ss.
COUNTY OF Minidoka)

On this 12th day of July, 2022, before me, a Notary Public in and for said State, personally appeared **Thomas C Ward**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

KAMBREE WATSON
COMM NO. 2017-0748
NOTARY PUBLIC
STATE OF IDAHO

Notary Public of Idaho
Residing at: Paul, Idaho
Commission Expires: October 19, 2023

SCANNED
NOV 21 2022

EXHIBIT 'A'

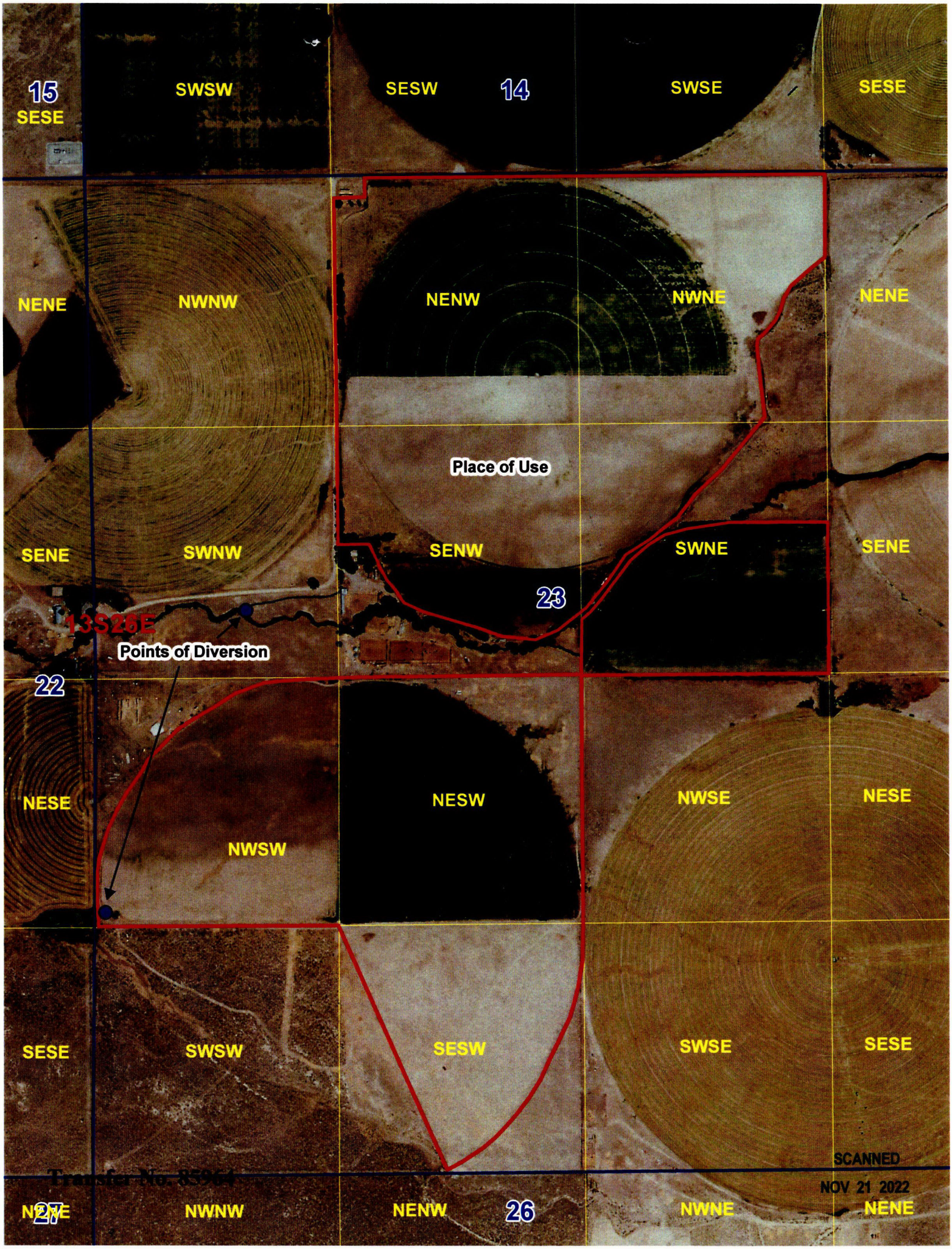
TOWNSHIP 13 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 23: NE¼NW¼; SE¼NW¼; NW¼NE¼; SW¼NE¼; N½SW¼

TOGETHER WITH the following water rights of the Idaho Department of Water Resources:

43-214, 43-4100, 43-2452, 43-2459, 43-10100, 43-10815 and 43-11298

SCANNED
NOV 21 2022



Transfer No. 85964

SCANNED

NOV 21 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

November 21, 2022

THOMAS C WARD
BARBARA PYLE WARD
450 W HIGHWAY 30
BURLEY ID 83318-5004

Re: Transfer No: 85964
Water Right No(s).: 43-214, 43-2452, 43-2459, 43-10815, 43-11298

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.

