

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79409

This is to certify that: GARY M MC STAY
MARI MC STAY
PO BOX 777
BELLEVUE, ID 83313

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>
37-22197	WR/DECREED	1/26/1977	0.170 cfs	50.4 af	22.0	22.0	WILLOW CREEK
37-2586	WR/DECREED	10/28/1955	0.910 cfs	362.6 af	N/A	514.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
37-22198	WR/DECREED	1/26/1977	0.880 cfs	270.3 af	118.0	118.0	WILLOW CREEK
37-22662	WR/DECREED	10/28/1955	0.450 cfs	176.4 af		250.0	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>
37-22197	NO	NO	YES	NO	NO	NO
37-2586	YES	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>
37-22197	37-22197	0.170 cfs	50.4 af	22.0	26.0	N/A	N/A	N/A	N/A	N/A
37-2586	37-22882	0.040 cfs	18.3 af	N/A	26.0	37-2586	0.870 cfs	344.3 af	N/A	488.0
COMBINED TOTALS		0.210 cfs	68.7 af	N/A	26.0		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 79409

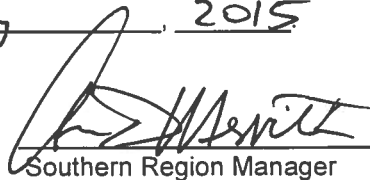
IN FILE # 37-2586

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79409

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 5th day of February, 2015


Southern Region Manager



WATER RIGHT NO. 37-2586**As Modified by Transfer No. 79409**

In accordance with the approval of Transfer No. 79409, Water Right No. 37-2586 is now described as follows:

Right Holder: EVERETT COATES ESTATE
RT 1 BOX 1140
FAIRFIELD, ID 83327

Priority Date: 10/28/1955

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.870 cfs
0.870 cfs

Diversion Volume
344.3 af
344.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSSE Sec 3 Twp 01S Rge 16E CAMAS 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	16E	2												39.0			38.0		77.0
01S	16E	3																40.0	40.0
01S	16E	10	40.0			19.0													59.0
01S	16E	11					40.0		39.0	40.0		39.0				40.0	38.0	38.0	274.0
01S	16E	14		38.0															38.0

POU Total Acres: 488.0

CONDITIONS OF APPROVAL

1. Rights 37-2586, 37-22662, and 37-22198 when combined shall not exceed the irrigation of 738 acres.
2. 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.

WATER RIGHT NO. 37-22882 **As Modified by Transfer No. 79409**

In accordance with the approval of Transfer No. 79409, Water Right No. 37-22882 is now described as follows:

Right Holder: GARY M MC STAY
MARI MC STAY
PO BOX 777
BELLEVUE, ID 83313

Priority Date: 10/28/1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/31	0.040 cfs	18.3 af
			0.040 cfs	18.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 10 Twp 01S Rge 16E CAMAS 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	
01S	16E	10												1.0		17.0	8.0		26.0

POU Total Acres: 26.0

CONDITIONS OF APPROVAL

1. 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.37B.
2. 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).
3. 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.
4. Rights 37-22882, and 37-22197 when combined shall not exceed the irrigation of 26 acres.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 79409

WATER RIGHT NO. 37-22882
As Modified by Transfer No. 79409

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 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.



WATER RIGHT NO. 37-22197
As Modified by Transfer No. 79409

In accordance with the approval of Transfer No. 79409, Water Right No. 37-22197 is now described as follows:

Right Holder: GARY M MC STAY
 MARI MC STAY
 PO BOX 777
 BELLEVUE, ID 83313

Priority Date: 1/26/1977

Source: WILLOW CREEK

Tributary: CAMAS CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/31	0.170 cfs 0.170 cfs	50.4 af 50.4 af

LOCATION OF POINT(S) OF DIVERSION

WILLOW CREEK SESESW Sec 10 Twp 01S Rge 16E CAMAS 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	16E	10												1.0		17.0	8.0		26.0

Right Acre Limit: 22.0

POU Total Acres: 26.0

CONDITIONS OF APPROVAL

1. Rights 37-22197, and 37-22882 when combined shall not exceed the irrigation of 26 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. 37B.
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 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 79409

WATER RIGHT NO. 37-22197
As Modified by Transfer No. 79409

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 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.
8. Water may not be diverted unless all of the prior water rights including those on the Wood River and for the storage of water in Magic Reservoir are fulfilled.

