STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87544

This is to certify that: VIRGINIA C WARD AND
WALLACE P WARD
123 E 100 S
BURLEY, ID 83318-5442

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
43-10268	WR/DECREED	10/19/1928	0.160 cfs	18.7 af	4.0	187.0	SPRINGS
43-2558	WR/DECREED	1/7/1963	1.540 cfs	647.0 af	185.0	187.0	GROUND WATER
43-272	WR/DECREED	4/30/1872	1.000 cfs	N/A	166.0	187.0	CASSIA CREEK
43-273	WR/DECREED	4/30/1880	1.500 cfs	N/A	166.0	187.0	CASSIA CREEK
43-274	WR/DECREED	4/30/1872	0.500 cfs	N/A	127.0	148.0	RICE SPRINGS

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-10268	NO	NO	YES	NO	NO	NO
43-2558	NO	NO	YES	NO	NO	NO
43-272	NO	NO	YES	NO	NO	NO
43-273	NO	NO	YES	NO	NO	NO
43-274	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
43-10268	43-10268	0.160 cfs	18.7 af	4.0	187.0	N/A	N/A	N/A	N/A	N/A
43-2558	43-2558	1.540 cfs	647.0 af	185.0	187.0	N/A	N/A	N/A	N/A	N/A
43-272	43-272	1.000 cfs	N/A	166.0	187.0	N/A	N/A	N/A	N/A	N/A
43-273	43-273	1.500 cfs	N/A	166.0	187.0	N/A	N/A	N/A	N/A	N/A
43-274	43-274	0.500 cfs	N/A	127.0	187.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**4.700 cfs**	**N/A**	**187.0**	**187.0**		**N/A**	**N/A**	**N/A**	**N/A**

SUPPORT DATA
IN FILE # 43-272

SCANNED
MAY 05 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87544

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 4th day of May, 2023.

Southern Region Manager

SCANNED
MAY 05 2023

WATER RIGHT NO. 43-272

As Modified by Transfer No. 87544

In accordance with the approval of Transfer No. 87544, Water Right No. 43-272 is now described as follows:

Right Holder: WALLACE P WARD AND
VIRGINIA C WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 4/30/1872

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

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	04/01	to	10/31	1.000 cfs
				1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK	NESESE	Sec 19 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	L3 (SENWSW)	Sec 19 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	20									18.0			19.0	35.0	26.0	22.0	21.0	141.0
13S	26E	21							13.0			33.0							46.0

Right Acre Limit: 166.0
POU Total Acres: 187.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 166 acres within the authorized place of use in a single irrigation season.
2. Rights 43-272, and 43-273 when combined shall not exceed the irrigation of 166 acres.
3. Rights 43-272, 43-273, 43-274, 43-2558, and 43-10268 when combined shall not exceed the irrigation of 187 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. 43C.
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. 87544

SCANNED
MAY 05 2023

WATER RIGHT NO. 43-272

As Modified by Transfer No. 87544

CONDITIONS OF APPROVAL

6. When combined the following rights shall provide no more than .02 cfs per acre. Combined right nos. 43-272, 43-273, 43-274, 43-2558, and 43-10268.

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

8. 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. 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
MAY 05 2023

WATER RIGHT NO. 43-273

As Modified by Transfer No. 87544

In accordance with the approval of Transfer No. 87544, Water Right No. 43-273 is now described as follows:

Right Holder: WALLACE P WARD AND
VIRGINIA C WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 4/30/1880

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

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	04/01	to	10/31	1.500 cfs
				1.500 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK	NESESE	Sec 19 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	L3 (SENWSW)	Sec 19 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	20									18.0			19.0	35.0	26.0	22.0	21.0	141.0
13S	26E	21							13.0			33.0							46.0

Right Acre Limit: 166.0
POU Total Acres: 187.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 166 acres within the authorized place of use in a single irrigation season.
2. Rights 43-272, and 43-273 when combined shall not exceed the irrigation of 166 acres.
3. Rights 43-272, 43-273, 43-274, 43-2558, and 43-10268 when combined shall not exceed the irrigation of 187 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. 43C.
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. 87544

SCANNED
MAY 05 2023

WATER RIGHT NO. 43-273

As Modified by Transfer No. 87544

CONDITIONS OF APPROVAL

6. When combined the following rights shall provide no more than .02 cfs per acre. Combined right nos. 43-272, 43-273, 43-274, 43-2558, and 43-10268.

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

8. 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. 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
MAY 05 2023

WATER RIGHT NO. 43-274

As Modified by Transfer No. 87544

In accordance with the approval of Transfer No. 87544, Water Right No. 43-274 is now described as follows:

Right Holder: WALLACE P WARD AND
VIRGINIA C WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 4/30/1872

Source: RICE SPRINGS **Tributary:** CASSIA CREEK

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	04/01	to	10/31	0.500 cfs
				0.500 cfs

LOCATION OF POINT(S) OF DIVERSION

RICE SPRINGS SESESW Sec 17 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	20									18.0			19.0	35.0	26.0	22.0	21.0	141.0
13S	26E	21							13.0			33.0							46.0

Right Acre Limit: 127.0
POU Total Acres: 187.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 127 acres within the authorized place of use in a single irrigation season.
2. Rights 43-272, 43-273, 43-274, 43-2558, and 43-10268 when combined shall not exceed the irrigation of 187 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. When combined the following rights shall provide no more than .02 cfs per acre. Combined right nos. 43-272, 43-273, 43-274, 43-2558, and 43-10268.

