

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 79155

This is to certify that: DEBORAH L MCLAM AND  
MATT A MCLAM  
PO BOX 253  
FAIRFIELD, ID 83327

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

| Water Right | Origin/Basis | Priority Date | Diversion Rate | Diversion Volume | Acre Limit | Total Acres | Source       |
|-------------|--------------|---------------|----------------|------------------|------------|-------------|--------------|
| 37-22862    | WR/DECREED   | 8/24/1981     | 1.510 cfs      | 477.0 af         | N/A        | 159.0       | GROUND WATER |

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

| Water Right | Origin/Basis | Priority Date | Diversion Rate | Diversion Volume | Acre Limit | Total Acres | Source       |
|-------------|--------------|---------------|----------------|------------------|------------|-------------|--------------|
| 37-22865    | WR/LICENSE   | 4/15/1999     | 1.340 cfs      | 409.5 af         | 117.0      | 393.0       | GROUND WATER |
| 37-22867    | WR/DECREED   | 10/10/1973    | 1.320 cfs      | 351.0 af         | 117.0      | 393.0       | GROUND WATER |
| 37-22869    | WR/DECREED   | 11/29/1978    | 0.700 cfs      | 176.2 af         | 117.0      | 393.0       | GROUND WATER |

Purpose of Transfer (Changes Proposed)

| Current Number | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|----------------|-------|-----|-----|---------|---------------|---------------|
| 37-22862       | NO    | YES | YES | NO      | NO            | NO            |

Summary Of Water Rights After the Approved Change

| Existing Right          | New No. (Changed Portion) | Transfer Rate    | Transfer Volume | Acre Limit   | Total Acres  | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|-------------------------|---------------------------|------------------|-----------------|--------------|--------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 37-22862                | 37-22862                  | 1.510 cfs        | 477.0 af        | 159.0        | 393.0        | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| <b>COMBINED TOTALS:</b> |                           | <b>1.510 cfs</b> | <b>477.0 af</b> | <b>159.0</b> | <b>393.0</b> |                             | <b>N/A</b>     | <b>N/A</b>       | <b>N/A</b>           | <b>N/A</b>            |

COMPLETE DOCUMENT

JUN 25 2014

SUPPORT DATA

IN FILE # 37-22862

SCANNED

SCANNED

APR 28 2014

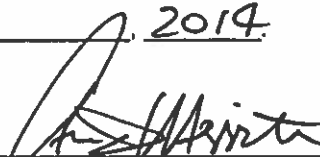
Transfer No. 79155

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 79155

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 21<sup>st</sup> day of April, 2014.

  
\_\_\_\_\_  
Southern Region Manager



# **WATER RIGHT NO. 37-22862**

## **As Modified by Transfer No. 79155**

In accordance with the approval of Transfer No. 79155, Water Right No. 37-22862 is now described as follows:

**Right Holder:** DEBORAH L MCLAM AND  
MATT A MCLAM  
PO BOX 253  
FAIRFIELD, ID 83327

**Priority Date:** 8/24/1981

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 11/01  | 1.510 cfs             | 477.0 af                |
|                       |             |           | 1.510 cfs             | 477.0 af                |

### **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER      SWSWNE      Sec 21 Twp 01S Rge 14E 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 | 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  |

Right Acre Limit: 159.0

POU Total Acres: 393.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 159.0 acres within the authorized place of use in a single irrigation season.
2. Rights 37-22862, 37-22865, 37-22867, and 37-22869 when combined shall not exceed a total diversion rate of 4.17 cfs, a total annual maximum diversion volume of 1237.5 af at the field headgate, and the irrigation of 393.0 acres.
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. 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.

**WATER RIGHT NO. 37-22862**

**As Modified by Transfer No. 79155**

**CONDITIONS OF APPROVAL**

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).
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 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. 37-22865**  
**As Modified by Transfer No. 79155**

In accordance with the approval of Transfer No. 79155, Water Right No. 37-22865 is now described as follows:

**Right Holder:** MATT A MCLAM And  
 DEBORAH L MCLAM  
 PO BOX 253  
 FAIRFIELD, ID 83327

**Priority Date:** 4/15/1999

**Source:** GROUND WATER

|                              |                    |                  |                              |                                |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| <u><b>BENEFICIAL USE</b></u> | <u><b>From</b></u> | <u><b>To</b></u> | <u><b>Diversion Rate</b></u> | <u><b>Diversion Volume</b></u> |
| IRRIGATION                   | 04/15              | to 10/31         | 1.340 cfs                    | 409.5 af                       |
|                              |                    |                  | 1.340 cfs                    | 409.5 af                       |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      SWSWNE                      Sec 21 Twp 01S Rge 14E 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 | 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  |