WATER RIGHT NO. 37-22198
As Modified by Transfer No. 79409

In accordance with the approval of Transfer No. 79409, Water Right No. 37-22198 is now described as follows:

Right Holder: ADAM CLINGERMAN
PASQUALE MIELE
SEBASTIAN NARDECCHIA
ANDREA HOUCK
2411 OLD CROW CANYON RD STE 105
SAN RAMON, CA 94583

Priority Date: 1/26/1977

Source: WILLOW CREEK

Tributary: CAMAS CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/31	0.880 cfs	270.3 af
			0.880 cfs	270.3 af

LOCATION OF POINT(S) OF DIVERSION

WILLOW CREEK SESESW Sec 10 Twp 01S Rge 16E CAMAS 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	
01S	16E	10				17.0									38.0		28.0	35.0	118.0

Right Acre Limit: 118.0

POU Total Acres: 118.0

CONDITIONS OF APPROVAL

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. Water may not be diverted unless all of the prior water rights including those on the Wood River and for the storage of water in Magic Reservoir are fulfilled.
3. Right 37-22197 is also diverted through the point(s) of diversion described above.
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 lands above.
5. This right does not authorize the irrigation of land not previously irrigated.

Transfer No. 79409

WATER RIGHT NO. 37-22198
As Modified by Transfer No. 79409

CONDITIONS OF APPROVAL

6. 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. 37B.
7. Rights 37-2586, 37-22662, and 37-22198 when combined shall not exceed the irrigation of 738 acres.



WATER RIGHT NO. 37-22662
As Modified by Transfer No. 79409

In accordance with the approval of Transfer No. 79409, Water Right No. 37-22662 is now described as follows:

Right Holder: ADAM CLINGERMAN
SEBASTIAN NARDECCHIA
PASQUALE MIELE
2411 OLD CROW CANYON RD STE 105
SAN RAMON, CA 94583

Priority Date: 10/28/1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/31	0.450 cfs	176.4 af
			0.450 cfs	176.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSESE Sec 3 Twp 01S Rge 16E CAMAS 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	
01S	16E	10													37.0		30.0	38.0	105.0
01S	16E	15	37.0	34.0	35.0	39.0													145.0

