

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80819**

This is to certify that: **THE MC GRATH 1998 TRUST
190 STONEWALL RD
BERKELEY, CA 94705**

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>
37-22988	WR/DECREED	9/1/1887	0.200 cfs	N/A	98.5	197.0	SILVER CREEK
37-22989	WR/DECREED	4/1/1888	0.200 cfs	N/A	98.5	197.0	SILVER CREEK
37-22990	WR/DECREED	4/1/1890	0.400 cfs	N/A	40.0	197.0	SILVER CREEK
37-22991	WR/DECREED	8/4/1936	0.500 cfs	N/A	25.0	197.0	SILVER CREEK
37-22992	WR/DECREED	11/7/1918	0.500 cfs	N/A	25.0	197.0	SILVER CREEK
37-22993	WR/DECREED	11/1/1885	0.100 cfs	N/A	98.5	197.0	SILVER CREEK

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>
37-22988	NO	YES	YES	NO	NO	NO
37-22989	NO	YES	YES	NO	NO	NO
37-22990	NO	YES	YES	NO	NO	NO
37-22991	NO	YES	YES	NO	NO	NO
37-22992	NO	YES	YES	NO	NO	NO
37-22993	NO	YES	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>
37-22988	37-22988	0.200 cfs	N/A	N/A	98.5	N/A	N/A	N/A	N/A	N/A
37-22989	37-22989	0.200 cfs	N/A	N/A	98.5	N/A	N/A	N/A	N/A	N/A
37-22990	37-22990	0.400 cfs	N/A	40.0	98.5	N/A	N/A	N/A	N/A	N/A
37-22991	37-22991	0.500 cfs	N/A	25.0	98.5	N/A	N/A	N/A	N/A	N/A
37-22992	37-22992	0.500 cfs	N/A	25.0	98.5	N/A	N/A	N/A	N/A	N/A
37-22993	37-22993	0.100 cfs	N/A	N/A	98.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.900 cfs	N/A	N/A	98.5		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 80819

IN FILE # 37-22988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80819

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 11th day of August, 2016.


Southern Region Manager



WATER RIGHT NO. 37-22988

As Modified by Transfer No. 80819

In accordance with the approval of Transfer No. 80819, Water Right No. 37-22988 is now described as follows:

Right Holder: THE MC GRATH 1998 TRUST
190 STONEWALL RD
BERKELEY, CA 94705

Priority Date: 9/1/1887

Source: SILVER CREEK

Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **to** 10/31

Diversion Rate
0.200 cfs
0.200 cfs

LOCATION OF POINT(S) OF DIVERSION

SILVER CREEK L3 (NENW) Sec 1 Twp 02S Rge 20E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	36											23.5						23.5
02S	20E	1					5.0	36.0	19.0	15.0									75.0

POU Total Acres: 98.5

CONDITIONS OF APPROVAL

1. Rights 37-22988, 37-22989, 37-22990, 37-22991, 37-22992 and 37-22993 when combined shall not exceed the irrigation of 98.5 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
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.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. This right does not grant any right-of-way or easement across the land of another.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 80819

WATER RIGHT NO. 37-22988
As Modified by Transfer No. 80819

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-22989
As Modified by Transfer No. 80819

In accordance with the approval of Transfer No. 80819, Water Right No. 37-22989 is now described as follows:

Right Holder: THE MC GRATH 1998 TRUST
 190 STONEWALL RD
 BERKELEY, CA 94705

Priority Date: 4/1/1888

Source: SILVER CREEK

Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
 IRRIGATION

From 04/15 **to** 10/31

Diversion Rate
 0.200 cfs
 0.200 cfs

LOCATION OF POINT(S) OF DIVERSION

SILVER CREEK L3 (NENW) Sec 1 Twp 02S Rge 20E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	36											23.5						23.5
02S	20E	1					5.0	36.0	19.0	15.0									75.0

POU Total Acres: 98.5

CONDITIONS OF APPROVAL

1. Rights 37-22988, 37-22989, 37-22990, 37-22991, 37-22992 and 37-22993 when combined shall not exceed the irrigation of 98.5 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
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.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. This right does not grant any right-of-way or easement across the land of another.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 80819

WATER RIGHT NO. 37-22989
As Modified by Transfer No. 80819

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-22990

As Modified by Transfer No. 80819

In accordance with the approval of Transfer No. 80819, Water Right No. 37-22990 is now described as follows:

Right Holder: THE MC GRATH 1998 TRUST
190 STONEWALL RD
BERKELEY, CA 94705

Priority Date: 4/1/1890

Source: SILVER CREEK

Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.400 cfs
0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

SILVER CREEK L3 (NENW) Sec 1 Twp 02S Rge 20E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	36											23.5						23.5
02S	20E	1					5.0	36.0	19.0	15.0									75.0

Right Acre Limit: 40.0

POU Total Acres: 98.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 37-22988, 37-22989, 37-22990, 37-22991, 37-22992 and 37-22993 when combined shall not exceed the irrigation of 98.5 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
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.
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 place of use.

