

COPY

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JAN 20 2009
By _____ Clerk

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JAN 22 2009
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Water Rights: 73-86C, 73-86D, 73-87,
	)	73-96A, 73-96B, 73-97A, 73-10058
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDING

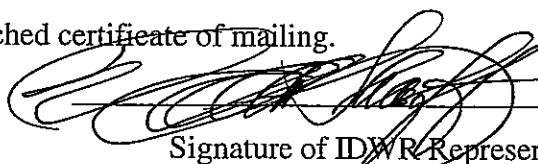
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ IC § 42-222
- | | |
|--|--|
| ☒ Point of diversion | ☒ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
- ☐ Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water right(s) except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: January 15, 2009


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1/16, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase:

Jimmie L. and Maria Elene Dowton
HC 62 Box 2320
May, ID 83253



Signature of person mailing this document

01/15/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-86C

NAME AND ADDRESS: MARIA ELENA DOWTON
HC 62 BOX 2320
MAY ID 83253

JIMMIE L DOWTON
HC 62 BOX 2320
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 3.200 CFS

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 02/04/1910

POINT OF
DIVERSION:

T15N R21E S21 SENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	IRRIGATION		04/01 10/31		3.200 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>				
	T15N R21E S17	NESW	27.00	T15N R21E S17	SESW 36.00
	T15N R21E S17	NWSE	11.00	T15N R21E S17	SWSE 39.00
	T15N R21E S17	SESE	19.00	T15N R21E S20	NENE 29.00
	T15N R21E S20	NWNE	38.00	T15N R21E S20	SWNE 24.00
	T15N R21E S20	SENE	38.00	T15N R21E S20	NENW 26.00
	T15N R21E S20	NESE	13.50	T15N R21E S21	NWNW 2.00
	T15N R21E S21	SWNW	40.00	T15N R21E S21	SENW 18.00
	T15N R21E S21	NWSW	34.00	T15N R21E S21	SWSW 36.00

430.5 ACRES TOTAL

Rights 73-86C, 73-86D, 73-87, 73-96A, 73-96B, 73-97A and 73-10058
when combined shall not exceed the irrigation of 430.5 acres.

Rights 73-86C, 73-96B and 73-97A when combined shall not exceed the
irrigation of 82.9 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

This right does not grant any right-of-way or easement across the land of another.

The right holder shall accomplish the change authorized by Transfer No, 73707 by September 6, 2008.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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. As of September 6, 2007, this water right is within State Water District No. 73.

Water is delivered through P-8.

01/15/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-86D

NAME AND ADDRESS: JIMMIE L DOWTON
HC 62 BOX 2320
MAY ID 83253

MARIA ELENA DOWTON
HC 62 BOX 2320
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.600 CFS

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/01/1900

POINT OF
DIVERSION:

T15N R21E S21 SENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	IRRIGATION		04/01 10/31		1.600 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>				
	T15N R21E S17	NESW	27.00	T15N R21E S17	SESW 36.00
	T15N R21E S17	NWSE	11.00	T15N R21E S17	SWSE 39.00
	T15N R21E S17	SESE	19.00	T15N R21E S20	NENE 29.00
	T15N R21E S20	NWNE	38.00	T15N R21E S20	SWNE 24.00
	T15N R21E S20	SENE	38.00	T15N R21E S20	NENW 26.00
	T15N R21E S20	NESE	13.50	T15N R21E S21	NWNW 2.00
	T15N R21E S21	SWNW	40.00	T15N R21E S21	SENW 18.00
	T15N R21E S21	NWSW	34.00	T15N R21E S21	SWSW 36.00
	430.5 ACRES TOTAL				

Rights 73-86C, 73-86D, 73-87, 73-96A, 73-96B, 73-97A and 73-10058
when combined shall not exceed the irrigation of 430.5 acres.

Rights 73-86D and 73-96A when combined shall not exceed the irrigation of
122.5 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through P-8.

The right holder shall accomplish the change authorized by Transfer 73707 by September 6, 2008.

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This right does not grant any right-of-way or easement across the land of another.

