

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75276

This is to certify that: KENNETH R WALLACE And
 TAMARA L WALLACE
 1188 N 1000 W
 CLINTON UT 84015
 (801)540-7332

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>
29-13848	WR/Decreed	01/08/1970	0.16 cfs	48 af	21.1	35.0	GROUND WATER
29-13850	WR/License	06/13/1983	0.48 cfs	44.9 af	N/A	35.0	GROUND WATER
29-13852	WR/Decreed	06/15/1973	0.07 cfs	31.5 af	11.2	35.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

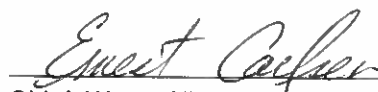
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-13848	YES	YES	NO	NO	NO	NO
29-13850	YES	YES	NO	NO	NO	NO
29-13852	YES	YES	NO	NO	NO	NO

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>
29-13848	29-13880	0.03 cfs	9.2 af	4.0	6.7	29-13879	0.13 cfs	38.8 af	17.1	28.3
29-13850	29-13882	0.09 cfs	8.6 af	N/A	6.7	29-13881	0.39 cfs	36.3 af	N/A	28.3
29-13852	29-13884	0.01 cfs	6 af	2.1	6.7	29-13883	0.06 cfs	25.5 af	9.1	28.3
COMBINED TOTALS		0.13 cfs	23.5 af	6.7	6.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23 day of March, 2009


 Chief, Water Allocation Bureau
 SUPPORT DATA

IN FILE # 29-13848

WATER RIGHT NO. 29-13879
As Modified by Transfer No. 75276

In accordance with the approval of Transfer No. 75276, Water Right No. 29-13879 is now described as follows.

Right Holder: MAYNARD LAND & LIVESTOCK LLC
 C/O TAM MAYNARD
 18255 S MARSH VALLEY RD
 DOWNEY ID 83234

Priority Date: January 08, 1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/01	0.13 CFS	38.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 35 Twp 10S	Rge 36E	BANNOCK County
GROUND WATER	SESE	Sec. 35 Twp 10S	Rge 36E	BANNOCK 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	36E	35													6.6	1.4			8.0
11S	36E	2														20.3			20.3

Total Acres: 28.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 17.1 acres within the place of use described above in a single irrigation season.
2. Right Nos. 29-13879 and 29-13883 are limited to the irrigation of a combined total of 20.9 acres in a single irrigation season.
3. Rights 29-13879, 29-13881, and 29-13883 when combined shall not exceed the irrigation of 28.3 acres.
4. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before May 1 and after October 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
5. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
6. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

WATER RIGHT NO. 29-13879
As Modified by Transfer No. 75276

CONDITIONS OF APPROVAL

7. 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 23 day of March, 2009



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13880
As Modified by Transfer No. 75276

In accordance with the approval of Transfer No. 75276, Water Right No. 29-13880 is now described as follows.

Right Holder: KENNETH R WALLACE And
 TAMARA L WALLACE
 1188 N 1000 W
 CLINTON UT 84015

Priority Date: January 08, 1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/01	0.03 CFS	9.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 2 Twp 11S Rge 36E BANNOCK 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
11S	36E	2																	6.7
																			6.7

Total Acres: 6.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4 acres within the place of use described above in a single irrigation season.
2. Right Nos. 29-13880 and 29-13884 are limited to the irrigation of a combined total of 4.9 acres in a single irrigation season.
3. Rights 29-13880, 29-13882, and 29-13884 when combined shall not exceed a total annual maximum diversion volume of 23.5 af at the field headgate and the irrigation of 6.7 acres.
4. 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.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 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 5/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/22/2004.
6. 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.

WATER RIGHT NO. 29-13880
As Modified by Transfer No. 75276

CONDITIONS OF APPROVAL

7. The following rights are diverted through point of diversion described above: 29-13880, 29-13882, and 29-13884.
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 23 day of March, 2009



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13881
As Modified by Transfer No. 75276

In accordance with the approval of Transfer No. 75276, Water Right No. 29-13881 is now described as follows.