Right Acre Limit: 117.0

POU Total Acres: 393.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 117.0 acres within the place of use described above in a single irrigation season.
2. Rights 37-22865 and 37-22869 when combined shall not exceed a total diversion rate of 1.34 cfs, a total annual maximum diversion volume of 409.5 af at the field headgate, and the irrigation of 117.0 acres.
3. Rights 37-22865, 37-22867, and 37-22869 when combined shall not exceed a total diversion rate of 2.66 cfs, a total annual maximum diversion volume of 760.5 af at the field headgate, and the irrigation of 234 acres.
4. Rights 37-22862, 37-22865, 37-22867, and 37-22869 when combined shall not exceed a total diversion rate of 4.17 cfs, a total annual maximum diversion volume of 1237.5 af at the field headgate, and the irrigation of 393.0 acres.

**WATER RIGHT NO. 37-22865**  
**As Modified by Transfer No. 79155**

**CONDITIONS OF APPROVAL**

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. Rights 37-22862, 37-22867 and 37-22869 are also diverted through the point of diversion described above.
7. 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.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. 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.
10. The approval of Transfer No.74961 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.
11. 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.
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.

# **WATER RIGHT NO. 37-22867**

## **As Modified by Transfer No. 79155**

In accordance with the approval of Transfer No. 79155, Water Right No. 37-22867 is now described as follows:

**Right Holder:** MATT A MCLAM And  
DEBORAH L MCLAM  
PO BOX 253  
FAIRFIELD, ID 83327

**Priority Date:** 10/10/1973

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 11/01  | 1.320 cfs             | 351.0 af                |
|                       |             |           | 1.320 cfs             | 351.0 af                |

### **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWSWNE Sec 21 Twp 01S Rge 14E 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 | 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  |

Right Acre Limit: 117.0

POU Total Acres: 393.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 117.0 acres within the place of use described above in a single irrigation season.
2. Rights 37-22867, and 37-22869 when combined shall not exceed a total diversion rate of 1.32 cfs, a total annual maximum diversion volume of 351.0 af at the field headgate.
3. Right Nos. 37-22867 and 37-22869 are limited to the irrigation of a combined total of 234.0 acres in a single irrigation season.
4. Rights 37-22865, 37-22867, and 37-22869 when combined shall not exceed a total diversion rate of 2.66 cfs, a total annual maximum diversion volume of 760.5 af at the field headgate.
5. Right Nos. 37-22865, 37-22867, and 37-22869 are limited to the irrigation of a combined total of 234.0 acres in a single irrigation season.

Transfer No. 79155

**WATER RIGHT NO. 37-22867**  
**As Modified by Transfer No. 79155**

**CONDITIONS OF APPROVAL**

6. Rights 37-22862, 37-22865, 37-22867, and 37-22869 when combined shall not exceed a total diversion rate of 4.17 cfs, a total annual maximum diversion volume of 1237.5 af at the field headgate, and the irrigation of 393.0 acres..
7. 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.
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. 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.
11. Right No. 37-22869 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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.

# **WATER RIGHT NO. 37-22869**

## **As Modified by Transfer No. 79155**

In accordance with the approval of Transfer No. 79155, Water Right No. 37-22869 is now described as follows:

**Right Holder:** MATT A MCLAM AND  
DEBORAH L MCLAM  
PO BOX 253  
FAIRFIELD, ID 83327

**Priority Date:** 11/29/1978

**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  | 0.700 cfs             | 176.2 af                |
|                       |             |           | 0.700 cfs             | 176.2 af                |

### **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWSWNE Sec 21 Twp 01S Rge 14E 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 | 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  |

Right Acre Limit: 117.0

POU Total Acres: 393.0

### **CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 117 acres within the place of use described above in a single irrigation season.
2. Rights 37-22865 and 37-22869 when combined shall not exceed a total diversion rate of 1.34 cfs, a total annual maximum diversion volume of 409.5 af at the field headgate,
3. Right Nos. 37-22865 and 37-22869 are limited to the irrigation of a combined total of 117 acres in a single irrigation season.
4. Rights 37-22867, and 37-22869 when combined shall not exceed a total diversion rate of 1.32 cfs, a total annual maximum diversion volume of 351.0 af at the field headgate.
5. Right Nos. 37-22867 and 37-22869 are limited to the irrigation of a combined total of 234 acres in a single irrigation season.