Transfer No. 87544

SCANNED
MAY 05 2023

WATER RIGHT NO. 43-274

As Modified by Transfer No. 87544

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
MAY 05 2023

WATER RIGHT NO. 43-2558

As Modified by Transfer No. 87544

In accordance with the approval of Transfer No. 87544, Water Right No. 43-2558 is now described as follows:

Right Holder: WALLACE P WARD AND
VIRGINIA C WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 1/7/1963

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to 10/31	1.540 cfs	647.0 af
			1.540 cfs	647.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSESW Sec 20 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	20									18.0			19.0	35.0	26.0	22.0	21.0	141.0
13S	26E	21							13.0			33.0							46.0

Right Acre Limit: 185.0
POU Total Acres: 187.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 185 acres within the authorized place of use in a single irrigation season.
2. Rights 43-272, 43-273, 43-274, 43-2558, and 43-10268 when combined shall not exceed the irrigation of 187 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. 143.
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. When combined the following rights shall provide no more than .02 cfs per acre. Combined right nos. 43-272, 43-273, 43-274, 43-2558, and 43-10268.

Transfer No. 87544

SCANNED
MAY 05 2023

WATER RIGHT NO. 43-2558

As Modified by Transfer No. 87544

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
MAY 05 2023

WATER RIGHT NO. 43-10268

As Modified by Transfer No. 87544

In accordance with the approval of Transfer No. 87544, Water Right No. 43-10268 is now described as follows:

Right Holder: WALLACE P WARD AND
VIRGINIA C WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 10/19/1928

Source: SPRINGS **Tributary:** CASSIA CREEK

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	0.120 cfs	16.0 af
STOCKWATER	01/01	to	12/31	0.040 cfs	2.7 af
				0.160 cfs	18.7 af

LOCATION OF POINT(S) OF DIVERSION

SPRINGS NWSESE Sec 20 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	20									18.0			19.0	35.0	26.0	22.0	21.0	141.0
13S	26E	21							13.0			33.0							46.0

Right Acre Limit: 4.0
POU Total Acres: 187.0

PLACE OF USE: STOCKWATER

			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	20																X	

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4 acres within the authorized place of use in a single irrigation season.
2. Rights 43-272, 43-273, 43-274, 43-2558, and 43-10268 when combined shall not exceed the irrigation of 187 acres.
3. When combined the following rights shall provide no more than .02 cfs per acre. Combined right nos. 43-272, 43-273, 43-274, 43-2558, and 43-10268.

Transfer No. 87544

SCANNED
MAY 05 2023

WATER RIGHT NO. 43-10268

As Modified by Transfer No. 87544

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.43C.

5. These springs rise in the wastewater drain ditch and are used with the wastewater to irrigate lands covered under the other water rights listed. Instream use for stockwater is also used.

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. The quantity of water decreed for this water right is not a determination of historical beneficial use.

8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

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 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.

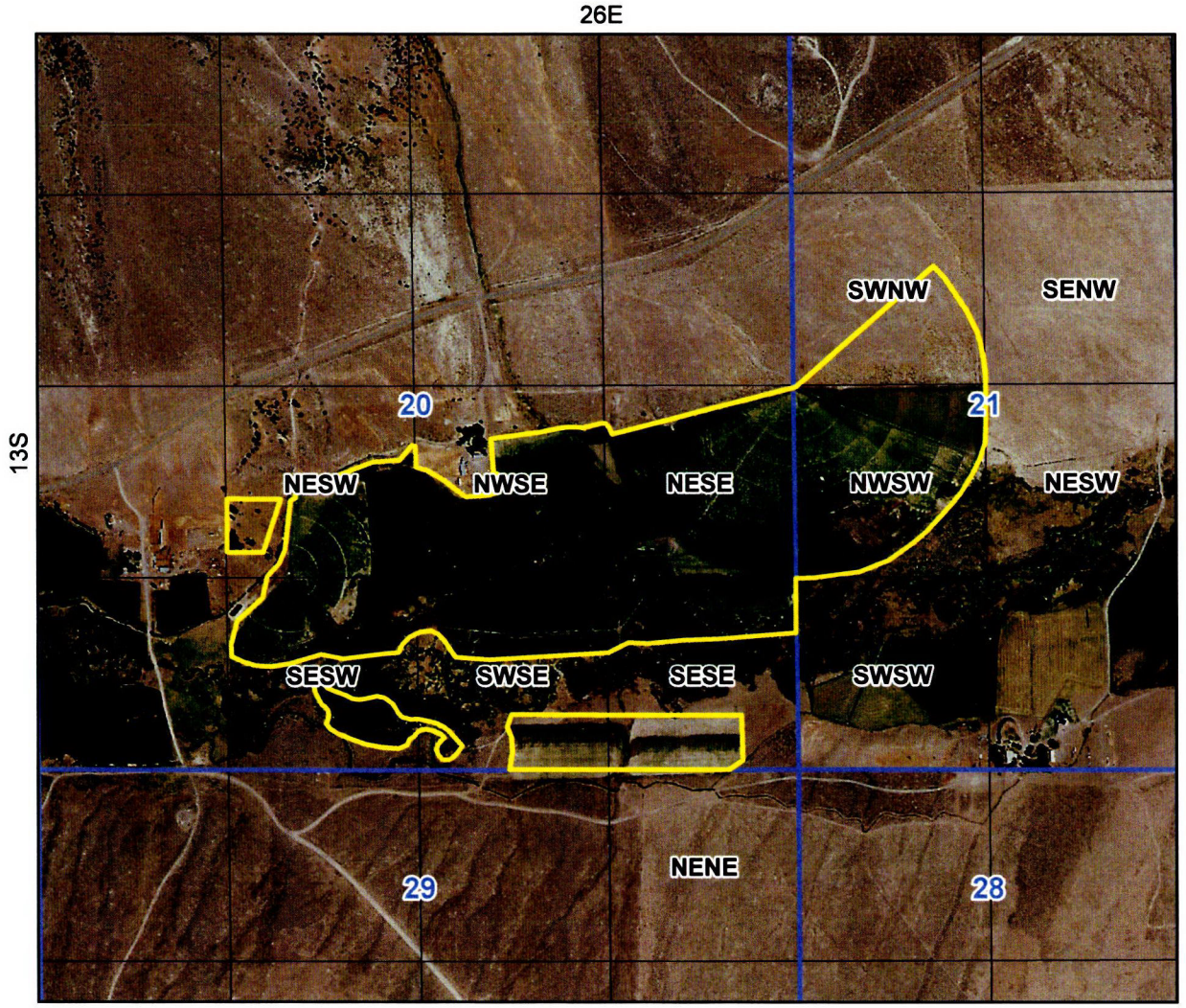
SCANNED
MAY 05 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 87544

