

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76051

This is to certify that: MARK T NEWCOMB And LONNA NEWCOMB
 251 E 200 S
 RUPERT ID 83350
 (208)431-0020

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
45-2508	WR/Decreed	11/04/1955	2.02 cfs	983.9	249.0	546.0	GROUND WATER
45-2389B	WR/Decreed	02/26/1952	0.75 cfs	320	80.0	546.0	GROUND WATER
45-12441	WR/Decreed	09/30/1950	4.39 cfs	1532	383.0	546.0	GROUND WATER
45-13629	WR/Decreed	09/01/1951	0.97 cfs	468.9	120.0	546.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-2508	NO	YES	NO	YES	NO	NO
45-2389B	NO	YES	NO	YES	NO	NO
45-12441	NO	YES	NO	YES	NO	NO
45-13629	NO	YES	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
45-2508	45-2508	2.02 cfs	983.9	249.0	546.0		N/A	N/A	N/A	N/A
45-2389B	45-2389B	0.75 cfs	320	80.0	546.0		N/A	N/A	N/A	N/A
45-12441	45-12441	4.39 cfs	1532	383.0	546.0		N/A	N/A	N/A	N/A
45-13629	45-13629	0.97 cfs	468.9	120.0	546.0		N/A	N/A	N/A	N/A

COMBINED

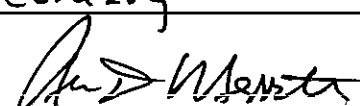
TOTALS	8.13 cfs	2184 af	546	546		N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 26th day of February, 2010

SUPPORT DATA

IN FILE # 45-2389B


 Southern Region Manager

WATER RIGHT NO. 45-2389B
As Modified by Transfer No. 76051

In accordance with the approval of Transfer No. 76051, Water Right No. 45-2389B is now described as follows.

Right Holder: MARK T NEWCOMB
 251 E 200 S
 RUPERT ID 83350

And

LONNA NEWCOMB
 251 E 200 S
 RUPERT ID 83350

Priority Date: February 26, 1952

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

To

03/15 to 11/15

Diversion Rate

0.75 CFS

0.75 CFS

Volume

320.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SEWNNE	Sec. 12 Twp 10S Rge 24E	CASSIA County
GROUND WATER	NWSWNE	Sec. 7 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NWNENW	Sec. 7 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NENENW	Sec. 8 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NESENW	Sec. 8 Twp 10S Rge 25E	CASSIA 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	
10S 24E 12	40.0	22.0	15.0	35.0													112.0
10S 25E 7	40.0	40.0	34.0	35.0	40.0	33.0	28.0	34.0									284.0
10S 25E 8					40.0	40.0	35.0	35.0									150.0

Total Acres: 546

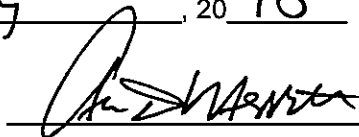
WATER RIGHT NO. 45-2389B
As Modified by Transfer No. 76051

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
2. Rights 45-2389B, 45-2508, 45-12441 and 45-13629 when combined shall not exceed a total annual maximum diversion volume of 2184.0 af at the field headgate, and the irrigation of 546 acres.
3. 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 lands above.
4. 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. 140.
5. Prior to the diversion and use of water under Transfer approval 76051, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 26th day of February, 20 10


Southern Region Manager

WATER RIGHT NO. 45-2508
As Modified by Transfer No. 76051

In accordance with the approval of Transfer No. 76051, Water Right No. 45-2508 is now described as follows.

Right Holder: MARK T NEWCOMB
 251 E 200 S
 RUPERT ID 83350
 And

LONNA NEWCOMB
 251 E 200 S
 RUPERT ID 83350

Priority Date: November 04, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.02 CFS	983.9 AF
			2.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SEWNNE	Sec. 12 Twp 10S	Rge 24E	CASSIA County
GROUND WATER	NWSWNE	Sec. 7 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWNENW	Sec. 7 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NENENW	Sec. 8 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NESENW	Sec. 8 Twp 10S	Rge 25E	CASSIA 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	
10S 24E 12	40.0	22.0	15.0	35.0													112.0
10S 25E 7	40.0	40.0	34.0	35.0	40.0	33.0	28.0	34.0									284.0
10S 25E 8					40.0	40.0	35.0	35.0									150.0

