

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 MAY 21 AM 12 43

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
) Subcase No: 37-7294 (Split)
) 37-22366, 37-22367
)

)
) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING
)

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

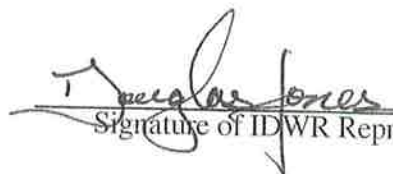
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership	☒ Split of Water Right
☒ Point of Diversion	☒ Place of Use
☐ Period of Use	☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 5/18/09


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5-21, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724

Matt McLam
Deborah McLam
PO Box 253
Fairfield ID 83327



Signature of person or attorney mailing the form

04/23/2009

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-7294	MATT A MC LAM PO BOX 253 FAIRFIELD ID 83327	Disallowed	Recommended as 37-22366 and 37-22367
	DEBORAH L MC LAM PO BOX 253 FAIRFIELD ID 83327		

04/23/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22366
NAME AND ADDRESS: MATT A MC LAM
PO BOX 253
FAIRFIELD ID 83327
DEBORAH L MC LAM
PO BOX 253
FAIRFIELD ID 83327

SOURCE: GROUND WATER
QUANTITY: 0.030 CFS
7.50 AFY
TRIBUTARY:

The rights listed below are limited to a total combined diversion rate of 0.03 cfs and to a total combined annual diversion volume of 7.5 AF. Combined Right Nos.: 37-22366 and 37-22370.

PRIORITY DATE: 10/10/1973

POINT OF
DIVERSION:

T01S R14E S19 SENESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 11/01	0.030 CFS 7.50 AFY
PLACE OF USE:	<u>IRRIGATION in CAMAS County</u>		
	T01S R14E S19	NESE 5.00	
	5 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 5.0 acres in a single irrigation season. Combined Right Nos.: 37-22366 and 37-22370.

This right is limited to the irrigation of 2.5 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 37-22370 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

04/23/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22367

NAME AND ADDRESS: MATT A MC LAM
PO BOX 253
FAIRFIELD ID 83327

DEBORAH L MC LAM
PO BOX 253
FAIRFIELD ID 83327

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 1.750 CFS
466.50 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Rights 37-8890, 37-22367, and 37-22371 when combined shall not exceed a total diversion rate of 3.53 cfs, a total annual maximum diversion volume of 1010.8 af at the field headgate.

Rights 37-22367 and 37-22371 when combined shall not exceed a total diversion rate of 1.75 cfs, a total annual maximum diversion volume of 466.5 af at the field headgate.

PRIORITY DATE: 10/10/1973

POINT OF
DIVERSION:

T01S R14E S21 SWSWNE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	1.750 CFS 466.50 AFY
PLACE OF USE: <u>IRRIGATION in CAMAS County</u>		
T01S R14E S21 NENE 15.00	T01S R14E S21 NWNE	38.00
T01S R14E S21 SWNE 40.00	T01S R14E S21 SENE	38.00
T01S R14E S21 NESW 40.00	T01S R14E S21 NWSW	38.00
T01S R14E S21 SWSW 15.00	T01S R14E S21 SESW	38.00
T01S R14E S21 NESE 38.00	T01S R14E S21 NWSE	40.00
T01S R14E S21 SWSE 38.00	T01S R14E S21 SESE	15.00

393 ACRES TOTAL

This right is limited to the irrigation of 155.5 acres within the place of use described above in a single irrigation season.

Right Nos. 37-8890, 37-22367 and 37-22371 are limited to the irrigation of a combined total of 311 acres in a single irrigation season.

Right Nos. 37-22367 and 37-22371 are limited to the irrigation of a combined total of 311 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 37-22371 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

May 21, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MATT MCLAM
DEBORAH MCLAM
PO BOX 253
FAIRFIELD ID 83327

RE: SRBA Claim(s) 37-7294, 37-20269

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74961

This is to certify that: MATT A And DEBORAH L MC LAM
 PO BOX 253
 FAIRFIELD ID 83327
 (208)539-0300

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-8890	WR/License	04/15/1999	1.78 cfs	560 af		160.0	GROUND WATER
37-7294	AJC/License	10/10/1973	1.78 cfs	474 af		316.0	GROUND WATER
37-20269	AJC/Beneficial Use	11/29/1978	0.95 cfs	237 af		316.0	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>
37-8890	NO	YES	YES	NO	NO	NO
37-7294	YES	NO	YES	YES	NO	NO
37-20269	YES	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-8890	37-8890	1.78 cfs	544.3 af	155.5	393.0		N/A	N/A		N/A
37-7294	37-22367	1.75 cfs	466.5 af	155.5	393.0	37-22366	0.03 cfs	7.5 af	2.5	5.0
37-20269	37-22371	0.93 cfs	234.2 af	155.5	393.0	37-22370	0.02 cfs	3.8 af	2.5	5.0
COMBINED TOTALS		3.53 cfs	1010.8 af	311	393		0.03 cfs	7.5 af	5.0	5.0

Detailed Water Right Description(s) attached

Dated this 21st day of April, 2009

FOL 
 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22366
As Modified by Transfer No. 74961

In accordance with the approval of Transfer No. 74961, Water Right No. 37-22366 is now described as follows.

Right Holder: MATT A MC LAM
PO BOX 253
FAIRFIELD ID 83327

And

DEBORAH L MC LAM
PO BOX 253
FAIRFIELD ID 83327

Priority Date: October 10, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.03 CFS	7.5 AF
			0.03 CFS	7.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENESE Sec. 19 Twp 01S Rge 14E CAMAS County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	14E	19													5.0				5.0

Total Acres: 5

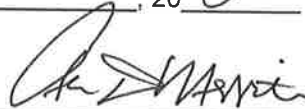
WATER RIGHT NO. 37-22366
As Modified by Transfer No. 74961

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.5 acres within the place of use described above in a single irrigation season.
2. The rights listed below are limited to the irrigation of a combined total of 5.0 acres in a single irrigation season. Combined Right Nos.: 37-22366 and 37-22370.
3. The rights listed below are limited to a total combined diversion rate of 0.03 cfs and to a total combined annual diversion volume of 7.5 AF. Combined Right Nos.: 37-22366 and 37-22370.
4. Right No. 37-22370 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 21st day of April, 20 09



FoR Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22367
As Modified by Transfer No. 74961

In accordance with the approval of Transfer No. 74961, Water Right No. 37-22367 is now described as follows.

Right Holder: MATT A MC LAM
PO BOX 253
FAIRFIELD ID 83327

And

DEBORAH L MC LAM
PO BOX 253
FAIRFIELD ID 83327

Priority Date: October 10, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.75 CFS	466.5 AF
			1.75 CFS	466.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNE Sec. 21 Twp 01S Rge 14E CAMAS County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S 14E 21	15.0	38.0	40.0	38.0					40.0	38.0	15.0	38.0	38.0	40.0	38.0	15.0	393.0

Total Acres: 393

WATER RIGHT NO. 37-22367
As Modified by Transfer No. 74961

CONDITIONS OF APPROVAL

1. Surface and ground water will be conjunctively managed in the future. It is likely that use of this right will require mitigation for its impact on senior rights. If acceptable mitigation is not provided when this right is conjunctively managed this right will be curtailed. The right holder assumes all risk in development and use of this right authorized by approval of Transfer No. 74961.
2. This right is limited to the irrigation of 155.5 acres within the place of use described above in a single irrigation season.
3. Rights 37-22367 and 37-22371 when combined shall not exceed a total diversion rate of 1.75 cfs, a total annual maximum diversion volume of 466.5 af at the field headgate, and the irrigation of 311 acres.
4. Rights 37-8890, 37-22367, and 37-22371 when combined shall not exceed a total diversion rate of 3.53 cfs, a total annual maximum diversion volume of 1010.8 af at the field headgate, and the irrigation of 311 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Right No. 37-22371 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 21st day of April, 20 09


FSR Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22370
As Modified by Transfer No. 74961

In accordance with the approval of Transfer No. 74961, Water Right No. 37-22370 is now described as follows.

Right Holder: MATT A MC LAM
PO BOX 253
FAIRFIELD ID 83327

And

DEBORAH L MC LAM
PO BOX 253
FAIRFIELD ID 83327

Priority Date: November 29, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.02 CFS	3.8 AF
			0.02 CFS	3.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENESE Sec. 19 Twp 01S Rge 14E CAMAS County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	14E	19													5.0				5.0

Total Acres: 5

WATER RIGHT NO. 37-22370
As Modified by Transfer No. 74961

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.5 acres within the place of use described above in a single irrigation season.
2. The rights listed below are limited to the irrigation of a combined total of 5 acres in a single irrigation season. Combined Right Nos.: 37-22366 and 37-22370.
3. The rights listed below are limited to a total combined diversion rate of 0.03 cfs and to a total combined annual diversion volume of 7.5 AF. Combined Right Nos.: 37-22366 and 37-22370.
4. This right is based upon an enlargement of Right No. 37-22366 pursuant to Section 42-1426, Idaho Code.
5. This right is for an enlargement of 2.5 acres within the place of use described for this right.
6. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 21st day of April, 2009

FOR



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22371
As Modified by Transfer No. 74961

In accordance with the approval of Transfer No. 74961, Water Right No. 37-22371 is now described as follows.

Right Holder: MATT A MC LAM
 PO BOX 253
 FAIRFIELD ID 83327

And

DEBORAH L MC LAM
 PO BOX 253
 FAIRFIELD ID 83327

Priority Date: November 29, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.93 CFS	234.2 AF
			0.93 CFS	234.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNE Sec. 21 Twp 01S Rge 14E CAMAS County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S 14E 21	15.0	38.0	40.0	38.0					40.0	38.0	15.0	38.0	38.0	40.0	38.0	15.0	393.0

Total Acres: 393

CONDITIONS OF APPROVAL

1. Surface and ground water will be conjunctively managed in the future. It is likely that use of this right will require mitigation for its impact on senior rights. If acceptable mitigation is not provided when this right is conjunctively managed this right will be curtailed. The right holder assumes all risk in development and use of this right authorized by approval of Transfer No.74961.
2. This right is limited to the irrigation of 155.5 acres within the place of use described above in a single irrigation season.
3. Rights 37-22367 and 37-22371 when combined shall not exceed a total diversion rate of 1.75 cfs, a total annual maximum diversion volume of 466.5 af at the field headgate, and the irrigation of 311 acres.

WATER RIGHT NO. 37-22371
As Modified by Transfer No. 74961

CONDITIONS OF APPROVAL

4. Rights 37-8890 and 37-22371 when combined shall not exceed a total diversion rate of 1.78 cfs, a total annual maximum diversion volume of 544.3 af at the field headgate, and the irrigation of 155.5 acres.
5. Rights 37-8890, 37-22367, and 37-22371 when combined shall not exceed a total diversion rate of 3.53 cfs, a total annual maximum diversion volume of 1010.8 af at the field headgate, and the irrigation of 311 acres.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. This right is based upon an enlargement of Right No. 37-22367 pursuant to Section 42-1426, Idaho Code.
8. This right is for an enlargement of 155.5 acres within the place of use described for this right.
9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 21st day of April, 2009


For Chief, Water Allocation Bureau

WATER RIGHT NO. 37-8890
As Modified by Transfer No. 74961

In accordance with the approval of Transfer No. 74961, Water Right No. 37-8890 is now described as follows.

Right Holder: MATT A MC LAM
PO BOX 253
FAIRFIELD ID 83327

And

DEBORAH L MC LAM
PO BOX 253
FAIRFIELD ID 83327

Priority Date: April 15, 1999

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	1.78 CFS	544.3 AF
			1.78 CFS	544.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWNE Sec. 21 Twp 01S Rge 14E CAMAS County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
01S	14E	21	15.0	38.0	40.0	38.0					40.0	38.0	15.0	38.0	38.0	40.0	38.0	15.0	393.0

Total Acres: 393

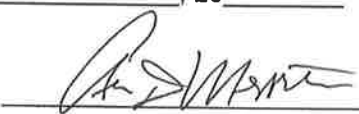
WATER RIGHT NO. 37-8890
As Modified by Transfer No. 74961

CONDITIONS OF APPROVAL

1. Surface and ground water will be conjunctively managed in the future. It is likely that use of this right will require mitigation for its impact on senior rights. If acceptable mitigation is not provided when this right is conjunctively managed this right will be curtailed. The right holder assumes all risk in development and use of this right authorized by approval of Transfer No. 74961.
2. This right is limited to the irrigation of 155.5 acres within the place of use described above in a single irrigation season.
3. Rights 37-8890 and 37-22371 when combined shall not exceed a total diversion rate of 1.78 cfs, a total annual maximum diversion volume of 544.3 af at the field headgate, and the irrigation of 155.5 acres.
4. Rights 37-8890, 37-22367, and 37-22371 when combined shall not exceed a total diversion rate of 3.53 cfs, a total annual maximum diversion volume of 1010.8 af at the field headgate, and the irrigation of 311 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
9. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
10. Rights 37-22367 and 37-22371 are also diverted through the point of diversion described above.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right 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.

Dated this 21st day of April, 2009


FOR Chief, Water Allocation Bureau



Idaho Department of Water Resources

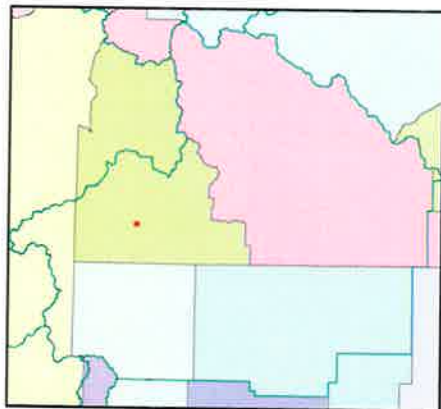
Adjudication Recommendation

37-22366

(IRRIGATION)

Legend

-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Camas County
IDWR Basin 37

Prepared by Trish Fawcett
On April 22, 2009
2004 Aerial Photography