43-272, 43-273, 43-274, 43-2558, and 43-10268

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



SCANNED
MAY 05 2023

Rev. 07/11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87544

RECEIVED
MAR 09 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

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) WALLACE P WARD; VIRGINIA 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 portionis 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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APR 03 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 09 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant WALLACE P WARD Phone (208) 431-5509

Mailing Address 123 E 100 S, BURLEY ID 83318-5442 Email

Name of Applicant VIRGINIA C WARD Phone (208) 431-5509

Mailing Address 123 E 100 S, BURLEY ID 83318-5442 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
	Wallace P Ward	6 Mar 23
Virginia C Ward	Virginia C Ward	6 March 2023

A. PURPOSE OF TRANSFER

1.

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-272	No	No	Yes	No	No	No
43-273	No	No	Yes	No	No	No
43-274	No	No	Yes	No	No	No
43-2558	No	No	Yes	No	No	No
43-10268	No	No	Yes	No	No	No

SCANNED
APR 03 2023

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**

The applicant proposes to shift acres within the place of use and to adjacent lands owned by the applicant.
For better utilization of his water rights.

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
43-272	1.000 cfs	N/A	166.0	187.0		N/A	N/A	N/A	N/A
43-273	1.500 cfs	N/A	166.0	187.0		N/A	N/A	N/A	N/A
43-274	0.500 cfs	N/A	127.0	187.0		N/A	N/A	N/A	N/A
43-2558	1.540 cfs	647.0 af	185.0	187.0		N/A	N/A	N/A	N/A
43-10268	0.160 cfs	18.7 af	4.0	187.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	4.700 cfs	N/A	N/A	187.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 4.7 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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APR 03 2023

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

Proposed Water Right No. 43-272

Current Water Right Owner

WALLACE P WARD
123 E 100 S
BURLEY, ID 83318-5442

AND

VIRGINIA C WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 4/30/1872
Origin: Water Right
Basis: Decreed
Status Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	1.000 CFS	
Total Diversion			1.000 CFS	

Source and Point(s) of Diversion:

CASSIA CREEK	NESESE	Sec. 19 Twp 13S Rge 26E	CASSIA County
CASSIA CREEK	L3(SENWSW)	Sec. 19 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	20									18.0			19.0	35.0	26.0	22.0	21.0	141.0
13S	26E	21							13.0			33.0							46.0

Right Acre Limit: 166.0
POU Total Acres: 187.0

Transfer No. 87544

SCANNED
APR 03 2023

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

Proposed Water Right No. 43-273

Current Water Right Owner

WALLACE P WARD
123 E 100 S
BURLEY, ID 83318-5442

AND

VIRGINIA C WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 4/30/1880
Origin: Water Right
Basis: Decreed
Status Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	1.500 CFS	
Total Diversion			1.500 CFS	

Source and Point(s) of Diversion:

CASSIA CREEK	NESESE	Sec. 19 Twp 13S Rge 26E	CASSIA County
CASSIA CREEK	L3(SENWSW)	Sec. 19 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	20									18.0			19.0	35.0	26.0	22.0	21.0	141.0
13S	26E	21							13.0			33.0							46.0

Right Acre Limit: 166.0
POU Total Acres: 187.0

Transfer No. 87544

SCANNED
APR 03 2023

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

Proposed Water Right No. 43-274

Current Water Right Owner

WALLACE P WARD
123 E 100 S
BURLEY, ID 83318-5442

AND

VIRGINIA C WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 4/30/1872
Origin: Water Right
Basis: Decreed
Status Active
Source: RICE SPRINGS **Tributary:** CASSIA CREEK

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	0.500 CFS	
Total Diversion			0.500 CFS	

Source and Point(s) of Diversion:
RICE SPRINGS SESESW Sec. 17 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	20									18.0			19.0	35.0	26.0	22.0	21.0	141.0
13S	26E	21							13.0			33.0							46.0

Right Acre Limit: 127.0
POU Total Acres: 187.0

Transfer No. 87544

SCANNED
APR 03 2023

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

Proposed Water Right No. 43-2558

Current Water Right Owner

WALLACE P WARD
123 E 100 S
BURLEY, ID 83318-5442

AND

VIRGINIA C WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 1/7/1963
Origin: Water Right
Basis: Decreed
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	10/31	1.540 CFS	647.0 AFA	
Total Diversion			1.540 CFS	647.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER NWSESW Sec. 20 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	20									18.0			19.0	35.0	26.0	22.0	21.0	141.0
13S	26E	21							13.0			33.0							46.0

Right Acre Limit: 185.0
POU Total Acres: 187.0

Transfer No. 87544

SCANNED
APR 03 2023

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

Proposed Water Right No. 43-10268

Current Water Right Owner

WALLACE P WARD
123 E 100 S
BURLEY, ID 83318-5442

AND

VIRGINIA C WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 10/19/1928
Origin: Water Right
Basis: Decreed
Status Active
Source: SPRINGS **Tributary:** CASSIA CREEK

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	10/31	0.120 CFS	16.0 AFA	
STOCKWATER	01/01	12/31	0.040 CFS	2.7 AFA	
Total Diversion			0.160 CFS	18.7 AFA	

Source and Point(s) of Diversion:
SPRINGS NWSESE Sec. 20 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	20									18.0			19.0	35.0	26.0	22.0	21.0	141.0
13S	26E	21							13.0			33.0							46.0

Right Acre Limit: 4.0
POU Total Acres: 187.0

Place of Use: STOCKWATER

			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	20																X	

SCANNED
APR 03 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
Measuring devices and lockable controlling works will be installed when 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:
N/A

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: N/A
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:
N/A

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:
All irrigation water rights are included in this transfer

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: No

Transfer No. 87544

SCANNED
APR 03 2023

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

Current Water Right No. 43-272

Current Water Right Owner

WALLACE P WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 4/30/1872
Origin: Water Right
Basis: Decreed
Status: Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	1.000 CFS	
Total Diversion			1.000 CFS	

Source and Point(s) of Diversion:

CASSIA CREEK	NESESE	Sec. 19 Twp 13S Rge 26E	CASSIA County
CASSIA CREEK	L3(SENWSW)	Sec. 19 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	20									18.0			26.0	33.0	28.0	30.0	31.0	166.0
13S	26E	21										21.0							21.0

Right Acre Limit: 166.0
POU Total Acres: 187.0

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 166 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-272 AND 43-273.