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. As of September 6, 2007, this water right is within State Water District No. 73.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

01/15/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-87

NAME AND ADDRESS: JIMMIE L DOWTON
HC 62 BOX 2320
MAY ID 83253MARIA ELENA DOWTON
HC 62 BOX 2320
MAY ID 83253SOURCE: MUD SPRING CREEK
PAHSIMEROI RIVERTRIBUTARY: PAHSIMEROI RIVER
TRIBUTARY: SALMON RIVERQUANTITY: 7.190 CFS
0.70 AFY

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This right authorizes the diversion of an annual total of 0.7 acre-foot to be used for the initial filling of the pond, for the replacement of losses caused by seepage and evaporation from the pond.

The pond established by the storage of water under this right shall not exceed a total capacity of 0.3 acre-foot or a total surface area of 0.2 acre.

PRIORITY DATE: 05/01/1900

POINT OF
DIVERSION:

T15N R21E S17 NESESE Within CUSTER County

T15N R21E S21 SENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
WILDLIFE STORAGE	01/01 12/31	0.70 AFY
AESTHETIC STORAGE	01/01 12/31	0.70 AFY
IRRIGATION	04/01 10/31	7.190 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S17	NESW	27.00	T15N R21E S17	SESW	36.00
T15N R21E S17	NWSE	11.00	T15N R21E S17	SWSE	39.00
T15N R21E S17	SESE	19.00	T15N R21E S20	NENE	29.00
T15N R21E S20	NWNE	38.00	T15N R21E S20	SWNE	24.00
T15N R21E S20	SENE	38.00	T15N R21E S20	NENW	26.00
T15N R21E S20	NESE	13.50	T15N R21E S21	NWNW	2.00
T15N R21E S21	SWNW	40.00	T15N R21E S21	SENW	18.00
T15N R21E S21	NWSW	34.00	T15N R21E S21	SWSW	36.00

WILDLIFE STORAGE in CUSTER County

T15N R21E S17 SESE

AESTHETIC STORAGE in CUSTER County

T15N R21E S17 SESE

430.5 ACRES TOTAL

Rights 73-86C, 73-86D, 73-87, 73-96A, 73-96B, 73-97A and 73-10058 when combined shall not exceed the irrigation of 430.5 acres.

This right is limited to the irrigation of 175.1 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

Water is delivered through P-8.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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. As of September 6, 2007, this water right is within State Water District No. 73.

The right holder shall accomplish the change authorized by Transfer 73707 by September 6, 2008.

This right does not grant any right-of-way or easement across the land of another.

01/15/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-96A

NAME AND ADDRESS: MARIA ELENA DOWTON
HC 62 BOX 2320
MAY ID 83253

JIMMIE L DOWTON
HC 62 BOX 2320
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.800 CFS

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/10/1901

POINT OF
DIVERSION:

T15N R21E S21 SENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	IRRIGATION		04/01 10/31		1.800 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>				
	T15N R21E S17	NESW	27.00	T15N R21E S17	SESW 36.00
	T15N R21E S17	NWSE	11.00	T15N R21E S17	SWSE 39.00
	T15N R21E S17	SESE	19.00	T15N R21E S20	NENE 29.00
	T15N R21E S20	NWNE	38.00	T15N R21E S20	SWNE 24.00
	T15N R21E S20	SENE	38.00	T15N R21E S20	NENW 26.00
	T15N R21E S20	NESE	13.50	T15N R21E S21	NWNW 2.00
	T15N R21E S21	SWNW	40.00	T15N R21E S21	SENW 18.00
	T15N R21E S21	NWSW	34.00	T15N R21E S21	SWSW 36.00

430.5 ACRES TOTAL

Rights 73-86D and 73-96A when combined shall not exceed the irrigation of
122.5 acres.

Rights 73-86C, 73-86D, 73-87, 73-96A, 73-96B, 73-97A and 73-10058
when combined shall not exceed the irrigation of 430.5 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The right holder shall accomplish the change authorized by Transfer No. 73707 by September 6, 2008.

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This right does not grant any right-of-way or easement across the land of another.

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. As of September 6, 2007, this water right is within State Water District No. 73.