Transfer No. 80819

WATER RIGHT NO. 37-22990
As Modified by Transfer No. 80819

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-22991

As Modified by Transfer No. 80819

In accordance with the approval of Transfer No. 80819, Water Right No. 37-22991 is now described as follows:

Right Holder: THE MC GRATH 1998 TRUST
190 STONEWALL RD
BERKELEY, CA 94705

Priority Date: 8/4/1936

Source: SILVER CREEK

Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.500 cfs
0.500 cfs

LOCATION OF POINT(S) OF DIVERSION

SILVER CREEK L3 (NENW) Sec 1 Twp 02S Rge 20E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	36											23.5						23.5
02S	20E	1					5.0	36.0	19.0	15.0									75.0

Right Acre Limit: 25.0

POU Total Acres: 98.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 25 acres within the authorized place of use in a single irrigation season.
2. Rights 37-22988, 37-22989, 37-22990, 37-22991, 37-22992 and 37-22993 when combined shall not exceed the irrigation of 98.5 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
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.
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 place of use.

Transfer No. 80819

WATER RIGHT NO. 37-22991
As Modified by Transfer No. 80819

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-22992

As Modified by Transfer No. 80819

In accordance with the approval of Transfer No. 80819, Water Right No. 37-22992 is now described as follows:

Right Holder: THE MC GRATH 1998 TRUST
190 STONEWALL RD
BERKELEY, CA 94705

Priority Date: 11/7/1918

Source: SILVER CREEK

Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.500 cfs
0.500 cfs

LOCATION OF POINT(S) OF DIVERSION

SILVER CREEK L3 (NENW) Sec 1 Twp 02S Rge 20E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	36											23.5						23.5
02S	20E	1					5.0	36.0	19.0	15.0									75.0

Right Acre Limit: 25.0

POU Total Acres: 98.5

CONDITIONS OF APPROVAL

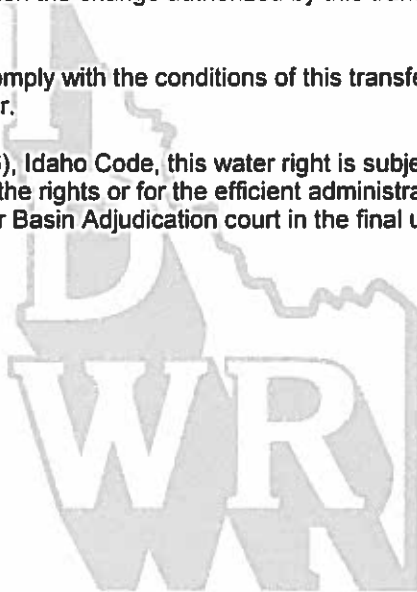
1. This right is limited to the irrigation of 25 acres within the authorized place of use in a single irrigation season.
2. Rights 37-22988, 37-22989, 37-22990, 37-22991, 37-22992 and 37-22993 when combined shall not exceed the irrigation of 98.5 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
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.
5. Saved or developed right independent of priority date.

Transfer No. 80819

WATER RIGHT NO. 37-22992
As Modified by Transfer No. 80819

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 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. This right does not grant any right-of-way or easement across the land of another.
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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 37-22993

As Modified by Transfer No. 80819

In accordance with the approval of Transfer No. 80819, Water Right No. 37-22993 is now described as follows:

Right Holder: THE MC GRATH 1998 TRUST
190 STONEWALL RD
BERKELEY, CA 94705

Priority Date: 11/1/1885

Source: SILVER CREEK

Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.100 cfs
0.100 cfs

LOCATION OF POINT(S) OF DIVERSION

SILVER CREEK L3 (NENW) Sec 1 Twp 02S Rge 20E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	36											23.5						23.5
02S	20E	1					5.0	36.0	19.0	15.0									75.0

