

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70962

This is to certify that: BRUCE C NEWCOMB
BOX 757
BURLEY ID 83318
(208)670-3758

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>
45-7507	AJC/License	06/16/1982	1.93 cfs	856 af	N/A	214.0	GROUND WATER
45-7083	AJC/License	08/20/1971	2.34 cfs	846 af	N/A	211.5	GROUND WATER
45-7184	AJC/License	08/06/1974	5.57 cfs	1600.4 af	N/A	400.1	GROUND WATER

Purpose of Transfer (Changes Proposed)

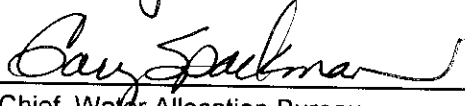
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-7507	NO	YES	YES	YES	NO	NO
45-7083	NO	YES	YES	NO	NO	NO
45-7184	NO	YES	YES	YES	NO	NO

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>
45-7507	45-7507	1.93 cfs	856.0 af	214.0	614.1		N/A	N/A	N/A	N/A
45-7083	45-7083	2.34 cfs	846.0 af	211.5	614.1		N/A	N/A	N/A	N/A
45-7184	45-7184	5.57 cfs	1600.4 af	400.1	614.1		N/A	N/A	N/A	N/A
COMBINED TOTALS		9.84 cfs	2456.4 af	614.1	614.1		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7184
As Modified by Transfer No. 70962

In accordance with the approval of Transfer No. 70962, Water Right No. 45-7184 is now described as follows.

Right Holder: BRUCE C NEWCOMB
 BOX 757
 BURLEY ID 83318

Priority Date: August 06, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	5.57 CFS	1,600.4 AF
			5.57 CFS	1,600.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNW Sec. 3 Twp 10S Rge 25E CASSIA County

GROUND WATER NESWSW Sec. 4 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	25E	3					6.5	36.0	40.0	16.0	1.7	21.0							121.2
							L 3	L 4											
10S	25E	4	31.0	18.9	29.9	40.0	40.0	18.0	26.0	40.0	14.0	2.5	28.0	38.0	16.0	2.3	8.1		352.7
			L 1	L 2			L 3	L 4											
10S	25E	9		14.0	.2		40.0	36.0	29.0	21.0									140.2

Total Acres: 614.1

WATER RIGHT NO. 45-7184
As Modified by Transfer No. 70962

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 400.1 acres within the place of use described above in a single irrigation season.
2. Rights 45-7083, 45-7184, and 45-7507 when combined shall not exceed the irrigation of 614.1 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-7083, 45-7184, and 45-7507 shall not exceed 9.84 cfs, nor a total combined annual volume of 2456.4 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 70962, 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 measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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.
11. 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 17th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7083
As Modified by Transfer No. 70962

In accordance with the approval of Transfer No. 70962, Water Right No. 45-7083 is now described as follows.

Right Holder: BRUCE C NEWCOMB
 BOX 757
 BURLEY ID 83318

Priority Date: August 20, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/30	2.34 CFS	846.0 AF
			2.34 CFS	846.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNW Sec. 3 Twp 10S Rge 25E CASSIA County

GROUND WATER NESWSW Sec. 4 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	25E	3					6.5	36.0	40.0	16.0	1.7	21.0							121.2
							L 3	L 4											
10S	25E	4	31.0	18.9	29.9	40.0	40.0	18.0	26.0	40.0	14.0	2.5	28.0	38.0	16.0	2.3	8.1		352.7
			L 1	L 2			L 3	L 4											
10S	25E	9		14.0	.2		40.0	36.0	29.0	21.0									140.2

Total Acres: 614.1

WATER RIGHT NO. 45-7083
As Modified by Transfer No. 70962

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 211.5 acres within the place of use described above in a single irrigation season.
2. Rights 45-7083, 45-7184, and 45-7507 when combined shall not exceed the irrigation of 614.1 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-7083, 45-7184, and 45-7507 shall not exceed 9.84 cfs, nor a total combined annual volume of 2456.4 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 70962, 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 measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/30 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The well previously used under Right 45-7083 shall be abandoned in a manner which complies with Department well abandonment rules.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 17th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-7507
As Modified by Transfer No. 70962

In accordance with the approval of Transfer No. 70962, Water Right No. 45-7507 is now described as follows.

Right Holder: BRUCE C NEWCOMB
 BOX 757
 BURLEY ID 83318

Priority Date: June 16, 1982

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	1.93 CFS	856.0 AF
			1.93 CFS	856.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNW Sec. 3 Twp 10S Rge 25E CASSIA County

GROUND WATER NESWSW Sec. 4 Twp 10S Rge 25E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
10S	25E	3					6.5	36.0	40.0	16.0	1.7	21.0							121.2
							L3	L4											
10S	25E	4	31.0	18.9	29.9	40.0	40.0	18.0	26.0	40.0	14.0	2.5	28.0	38.0	16.0	2.3	8.1		352.7
			L1	L2			L3	L4											
10S	25E	9		14.0	.2		40.0	36.0	29.0	21.0									140.2

Total Acres: 614.1

WATER RIGHT NO. 45-7507
As Modified by Transfer No. 70962

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 214 acres within the place of use described above in a single irrigation season.
2. Rights 45-7083, 45-7184, and 45-7507 when combined shall not exceed the irrigation of 614.1 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-7083, 45-7184, and 45-7507 shall not exceed 9.84 cfs, nor a total combined annual volume of 2456.4 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 70962, 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 measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
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. The right holder shall accomplish the change authorized by this transfer within one (1) 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. 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 17th day of February, 2004



Chief, Water Allocation Bureau