

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74805

This is to certify that: TAM MAYNARD
18755 S MARSH VALLEY ROAD
DOWNEY ID 83234

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>
29-13841	WR/Decreed	01/08/1970	0.26 cfs	79.4 af	34.9	58.0	GROUND WATER
29-13843	WR/License	06/13/1983	0.80 cfs	74.4 af	N/A	58.0	GROUND WATER
29-13845	WR/Decreed	06/15/1973	0.11 cfs	52.1 af	18.5	58.0	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>
29-13841	YES	NO	NO	YES	NO	NO
29-13843	YES	NO	NO	YES	NO	NO
29-13845	YES	NO	NO	YES	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>
29-13841	29-13849	0.10 cfs	31.4 af	13.8	23.0	29-13848	0.16 cfs	48.0 af	21.1	35.0
29-13843	29-13851	0.32 cfs	29.5 af	N/A	23.0	29-13850	0.48 cfs	44.9 af	N/A	35.0
29-13845	29-13853	0.04 cfs	20.6 af	7.3	23.0	29-13852	0.07 cfs	31.5 af	11.2	35.0
COMBINED										
TOTALS		0.46 cfs	81.5 af	23.0	23.0		0.71 cfs	124.4 af	35.0	35.0

Detailed Water Right Description(s) attached

Dated this 8th day of October, 2008

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 29-13841

WATER RIGHT NO. 29-13848
As Modified by Transfer No. 74805

In accordance with the approval of Transfer No. 74805, Water Right No. 29-13848 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	0.16 CFS	48.0 AF
			0.16 CFS	48.0 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															27.0		27.0

Total Acres: 35

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 21.1 acres within the place of use described above in a single irrigation season.
2. Use of this right with the rights listed below is limited to the irrigation of a total of 25.8 acres in a single irrigation season. Combine right Nos.: 29-13848 & 29-13852
3. Use of this right with rights listed below is limited to a total combined diversion rate of 0.23 cfs and to a total combined annual diversion volume of 79.5 af. Combined Right Nos.: 29-13848 & 29-13852
4. Rights 29-13848, 29-13850 and 29-13852 when combined shall not exceed the irrigation of 35 acres.
5. 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.

WATER RIGHT NO. 29-13848
As Modified by Transfer No. 74805

CONDITIONS OF APPROVAL

6. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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 8th day of October, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13849
As Modified by Transfer No. 74805

In accordance with the approval of Transfer No. 74805, Water Right No. 29-13849 is now described as follows.

Right Holder: TAM MAYNARD
 18755 S MARSH VALLEY ROAD
 DOWNEY ID 83234

And/Or

ANGELIKA MAYNARD
 18755 S MARSH VALLEY ROAD
 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	10/01	0.10 CFS	31.4 AF
			0.10 CFS	31.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1 (NENE) Sec. 2 Twp 11S Rge 36E BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
11S	36E	2	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	23.0
			22.0			1.0													
			L 1																

Total Acres: 23

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. 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.
3. This right is limited to the irrigation of 13.8 acres within the place of use described above in a single irrigation season.
4. Rights 29-13849 & 29-13853 when combined shall not exceed a total diversion rate of 0.14 cfs, a total annual maximum diversion volume of 52 af at the field headgate, and the irrigation of 16.9 acres.

WATER RIGHT NO. 29-13849
As Modified by Transfer No. 74805

CONDITIONS OF APPROVAL

5. Rights 29-13849, 29-13851, and 29-13853 when combined shall not exceed the irrigation of 23 acres.
6. 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.
7. 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.
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 8th day of October, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13850
As Modified by Transfer No. 74805

In accordance with the approval of Transfer No. 74805, Water Right No. 29-13850 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	0.48 CFS	44.9 AF
			0.48 CFS	44.9 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														27.0			27.0

Total Acres: 35

CONDITIONS OF APPROVAL

1. 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.
2. Rights 29-13848, 29-13850 and 29-13852 when combined shall not exceed the irrigation of 35 acres.
3. Rights 29-13848 and 29-13852 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 8th day of October, 2008


 Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13851
As Modified by Transfer No. 74805

In accordance with the approval of Transfer No. 74805, Water Right No. 29-13851 is now described as follows.

Right Holder: TAM MAYNARD
 18755 S MARSH VALLEY ROAD
 DOWNEY ID 83234

And/Or

ANGELIKA MAYNARD
 18755 S MARSH VALLEY ROAD
 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	0.32 CFS	29.5 AF
			0.32 CFS	29.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1 (NENE) 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	22.0			1.0													23.0
			L 1																

Total Acres: 23

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. 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.
3. 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.
4. Rights 29-13849, 29-13851 and 29-13853 when combined shall not exceed the irrigation of 23 acres.

WATER RIGHT NO. 29-13851
As Modified by Transfer No. 74805

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 8th day of October, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13852
As Modified by Transfer No. 74805

In accordance with the approval of Transfer No. 74805, Water Right No. 29-13852 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	0.07 CFS	31.5 AF
			0.07 CFS	31.5 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															27.0		27.0

Total Acres: 35

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11.2 acres within the place of use described above in a single irrigation season.
2. Use of this right with the rights listed below is limited to the irrigation of a combined total of 25.8 acres in a single irrigation season. Combined right Nos. 29-13848 & 29-13852
3. Use of this right with rights listed below is limited to a total combined diversion rate of 0.23 CFS and to a total combined annual diversion volume 79.5 AF combined right Nos. 29-13848 & 29-13852
4. Rights 29-13848, 29-13850 and 29-13852 when combined shall not exceed the irrigation of 35 acres.
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.
7. This right is split from former right 29-13845.

WATER RIGHT NO. 29-13852
As Modified by Transfer No. 74805

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 8th day of October, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13853
As Modified by Transfer No. 74805

In accordance with the approval of Transfer No. 74805, Water Right No. 29-13853 is now described as follows.

Right Holder: TAM MAYNARD
 18755 S MARSH VALLEY ROAD
 DOWNEY ID 83234

And/Or

ANGELIKA MAYNARD
 18755 S MARSH VALLEY ROAD
 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	0.04 CFS	20.6 AF
			0.04 CFS	20.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1 (NENE) Sec. 2 Twp 11S 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	
11S 36E 2	22.0			1.0													23.0
	L 1																

Total Acres: 23

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. 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.
3. This right is limited to the irrigation of 7.3 acres within the place of use described above in a single irrigation season.
4. Rights 29-13849 & 29-13853 when combined shall not exceed a total diversion rate of 0.14 cfs, a total annual maximum diversion volume of 52 af at the field headgate, and the irrigation of 16.9 acres.
5. Rights 29-13849, 29-13851 and 29-13853 when combined shall not exceed the irrigation of 23 acres.

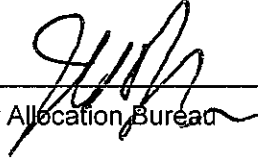
WATER RIGHT NO. 29-13853
As Modified by Transfer No. 74805

CONDITIONS OF APPROVAL

6. 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.
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 8th day of October, 20 08



Chief, Water Allocation Bureau