2. 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.

3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 187 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-272, 43-273, 43-274, 43-2558, AND 43-10268.

4. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-272, 43-273, 43-274, 43-2558, AND 43-10268.

SCANNED
APR 03 2023

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

Current Water Right No. 43-273

Current Water Right Owner

WALLACE P WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 4/30/1880
Origin: Water Right
Basis: Decreed
Status: Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	1.500 CFS	
Total Diversion			1.500 CFS	

Source and Point(s) of Diversion:

CASSIA CREEK	NESESE	Sec. 19 Twp 13S Rge 26E	CASSIA County
CASSIA CREEK	L3(SENWSW)	Sec. 19 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	20									18.0			26.0	33.0	28.0	30.0	31.0	166.0
13S	26E	21										21.0							21.0

Right Acre Limit: 166.0
POU Total Acres: 187.0

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 187 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-272, 43-273, 43-274, 43-2558, AND 43-10268.

3. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-272, 43-273, 43-274, 43-2558, AND 43-10268.

4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 166 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-272 AND 43-273.

SCANNED
APR 03 2023

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

Current Water Right No. 43-274

Current Water Right Owner

WALLACE P WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 4/30/1872
Origin: Water Right
Basis: Decreed
Status: Active
Source: RICE SPRINGS **Tributary:** CASSIA CREEK

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	0.500 CFS	
Total Diversion			0.500 CFS	

Source and Point(s) of Diversion:
RICE SPRINGS SESESW Sec. 17 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	20									18.0			17.0	33.0	28.0	17.0	14.0	127.0
13S	26E	21										21.0							21.0

Right Acre Limit: 127.0
POU Total Acres: 148.0

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 187 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-272, 43-273, 43-274, 43-2558, AND 43-10268.

2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 127 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-272, 43-273, 43-274, 43-2558, AND 43-10268.

SCANNED
APR 03 2023

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

Current Water Right No. 43-2558

Current Water Right Owner

WALLACE P WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 1/7/1963
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	10/31	1.540 CFS	647.0 AFA	
Total Diversion			1.540 CFS	647.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER NWSESW Sec. 20 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	20									18.0			26.0	33.0	28.0	30.0	31.0	166.0
13S	26E	21										21.0							21.0

Right Acre Limit: 185.0
POU Total Acres: 187.0

Conditions/Remarks:

1. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-272, 43-273, 43-274, 43-2558, AND 43-10268.

2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 187 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-272, 43-273, 43-274, 43-2558, AND 43-10268.

3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

SCANNED
APR 03 2023

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

Current Water Right No. 43-10268

Current Water Right Owner
WALLACE P WARD
123 E 100 S
BURLEY, ID 83318-5442

Priority Date: 10/19/1928
Origin: Water Right
Basis: Decreed
Status: Active
Source: SPRINGS **Tributary:** CASSIA CREEK

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01	10/31	0.120 CFS	16.0 AFA	
STOCKWATER	01/01	12/31	0.040 CFS	2.7 AFA	
Total Diversion			0.160 CFS	18.7 AFA	

Source and Point(s) of Diversion:
SPRINGS NWSESE Sec. 20 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	20									18.0			26.0	33.0	28.0	30.0	31.0	166.0
13S	26E	21										21.0							21.0

Right Acre Limit: 4.0
POU Total Acres: 187.0

Place of Use: STOCKWATER

			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	20																X	0.0

Conditions/Remarks:

1. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE. COMBINED RIGHT NOS. 43-272, 43-273, 43-274, 43-2558, AND 43-10268.

2. 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.

3. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-C.

4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

5. THESE SPRINGS RISE IN THE WASTE WATER DRAIN DITCH AND ARE USED WITH THE WASTE WATER TO IRRIGATE LANDS COVERED UNDER THE OTHER WATER RIGHTS LISTED. INSTREAM USE FOR STOCKWATER IS ALSO USED.

SCANNED
APR 03 2023

Conditions/Remarks:

6. THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

7. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

8. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 187 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-272, 43-273, 43-274, 43-2558 AND 43-10268.

SCANNED
APR 03 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.

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.:

N/A

FOR DEPARTMENT USE ONLY

Transfer Contains 16 pages and _____ attachments.
Received By SG Date 3/13/2023 Prelim. Check By SG Date 3/13/2023
Fee Paid $700.00 Date 3/13/2023 Receipted By SG Receipt # 5039697
Add'l Fee Paid _____ Date _____ Receipted By _____ Receipt # _____

Transfer No. 87544

SCANNED
APR 03 2023

CASSIA COUNTY
Recorded for:
DONALD J CHISHOLM
9:37:28 am 10-31-2016
2016-004566
No. Pages: 3 Fee: $16.00
JOSEPH W. LARSEN
County Clerk
Deputy: CVELASQUEZ

DEED FOR
COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP

Wallace P. Ward and Gina C. Ward, also known as Virginia C. Ward, husband and wife, do hereby release, remise, grant, bargain, sell, convey and forever quitclaim unto Wallace P. Ward and Gina C. Ward, also known as Virginia C. Ward, husband and wife, whose present address is P.O. Box 576, Burley, Idaho 83318, to hold as community property with right of survivorship as provided in Idaho Code Section 15-6-401, the following described property, located in Cassia County, Idaho, to wit:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 32: Part of the NW¼NE¼, more particularly described as follows:

Beginning at a point 33 feet East and 832 feet South of the Northwest corner of the NW¼NE¼ of said Section 32;
Thence East 198 feet;
Thence South 220 feet;
Thence West 198 feet;
Thence North 220 feet to THE POINT OF BEGINNING.