Total Acres: 546

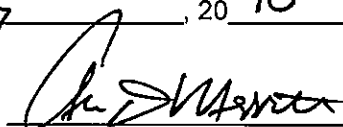
WATER RIGHT NO. 45-2508
As Modified by Transfer No. 76051

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 249 acres within the place of use described above in a single irrigation season.
2. Rights 45-2389B, 45-2508, 45-12441 and 45-13629 when combined shall not exceed a total annual maximum diversion volume of 2184.0 af at the field headgate, and the irrigation of 546 acres.
3. 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 lands above.
4. 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. 140.
5. Prior to the diversion and use of water under Transfer approval 76051, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 26th day of February, 20 10


Southern Region Manager

WATER RIGHT NO. 45-12441
As Modified by Transfer No. 76051

In accordance with the approval of Transfer No. 76051, Water Right No. 45-12441 is now described as follows.

Right Holder: MARK T NEWCOMB

251 E 200 S
 RUPERT ID 83350

And

LONNA NEWCOMB
 251 E 200 S
 RUPERT ID 83350

Priority Date: September 30, 1950

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15 to 11/15

To

Diversion Rate

4.39 CFS

4.39 CFS

Volume

1,532.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SEWNW	Sec. 12 Twp 10S Rge 24E	CASSIA County
GROUND WATER	NWSWNE	Sec. 7 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NWNENW	Sec. 7 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NENENW	Sec. 8 Twp 10S Rge 25E	CASSIA County
GROUND WATER	NESENW	Sec. 8 Twp 10S Rge 25E	CASSIA 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	
10S 24E 12	40.0	22.0	15.0	35.0													112.0
10S 25E 7	40.0	40.0	34.0	35.0	40.0	33.0	28.0	34.0									284.0
10S 25E 8					40.0	40.0	35.0	35.0									150.0

Total Acres: 546

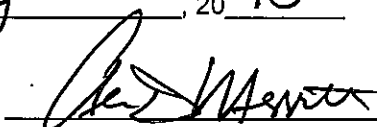
WATER RIGHT NO. 45-12441
As Modified by Transfer No. 76051

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 383 acres within the place of use described above in a single irrigation season.
2. Rights 45-2389B, 45-2508, 45-12441 and 45-13629 when combined shall not exceed a total annual maximum diversion volume of 2184.0 af at the field headgate, and the irrigation of 546 acres.
3. 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 lands above.
4. 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. 140.
5. Prior to the diversion and use of water under Transfer approval 76051, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 26th day of February, 20 10


Southern Region Manager

WATER RIGHT NO. 45-13629
As Modified by Transfer No. 76051

In accordance with the approval of Transfer No. 76051, Water Right No. 45-13629 is now described as follows.

Right Holder: MARK T NEWCOMB
 251 E 200 S
 RUPERT ID 83350
 And

LONNA NEWCOMB
 251 E 200 S
 RUPERT ID 83350

Priority Date: September 01, 1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.97 CFS	468.9 AF
			0.97 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SEWNNE	Sec. 12 Twp 10S Rge 24E CASSIA County
GROUND WATER	NWSWNE	Sec. 7 Twp 10S Rge 25E CASSIA County
GROUND WATER	NWNENW	Sec. 7 Twp 10S Rge 25E CASSIA County
GROUND WATER	NENENW	Sec. 8 Twp 10S Rge 25E CASSIA County
GROUND WATER	NESENW	Sec. 8 Twp 10S Rge 25E CASSIA 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	
10S 24E 12	40.0	22.0	15.0	35.0													112.0
10S 25E 7	40.0	40.0	34.0	35.0	40.0	33.0	28.0	34.0									284.0
10S 25E 8					40.0	40.0	35.0	35.0									150.0

Total Acres: 546

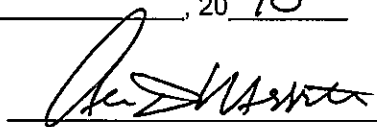
WATER RIGHT NO. 45-13629
As Modified by Transfer No. 76051

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
2. Rights 45-2389B, 45-2508, 45-12441 and 45-13629 when combined shall not exceed a total annual maximum diversion volume of 2184.0 af at the field headgate, and the irrigation of 546 acres.
3. 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 lands above.
4. 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. 140.
5. Prior to the diversion and use of water under Transfer approval 76051, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 26th day of February, 20 10



Southern Region Manager