

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 78144

This is to certify that: WILLIAM ROBERT MAXWELL
PO BOX 256
CARMEN ID 83462
(208)756-2616

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
75-10330	WR/Decreed	04/01/1949	0.09 cfs	N/A	N/A	3.0	WALLACE CREEK
75-83C	WR/Decreed	05/13/1898	0.02 cfs	N/A	N/A	2.3	WALLACE CREEK
75-14577	WR/Decreed	06/01/1902	0.03 cfs	N/A	N/A	2.3	WALLACE 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>
75-10330	NO	NO	YES	NO	NO	NO
75-83C	NO	YES	YES	NO	NO	NO
75-14577	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>
75-10330	75-10330	0.09 cfs	N/A	3.0	5.3		N/A	N/A	N/A	N/A
75-83C	75-83C	0.02 cfs	N/A	2.3	5.3		N/A	N/A	N/A	N/A
75-14577	75-14577	0.03 cfs	N/A	2.3	5.3		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.14 cfs	N/A	5.3	5.3		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of November, 2012


Water Resources Program Manager

SUPPORT DATA

IN FILE # 75-83C

WATER RIGHT NO. 75-83C
As Modified by Transfer No. 78144

In accordance with the approval of Transfer No. 78144, Water Right No. 75-83C is now described as follows.

Right Holder: WILLIAM ROBERT MAXWELL
 PO BOX 256
 CARMEN ID 83462

Priority Date: May 13, 1898

Source: WALLACE CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
DOMESTIC	01/01	to 12/31	0.02 CFS
IRRIGATION	04/01	to 10/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

WALLACE CREEK L6 (NESE) Sec. 1 Twp 22N Rge 21E LEMHI County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
22N	22E	6	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
												X							
												L 7							

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
22N	22E	6	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
												5.3							5.3
												L 7							

Total Acres: 5.3

WATER RIGHT NO. 75-83C
As Modified by Transfer No. 78144

CONDITIONS OF APPROVAL

1. Rights 75-83C and 75-14577 when combined shall not exceed the irrigation of 2.3 acres.
2. Rights 75-83C, 75-14577, and 75-10330 when combined shall not exceed the irrigation of 5.3 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. The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
5. The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
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. 75E.
7. 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).
8. This right does not grant any right-of-way or easement across the land of another.
9. 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.
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.

This water right 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.

Dated this 21st day of November, 20 12


Water Resources Program Manager

WATER RIGHT NO. 75-14577
As Modified by Transfer No. 78144

In accordance with the approval of Transfer No. 78144, Water Right No. 75-14577 is now described as follows.

Right Holder: WILLIAM ROBERT MAXWELL
PO BOX 256
CARMEN ID 83462

Priority Date: June 01, 1902

Source: WALLACE CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

WALLACE CREEK L6 (NESE) Sec. 1 Twp 22N Rge 21E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
22N	22E	6																	5.3
																			L 7

Total Acres: 5.3

WATER RIGHT NO. 75-14577
As Modified by Transfer No. 78144

CONDITIONS OF APPROVAL

1. Rights 75-83C and 75-14577 when combined shall not exceed the irrigation of 2.3 acres.
2. Rights 75-83C, 75-14577, and 75-10330 when combined shall not exceed the irrigation of 5.3 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. 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).
5. 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. 75E.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

This water right 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.

Dated this 21st day of November, 20 12


Water Resources Program Manager

WATER RIGHT NO. 75-10330
As Modified by Transfer No. 78144

In accordance with the approval of Transfer No. 78144, Water Right No. 75-10330 is now described as follows.

Right Holder: WILLIAM ROBERT MAXWELL
 PO BOX 256
 CARMEN ID 83462

Priority Date: April 01, 1949

Source: WALLACE CREEK

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

0.09 CFS

LOCATION OF POINT(S) OF DIVERSION:

WALLACE CREEK L6 (NESE) Sec. 1 Twp 22N Rge 21E LEMHI County

PLACE OF USE:

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
22N	22E	6	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	5.3
																			5.3

Total Acres: 5.3

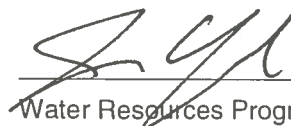
WATER RIGHT NO. 75-10330
As Modified by Transfer No. 78144

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3 acres within the authorized place of use in a single irrigation season.
2. Rights 75-83C, 75-14577, and 75-10330 when combined shall not exceed the irrigation of 5.3 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. 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).
5. 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. 75E.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

This water right 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.

Dated this 21st day of November, 20 12



Water Resources Program Manager