

**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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
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)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
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

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
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

Transfer No. 85964

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



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

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

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				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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).

Transfer No. 85964

SCANNED

NOV 21 2022

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.

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

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

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				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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.

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

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

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				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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

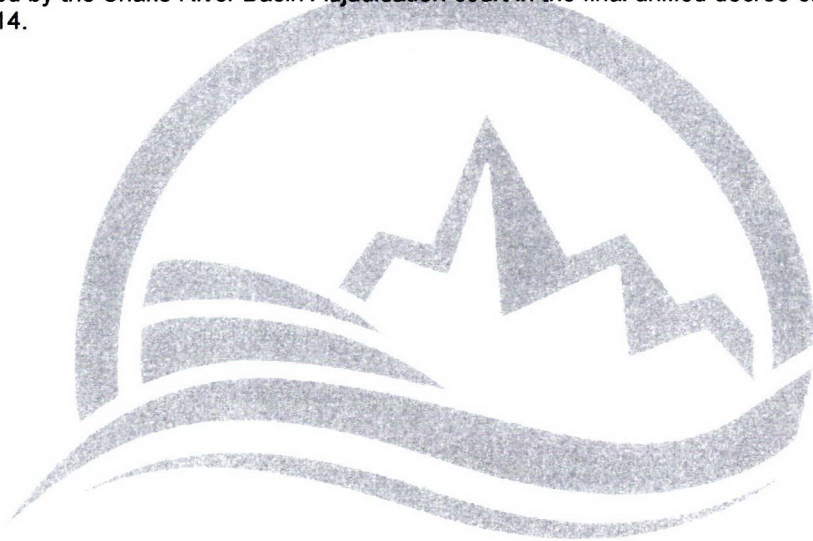
SCANNED

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.



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

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

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				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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.

Transfer No. 85964

SCANNED

NOV 21 2022

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.



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

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

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				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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.

Transfer No. 85964

SCANNED

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.

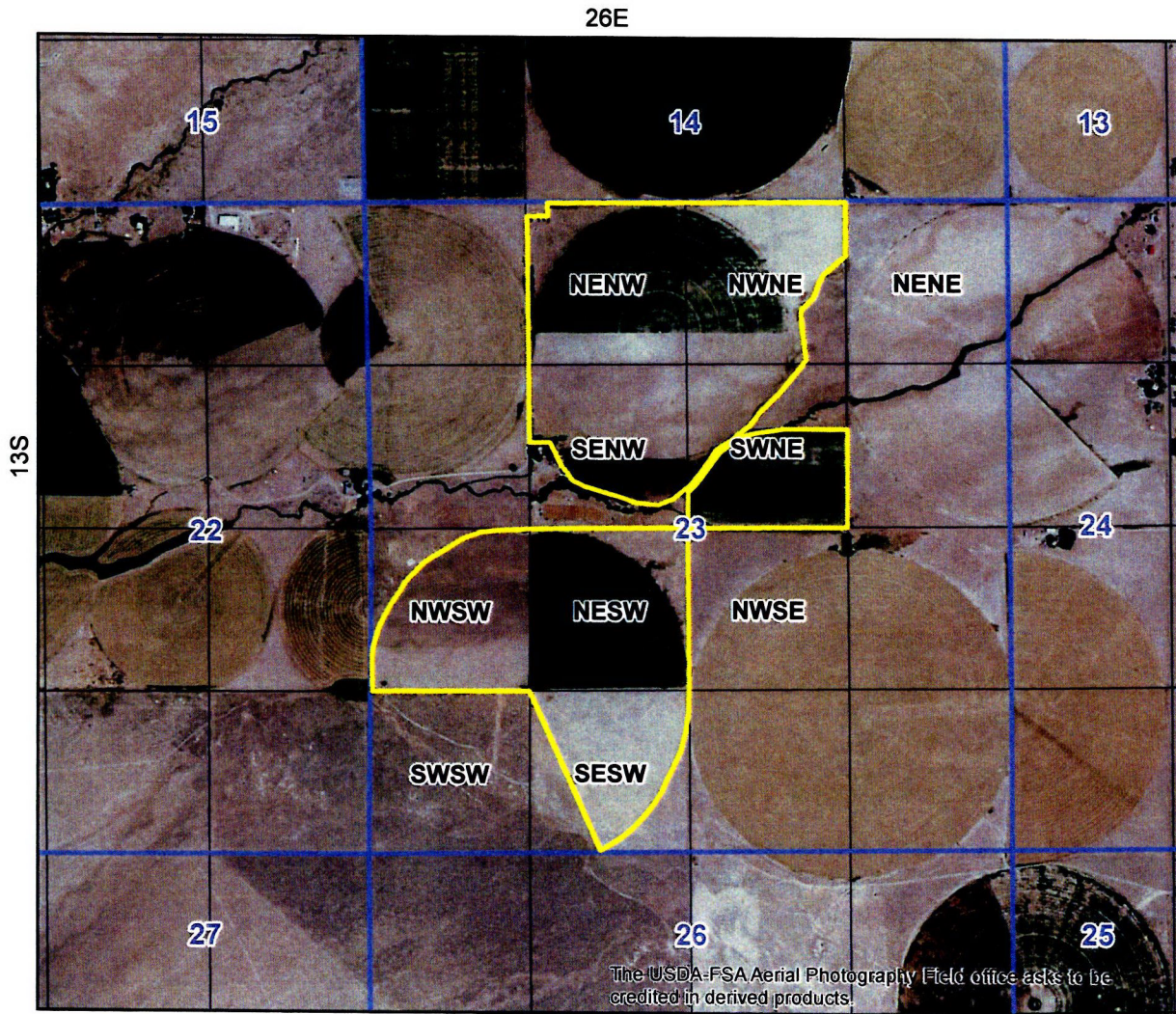


State of Idaho
Department of Water Resources

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.



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

0 0.175 0.35 0.7 Miles



SCANNED
NOV 21 2022