LESS the portion deeded to the State of Idaho for highway purposes.

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 33: Part of the NW¼NE¼, more particularly described as follows:

Beginning at the Northeast corner of the NW¼NE¼ of said Section 33, said point marked by a 5/8" rebar which shall be the Point of Beginning;
Thence South 0°26'47" East along the 1/16th section line for 1062.10 feet to a ½" rebar on the centerline of G-Canal;
Thence North 39°19'05" West along said canal centerline for 141.77 feet to a ½" rebar;
Thence North 56°30'04" West along said Canal centerline for 198.32 feet to a ½" rebar;
Thence North 0°26'47" West for 844.72 feet to a P.K. nail on section line;
Thence South 89°36' East (Basis of Bearing) along said section line for 253.52 feet to the Point of Beginning.

SCANNED
APR 03 2023

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

Section 20: E½SW¼; SE¼; NW¼NE¼; NE¼NW¼
Section 21: SW¼NW¼; NW¼SW¼

The 22.5% interest of Wallace P. Ward in each of the following described parcels in Townships 15 and 16 described below:

TOWNSHIP 15 SOUTH, RANGE 22 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 12: SW¼SE¼

TOWNSHIP 15 SOUTH, RANGE 23 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 18: Lots 2, 3 and 4
Section 19: E½SE¼; Lots 1 and 2
Section 20: N½SW¼; SW¼SW¼
Section 29: W½NW¼; SE¼SW¼; SW¼SE¼
Section 30: NE¼NE¼
Section 31: SE¼NE¼; NE¼SE¼
Section 32: SE¼; W½; NW¼NE¼ and S½NE¼
Section 33: SW¼NE¼; S½NW¼; SW¼; W½SE¼

TOWNSHIP 16 SOUTH, RANGE 23 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 5: SW¼
Section 6: Lots 1, 2, 3 and 4; S½SE¼
Section 7: NE¼; Lots 1 and 2
Section 8: W½NW¼

together with appurtenances.

DATED this 31st day of October, 2016.

Wallace P. Ward

Gina C. Ward

SCANNED
APR 03 2023

STATE OF IDAHO)
) ss.
County of Cassia)

On this 31st day of October, in the year of 2016, before me the undersigned notary public in and for said state, personally appeared Wallace P. Ward and Gina C. Ward, also known as Virginia C. Ward, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

DONALD J. CHISHOLM
NOTARY PUBLIC
STATE OF IDAHO
(SEAL)

Donald J Chisholm
Notary Public
Residing at Rupert
My Commission expires 2-14-2018

SCANNED
APR 03 2023

CASSIA COUNTY
Recorded for:
DONALD J CHISHOLM
2:13:59 pm 10-27-2014
2014-004359
No. Pages: 2 Fee: $13.00
JOSEPH W. LARSEN
County Clerk
Deputy: TPOLLARD

DEED OF PERSONAL REPRESENTATIVE

THIS DEED made this 27th day of October, 2014, by and between, Janet O. Ward, the duly appointed, qualified and acting Personal Representative of the Estate of Charles R. Ward, deceased, as Grantor, and Wallace P. Ward, as Grantee, whose address is 123 East 100 South, Burley, Idaho 83318.

W I T N E S S E T H:

That the said Janet O. Ward, Personal Representative of the Estate of Charles R. Ward, deceased, having heretofore duly recorded a certified copy of the Letters Testamentary, does hereby grant, release and convey to the said Wallace P. Ward, Grantee, all of the right, title and interest of Charles R. Ward, being an undivided one-half interest in the following described real property situated in Cassia County, Idaho, to wit:

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

Section 20: E½SW¼; SE¼; NW¼NE¼; NE¼NW¼
Section 21: SW¼NW¼; NW¼SW¼

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

43-272, 43-273, 43-274, 43-2558, 43-10099, 43-10268 and 43-11293

TO HAVE AND TO HOLD all and singular the above-granted premises, together with the appurtenances, and every part thereof, unto the Grantee, his heirs and assigns forever. And the Grantor does covenant and agree that Janet O. Ward is making this conveyance, in pursuance of the authority granted in and by the court wherein she was appointed and the statutes of the State of Idaho.

IN WITNESS WHEREOF, the said Grantor has set her hand the day and year first above written.

Janet O. Ward

SCANNED
APR 03 2023

STATE OF IDAHO)
) ss.
County of Cassia)

On this 27th day of October, 2014, before me the undersigned notary public in and for said state, personally appeared Janet O. Ward, known to me to be the person whose name is subscribed to the within instrument as personal representative of the Estate of Charles R. Ward, and acknowledged to me that she executed the same as such personal representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)
DONALD J. CHISHOLM
NOTARY PUBLIC
STATE OF IDAHO

Donald J Chisholm
Notary Public
Residing at Rupert
My Commission expires 2-14-2018

SCANNED
APR 03 2023

Instrument # 2020001792
BURLEY, CASSIA, IDAHO
4-20-2020 01:01:12 PM No. of Pages: 2
Recorded for : DONALD J CHISHOLM
JOSEPH LARSEN Fee: 15.00
Ex-Officio Recorder Deputy CV
Index to: DEED

Copy

DEED FOR
COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP

Wallace P. Ward and Gina C. Ward, also known as Virginia C. Ward, husband and wife, do hereby release, remise, grant, bargain, sell, convey and forever quitclaim unto Wallace P. Ward and Gina C. Ward, also known as Virginia C. Ward, husband and wife, whose present address is P.O. Box 576, Burley, Idaho 83318, to hold as community property with right of survivorship as provided in Idaho Code Section 15-6-401, the following described property, located in Cassia County, Idaho, to wit:

