

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78854

This is to certify that: JOHN MALCOLM AND
KIM MALCOLM
811 E 3800 N
BUHL, ID 83316

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>
51-13003	WR/DECREED	7/29/1955	2.480 cfs	N/A	219.0	464.0	GROUND WATER
51-13004	WR/DECREED	12/21/1959	2.180 cfs	N/A	245.4	464.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

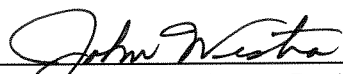
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
51-13003	NO	NO	NO	YES	NO	NO
51-13004	NO	NO	NO	YES	NO	NO

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>
51-13003	51-13003	2.480 cfs	876.0 af	219.0	464.0	N/A	N/A	N/A	N/A	N/A
51-13004	51-13004	2.180 cfs	982.0 af	245.4	464.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		4.660 cfs	1856.0 af	N/A	464.0		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 30th day of October, 2013.


JOHN WESTRA, Western Regional Manager

SUPPORT DATA
IN FILE # 51-13003 **SCANNED**

Transfer No. 78854

NOV 24 2013

WATER RIGHT NO. 51-13003
As Modified by Transfer No. 78854

In accordance with the approval of Transfer No. 78854, Water Right No. 51-13003 is now described as follows:

Right Holder: JOHN MALCOLM And
 KIM MALCOLM
 811 E 3800 N
 BUHL, ID 83316

Priority Date: 7/29/1955

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	2.480 cfs	876.0 af
			2.480 cfs	876.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESW	Sec 12 Twp 10S Rge 12E	TWIN FALLS County
GROUND WATER	SESW	Sec 12 Twp 10S Rge 12E	TWIN FALLS County
GROUND WATER	NWSW	Sec 12 Twp 10S Rge 12E	TWIN FALLS 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	12E	12								17.0	38.0	4.0	32.0	35.0		14.0	33.0		173.0
10S	12E	13		39.0	40.0	18.0	36.0	38.0		40.0	24.0				22.0	34.0			291.0

Right Acre Limit: 219.0

POU Total Acres: 464.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Transfer No. 78854

WATER RIGHT NO. 51-13003
As Modified by Transfer No. 78854

CONDITIONS OF APPROVAL

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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. This right is limited to the irrigation of 219 acres within the authorized place of use in a single irrigation season.
7. Rights 51-13003 and 51-13004 when combined shall not exceed a total annual maximum diversion volume of 1856 af at the field headgate, and the irrigation of 464 acres in a single irrigation season.
8. 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.
9. The following rights are diverted through points of diversion described above: 51-13003 and 51-13004.

WATER RIGHT NO. 51-13004**As Modified by Transfer No. 78854**

In accordance with the approval of Transfer No. 78854, Water Right No. 51-13004 is now described as follows:

Right Holder: JOHN MALCOLM AND
KIM MALCOLM
811 E 3800 N
BUHL, ID 83316

Priority Date: 12/21/1959

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	2.180 cfs	982.0 af
			2.180 cfs	982.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSESW	Sec 12 Twp 10S Rge 12E	TWIN FALLS County
GROUND WATER	SWSESW	Sec 12 Twp 10S Rge 12E	TWIN FALLS County
GROUND WATER	NWSW	Sec 12 Twp 10S Rge 12E	TWIN FALLS 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	12E	12								17.0	38.0	4.0	32.0	35.0		14.0	33.0		173.0
10S	12E	13		39.0	40.0	18.0	36.0	38.0		40.0	24.0				22.0	34.0			291.0

Right Acre Limit: 245.4

POU Total Acres: 464.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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WATER RIGHT NO. 51-13004
As Modified by Transfer No. 78854

CONDITIONS OF APPROVAL

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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. This right is limited to the irrigation of 245.4 acres within the authorized place of use in a single irrigation season.
7. Rights 51-13003 and 51-13004 when combined shall not exceed a total annual maximum diversion volume of 1856 af at the field headgate, and the irrigation of 464 acres in a single irrigation season.
8. 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.
9. The following rights are diverted through points of diversion described above: 51-13003 and 51-13004.