POU Total Acres: 250.0

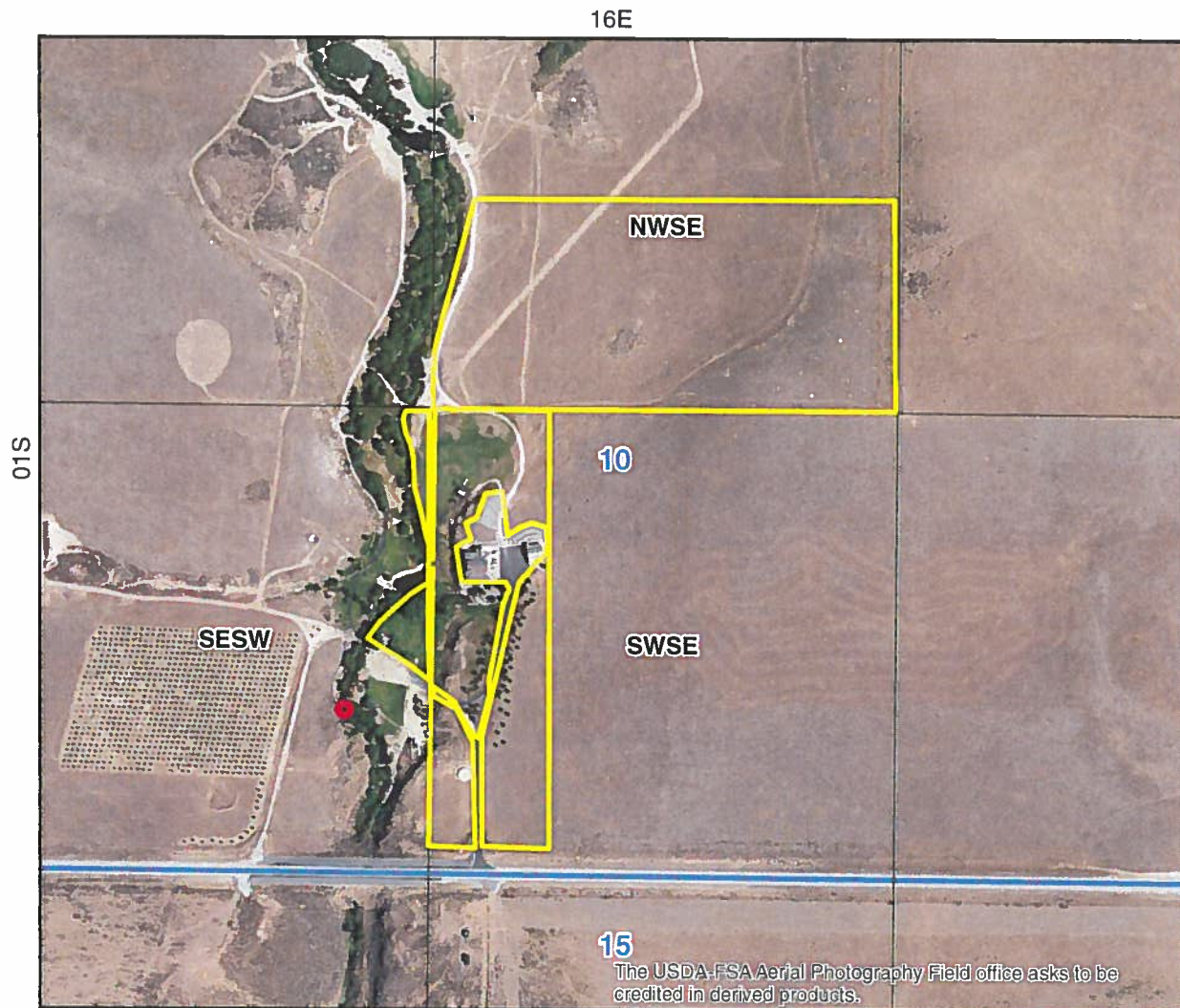
CONDITIONS OF APPROVAL

1. Rights 37-2586, 37-22662, and 37-22198 when combined shall not exceed the irrigation of 738 acres.
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.

Transfer No. 79409

State of Idaho
Department of Water Resources
Attachment To Transfer No. 79409
Right: 37-22197

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.



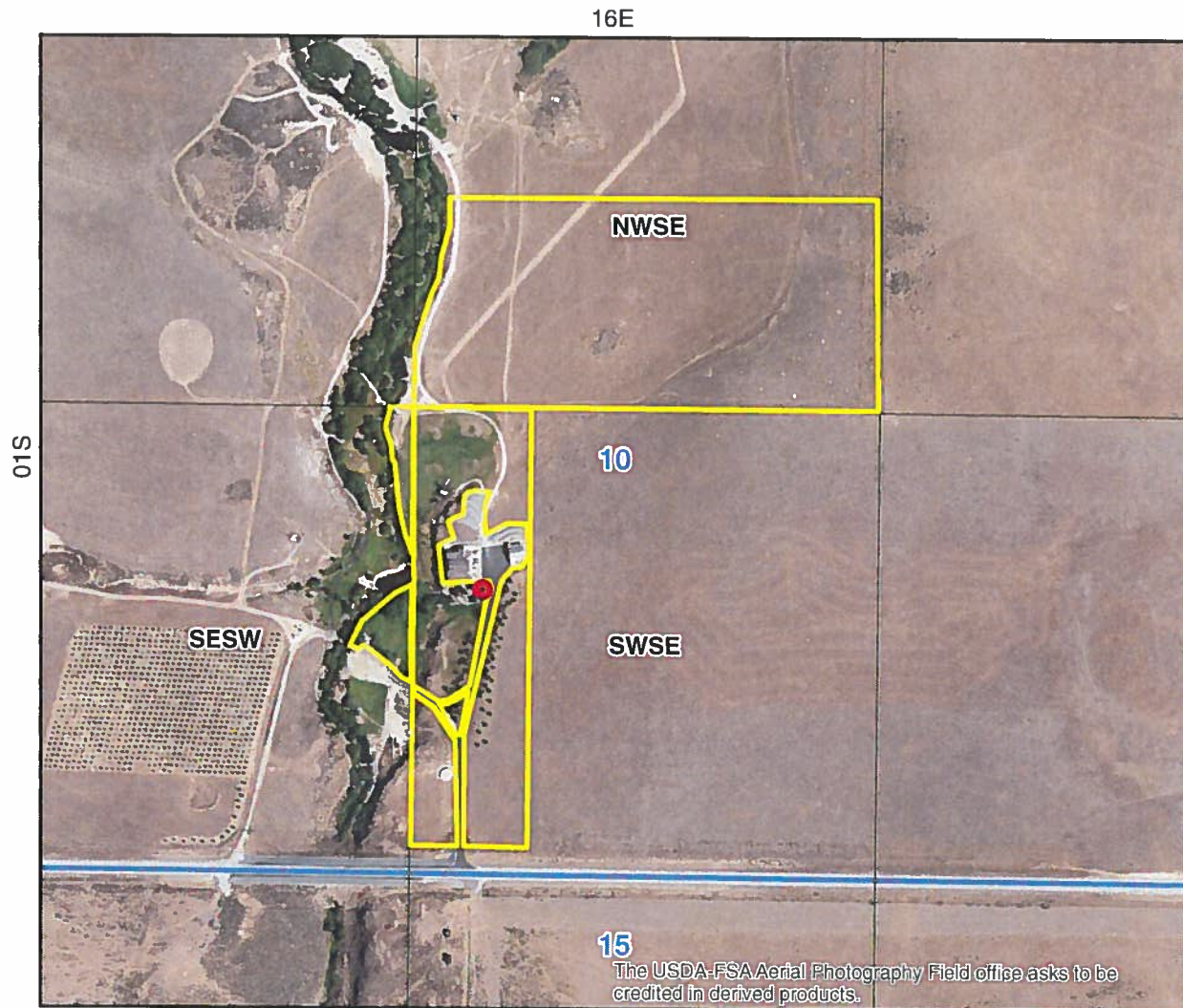
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.05 0.1 0.2 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79409
Right: 37-22882