Township 11 South, Range 26 EBM, Cassia County, Idaho

Section 33: E1/2

43-13880

Together with a one-half interest in license #43-4100 of Idaho Department of Water Resources for stockwater for use in Section 33 and subject to a permanent easement for delivery of stockwater from an existing well in the SW1/4NW1/4SE1/4 of said Section 33 to the SW1/4 of said Section 33 and a permanent easement for ingress and egress for the SW1/4 of Section 33 of said Township 11 South, Range 26 EBM by an existing road which begins at the gate at the Northeast corner of Section 33, and runs to the well in the SW1/4NE1/4SE1/4 of Section 33 and then to the SW1/4 of said Section 33.

Township 12 South, Range 26 EBM, Cassia County, Idaho

Section 4: N1/2NE1/4

Section 3: N1/2NW1/4, and

together with appurtenances.

DATED this 16th day of April, 2020

SCANNED
APR 03 2023

Wallace P. Ward

Gina C. Ward

STATE OF IDAHO)
) ss.
County of Cassia)

On this 16th day of April, in the year of 2020, before me the undersigned notary public in and for said state, personally appeared Wallace P. Ward and Gina C. Ward, also known as Virginia C. Ward, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

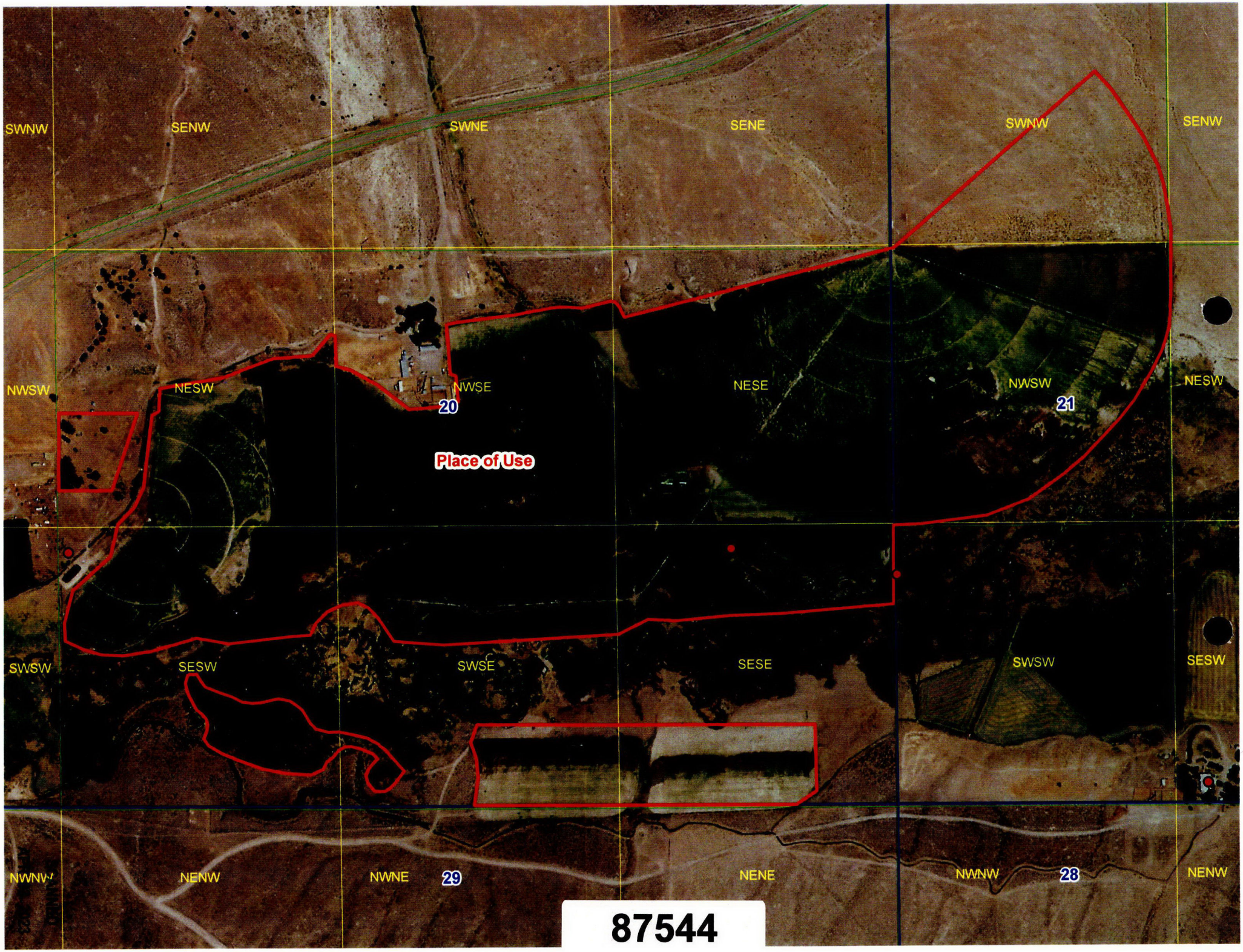
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

DONALD J. CHISHOLM
10903
NOTARY PUBLIC
STATE OF IDAHO

Notary Public
Residing at Rupert
My Commission expires 2-14-2024

SCANNED
APR 03 2023


SWNW
SENW
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SENE
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SESW
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28
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87544

SCANNED
APR 03 2023

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, 2023

WALLACE P WARD
VIRGINIA C WARD
123 E 100 S
BURLEY ID 83318-5442

Correspondence

Re: Transfer No: 87544
Water Right No(s).: 43-272, 43-273, 43-274, 43-2558, 43-10268

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
MAY 05 2023

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

SCANNED
MAY 05 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 4, 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.: 87544
Water Right No(s).: 43-272, 43-273, 43-274, 43-2558, 43-10268

WALLACE P WARD
VIRGINIA C WARD
123 E 100 S
BURLEY ID 83318-5442

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

Denise Maline

Denise Maline
Administrative Assistant

SCANNED
MAY 05 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.