Water is delivered through P-8.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

01/15/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-96B

NAME AND ADDRESS: MARIA ELENA DOWTON
HC 62 BOX 2320
MAY ID 83253

JIMMIE L DOWTON
HC 62 BOX 2320
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.400 CFS

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/10/1901

POINT OF
DIVERSION:

T15N R21E S21 SENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	IRRIGATION		04/01 10/31		1.400 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>				
	T15N R21E S17	NESW	27.00	T15N R21E S17	SESW 36.00
	T15N R21E S17	NWSE	11.00	T15N R21E S17	SWSE 39.00
	T15N R21E S17	SESE	19.00	T15N R21E S20	NENE 29.00
	T15N R21E S20	NWNE	38.00	T15N R21E S20	SWNE 24.00
	T15N R21E S20	SENE	38.00	T15N R21E S20	NENW 26.00
	T15N R21E S20	NESE	13.50	T15N R21E S21	NWNW 2.00
	T15N R21E S21	SWNW	40.00	T15N R21E S21	SENW 18.00
	T15N R21E S21	NWSW	34.00	T15N R21E S21	SWSW 36.00

.430.5 ACRES TOTAL

Rights 73-86C, 73-86D, 73-87, 73-96A, 73-96B, 73-97A and 73-10058
when combined shall not exceed the irrigation of 430.5 acres.

Rights 73-86C, 73-96B and 73-97A when combined shall not exceed the
irrigation of 82.9 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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. As of September 6, 2007, this water right is within State Water District No. 73.

Water is delivered through P-8.

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

This right does not grant any right-of-way or easement across the land of another.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer No. 73707 by September 6, 2008.

01/15/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-97A

NAME AND ADDRESS: JIMMIE L DOWTON
HC 62 BOX 2320
MAY ID 83253

MARIA ELENA DOWTON
HC 62 BOX 2320
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.800 CFS

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/05/1919

POINT OF
DIVERSION:

T15N R21E S21 SENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS
<u>PLACE OF USE: IRRIGATION in CUSTER County</u>		
T15N R21E S17 NESW 27.00	T15N R21E S17 SESW	36.00
T15N R21E S17 NWSE 11.00	T15N R21E S17 SWSE	39.00
T15N R21E S17 SESE 19.00	T15N R21E S20 NENE	29.00
T15N R21E S20 NWNW 38.00	T15N R21E S20 SWNE	24.00
T15N R21E S20 SENE 38.00	T15N R21E S20 NENW	26.00
T15N R21E S20 NESE 13.50	T15N R21E S21 NWNW	2.00
T15N R21E S21 SWNW 40.00	T15N R21E S21 SENW	18.00
T15N R21E S21 NWSW 34.00	T15N R21E S21 SWSW	36.00

430.5 ACRES TOTAL

Rights 73-86C, 73-86D, 73-87, 73-96A, 73-96B, 73-97A and 73-10058
when combined shall not exceed the irrigation of 430.5 acres.

Rights 73-86C, 73-96B and 73-97A when combined shall not exceed the
irrigation of 82.9 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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. As of September 6, 2007, this water right is within State Water District No. 73.

This right does not grant any right-of-way or easement across the land of another.

The right holder shall accomplish the change authorized by Transfer No. 73707 by September 6, 2008.

Water is delivered through P-8.

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

01/15/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-10058

NAME AND ADDRESS: JIMMIE L DOWTON
HC 62 BOX 2320
MAY ID 83253

MARIA ELENA DOWTON
HC 62 BOX 2320
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.500 CFS
175.00 AFY

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/19/1964

POINT OF
DIVERSION:

T15N R21E S21 SENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.500 CFS 175.00 AFY

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S17	NESW	27.00	T15N R21E S17	SESW	36.00
T15N R21E S17	NWSE	11.00	T15N R21E S17	SWSE	39.00
T15N R21E S17	SESE	19.00	T15N R21E S20	NENE	29.00
T15N R21E S20	NWNE	38.00	T15N R21E S20	SWNE	24.00
T15N R21E S20	SENE	38.00	T15N R21E S20	NENW	26.00
T15N R21E S20	NESE	13.50	T15N R21E S21	NWNW	2.00
T15N R21E S21	SWNW	40.00	T15N R21E S21	SENW	18.00
T15N R21E S21	NWSW	34.00	T15N R21E S21	SWSW	36.00

430.5 ACRES TOTAL

This right is limited to the irrigation of 50 acres within the place of use
described above in a single irrigation season.

Rights 73-86C, 73-86D, 73-87, 73-96A, 73-96B, 73-97A and 73-10058
when combined shall not exceed the irrigation of 430.5 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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. As of September 6, 2007, this water right is within State Water District No. 73.

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

Water is delivered through P-8.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

This right does not grant any right-of-way or easement across the land of another.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer No. 73707 by September 6, 2008.