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.



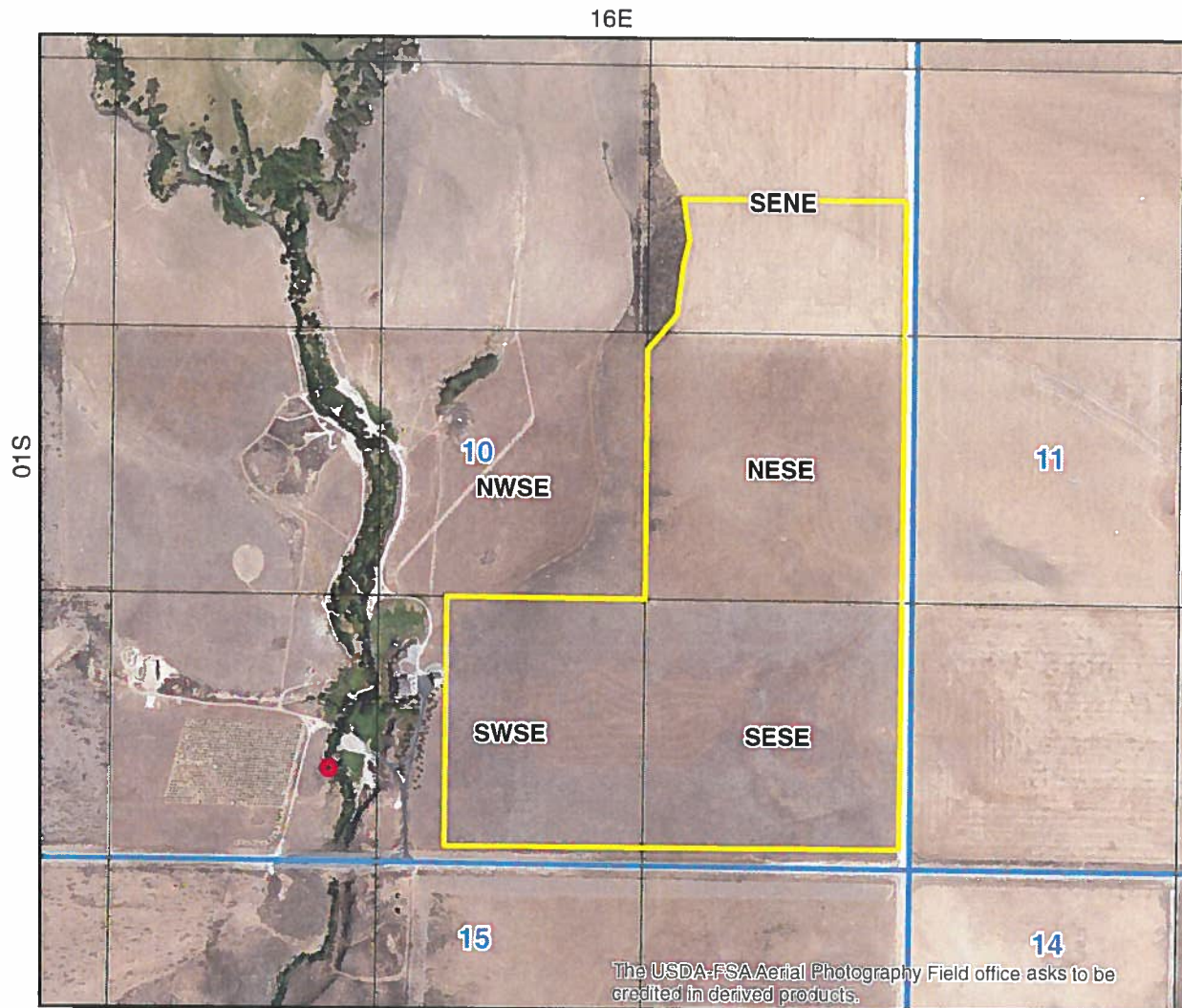
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.05 0.1 0.2 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79409
Right: 37-22198