SCANNED
MAY 05 2023

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.

SCANNED
MAY 05 2023

Sufficiency Memorandum

Date: April 26, 2023

To: Transfer 87544

From: Benny Walker

Re: Evaluation of Sufficiency of Information Submitted

The transfer application proposes to shift 25 acres and 0.85 cfs for two surface water rights from springs, two surface water rights from Cassia Creek, and one ground water right. The proposed shift is within the existing place of use (POU) and includes adjacent lands for the irrigation of 187 allowable acres under these rights. There is no proposed point of diversion changes. The POU is located approximately 2.0 to 2.7 miles south and 3.0 to 4.0 miles west of Malta. The transfer also proposes a change in ownership of the water rights involved in the transfer. The transfer was subject to notice and protest. No protest were received The place of use is within Water District 43C and 143 watermaster comments were solicited. No comments were received from the watermaster of 43C and the watermaster from 143 had no comments or concerns with this transfer.

- **Authority to File:**
  The applicant Wallace Ward is listed as the current owner of the water rights involved in the transfer. A deed was provided to add Virginia C. Ward as a current owner of the water rights.

- **Water Right Validity:**
  The five water rights involved in the transfer were decreed in the SRBA in 2002. Recent aerial photography indicates that these water rights have been used in recent years.

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

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

- **Local Public Interest:**
  No negative impacts anticipated. No protests were received

- **Beneficial Use/Conservation of Water Resources:**
  Proposed uses are recognized as beneficial uses 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.

SCANNED
MAY 05 2023

Proof of Publication

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

SHERRI DAVIS, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES Southern Region
Denise Maliine Adminisrative Assistant
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 136173

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 87544

WALLACE P WARD and VIRGINIA C WARD, 123 E 100 S, BURLEY, ID 83318-5442 has filed Application No. 87544 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10268, 43-2558, 43-272, 43-273, 43-274; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: The transfer application proposes to shift 25 acres and 0.85 cfs for two surface water rights from springs, two surface water rights from Cassia Creek, and one ground water right. The proposed shift is within the existing place of use (POU) and includes adjacent lands for the irrigation of 187 allowable acres under these rights. There is no proposed point of diversion changes. The POU is located approximately 2.0 to 2.7 miles south and 3.0 to 4.0 miles west of Malta. The transfer also proposes a change in ownership of the water rights involved in the transfer.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of $25.00 for each application on or before April 24, 2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on April 6th & 13th, 2023

Sherri Davis
(Legals Clerk)

RECEIVED
APR 19 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 17 day of Apr in the year of 2023 before me, a Notary Public, personally appeared before me Sherri Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Amy Wiesmore
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 9-4-26

AMY WIESMORE
COMMISSION NO. 20203230
NOTARY PUBLIC
STATE OF IDAHO
MY COMM. EXPIRES 09/04/2026

Section: Legals
Category: 50 Legal
PUBLISHED ON: 04/06/2023, 04/13/2023

✓ OK DM 4-25-2023

TOTAL AD COST: 123.58
FILED ON: 4/13/2023

SCANNED
MAY 05 2023

Maline, Denise

From: Ragan, Brian
Sent: Tuesday, April 4, 2023 2:35 PM
To: Maline, Denise
Subject: RE: Comment Letter for Transfer No. 87544 - Wallace & Virginia Ward

I have no comments or concerns with this proposed transfer.

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

From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Friday, March 31, 2023 3:29 PM
To: Ragan, Brian <Brian.Ragan@idwr.idaho.gov>
Subject: Comment Letter for Transfer No. 87544 - Wallace & Virginia Ward

Hi Brian,

Attached is an application for transfer currently being processed by the department, located within WD143. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding this application, please feel free to contact Bill Mills at our office.

Thank you & have a good weekend,

Denise @ Southern Region

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

SCANNED
MAY 05 2023

Customer Ad Proof

164-60002276 ID DEPARTMENT OF WATER RESOURCES **Order Nbr 136173**

Southern Region

Publication	**Times News**		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	123.58
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	123.58
Fax			
Section	Legals	Start/End Dates	04/06/2023 - 04/13/2023
SubSection		Insertions	2
Category	50 Legal	Size	65
Ad Key	136173-1	Salesperson(s)	Legal Notices
Keywords	NOTICE OF PROPOSED CHANGE OF W	Taken By	Amy Packham
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 87544

WALLACE P WARD and VIRGINIA C WARD, 123 E 100 S, BURLEY, ID 83318-5442 has filed Application No. 87544 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10268, 43-2558, 43-272, 43-273, 43-274; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: The transfer application proposes to shift 25 acres and 0.85 cfs for two surface water rights from springs, two surface water rights from Cassia Creek, and one ground water right. The proposed shift is within the existing place of use (POU) and includes adjacent lands for the irrigation of 187 allowable acres under these rights. There is no proposed point of diversion changes. The POU is located approximately 2.0 to 2.7 miles south and 3.0 to 4.0 miles west of Malta. The transfer also proposes a change in ownership of the water rights involved in the transfer.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of $25.00 for each application on or before April 24, 2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on April 6th & 13th, 2023

(Corrected) Proof of legal notice received from Times News 4-3-2023

✓ DM 4-3-2023

SCANNED
MAY 05 2023

2276

Customer Ad Proof

164-60003461 **IDAHO DEPT OF WATER RESOURCES** **Order Nbr 136163**

Publication	**Times News**		
Contact	IDAHO DEPT OF WATER RESOURCES	PO Number	
Address 1	2735 AIRPORT WAY	Rate	Legal Notice
Address 2	650 Addison Ave W Ste 500 Twin Falls ID 83301-5858	Order Price	123.58
City St Zip	BOISE ID 83705	Amount Paid	0.00
Phone	2083342190 208-736-3033	Amount Due	123.58
Fax			
Section	Legals	Start/End Dates	04/06/2023 - 04/13/2023
SubSection		Insertions	2
Category	50 Legal	Size	65
Ad Key	136163-1	Salesperson(s)	Legal Notices
Keywords	Transfer No. 87544	Taken By	Amy Packham
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 87544

