

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74791

This is to certify that: MARK T 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

<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>
45-12440	WR/Decreed	05/14/1976	4.28 cfs	948 af		237.0	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>
45-12440	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>
45-12440	45-12440	4.28 cfs	948 af	N/A	237.0	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.28 cfs	948 af	N/A	237	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of October, 20 08

FOR


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-12440
As Modified by Transfer No. 74791

In accordance with the approval of Transfer No. 74791, Water Right No. 45-12440 is now described as follows.

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

Priority Date: May 14, 1976

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	4.28 CFS	948.0 AF
			4.28 CFS	948.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENESW Sec. 9 Twp 10S Rge 25E CASSIA 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
10S 25E 9									30.0		39.0	39.0	23.0	34.0	39.0	33.0	237.0

Total Acres: 237

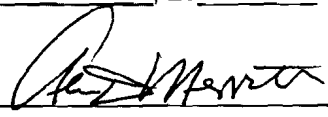
WATER RIGHT NO. 45-12440
As Modified by Transfer No. 74791

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 74791, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

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 24th day of October, 20 08


FOR Chief, Water Allocation Bureau