

MAR 06 2014DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79153**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) DEBORAH L MCLAM AND MATT A MCLAM**Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.****Yes N/A** *Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 06 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant DEBORAH L MCLAM Phone (208) 764-2685

Mailing Address PO BOX 253, FAIRFIELD ID 83327 Email _____

Name of Applicant MATT A MCLAM Phone (208)764-2685

Mailing Address PO BOX 253, FAIRFIELD ID 83327 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing Address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Deborah L Mclam Deborah L. Mclam 3/4/14
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Matt A Mclam Matt A. Mclam 3-4-14
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

I.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	37-22864	No	Yes	Yes	No	No	No
	37-22866	No	Yes	Yes	No	No	No
	37-22868	No	Yes	Yes	No	No	No

Associated Right(s): 37-22861

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Application filed to move three water rights to a nearby farm to reflect the actual irrigation practices.

- B. **DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-22864	0.440 cfs	134.8 af	38.5	77.0		N/A	N/A	N/A	N/A
37-22866	0.430 cfs	115.5 af	38.5	77.0		N/A	N/A	N/A	N/A
37-22868	0.230 cfs	58.0 af	38.5	77.0		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

0.870 cfs 250.3 af 77.0 77.0 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 0.87 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 37-22864

Current Water Right Owner

DEBORAH L MCLAM
 PO BOX 253
 FAIRFIELD, ID 83327

And

MATT A MCLAM
 PO BOX 253
 FAIRFIELD, ID 83327

Priority Date: 4/15/1999

Origin: Water Right

Basis: License

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.440 CFS	134.8 AFA	
Total Diversion			0.440 CFS	134.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NESW

Sec. 29 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	29					32.5	32.5	12.0										77.0

Right Acre Limit: 38.5

POU Total Acres: 77.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-22866

Current Water Right Owner

MATT A MCLAM
PO BOX 253
FAIRFIELD, ID 83327

And

DEBORAH L MCLAM
PO BOX 253
FAIRFIELD, ID 83327

Priority Date: 10/10/1973

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.430 CFS	115.5 AFA	
Total Diversion			0.430 CFS	115.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NESW

Sec. 29 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	29					32.5	32.5	12.0										77.0

Right Acre Limit: 38.5

POU Total Acres: 77.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 37-22868

Current Water Right Owner

DEBORAH L MCLAM
 PO BOX 253
 FAIRFIELD, ID 83327

And

MATT A MCLAM
 PO BOX 253
 FAIRFIELD, ID 83327

Priority Date: 11/29/1978

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.230 CFS	58.0 AFA	
Total Diversion			0.230 CFS	58.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NESW

Sec. 29 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	29					32.5	32.5	12.0										77.0

Right Acre Limit: 38.5

POU Total Acres: 77.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future
Existing well to pivot sprinkler systems. Lockable works and a measuring device will be installed when required.

- b. Who owns the property at the point(s) of diversion
Applicants

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ If Yes, ☐

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
77 acres within the existing permissible place of use will no longer be irrigated with these rights.

However, note that companion transfer # 79155 moves 159 acres of another water right into the permissible place of use.

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Rights 37-22865, 37-22867, and 37-22869 are diverted from the existing point of diversion and used within the existing permissible place of use. Right 37-22861 is diverted from the proposed point of diversion and used to irrigate the southern portion of the farm at the proposed place of use.

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

☐
☐
☐
☐

☒
☒
☒
☒

undergone a period of five or more consecutive years of non-use,
currently leased to the Water Supply Bank,
currently used in a mitigation plan limiting the use of water under the right, or
currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 37-22864

Current Water Right Owner

DEBORAH L MCLAM
 PO BOX 253
 FAIRFIELD, ID 83327

And

MATT A MCLAM
 PO BOX 253
 FAIRFIELD, ID 83327

Priority Date: 4/15/1999

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.440 CFS	134.8 AFA	
Total Diversion			0.440 CFS	134.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWSWNE

Sec. 21 Twp 01S Rge 14E CAMAS County

Describe the proposed diversion system

New well, motor and pump to be installed, mainline to pivot sprinkler

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: 38.5

POU Total Acres: 393.0

Conditions/Remarks:

1. Rights 37-22864, 37-22866, and 37-22868 when combined shall not exceed a total diversion rate of 0.87 cfs, a total annual maximum diversion volume of 250.3 af at the field headgate, and the irrigation of 77 acres.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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.
6. 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.
7. 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.

