

March 8, 2010

JOHN L POWERS TRUST
PO BOX 493
MACKAY, ID 83251

RE: Transfer Application

Dear Mr. Powers,

Here is the transfer application you requested along with instructions to help complete the application. Review the map and indicate where the new POD will be located. The following parts of the application need to be completed:

- Part 1- Signature and date
- Part 1A2- Describe proposed transfer
- Part 1B3- New POD location
- Part 1B5A thru E – General Information

When you have completed the application and check list, send application with the filing fee of \$330 back to our office. If you have any questions, please call the office.

Sincerely

Denise Kidman
Water Resource Agent

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-7239A

WATER RIGHT NUMBER: 34-7239A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN L POWERS TRUST PO BOX 493 MACKAY, ID 83251 (208) 339-3358
Original Owner	JOHN L POWERS PO BOX 493 MACKAY, ID 83251 (208)588-3358

Priority Date: 01/22/1980

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	2.120 CFS	
	<u>Total Diversion:</u>	2.120 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 21, Twp 07N, Rge 24E, B.M.
CUSTER 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	
07N	24E	21									18.0			25.0		6.0	17.0	7.0	73.0
07N	24E	22											2.0						2.0
07N	24E	27			25.0		11.0	36.0	36.0	39.0			2.0						149.0
07N	24E	28	39.0	19.0		17.0													75.0

Total Acres: 299

Conditions of Approval:

1. R63 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.

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2. R55 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.
3. 104 If Right 34-440B is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used to irrigate more than 16 acres without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. 065 The right holder shall make full beneficial use of Right 34-440B for irrigation of 283 acres of land authorized to be irrigated under this right. The right holder shall limit the diversion of ground water to irrigate more than 16 acres under this right to those times when Right 34-440B is not available or Right 34-440B is not reasonably sufficient to irrigate 283 acres of its place of use that correspond to the place of use for this right.
5. X35 Rights 34-440B and 34-7239A when combined shall not exceed a total annual maximum diversion volume of 1078 af at the field headgate and the irrigation of 308 acres.

Remarks:Comments:

1. cpadilla 2/3/2010 4:10:53 PM POD
Comment: Updated Shape

2. cpadilla 2/5/2010 Licensing Review
Comment: The application for permit included an annotation that this permit would be developed as supplemental to surface water. The permit was developed as supplemental for the most part with the exception of 16 acres. Because the permit was not conditioned that the permit be developed supplemental, we will allow the 16 acres to be licensed as primary while the remaining 283 acres will be licensed as supplemental since that was how they were developed.

3. cpadilla 2/5/2010 4:21:07 PM POU
Comment: Updated Shape

Dates and Other Information:

Licensed Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 34
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 3.5
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust: T
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 34-7239A

Water Supply Bank: