

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79000**

This is to certify that: **MARK T NEWCOMB**
251 E 200 S
RUPERT, ID 83350

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>
45-2636	WR/DECREED	2/8/1961	2.790 cfs	840.0 af	210.0	842.0	GROUND WATER
45-2754	WR/DECREED	8/28/1952	4.060 cfs	N/A	240.0	842.0	GROUND WATER
45-7252	WR/DECREED	7/2/1976	4.560 cfs	N/A	362.0	842.0	GROUND WATER
45-7268B	WR/DECREED	5/14/1976	0.610 cfs	N/A	34.0	842.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

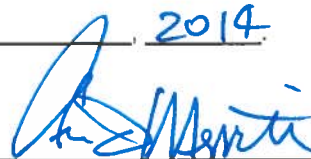
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-2636	NO	NO	NO	YES	NO	NO
45-2754	NO	NO	NO	YES	NO	NO
45-7252	NO	NO	NO	YES	NO	NO
45-7268B	NO	NO	NO	YES	NO	NO

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>
45-2636	45-2636	2.790 cfs	840.0 af	210.0	842.0	N/A	N/A	N/A	N/A	N/A
45-2754	45-2754	4.060 cfs	960.0 af	240.0	842.0	N/A	N/A	N/A	N/A	N/A
45-7252	45-7252	4.560 cfs	1448.0 af	362.0	842.0	N/A	N/A	N/A	N/A	N/A
45-7268B	45-7268B	0.610 cfs	136.0 af	34.0	842.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		9.900 cfs	3248.0 af	812.0	842.0		N/A	N/A	N/A	N/A

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 16th day of September, 2014.


Southern Region Manager

Transfer No. 79000

SUPPORT DATA
IN FILE # 45-2636

WATER RIGHT NO. 45-2636**As Modified by Transfer No. 79000**

In accordance with the approval of Transfer No. 79000, Water Right No. 45-2636 is now described as follows:

Right Holder: MARK T NEWCOMB
251 E 200 S
RUPERT, ID 83350

Priority Date: 2/8/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2.790 cfs	840.0 af
			2.790 cfs	840.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SEWNWE	Sec 17 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SENWSW	Sec 17 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NESESW	Sec 17 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NESESE	Sec 8 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWNWSW	Sec 9 Twp 10S Rge 25E	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	
10S	25E	8									37.0			39.0	27.0	37.0	39.0	38.0	217.0
10S	25E	17	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	39.0	39.0	32.0	39.0	625.0

Right Acre Limit: 210.0

POU Total Acres: 842.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 210 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2636, 45-2754, 45-7252, and 45-7268B when combined shall not exceed a total diversion rate of 9.90 cfs, a total annual maximum diversion volume of 3248 af at the field headgate, and the irrigation of 812 acres.
3. Rights 45-2636 and 45-7268B when combined shall not exceed a total annual maximum diversion volume of 840 af at the field headgate, and the irrigation of 212 acres.
4. The point of diversion located in the NESESW S17, T10S, R25E is limited to a maximum diversion rate of 4.0 cfs.

Transfer No. 79000

WATER RIGHT NO. 45-2636

As Modified by Transfer No. 79000

CONDITIONS OF APPROVAL

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 140.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval 79000, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 45-2754**As Modified by Transfer No. 79000**

In accordance with the approval of Transfer No. 79000, Water Right No. 45-2754 is now described as follows:

Right Holder: MARK T NEWCOMB
251 E 200 S
RUPERT, ID 83350

Priority Date: 8/28/1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	4.060 cfs	960.0 af
			4.060 cfs	960.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SEWNWE	Sec 17 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SENWSW	Sec 17 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NESESW	Sec 17 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NESESE	Sec 8 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWNWSW	Sec 9 Twp 10S Rge 25E	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	
10S	25E	8									37.0			39.0	27.0	37.0	39.0	38.0	217.0
10S	25E	17	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	39.0	39.0	32.0	39.0	625.0

Right Acre Limit: 240.0

POU Total Acres: 842.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 240 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2636, 45-2754, 45-7252, and 45-7268B when combined shall not exceed a total diversion rate of 9.90 cfs, a total annual maximum diversion volume of 3248 af at the field headgate, and the irrigation of 812 acres.
3. Rights 45-2754 and 45-7252 when combined shall not exceed a total diversion rate of 6.50 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 602 acres.
4. The point of diversion located in the NESESW S17, T10S, R25E is limited to a maximum diversion rate of 4.0 cfs.

Transfer No. 79000

WATER RIGHT NO. 45-2754

As Modified by Transfer No. 79000

CONDITIONS OF APPROVAL

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 140.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval 79000, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 45-7252**As Modified by Transfer No. 79000**

In accordance with the approval of Transfer No. 79000, Water Right No. 45-7252 is now described as follows:

Right Holder: MARK T NEWCOMB
251 E 200 S
RUPERT, ID 83350

Priority Date: 7/2/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	4.560 cfs	1448.0 af
			4.560 cfs	1448.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SEWNNE	Sec 17 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SENWSW	Sec 17 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NESESW	Sec 17 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NESESE	Sec 8 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWNWSW	Sec 9 Twp 10S Rge 25E	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	
10S	25E	8									37.0			39.0	27.0	37.0	39.0	38.0	217.0
10S	25E	17	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	39.0	39.0	32.0	39.0	625.0

Right Acre Limit: 362.0

POU Total Acres: 842.0

CONDITIONS OF APPROVAL

1. Right No. 45-07252 is limited to the irrigation of 362.0 acres in the place of use described above in a single irrigation season.
2. Rights 45-2636, 45-2754, 45-7252, and 45-7268B when combined shall not exceed a total diversion rate of 9.90 cfs, a total annual maximum diversion volume of 3248 af at the field headgate, and the irrigation of 812 acres.
3. Rights 45-2754 and 45-7252 when combined shall not exceed a total diversion rate of 6.50 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 602 acres.
4. The point of diversion located in the NESESW S17, T10S, R25E is limited to a maximum diversion rate of 4.0 cfs.

Transfer No. 79000

WATER RIGHT NO. 45-7252

As Modified by Transfer No. 79000

CONDITIONS OF APPROVAL

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 140.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval 79000, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 45-7268B**As Modified by Transfer No. 79000**

In accordance with the approval of Transfer No. 79000, Water Right No. 45-7268B is now described as follows:

Right Holder: MARK T NEWCOMB
251 E 200 S
RUPERT, ID 83350

Priority Date: 5/14/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.610 cfs	136.0 af
			0.610 cfs	136.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENNWE	Sec 17 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SENNWSW	Sec 17 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NESESW	Sec 17 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NESESE	Sec 8 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWNWSW	Sec 9 Twp 10S Rge 25E	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	
10S	25E	8									37.0			39.0	27.0	37.0	39.0	38.0	217.0
10S	25E	17	38.0	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	39.0	39.0	32.0	39.0	625.0

Right Acre Limit: 34.0

POU Total Acres: 842.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 34 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2636, 45-2754, 45-7252, and 45-7268B when combined shall not exceed a total diversion rate of 9.90 cfs, a total annual maximum diversion volume of 3248 af at the field headgate, and the irrigation of 812 acres.
3. Rights 45-2636 and 45-7268B when combined shall not exceed a total annual maximum diversion volume of 840 af at the field headgate, and the irrigation of 212 acres.
4. The point of diversion located in the NESESW S17, T10S, R25E is limited to a maximum diversion rate of 4.0 cfs.

