

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78995**

This is to certify that: **BARBARA MAYBERRY AND
GARY MAYBERRY
7429 BERTA RD
EUREKA, CA 95503**

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>
75-10668	WR/DECREED	4/1/1900	1.520 cfs	N/A	N/A	76.0	POISON CREEK
75-10669	WR/DECREED	4/1/1896	1.340 cfs	N/A	N/A	67.0	POISON CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
75-10668	NO	YES	YES	NO	NO	NO
75-10669	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
75-10668	75-10668	1.520 cfs	N/A	76.0	143.0	N/A	N/A	N/A	N/A	N/A
75-10669	75-10669	1.340 cfs	N/A	67.0	143.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.860 cfs	N/A	143.0	143.0		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 25th day of February, 2014.


for Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 78995

IN FILE # 75-10668

WATER RIGHT NO. 75-10668
As Modified by Transfer No. 78995

In accordance with the approval of Transfer No. 78995, Water Right No. 75-10668 is now described as follows:

Right Holder: GARY MAYBERRY AND
 BARBARA MAYBERRY
 7429 BERTA RD
 EUREKA, CA 95503

Priority Date: 4/1/1900

Source: POISON CREEK

Tributary: SALMON RIVER

BENEFICIAL USE
 IRRIGATION

From
 4/01

To
 to 11/01

Diversion Rate
 1.520 cfs
 1.520 cfs

LOCATION OF POINT(S) OF DIVERSION

POISON CREEK NENW Sec 23 Twp 18N Rge 21E LEMHI 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	
18N	21E	15									14.6		17.6	21.6		5.0			58.8
											L 7		L 10				L 6		
18N	21E	21																1.3	1.3
																		L 3	
18N	21E	22					0.1	17.1	1.5	3.7	17.9	24.3	18.3						82.9
								L 1	L 3	L 3		L 4	L 5						

Right Acre Limit: 76.0

POU Total Acres: 143.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 76 acres within the authorized place of use in a single irrigation season.
2. Rights 75-10668 and 75-10669 when combined shall not exceed the irrigation of 143 acres.
3. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 78995

WATER RIGHT NO. 75-10668
As Modified by Transfer No. 78995

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
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. 75-10669**As Modified by Transfer No. 78995**

In accordance with the approval of Transfer No. 78995, Water Right No. 75-10669 is now described as follows:

Right Holder: GARY MAYBERRY AND
BARBARA MAYBERRY
7429 BERTA RD
EUREKA, CA 95503

Priority Date: 4/1/1896

Source: POISON CREEK

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 11/01

Diversion Rate

1.340 cfs

1.340 cfs

LOCATION OF POINT(S) OF DIVERSION

POISON CREEK

NENW

Sec 23 Twp 18N Rge 21E LEMHI 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	
18N	21E	15									14.6		17.6	21.6		5.0			58.8
											L 7		L 10			L 6			
18N	21E	21																1.3	1.3
																		L 3	
18N	21E	22					0.1	17.1	1.5	3.7	17.9	24.3	18.3						82.9
							L 1	L 3	L 3		L 4	L 5							

Right Acre Limit: 67.0

POU Total Acres: 143.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 67 acres within the authorized place of use in a single irrigation season.
2. Rights 75-10668 and 75-10669 when combined shall not exceed the irrigation of 143 acres.
3. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 78995

WATER RIGHT NO. 75-10669
As Modified by Transfer No. 78995

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
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.

