

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76908

This is to certify that: RESTATED MC MAHAN 1986 REVOCABLE TRUST
 WILLIAM A MC MAHAN TRUSTEE
 PO BOX 5919
 KETCHUM ID 83340
 (208)726-9022

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>
37-578E	WR/Decreed	05/02/1884	0.1 cfs	7 af		2.0	GROUND WATER
37-686C	WR/Decreed	06/01/1886	0.15 cfs	N/A		2.0	GROUND WATER
37-8001C	WR/Decreed	02/08/1982	0.03 cfs	7 af		2.0	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>
37-578E	NO	YES	NO	NO	NO	NO
37-686C	NO	YES	NO	NO	NO	NO
37-8001C	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

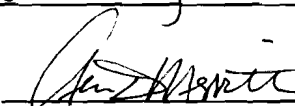
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-578E	37-578E	0.1 cfs	7 af	N/A	2.0		N/A	N/A	N/A	N/A
37-686C	37-686C	0.15 cfs	N/A	N/A	2.0		N/A	N/A	N/A	N/A
37-8001C	37-8001C	0.03 cfs	7 af	N/A	2.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.28 cfs	7 af		2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of January, 2011

SUPPORT DATA

IN FILE # 37-578E


 Southern Region Manager

WATER RIGHT NO. 37-578E
As Modified by Transfer No. 76908

In accordance with the approval of Transfer No. 76908, Water Right No. 37-578E is now described as follows.

Right Holder: RESTATED MC MAHAN 1986 REVOCABLE TRUST
WILLIAM A MC MAHAN TRUSTEE
PO BOX 5919
KETCHUM ID 83340

Priority Date: May 02, 1884

Source: GROUND WATER

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.10 CFS	7.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L8 (SWSE) Sec. 35 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
02N 18E 35															2.0		2.0
															L 8		

Total Acres: 2

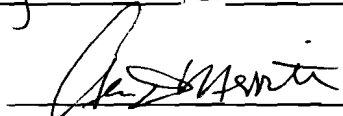
WATER RIGHT NO. 37-578E
As Modified by Transfer No. 76908

CONDITIONS OF APPROVAL

1. Diversion of ground water is limited to those times water is available for diversion under Right No. 37-578E at its original source, Big Wood River.
2. 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.37.
3. Rights 37-578E, 37-686C, and 37-8001C when combined shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 7 AF, and the irrigation of 2 acres.
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 diversions.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 20th day of January, 2011


Southern Region Manager

WATER RIGHT NO. 37-686C
As Modified by Transfer No. 76908

In accordance with the approval of Transfer No. 76908, Water Right No. 37-686C is now described as follows.

Right Holder: RESTATED MC MAHAN 1986 REVOCABLE TRUST
WILLIAM A MC MAHAN TRUSTEE
PO BOX 5919
KETCHUM ID 83340

Priority Date: June 01, 1886

Source: GROUND WATER

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	0.15 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L8 (SWSE) Sec. 35 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	18E	35															2.0		2.0
																	L 8		

Total Acres: 2

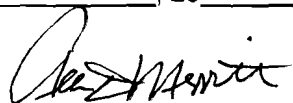
WATER RIGHT NO. 37-686C
As Modified by Transfer No. 76908

CONDITIONS OF APPROVAL

1. Diversion of ground water is limited to those times water is available for diversion under Right No. 37-686C at its original source, Big Wood River.
2. 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. 37.
3. Rights 37-578E, 37-686C, and 37-8001C when combined shall not exceed a total diversion rate of 0.06cfs, a total annual maximum diversion volume of 7 af, and the irrigation of 2 acres.
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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 20th day of January, 2011



Southern Region Manager

WATER RIGHT NO. 37-8001C
As Modified by Transfer No. 76908

In accordance with the approval of Transfer No. 76908, Water Right No. 37-8001C is now described as follows.

Right Holder: RESTATED MC MAHAN 1986 REVOCABLE TRUST
WILLIAM A MC MAHAN TRUSTEE
PO BOX 5919
KETCHUM ID 83340

Priority Date: February 08, 1982

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.03 CFS	7.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L8 (SWSE) Sec. 35 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 18E 35															2.0		2.0
															L 8		

Total Acres: 2

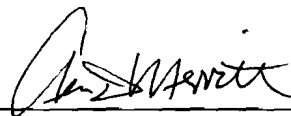
WATER RIGHT NO. 37-8001C
As Modified by Transfer No. 76908

CONDITIONS OF APPROVAL

1. Rights 37-578E, 37-686C, and 37-8001C when combined shall not exceed a total diversion rate of 0.06cfs, a total annual maximum diversion volume of 7 af, and the irrigation of 2 acres.
2. 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.37.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than <the date of this approval> <or originating approval/SRBA partial decree date>.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 20th day of January, 20 11



Southern Region Manager

State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 76908

Rights: 37-578E, 37-886C, 37-8001C

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.

R18E



Legend

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.025 0.05 0.1 Miles