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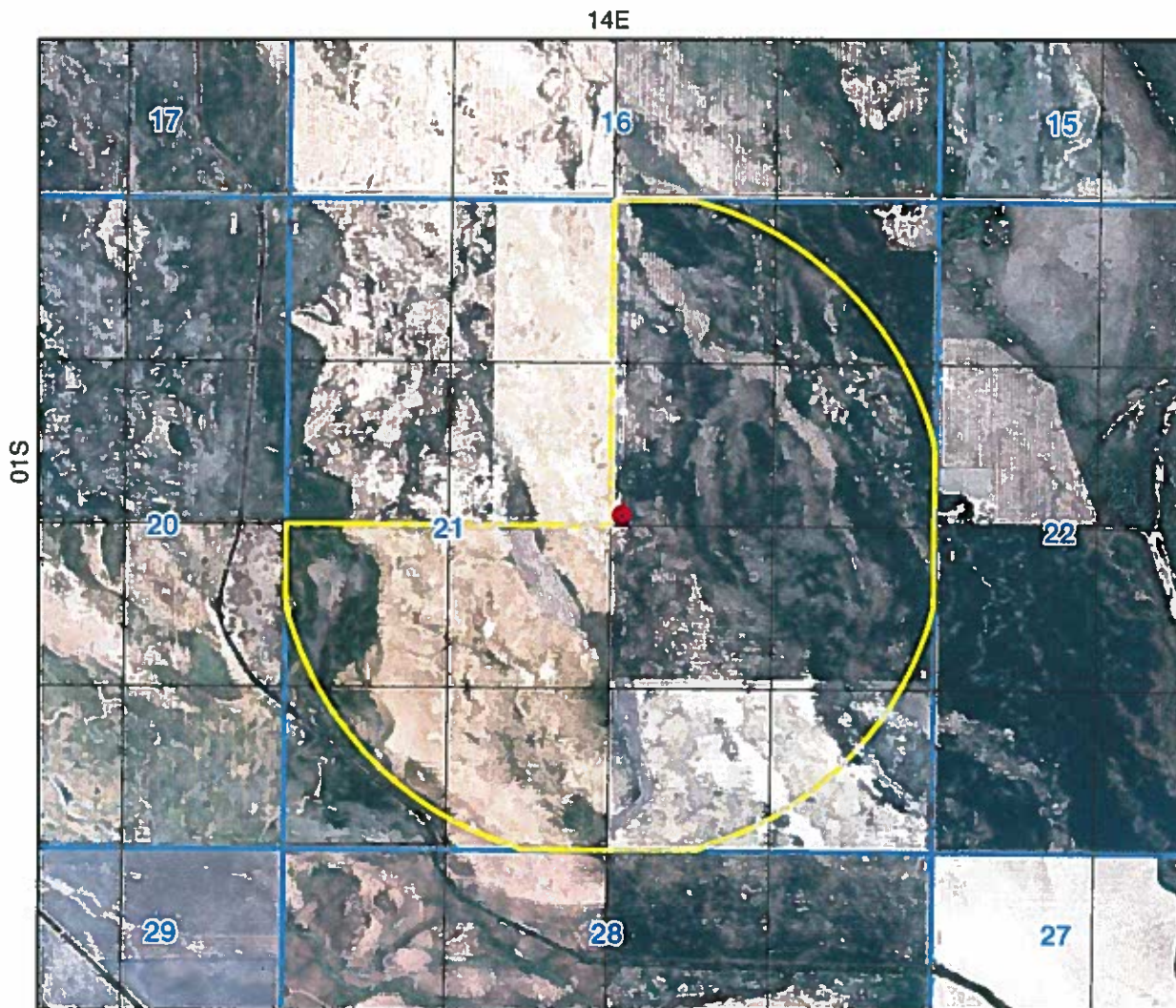
**WATER RIGHT NO. 37-22869**  
**As Modified by Transfer No. 79155**

**CONDITIONS OF APPROVAL**

6. Rights 37-22865, 37-22867, and 37-22869 when combined shall not exceed a total diversion rate of 2.66 cfs, a total annual maximum diversion volume of 760.5 af at the field headgate.
7. Right Nos. 37-22865, 37-22867, and 37-22869 are limited to the irrigation of a combined total of 234 acres in a single irrigation season.
8. Rights 37-22862, 37-22865, 37-22867, and 37-22869 when combined shall not exceed a total diversion rate of 4.17 cfs, a total annual maximum diversion volume of 1237.5 af at the field headgate, and the irrigation of 393.0 acres.
9. 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.
10. This right is based upon an enlargement of Right No. 37-22867 pursuant to Section 42-1426, Idaho Code.
11. This right is for an enlargement of 117 acres within the place of use described for this right.
12. 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.
13. 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.
14. 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.
15. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
16. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
17. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
18. 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.

State of Idaho  
Department of Water Resources  
**Attachment To Transfer No. 79155**  
Rights: 37-22862, 37-22865, 37-22867 and 37-22869

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 0.175 0.35 0.7 Miles