WALLACE P WARD and VIRGINIA C WARD, 123 E 100 S, BURLEY, ID 83318-5442 has filed Application No. 87544 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10268, 43-2558, 43-272, 43-273, 43-274; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: The transfer application proposes to shift 25 acres and 0.85 cfs for two surface water rights from springs, two surface water rights from Cassia Creek, and one ground water right. The proposed shift is within the existing place of use (POU) and includes adjacent lands for the irrigation of 187 allowable acres under these rights. There is no proposed point of diversion changes. The POU is located approximately 2.0 to 2.7 miles south and 3.0 to 4.0 miles west of Malta. The transfer also proposes a change in ownership of the water rights involved in the transfer.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of $25.00 for each application on or before April 24, 2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on April 6th & 13th, 2023

Please correct acct info (mined)
AM
4-3-2023

SCANNED
APR 03 2023

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**

March 31, 2023

WALLACE P WARD
VIRGINIA C WARD
123 E 100 S
BURLEY, ID 83318-5442

RE: Transfer No. 87544
Water Right No(s). 43-10268, 43-2558, 43-272, 43-273, 43-274

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 4/6/2023 and 4/13/2023**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of $25.00 for each application, on or before **April 24, 2023**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

SCANNED
APR 03 2023

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**

March 31, 2023

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

Re: Transfer No(s). 87544 (Wallace & Virginia 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.

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
APR 03 2023

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**

March 31, 2023

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

Re: Transfer No(s). 87544 (Wallace & Virginia 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
APR 03 2023

Maline, Denise

From: Maline, Denise
Sent: Friday, March 31, 2023 12:41 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on April 6th & 13th, 2023. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

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

SCANNED
APR 03 2023

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**

March 31, 2023

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 87544
Water Right No(s). 43-10268, 43-2558, 43-272, 43-273, 43-274

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before April 24, 2023. Your cooperation is appreciated.

Sincerely,
Denise Maline
Denise Maline
Administrative Assistant

Enclosure(s)

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APR 03 2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87544

WALLACE P WARD and VIRGINIA C WARD, 123 E 100 S, BURLEY, ID 83318-5442 has filed Application No. 87544 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10268, 43-2558, 43-272, 43-273, 43-274; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: The transfer application proposes to shift 25 acres and 0.85 cfs for two surface water rights from springs, two surface water rights from Cassia Creek, and one ground water right. The proposed shift is within the existing place of use (POU) and includes adjacent lands for the irrigation of 187 allowable acres under these rights. There is no proposed point of diversion changes. The POU is located approximately 2.0 to 2.7 miles south and 3.0 to 4.0 miles west of Malta. The transfer also proposes a change in ownership of the water rights involved in the transfer.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of $25.00 for each application on or before **April 24, 2023**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on April 6th & 13th, 2023

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APR 03 2023

Synopsis & Legal

Date: March 30, 2023

To: Transfer 87544

From: Benny Walker

Re: Synopsis/Legal

The transfer application proposes to shift 25 acres and 0.85 cfs for two surface water rights from springs, two surface water rights from Cassia Creek, and one ground water right. The proposed shift is within the existing place of use (POU) and includes adjacent lands for the irrigation of 187 allowable acres under these rights. There is no proposed point of diversion changes. The POU is located approximately 2.0 to 2.7 miles south and 3.0 to 4.0 miles west of Malta. The transfer also proposes a change in ownership of the water rights involved in the transfer. The transfer is subject to notice and protest. The place of use is within Water District 43C and 143 so watermaster comments will be solicited.

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APR 03 2023

MEMORANDUM

TO: Transfer 87544 File

FROM: Benny Walker

DATE: March 30, 2023

SUBJECT: Filing Fee

The $625.00 filing fee for this transfer is based on the quantity being transferred 0.85 cfs. The transfer fee schedule for 0.21-1.00 cfs is $500.00. In addition, the fee also includes $125.00 to update the ownership of the water rights involved in the transfer. This equates to a total fee of $625.00. The applicant submitted a fee of $625.00 (Receipt S039697).

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Governor Brad Little

Director Gary Spackman

RECEIVED
MAR 09 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

February 28, 2023

WALLACE P & VIRGINIA C WARD
123 E 100 S
BURLEY ID 83318-5442

RE: Transfer Application #87544

Dear Mr.& Mrs. Ward

I have enclosed a new transfer application #87544 that I have drafted for you. I corrected the misspelled name and I apologize, and I appreciate you for bringing it to my attention . Please review this application to shift the acres of the current place of use to the new place of use highlighted in the orange for irrigation. Please review the application and original map for accuracy. The application will also change the ownership of the water rights involved in the transfer to add Virginia C Ward as a current owner. If there are changes you would like to make on the application or the map, please make note of it and initial it and I will make the correction when you return the application. In addition, I have attached an ownership change form for you remaining water right to add Virginia as a current owner of those water rights. A copy of the warranty deed for the property showing Virginia as an owner needs to be included with for the transfer and ownership change forms.

Sign and date the application, both signatures are required, and return all documents along with the map and processing fee to the Department. Both the transfer application and ownership change forms.

The fee for processing the transfer will be $500.00 based on the amount of water, 0.85 cfs, and 25 acres being shifted and $200.00 for the ownership change adding Virginia to the water rights . Please make the check payable to IDWR in the amount of $700.00 and use the transfer #87544 for a reference and ownership changes.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

Benny Walker

Benny Walker
Sr.Water Resource Agent

Enclosures:

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APR 03 2023