I.I.HO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. Rights 37-22865, 37-22866, 37-22867, 37-22868, and 37-22869 are also diverted through the point of diversion described above.
9. This right is limited to the irrigation of 38.5 acres within the place of use described above in a single irrigation season.
10. Rights 37-22864 and 37-22868 when combined shall not exceed a total diversion rate of 0.44 cfs, a total annual maximum diversion volume of 134.8 af at the field headgate, and the irrigation of 38.5 acres.
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. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

IDaho DEPARTMENT OF WATER RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 37-22866

Current Water Right Owner

MATT A MCLAM
PO BOX 253
FAIRFIELD, ID 83327

And

DEBORAH L MCLAM
PO BOX 253
FAIRFIELD, ID 83327

Priority Date: 10/10/1973

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.430 CFS	115.5 AFA	
Total Diversion			0.430 CFS	115.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWSWNE

Sec. 21 Twp 01S Rge 14E CAMAS County

Describe the proposed diversion system

New well, motor and pump to be installed, mainline to pivot sprinkler

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: 38.5

POU Total Acres: 393.0

Conditions/Remarks:

1. Rights 37-22864, 37-22866, and 37-22868 when combined shall not exceed a total diversion rate of 0.87 cfs, a total annual maximum diversion volume of 250.3 af at the field headgate, and the irrigation of 77 acres.
2. 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.
3. 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.
4. Right Nos. 37-22864, 37-22866, and 37-22868 are limited to the irrigation of a combined total of 77 acres in a single irrigation season.
5. 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.
6. Right Nos. 37-22866 and 37-22868 are limited to the irrigation of a combined total of 77 acres in a single irrigation season.
7. Rights 37-22866 and 37-22868 when combined shall not exceed a total diversion rate of 0.43 cfs, a total annual maximum diversion volume of 115.5 af at the field headgate.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. This right is limited to the irrigation of 38.5 acres within the place of use described above in a single irrigation season.
11. 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.
12. Right No. 37-22868 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
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.

IDaho DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 37-22868

Current Water Right Owner

DEBORAH L MCLAM
PO BOX 253
FAIRFIELD, ID 83327

And

MATT A MCLAM
PO BOX 253
FAIRFIELD, ID 83327

Priority Date: 11/29/1978

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/31	0.230 CFS	58.0 AFA	
Total Diversion			0.230 CFS	58.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWSWNE

Sec. 21 Twp 01S Rge 14E CAMAS County

Describe the proposed diversion system

New well, motor and pump to be installed, mainline to pivot sprinkler

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: 38.5

POU Total Acres: 393.0

Conditions/Remarks:

1. Rights 37-22864 and 37-22868 when combined shall not exceed a total diversion rate of 0.44 cfs, a total annual maximum diversion volume of 134.8 af at the field headgate.
2. This right is based upon an enlargement of Right No. 37-22866 pursuant to Section 42-1426, Idaho Code.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Rights 37-22864, 37-22866, and 37-22868 are limited to the irrigation of a combined total of 77 acres in a single irrigation season.
5. 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.
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. This right is for an enlargement of 38.5 acres within the place of use described for this right.
8. Rights 37-22866 and 37-22868 when combined shall not exceed a total diversion rate of 0.43 cfs, a total annual maximum diversion volume of 115.5 af at the field headgate.

IDAHO DEPARTMENT OF WATER RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Rights 37-22864, 37-22866, and 37-22868 when combined shall not exceed a total diversion rate of 0.87 cfs, a total annual maximum diversion volume of 250.3 af at the field headgate
12. Right Nos. 37-22864 and 37-22868 are limited to the irrigation of a combined total of 38.5 acres in a single irrigation season.
13. This right is limited to the irrigation of 38.5 acres within the place of use described above in a single irrigation season.
14. 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.
15. Right Nos. 37-22866 and 37-22868 are limited to the irrigation of a combined total of 77 acres in a single irrigation season.
16. 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.
17. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**. If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