Transfer No. 79000

WATER RIGHT NO. 45-7268B
As Modified by Transfer No. 79000

CONDITIONS OF APPROVAL

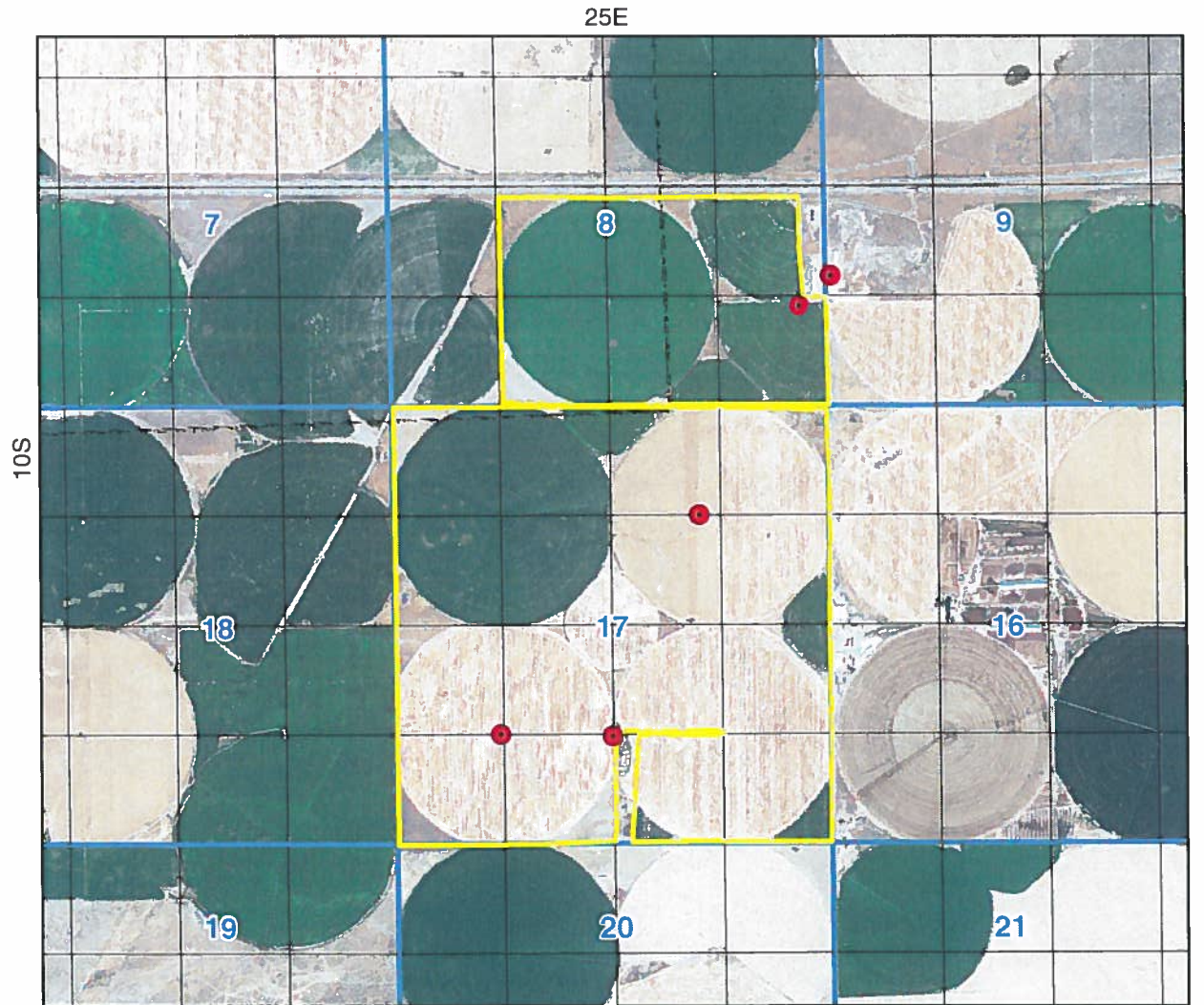
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. Prior to the diversion and use of water under Transfer approval 79000, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.

State of Idaho
Department of Water Resources

Attachment To Transfer No. 79000

Rights: 45-2636, 45-2754, 45-7252 and 45-7268B

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

