

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71205

This is to certify that: MARK T NEWCOMB
251 E 200 S
RUPERT ID 83350
(208)436-5679

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>
45-12439	AJC/License	07/28/1978	11.15 cfs	2516 af	N/A	629.0	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>
45-12439	NO	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>
45-12439	45-12439	11.15 cfs	2516 af	N/A	629.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		11.15 cfs	2516 af	N/A	629.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of July, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-12439
As Modified by Transfer No. 71205

In accordance with the approval of Transfer No. 71205, Water Right No. 45-12439 is now described as follows.

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

Priority Date: July 28, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	11/01 to	05/01	0.12 CFS	6.7 AF
IRRIGATION	03/15 to	11/15	11.15 CFS	2,516.0 AF
			11.15 CFS	2,516.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSW	Sec. 10 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWNESE	Sec. 10 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NWNWSE	Sec. 10 Twp 10S	Rge 25E	CASSIA County
GROUND WATER	NESWSE	Sec. 10 Twp 10S	Rge 25E	CASSIA County

PLACE OF USE: STOCKWATER

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 25E 9													X				X
10S 25E 10			X				X	X	X	X	X	X	X	X	X	X	X
10S 25E 15	X	X	X	X	X	X	X	X	X								

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 25E 9													3.8				6.6
10S 25E 10			1.4				3.6	7.6	40.0	39.0	40.0	38.0	27.0	39.0	40.0	37.0	312.6
10S 25E 15	32.0	40.0	40.0	35.0	39.0	40.0	40.0	40.0									306.0

Total Acres: 629

WATER RIGHT NO. 45-12439
As Modified by Transfer No. 71205

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. The well previously used in the SWNWNE of Section 15, Township 10 South, Range 25 East shall be abandoned in a manner which complies with Department well abandonment rules.
3. The total instantaneous diversion of water from all points of diversion under Right 45-12439 shall not exceed 11.15 cfs, nor a total combined annual volume of 2516.0 af.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 71205, 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.
6. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 13th day of July, 20 04



Chief, Water Allocation Bureau