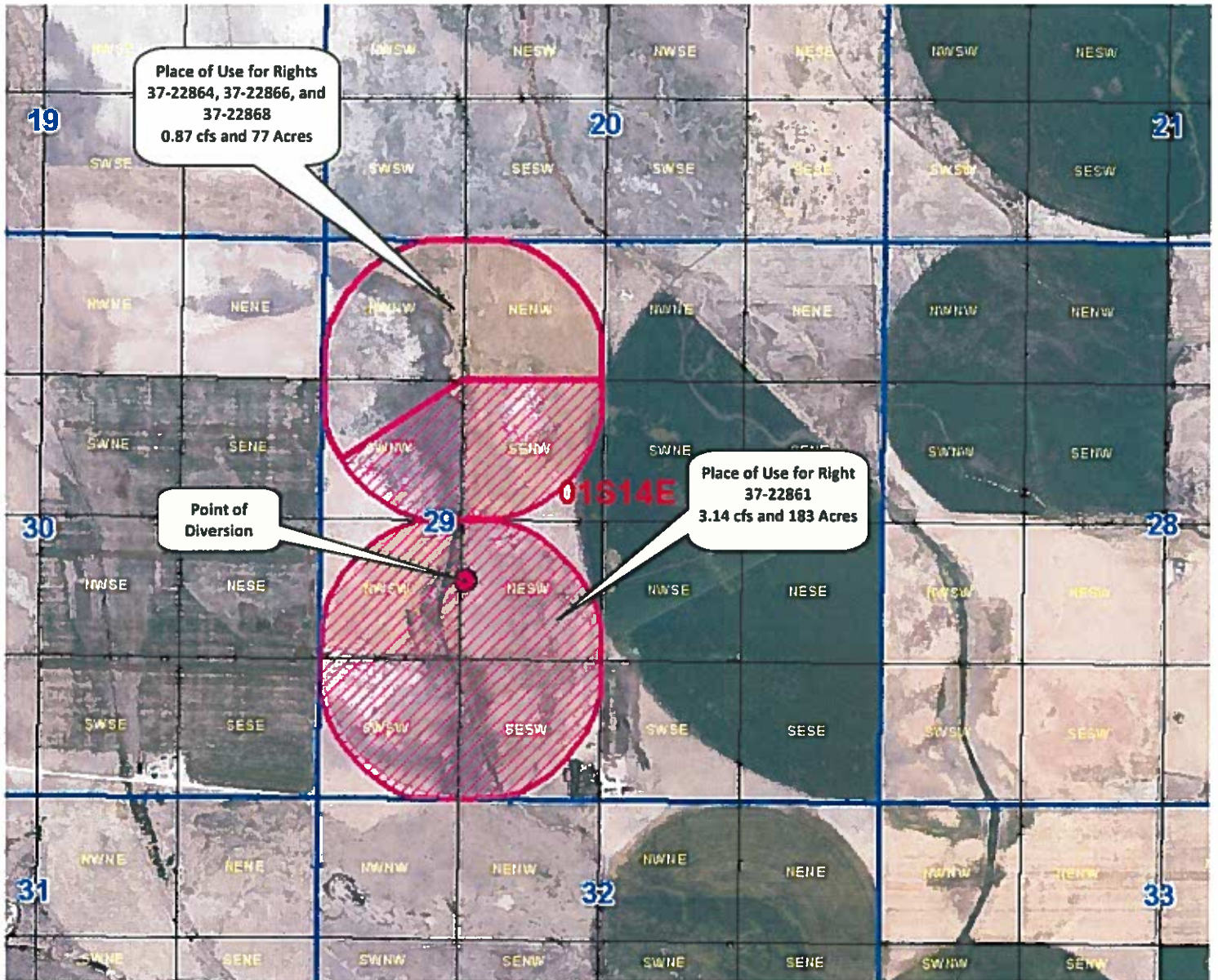
☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

Received By A SKINNER Date 3/6/2014 Prelim. Check By _____ Date _____
 Fee Paid \$500.00 Date 3/6/2014 Received By A SKINNER Receipt # 5033859
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

Transfer # 79153 Map





Date: 03/06/2014

RECEIVED

MAR 06 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Dear, Idaho Department of Water Resources

Northwest Farm Credit Services acknowledges the water right transfers on 79153, 79155, and 79154 priority date 7/16/1987. We approve the transfer of these water rights to another piece of property. Let me know if you have any questions regarding this matter.

Sincerely,

A handwritten signature in dark ink that reads "Nathan Gilbert". The signature is fluid and cursive, with a large checkmark-like flourish at the end.

Nathan Gilbert
Relationship Manager
Northwest Farm Credit Services
208-732-1020



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 12, 2014

DEBORAH L MCLAM
MATT A MCLAM
PO BOX 253
FAIRFIELD, ID 83327

RE: Transfer No. 79153
Water Right No(s). 37-22864, 37-22866, 37-22868

RE: Transfer No. 79154
Water Right No(s). 37-22860

RE: Transfer No. 79155
Water Right No(s). 37-22862

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **CAMAS COURIER** on **3/19/2014** and **3/26/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**April 7, 2014**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 12, 2014

RUSTY KRAMER
WATER DISTRICT #37-B
PO BOX 591
FAIRFIELD, ID 83327

RE: Transfer No. 79153
Water Right No(s): 37-22864, 37-22866, 37-22868

RE: Transfer No. 79154
Water Right No(s): 37-22860

RE: Transfer No. 79155
Water Right No(s): 37-22862

Dear Mr. Kramer:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Tuesday, March 11, 2014 5:15 PM
To: Camas Courier
Subject: LEGAL NOTICE
Attachments: Camas Courier Cover Letter.docx; Camas Courier Ad.docx