SCANNED
NOV 21 2022

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. 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) 736-3033.

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

c:

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

SCANNED
NOV 21 2022

CERTIFICATE OF SERVICE

I hereby certify that on November 21, 2022 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.: 85964
Water Right No(s).: 43-214, 43-2452, 43-2459, 43-10815, 43-11298

THOMAS C WARD
BARBARA PYLE WARD
450 W HIGHWAY 30
BURLEY ID 83318-5004

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

Denise Maline
Administrative Assistant

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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.

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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.

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Sufficiency Memorandum

Date: August 12, 2022

To: Transfer 85964

From: Benny Walker

Re: Evaluation of Sufficiency of Information Submitted

This transfer application proposes to change the place of use (POU) for 2 ground water rights and 3 surface water rights from Cassia Creek, with a combined total diversion rate of 7.77 cfs, for irrigation of 230 acres at an existing farm. The transfer proposes to shift 24 acres to contiguous land owned by the applicant. No changes are proposed for the existing points of diversion (POD). The POU and PODs are located approximately 1.5 to 2.5 miles south and 0.5 to 1.2 miles west of the City of Malta.

The rights involved with this application are located within Water Districts 43C and 143, therefore water master comments were solicited, and no objections were received.

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.

- **Authority to File:**
  The applicants submitted a deed to update the ownership of the water rights involved in the transfer. Therefore, giving them the authority to file the transfer

- **Water Right Validity:**
  The water rights involved in the transfer were decreed in the SRBA. Recent aerial photography indicates that the land has been irrigated in recent years.

- **Injury to Other Water Rights:**
  None anticipated.

- **Enlargement of Use:**
  None anticipated.

- **Local Public Interest:**
  No negative impacts anticipated.

- **Beneficial Use/Conservation of Water Resources:**
  Proposed use is recognized as a beneficial use of water

- **Effect on Economy of the Local Area:**
  None anticipated.

- **Effect of the Agricultural Base of the Local Area:**
  None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

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Maline, Denise

From: Ragan, Brian
Sent: Thursday, May 5, 2022 11:09 AM
To: Maline, Denise
Subject: RE: Comment Letter for App. for Transfer No. 85964 (Ward)

I have no objections to this application.

Thank you,
Brian Ragan
IDWR Water Distribution Section
(208) 287-4934

From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Wednesday, May 4, 2022 5:15 PM
To: Ragan, Brian <Brian.Ragan@idwr.idaho.gov>
Subject: Comment Letter for App. for Transfer No. 85964 (Ward)

Hi Brian,

Attached is an application for transfer currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding these applications, please feel free to contact our office.

Thank you in advance,

Denise @ Southern

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

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IDAHO DEPARTMENT
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

May 4, 2022

WATER DISTRICT 43C
ROGER MUSSER
917 PARK LN
POCATELLO ID 83201-2818

RE: Transfer No. 85964 (Thomas Ward & Barbara Pyle-Ward)

Dear Roger:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

SCANNED
NOV 21 2022

Maline, Denise

From: Maline, Denise
Sent: Wednesday, May 4, 2022 5:15 PM
To: Ragan, Brian
Subject: Comment Letter for App. for Transfer No. 85964 (Ward)
Attachments: Application for Transfer No. 85964 (Ward).pdf; Comment letter to WD143 for 85964.docx

Hi Brian,

Attached is an application for transfer currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding these applications, please feel free to contact our office.

Thank you in advance,

Denise @ Southern

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

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IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

May 4, 2022

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

RE: Transfer No. 85964 (Thomas Ward & Barbara Pyle-Ward)

Dear Brian:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

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Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

SCANNED
NOV 21 2022

MEMORANDUM

TO: Transfer 85964 File

FROM: Benny Walker

DATE: May 2, 2022

SUBJECT: Filing Fee

The filing fee of, $580.00.00, for this transfer is based on the amount of water proposed to be transferred or changed, 1.45 cfs. The transfer fee schedule for a transfer involving 1.01-2.00 cfs indicates that the filing fee is $580.00.00. An additional fee of $125.00 was required for ownership change to add Barbara Ward. For a total fee of 705.00. The applicant submitted a fee of $705.00 with this transfer, (Receipt S039175).

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NOV 21 2022

MEMORANDUM

Date: May 2, 2022

To: Transfer 85964

From: Benny Walker

Re: Legal Notice Not Required

Legal Notice Not Required
5/2/2022

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.

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