Right Holder: MAYNARD LAND & LIVESTOCK LLC
 C/O TAM MAYNARD
 18255 S MARSH VALLEY RD
 DOWNEY ID 83234

Priority Date: June 13, 1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.39 CFS	36.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 35 Twp 10S	Rge 36E	BANNOCK County
GROUND WATER	SESE	Sec. 35 Twp 10S	Rge 36E	BANNOCK 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	36E	35													6.6	1.4			8.0
11S	36E	2														20.3			20.3

Total Acres: 28.3

CONDITIONS OF APPROVAL

1. Rights 29-13879, 29-13881, and 29-13883 when combined shall not exceed the irrigation of 28.3 acres.
2. 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.
3. Rights 29-13879 and 29-13883 are also diverted through the points of diversion described above.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 23 day of March, 2009


 Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13882
As Modified by Transfer No. 75276

In accordance with the approval of Transfer No. 75276, Water Right No. 29-13882 is now described as follows.

Right Holder: KENNETH R WALLACE And
 TAMARA L WALLACE
 1188 N 1000 W
 CLINTON UT 84015

Priority Date: June 13, 1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.09 CFS	8.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 2 Twp 11S Rge 36E BANNOCK 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
11S	36E	2																	6.7
																			6.7

Total Acres: 6.7

CONDITIONS OF APPROVAL

1. Rights 29-13880, 29-13882, and 29-13884 when combined shall not exceed a total annual maximum diversion volume of 23.5 af at the field headgate and the irrigation of 6.7 acres.
2. 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.
3. 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.
4. The following rights are diverted through point of diversion described above: 29-13880, 29-13882, and 29-13884.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

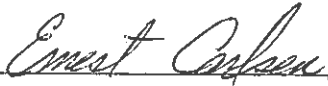
WATER RIGHT NO. 29-13882
As Modified by Transfer No. 75276

CONDITIONS OF APPROVAL

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.

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 23 day of March, 20 09



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13883
As Modified by Transfer No. 75276

In accordance with the approval of Transfer No. 75276, Water Right No. 29-13883 is now described as follows.

Right Holder: MAYNARD LAND & LIVESTOCK LLC
 C/O TAM MAYNARD
 18255 S MARSH VALLEY RD
 DOWNEY ID 83234

Priority Date: June 15, 1973

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	0.06 CFS	25.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 35 Twp 10S	Rge 36E	BANNOCK County
GROUND WATER	SESE	Sec. 35 Twp 10S	Rge 36E	BANNOCK 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	36E	35													6.6	1.4			8.0
11S	36E	2														20.3			20.3

Total Acres: 28.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 9.1 acres within the place of use described above in a single irrigation season.
2. Right Nos. 29-13879 and 29-13883 are limited to the irrigation of a combined total of 20.9 acres in a single irrigation season.
3. Rights 29-13879, 29-13881, and 29-13883 when combined shall not exceed the irrigation of 28.3 acres.
4. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. 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.

WATER RIGHT NO. 29-13883
As Modified by Transfer No. 75276

CONDITIONS OF APPROVAL

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 23 day of March, 2009



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13884
As Modified by Transfer No. 75276

In accordance with the approval of Transfer No. 75276, Water Right No. 29-13884 is now described as follows.

Right Holder: KENNETH R WALLACE And
 TAMARA L WALLACE
 1188 N 1000 W
 CLINTON UT 84015

Priority Date: June 15, 1973

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	0.01 CFS	6.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 2 Twp 11S Rge 36E BANNOCK 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
11S	36E	2																	6.7
																			6.7

Total Acres: 6.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.1 acres within the place of use described above in a single irrigation season.
2. Right Nos. 29-13880 and 29-13884 are limited to the irrigation of a combined total of 4.9 acres in a single irrigation season.
3. Rights 29-13880, 29-13882, and 29-13884 when combined shall not exceed a total annual maximum diversion volume of 23.5 af at the field headgate and the irrigation of 6.7 acres.
4. 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.
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. The following rights are diverted through point of diversion described above: 29-13880, 29-13882, and 29-13884.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 29-13884
As Modified by Transfer No. 75276

CONDITIONS OF 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 23 day of March, 2009



Chief, Water Allocation Bureau