Attached please find (1) legal notice being submitted for publication on March 19th & 26th, 2014. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Idaho Dept of Water Resources
Administrative Assistant, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 11, 2014

LEGAL NOTICE DEPARTMENT
CAMAS COURIER
PO BOX 339
FAIRFIELD, ID 83327

RE: Transfer No. 79153
Water Right No(s): 37-22864, 37-22866, 37-22868

RE: Transfer No. 79154
Water Right No(s): 37-22860

RE: Transfer No. 79155
Water Right No(s): 37-22862

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before April 7, 2014. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79153**

DEBORAH L MCLAM and MATT A MCLAM, PO BOX 253, FAIRFIELD, ID 83327; has filed Application No. 79153 for changes to the following water rights within CAMAS County(s): Right No(s). 37-22864, 37-22866, 37-22868. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving three groundwater rights totaling 0.87 cfs and 77 acres from a well located approximately 1.5 miles south and 0.5 miles west of the Soldier Road and Highway 20 intersection, at the south end of Fairfield, to an existing well located approximately 2.6 miles south and 1.75 miles west of that same intersection, at the south end of Fairfield. The rights will be used to irrigate 77 acres located approximately 2.0 – 2.4 miles south and 1.5 – 2.0 miles west of the Soldier Road and Highway 20 intersection at the south end of Fairfield.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79154**

DEBORAH L MCLAM and MATT A MCLAM, PO BOX 253, FAIRFIELD, ID 83327; has filed Application No. 79154 for changes to the following water rights within CAMAS County(s): Right No(s). 37-22860. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a 1.76 cfs and 126.5 acre groundwater right from a well located approximately 2.6 miles south and 1.75 miles west of the Soldier Road and Highway 20 intersection, at the south end of Fairfield, to an existing well located approximately 3.0 miles south and 1.25 miles west of that same intersection, at the south end of Fairfield. The right will be used to irrigate 126.5 acres located approximately 2.0 – 2.6 miles south and 1.0 – 1.6 miles west of the Soldier Road and Highway 20 intersection at the south end of Fairfield.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79155**

DEBORAH L MCLAM and MATT A MCLAM, PO BOX 253, FAIRFIELD, ID 83327; has filed Application No. 79155 for changes to the following water rights within CAMAS County(s): Right No(s). 37-22862. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a 1.51 cfs and 159.0 acre groundwater right from a well located approximately 3.0 miles south and 1.25 miles west of the Soldier Road and Highway 20 intersection, at the south end of Fairfield, to an existing well located approximately 1.5 miles south and 0.5 miles west of that same intersection, at the south end of Fairfield. The right will be used to irrigate 159.0 acres within a 393 acre permissible place of use located approximately 1.0 – 2.0 miles south and 0.0 – 1.0 miles west of the Soldier Road and Highway 20 intersection at the south end of Fairfield.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before April 7, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 19th & 26th, 2014

MEMORANDUM

Date: March 10, 2014
To: Transfer 79153 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes moving three groundwater rights, 37-22864, 37-22866, and 37-22868, totaling 0.87 cfs and 77 acres from a well located approximately 1.5 miles south and 0.5 miles west of the Soldier Road and Highway 20 intersection, at the south end of Fairfield, to an existing well located approximately 2.6 miles south and 1.75 miles west of that same intersection, at the south end of Fairfield. The rights will be used to irrigate 77 acres located approximately 2.0 – 2.4 miles south and 1.5 – 2.0 miles west of the Soldier Road and Highway 20 intersection at the south end of Fairfield. Note that rights 37-22864, 37-22866, and 37-22868 were split from rights 37-8890, 37-22367, and 37-22371 prior to transfer data entry to reflect combined limit conditions with existing right(s) associated with the farms involved with this transfer and companion transfers # 79154 and # 79155. This transfer and the two companion transfers propose shifting water rights between three farms/systems to reflect actual irrigation practices. The rights involved with the transfer are all diverted within Water District 37B so water master comments will be solicited.

- **Authority to File:**
The applicants, Matt & Deborah McLam, are listed as the current owners of the rights involved with this transfer and the two companion transfers. A signed letter of consent from Farm Credit Services, who has an interest in one of the farms associated with the applications, has been included.
- **Water Right Validity:**
The rights involved with the transfer were recently decreed in the SRBA &/or recently licensed. Review of recent aerial photography indicates that the lands involved with the transfer appear to be irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impact anticipated. Application will be subject to public notice.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water. Sprinklers are used as part of the irrigation system(s).
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.