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.



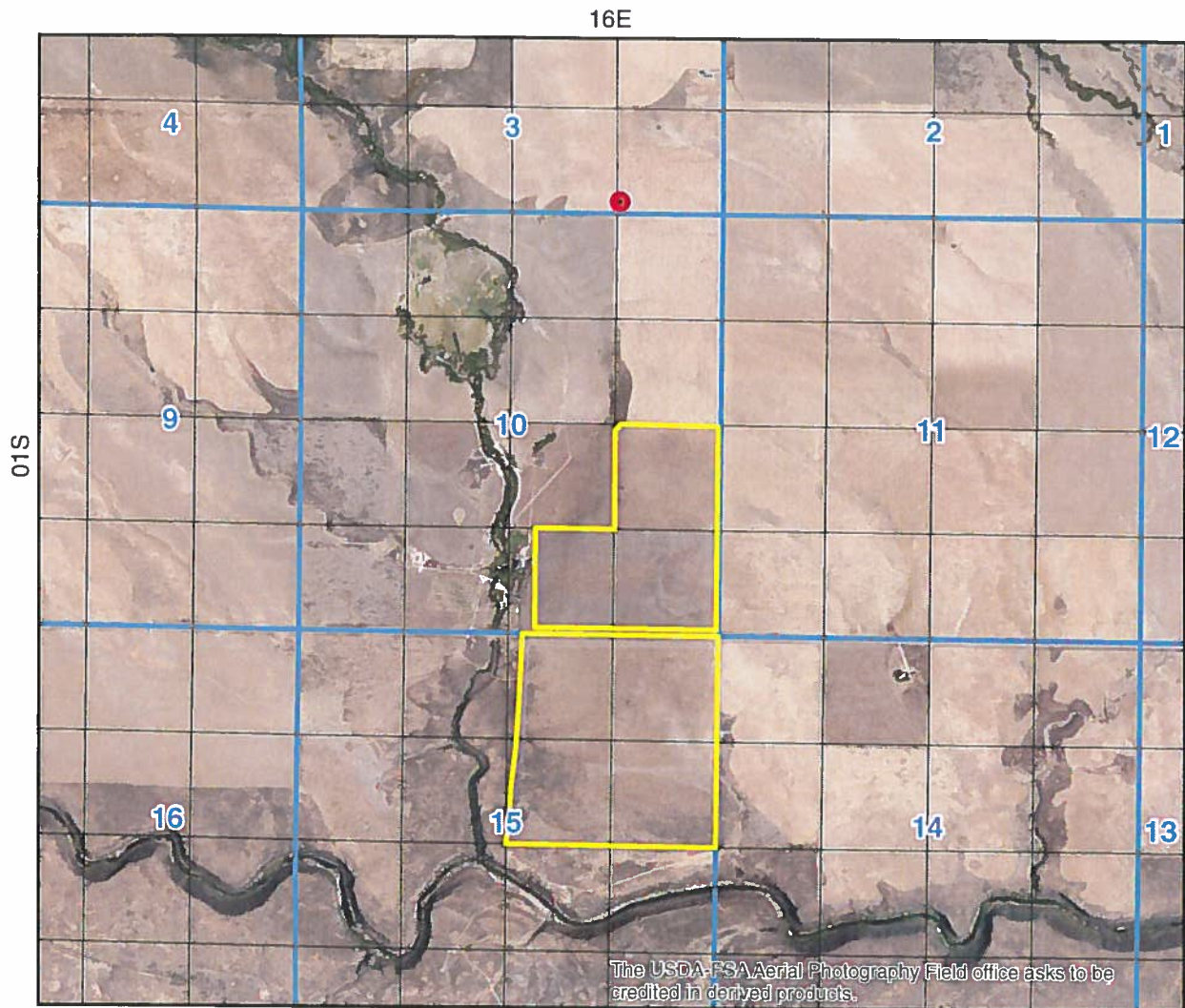
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.1 0.2 0.4 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79409
Right: 37-22662

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.



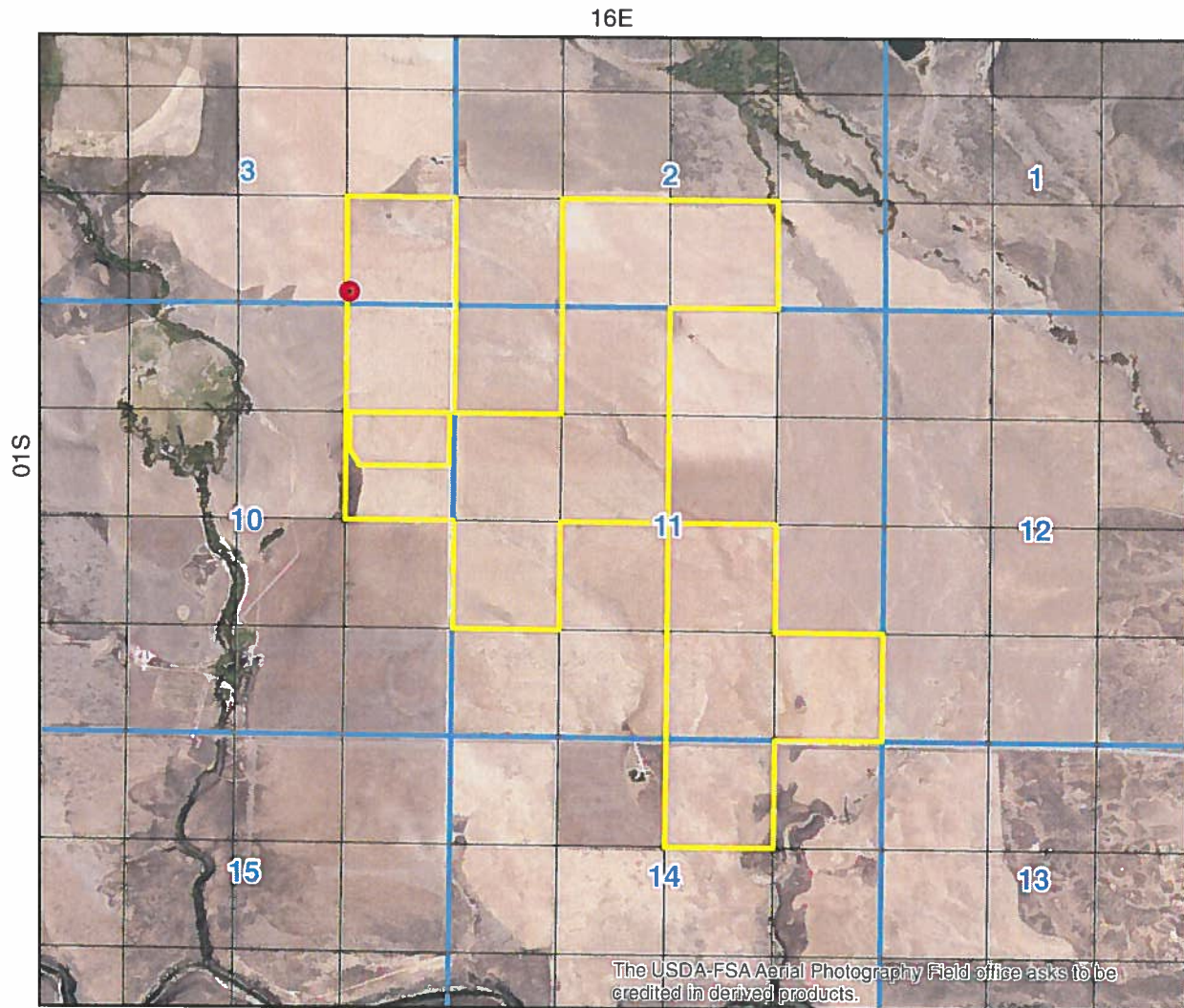
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.275 0.55 1.1 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79409
Right: 37-2586

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.



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

0 0.25 0.5 1 Miles