POU Total Acres: 98.5

CONDITIONS OF APPROVAL

1. Rights 37-22988, 37-22989, 37-22990, 37-22991, 37-22992 and 37-22993 when combined shall not exceed the irrigation of 98.5 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
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.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. This right does not grant any right-of-way or easement across the land of another.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 80819

WATER RIGHT NO. 37-22993
As Modified by Transfer No. 80819

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

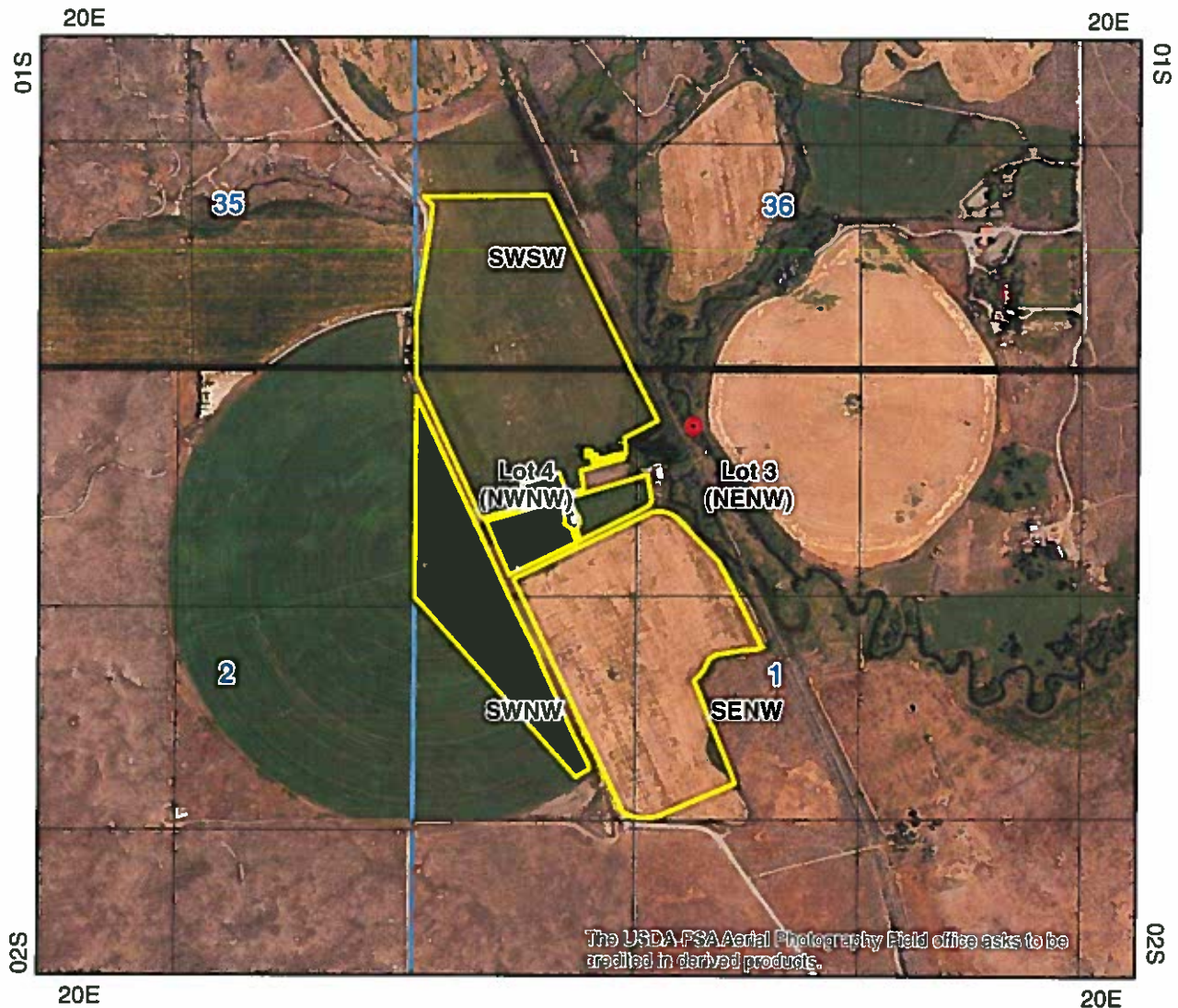


State of Idaho
Department of Water Resources

Attachment to Transfer # 80819

Rights 37-22988, 37-22989, 37-22990, 37-22991, 37-22992, and 37-22993

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.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.125 0.25 0.5 Miles

